



**Convention on the  
Rights of the Child**

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**Committee on the Rights of the Child**

**Consideration of the reports submitted by States  
parties under article 44 of the Convention**

**Combined second to fourth periodic reports of States parties  
due in 2010**

**Saint Lucia\***

[8 February 2011]

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited.

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## I. Introduction

1. The island of Saint Lucia ratified the Convention on the Rights of the Child on 16 June 1993. The island presented its initial report to the United Nations Committee on the Rights of the Child at the 39th session of the Committee on 17 May 2005.

2. The United Nations Committee on the Rights of the Child adopted its observations at its 39th meeting, held on 3 June 2005. Since the initial report was submitted ten years after it should have been submitted, the Committee requested that Saint Lucia submit its combined second, third and fourth report by 15 July 2010, which is the date on which the fourth report is due.

3. This combined report includes relevant developments in law, policy and practice in Saint Lucia since the submission of the initial report, as well as plans to improve children's rights. The report takes into consideration the concluding observations made by the United Nations Committee on the Rights of the Child. These observations and recommendations are restated in the report, together with the corresponding actions taken by Saint Lucia.

### A. Development of the report

4. The report is prepared in accordance with the following guidelines:

(a) The General guidelines regarding the form and content of initial reports to be submitted by States Parties under article 44, paragraph 1 (a), of the Convention (document CRC/C/5, 30 October 1991); and

(b) The general guidelines regarding the form and content of periodic reports to be submitted by States Parties under article 44, paragraph 1 (b) of the Convention (document CRC/C/58/Rev.1, 29 November 2005).

5. The report should be read in conjunction with Saint Lucia's initial report on the implementation of the Convention on the Rights of the Child.

6. The report begins with an overview of Saint Lucia in paragraphs 14 to 34. This overview provides a summary of the socio-economic, political and demographic development of Saint Lucia.

7. The report is comprised of eight parts based on the clusters of articles set out in the 2005 general guidelines.

8. The consideration given to the concluding Committee's observations and recommendations on the initial report is described in paragraphs 37 to 206.

9. Background information and statistics about children in Saint Lucia are contained in the list of supporting tables and figures in the Annex.

10. This first draft of the report was circulated to members of the Coordinating Committee for review. Members of the Coordinating Committee consist of representatives of Government and non-governmental organizations that provide family and child related services.

11. In order to facilitate the review by the Coordinating Committee, an Information Kit was prepared that included the following documents:

(a) The full text of the Convention on the Rights of the Child;

(b) General guidelines regarding the form and content of periodic reports to be submitted by states parties under article 44, paragraph 9 (b) of the Convention;

(c) Saint Lucia's initial report on the implementation of the Rights of the Child 1993 – 2003; and

(d) The concluding observations and recommendations of the United Nations Committee on the Rights of the Child on Saint Lucia's State report.

12. The second draft report was presented at two national consultations, one for stakeholders and another for children. The purpose of these consultations was to give all stakeholders an opportunity to examine the progress made in the implementation of the Convention on the Rights of the Child. The feedback from these two consultations was included in the final report.

13. The final report will be presented to the Cabinet of Ministers for comments and approval, and then will be submitted to the United Nations Committee on the Rights of the Child through the Ministry of Foreign Affairs.

## B. Saint Lucia: an overview

### 1. Location

14. Saint Lucia is located 13.53 north latitude, 60.68 west longitude and has an area of 616.0 square kilometres or 238.0 square miles. The island's neighbours are Martinique to the north, St Vincent to the south and Barbados to east-south-east.



### 2. Political status

15. Saint Lucia gained political independence from Great Britain on 22 February 1979 and operates a Westminster style parliamentary system. During the sixteenth, seventeenth and eighteenth centuries, the island changed hands between the British and the French on several occasions.

### 3. Population and demography

16. Saint Lucia has an estimated population of 173,200 (see Tables 1 & 2). The population density is 819.3 per square mile or 316.0 per square kilometer. The population is relatively young with 26% being under 16 years old and 9% over 60 years old. Life expectancy at birth is 72 years for men and 78 years for women. Approximately 31% of the population lives in urban areas.

17. For the year 2008, there was an increase in the death rate from 13.4 per thousand in 2007 to 13.7 per thousand<sup>1</sup>. The increase in deaths exceeded the increase in live births by 2 to 1 as there was a 3.8% increase in the number of live births in comparison with a 17.0% increase in the number of deaths<sup>2</sup>. The 17.0% increase in the number of deaths is the highest estimated rate of increase in 20 years (see Table 3). A contributing factor to the rising death rate is an increase in cases of lifestyle diseases such as diabetes and hypertension.

18. For the year 2008, the birth rate was marginally higher than the previous year at 13.7 per thousand compared with 13.4 per thousand in 2007. The infant mortality rate has been on the rise since 2000, increasing from 13.1 per thousand to 25.2 per thousand in 2008, the highest estimated rate in over two decades<sup>3</sup>.

#### **4. GDP, GDP per capita and GDP growth**

19. The Gross Domestic Product (GDP) for 2008 was estimated at US\$4,721.7, an increase of 1.6% from the previous year<sup>4</sup>.

#### **5. Economy**

20. The Saint Lucian economy relies mainly on revenue from agricultural production and tourism. The global economic crisis contributed to the slowdown in the pace of economic activity in Saint Lucia. Real economic growth decelerated to 0.7% in 2008, following growth of 1.5% in 2007. This was below the average growth rate of 4.6% recorded between 2005 and 2006 and represented the lowest real GDP growth since 2002<sup>5</sup>.

#### **6. HDI ranking and vulnerabilities**

21. The 2009 Human Development Report ranks Saint Lucia as a high development country and places it at number 69 of 182 countries in this context. The island is also described as an upper-middle income country<sup>6</sup>. Saint Lucia is classified as a highly vulnerable state as measured with respect to volatility of real per capita GDP and output, and is ranked as the 19th most vulnerable of 111 developing countries<sup>7</sup>. Saint Lucia's fragile ecosystems, vulnerability to natural disasters (especially hurricanes) and its dependence on the tourism and agricultural sectors were factors that contributed to this rating.

#### **7. Inflation**

22. Rising international commodity prices for food and energy were reflected in domestic prices, and this placed inflationary pressures on the Saint Lucian economy. Inflation accelerated to 7.2% in 2008 compared to the 2.8% recorded in 2007. This represented the highest rate recorded since 1986<sup>8</sup> (see Figure A-1).

<sup>1</sup> Saint Lucia Economic and Social Review, 2008.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> World Development Indicators database, April 2009.

<sup>7</sup> Small States: A composite Vulnerability Index, 1999. Commonwealth Secretariat/Worldbank Task Force on Small States.

<sup>8</sup> Saint Lucia Economic and Social Review, 2008.

## 8. Public Debt

23. As at December 2008, the total outstanding public debt grew by 1.4% to EC\$1,793.2 million, including domestic payables which increased to EC\$18.5 million from EC\$14.7 million. Saint Lucia's official debt stood at EC\$1,774.7 million, advancing by a slower rate of 1.2% compared to an annual average growth of 11.3 between 2000 and 2007. At the end of the review period, the ratio of public debt to GDP fell to 66.0% from 67.6%, still above the ECCBs prudential benchmark of 60.0%<sup>9</sup>. At the end of 2008, total Central Government outstanding debt was \$1,597.1 million or 59.4% of GDP, representing an increase of 1.4% compared to 10.4% in 2007<sup>10</sup>.

## 9. Poverty

24. Saint Lucia conducted its first Country Poverty Assessment in 1995 and its second assessment in 2005/06. The results of the second study show that poverty as measured by headcount, increased from 25.1% in 1995 to 28.8% in 2005, but indigence fell substantially from 7.1% to 1.6% over the same period<sup>11</sup>. This data suggest that there were more people below the poverty line in 2005/06 than in 1995, but it also indicates that overall, the poor are somewhat better off in 2005/06 (see Table 4).

25. The Gini Coefficient (GNI) of inequality also fell over the period from 0.5 in 1995 to 0.42 in 2005/06. This means that while measured poverty increased, overall inequality in the society fell<sup>12</sup>. The GNI per capita as of 2008 (in PPP) is US\$ 9,190<sup>13</sup>.

26. Poverty in Saint Lucia has been primarily a rural phenomenon as predominantly rural districts such as Anse-la-Raye/Canaries (44.9%), Soufriere (42.5%), Choiseul (38.4%), Laborie (42.1%) and Micoud (43.6%) have exhibited prevalence rates for poverty in excess of 35%. Moreover, Anse-la-Raye/Canaries and Micoud recorded the highest rates of indigence, 5.3% and 4.0%, respectively<sup>14</sup> (see Table 5).

27. Children aged 0–14 represented 39% of all poor persons, while the elderly aged 65 years and above, represented 7% of the poor population<sup>15</sup>. The Country Poverty Assessment Report also revealed that persons living below the poverty line are disproportionately young, as 51% are below the age of 20 (see Table 6 and Figure A-2).

28. The data on child poverty from the Country Poverty Assessment 2005/6 corresponds with the UNICEF Child Vulnerability Study for Saint Lucia conducted in 2005. This study found that 58.2% of children were found to be at risk mainly because of food insecurity and the chronic illness of a parent<sup>16</sup>.

29. The Country Poverty Assessment further revealed that children aged 0–14 years representing the largest proportion of those classified as indigent poor lived in Micoud (32.9%)<sup>17</sup>. As in the case of the entire population, relatively large proportions were also observed to have been living in Anse-la-Raye (26.8%) and Vieux Fort (19.5%). Among the non-indigent poor, sub-urban Castries did not only have the largest share (30.4%) of the

<sup>9</sup> Saint Lucia Economic and Social Review, 2008.

<sup>10</sup> Ibid.

<sup>11</sup> Kairi Consultants, St. Lucia Country Poverty Assessment: 2005/06.

<sup>12</sup> Ibid.

<sup>13</sup> World Development indicators database, April 2009

<sup>14</sup> Kairi Consultants, St. Lucia Country Poverty Assessment: 2005/06.

<sup>15</sup> Ibid.

<sup>16</sup> A Study of Child Vulnerability in Barbados, St. Lucia and St. Vincent and the Grenadines. UNICEF Barbados, 2005.

<sup>17</sup> Kairi Consultants, St. Lucia Country Poverty Assessment: 2005/06.

island's children but also the largest proportion of children classified as non-indigent poor (24.2%). Disproportionately large proportions of children among the ranks of the non-indigent poor were found to be living in Micoud (14.4%), Anse-la-Raye (10.6%), Soufriere (11.3%) and Dennery (10.3%). The City of Castries and sub-urban Castries accounted for one half of the children who were considered vulnerable (45.6%)<sup>18</sup>.

## 10. Social investment budgeting and programmes

30. Concerned about the poverty situation in Saint Lucia, the Government commissioned a Social and Safety Net Assessment in 2009. This Assessment found that there were various social assistance programmes that are targeted at children and their families who are considered to be poor and vulnerable. These include the Public Assistance Programme which is targeted to the 'needy' and reaches about 25% of poor households<sup>19</sup>. According to this assessment, benefits for Public Assistance vary with household size and provide relatively more generous benefits to the elderly than to households with children.

31. Other social assistance programmes include multiple student support schemes such as the Book Bursary and Book Rental Programmes that provide free books to indigent students and rental books to poor students. These programmes have the potential to reach about 14% of students who are poor. Other social assistance programmes to needy secondary school students include transportation to school, uniforms and fee waivers for school meals<sup>20</sup>. According to the Assessment, coverage of the free meal programme is good with 87.7% of students in the poorest quintile in receipt of a free school meal; however, there is considerable leakage to non-poor students. School Book Programmes are targeted to poor students; however, students in all wealth quintiles benefit and coverage is limited<sup>21</sup>.

32. The "Koudemain Ste Lucie" programme is another government initiative to address cases of the extreme poor and their social, economic and cultural rights. The programme is targeted to the poorest 5% of the population and provides a cash benefit, for only two years, as a way of attracting families into the social safety net. Once the families have entered the programme, they are then guided towards a wide range of other benefits, such as housing and child benefits. Family members are also provided with counseling and job training that can potentially help them to escape from social and economic challenges.

33. A situational analysis of social investment budgeting conducted as part of the recent Social Safety Net Assessment reveals that expenditures on social assistance are estimated at EC\$34.1 million (US\$12.6 million) in financial year 2008/09 (see Table 7). This represents less than 1.3% of GDP and 2.9% of central government expenditures.

34. Between the financial year 2006/07 and financial year 2008/09, social assistance spending decreased by 5% in nominal terms and 14% in real terms (see Figure A - 3). The financial year 2009/10 budget includes an estimated 43% real increase in social assistance, driven largely by the addition of programmes and projects implemented by the Saint Lucia Social Development Fund (SSDF). Approximately 54% of social assistance expenditures are funded from the capital budget, mostly with donor funding. The SSDF accounts for the largest share of social assistance spending 35.5% in financial year 2008/09. In contrast, Public Assistance absorbs about 11% of social assistance expenditures. Student welfare assistance and school feeding take up 2.2% and 3.8%, respectively<sup>22</sup> (see Table 8).

<sup>18</sup> Ibid.

<sup>19</sup> Saint Lucia Social Safety Net Assessment, September 2009.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

## II. The Committee's suggestions and recommendations about Saint Lucia's initial report and actions taken

35. The Committee's concluding observations about Saint Lucia's initial report includes a series of suggestions and recommendations to further implement the Convention. The Committee also noted a number of positive factors including:

(a) The establishment of the Legislative and Monitoring Committee mandated to examine and monitor the extent to which existing laws, policies and services are matching the needs of children within the context of child protection;

(b) The adoption of the Education Act No. 41 in 1999 which makes provision for the promotion of universal access to primary and secondary education services to children between the ages of 5 – 15 years;

(c) The adoption of the Prevention of Misuse Drug Act in 1988 and its Amendment of 1993 which promotes 'drug-free zone' in schools; and

(d) The ratification in 2000 of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

36. The following is an overview of the actions taken by Saint Lucia having considered the Committee's observations, concerns and recommendations.

37. Saint Lucia has given serious considerations to the observations and recommendations of the Committee that were issued in June 2005. In so doing, Saint Lucia in 2007 commissioned a Child Development and Children at Risk project with technical support from the Caribbean Development Bank. The overall objective of the project was the preparation of a proposal which focuses on providing expanded and high quality services to children and their families, particularly those at risk of being victims of violent behaviour or at risk of committing violent crimes<sup>23</sup>. Government is currently giving consideration to implementing the varied recommendations that are made in the report. These recommendations are further explained in the body of the report under the specific clusters based on the Convention.

38. Another major highlight that demonstrates Saint Lucia's commitment to implementing the Convention on the Rights of the Child is the introduction of universal secondary education in 2006/07. Yet another highlight is the attempt currently being made to eradicate corporal punishment in schools through a UNICEF and UNESCO sponsored project entitled: **Fostering the positive behavioural management of children in inclusive child-friendly classrooms in Saint Lucia.**"

39. Another highlight is the construction of a Transit Home and Therapeutic Centre for children who are victims of severe abuse.

40. Saint Lucia being part of the Organization of Eastern Caribbean States (OECS) will soon benefit from the draft model legislations, which when implemented will result in the harmonization of some its laws to the Convention in some key areas of child development. These are further explained in the body of the report under the specific clusters of the Convention.

41. Notwithstanding the above mentioned highlights, Saint Lucia acknowledges that progress has been slow in implementing the Committee's recommendations. However, it is

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<sup>23</sup> Child Development and Children at risk in Saint Lucia: A review of the needs and services. Volume I. July 2007.



hoped that the reporting process will help to increase the priority of protecting the rights of children.

## **A. General measures of implementation**

### **1. Measures taken to harmonize laws and policies with the Convention**

*Reply to the issues raised in paragraphs 9 and 10 of the Committee's previous concluding observations (CRC/C/15/Add.258)*

42. Saint Lucia is slow in the process of amending its legislations to conform fully to the recommendations of the Committee as regards non-discrimination, corporal punishment and juvenile justice. However, Saint Lucia is a member of the Organization of Eastern Caribbean States (OECS) and action on some of the recommendations are being dealt with within this subregional framework.

43. During the period under review, the Family Law and Domestic Violence Legal and Judicial Reform Project of the OECS conducted a comprehensive review of the laws. Four draft bills were developed and submitted to the Governments for consideration:

(a) The Status of Children Bill seeks to remove the legal disabilities of children born out of wedlock and to provide for the declaration of parentage;

(b) The Child Care and Adoption Bill provides for the care and protection of children from various forms of abuse. The Bill makes provisions for mandatory reporting and places emphasis on investigation, assessment, intervention, emergency removal of children and foster care placements. The Bill also delineates clearly the roles and responsibilities of social service agencies with responsibilities for child care and protection;

(c) The Child Justice Bill is in accordance with articles 37 and 40 of the Convention on the Rights of the Child;

(d) The Domestic Violence Bill provides protection for all victims of domestic violence.

44. The Government of Saint Lucia has committed to the final recommendations of the aforementioned draft bills. The bills are now before the office of the Attorney General Chambers for final review and submission to Cabinet for approval. The adoption of these draft bills will result in the repeal of the Children and Young Persons Act revised 2001, the Adoption Ordinance of 1954, the Civil Status Act of and the Domestic Violence (Summary Proceedings) Act of 1994.

45. Saint Lucia recognizes that the adoption of the four draft bills will require a corresponding change in the existing agencies that provide services to families and children, specifically in the areas of child care and protection and juvenile justice. Saint Lucia has commenced work in this area by preparing a restructuring proposal for the Division of Human Services and Family Affairs which has responsibility for child care and protection. Implementation of this proposal is slow because of limited availability of financial resources.

46. The Criminal Code of 2004 which came into effect on 1 January 2005 addresses the Committee's concerns about child sexual abuse.

47. The draft Labour Code of 2006 addresses the Committee's concerns about child labour, and also seeks to harmonize the domestic law with the ILO Convention No. 138.

48. The draft Building Code of 1999 addresses the issues of accessibility for persons with disabilities including children.

49. The Counter Trafficking Act of January 2010 makes provision for trafficking of children.

**2. Establishment of a national inter-ministerial committee on the rights of the child**

*Reply to the issues raised in paragraphs 11 and 12 of the concluding observations*

50. Saint Lucia does not have a National Inter-Ministerial Committee on the Rights of the Child. However, many spirited attempts were made to form a National Action Child Protection Council (NACPC). The NACPC would comprise representatives of both government and non governmental organizations. The main objective of that Council is to be an advisory body on all matters pertaining to children as well as to monitor Saint Lucia's implementation on the Convention on the Rights of the Child<sup>24</sup>. It must be noted that from time to time inter ministerial meetings are held to discuss matters relating to children. However, Saint Lucia will make all efforts to establish the NACPC in the near future.

**3. National plan of action for children**

*Reply to the issues raised in paragraphs 13 and 14 of the concluding observations*

51. Saint Lucia has not yet developed a National Plan of Action for children. There is currently a call for a consultant to develop the plan with technical support from the office of UNICEF in the Eastern Caribbean and Barbados. Nonetheless, it must be noted that the Ministry of Health and the Ministry of Education have their individualized national plans which address the needs of children. The National Strategic Plan for Health 2009-2011 under the theme: "Quality Health Care for all" addresses the needs of children and adolescents within the health sector.

**4. Independent body to monitor the implementation of the Convention**

*Reply to the issues raised in paragraphs 15 and 16 of the concluding observations*

52. The island recognizes the limited function of the Parliamentary Commissioner who does not have a child specific and sensitive procedure for filing individual complaints. However, it needs to be noted that the Division of Human Services and Family Affairs provides all children and citizens the opportunity to report any and all cases of child maltreatment.

53. A recommendation was made to appoint a Children's Advocate as part of the Child Development and Children at Risk Project conducted in 2007<sup>25</sup>. The main function of the Children's Advocate would be to provide advocacy services to children, juveniles and young persons who are in difficult circumstances. This recommendation has not been implemented by the State. Saint Lucia will endeavour to appoint a Children's Advocate as soon as possible. This person when appointed will perform the dual roles as advocate and to establish an independent body to monitor the implementation of the Convention.

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<sup>24</sup> Draft proposal to Cabinet on the formation of the NACPC, prepared by the Division of Human Services and Family Affairs.

<sup>25</sup> Child Development and Children at Risk in Saint Lucia: A Proposal for the Child Development Project. Volume II, August 2007. Caribbean Development Bank.

## 5. Allocation of resources for the implementation of the Convention on the Rights of the Child

*Reply to the issues raised in paragraphs 17 and 18 of the concluding observations*

54. During the reporting period, there was an increase in the budgetary allocation for social services and education. During the fiscal year 2007/8, education expenditure as a percentage of GDP remained constant at 6.1%. Government invested \$161.5 million in education, which represented the second largest share of the budget. There was a slight increase of 1.1% to \$127.3 million in recurrent expenditure. However, capital expenditure decreased significantly by 6.4% to \$34.3 million in keeping with the completion of several projects to expand the number of school buildings<sup>26</sup>.

55. Health expenditure over the past five years has grown by 40% over the period 2001 – 2006, from EC\$61.7m to EC\$86m respectively. This upward trend reflects the growing demands placed on the public health system by the demographic and epidemiological health profile. The public health budget of 2006-2007 accounted for 9.18% of the total health budget.

56. During the period under review there was a significant increase in the capital budgetary allocations for children at the Division of Human Services and Family Affairs (see Table 7). Monies were made available for the construction of a Transit Home for children and to expand the Upton Gardens Girls Centre to provide residential quarters. The financial provisions made, resulted in the construction of a Transit Home named 'New Beginnings' which includes a Therapeutic Centre. New Beginnings is already completely furnished and will accommodate twenty-two (22) children who are victims of severe child abuse and neglect. On the other hand, a building has been identified as a residential facility for adolescent girls at risk to expand the services of the Upton Gardens Girls Centre.

57. The needs of poor children as well as women, families and youth were first reflected in the Interim Reduction Strategy and Action Plan for Saint Lucia, 2003. Since the 2005/6 Country Poverty Assessment, the Saint Lucia 2009 Poverty Reduction Strategy and Action Plan was developed.

58. Government has demonstrated its commitment to poverty reduction, notably through a number of policy and programme initiatives in various sectors. Programmes to promote the rights of children and women are punctuated throughout the 2009 Poverty Reduction Strategy Action Plan. For example: based on the key directions to prevent, reduce and alleviate poverty, one of the medium term goals and objectives developed for the next four years specifically targets early childhood development<sup>27</sup>.

## 6. Central database registry

*Reply to the issues raised in paragraphs 19 and 20 of the concluding observations*

59. There is some data related to children that are collected by individual government departments and Non Governmental Organizations for their own use. However, there is no centralized and computerized Management Information System for the comprehensive collection of data related to all areas covered by the Convention.

60. The data that are collected and available are as follows:

<sup>26</sup> Saint Lucia Economic and Social Review, 2008.

<sup>27</sup> Saint Lucia 2009 Poverty Reduction Strategy and Action Plan.

(a) **Institutionalized children:** Available from the three institutions, i.e., the Boys Training Centre and the Holy Family Children's Home;

(b) **Children living in poverty:** Collected by the Ministry of Social Transformation and the Department of Statistics through the Saint Lucia Country Poverty Assessment of 2005/06, the Core Welfare Indicators (CWIQ) Survey of living conditions and the census data;

(c) **Children in conflict with the law:** Data is made available from the Department of Probation and Parole and the Family Court;

(d) **Children living with HIV and AIDS:** Available from the National AIDS Programme Secretariat (NAPS);

(e) **Children in educational institutions:** Available from the Ministry of Education. The Ministry of Education has a well developed management information system of collecting data of children within the education system including early childhood, primary, secondary and tertiary schools;

(f) **Child abuse:** Data is collected by the Division of Human Services and Family Affairs. However, the data collected by this Division does not reflect child abuse cases that are reported to other agencies including the police and schools.

61. Regardless of the data that is being collected, there is no one department with the responsibility to aggregate and analyze all the available data on children. Moreover, the data that is being collected is only quantitative and there has been no serious attempt to conduct an annual assessment of the underlying qualitative factors that influence the quantitative data.

62. Saint Lucia has seriously considered the recommendations of the Committee and continued the work started to formally establish a Central Database Registry that will include data on children up to 18 years. This project which is under the Ministry of Health is intended to develop a National Health Management Information System (NHMIS). This initiative is intended to propose common data standards and integrating variables for all departments within the Ministry of Health with an emphasis on capturing data on children and adolescent health. Meanwhile, staff of the Division of Human Services and Family Affairs, which is the main government agency with responsibility for the care and protection of children has all been trained in Dev/info (Helen Info) with a view to developing a computerized system of collecting and storing the data collected on cases of maltreatment.

63. The Ministry of Social Transformation is currently establishing a Central Beneficiary Registry of all vulnerable persons who receive social assistance. This is one of the recommendations made in the recent Saint Lucia Social Safety Net Assessment of 2009<sup>28</sup>. The Central Beneficiary Registry is intended to provide important monitoring and planning information necessary for accountability and control of social assistance programmes and services to vulnerable groups on the island.

## 7. Public awareness of the Convention

*Reply to the issues raised in paragraphs 21 and 22 of the concluding observations*

64. Saint Lucia has not developed a consistent and systematic public education programme to raise awareness on the Convention on the Rights of the Child. This is due in

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<sup>28</sup> Saint Lucia Social Safety Net Assessment, September 2009.

part to the lack of financial and human resources and the absence of a Non Governmental Organization working independently of Government to advocate on behalf of children.

65. It is important to note, that during the period under review, public education programmes promoting the rights of the child are usually concentrated during the month of November. In addition, the private media and the Saint Lucia Medical and Dental Association have been promoting the rights of the child in the media all year round through newspaper articles, jingles and infomercials.

66. The topic of human rights is included in the Social Studies curriculum at the primary and secondary schools. Reference is made to the Convention on the Rights of the Child in the philosophy of the Health and Family Life Education Curriculum. In 2009 a selected group of Social Studies teachers participated in Human Rights Education as part of a pilot for a new Citizenship Curriculum sponsored by the Organization of American States (OAS). The Convention on the Rights of the Child is an integral component of this new curriculum.

67. As a means of informing the general citizenry of the services that are available in promoting the rights of children, a Social Services and Allied Agencies Directory was published in 2009. This Directory is also intended to be a useful guide for referral management for human services practitioners and a tool to promote agency networking and collaboration.

## **8. Cooperation with civil society in the promotion of the Convention on the Rights of the Child**

*Reply to the issues raised in paragraphs 23 and 24 of the concluding observations*

68. In July 2007, RISE (St. Lucia) Inc. was established as a non profit, non governmental, national organization dedicated to the healthy development of youth. RISE (St Lucia) Inc. has been visible in the communities and in the media promoting the rights of children and a life free of drugs and violence amongst young persons.

69. The Saint Lucia AIDS Action Foundation (AAF) and the Saint Lucia branch of the Caribbean Feminist Research and Action (CAFRA) have been advocating for the rights of children through their various programmes, services as well as in the media.

70. The National Centre for Legal Aid and Human Rights Inc. is yet another civil society organization that seeks to advocate on behalf of children. This organization has not been consistent in its advocacy for protecting the rights of children due to financial constraints.

71. The Saint Lucia Save the Children Fund which previously was a very active civil society organization advocating for and on behalf of children is still defunct. Some attempts were made to re-establish the organization, but were not sustained.

## **B. Definition of the child**

### **Laws and the definition of age of the child**

*Reply to the issues raised in paragraphs 25 and 26 of the concluding observations*

72. There have been no amendments in the laws of Saint Lucia to ensure that they provide all children under 18 with the same protection and guarantees in the area of juvenile justice and child protection. However, the Affiliation Ordinance makes provision for the payment of child maintenance for children born in unions other than marriage until

the age of 18 years. The same applies for children born in marital union as reflected in the Divorce Act.

## **C. General principles**

### **1. Abolition of laws regarding discrimination of children born out of wedlock**

*Reply to the issues raised in paragraphs 27 and 28 of the concluding observations*

73. As mentioned in paragraphs 42 and 43 Saint Lucia is a member of the Organization of Eastern Caribbean States (OECS) and action on this recommendation was dealt with within this subregional framework. The Status of Children Bill when adopted will abolish the discrimination of children out of wedlock.

### **2. Best interests of the child Committee's concerns**

*Reply to the issues raised in paragraphs 30 and 31 of the concluding observations*

74. Although the principle of the best interest of the child may not be reflected as a general principle in all legislation regarding children, the judicial system is mindful of this principle in their day to day administration of justice evident in the use of video link in cases of child abuse.

### **3. Respect for the views of the child**

*Reply to the issues raised in paragraphs 32 and 33 of the concluding observations*

75. The National Youth Policy provides for the full participation of youth (defined as young men and women between the ages of 15 – 35 years)<sup>29</sup> to participate in the political, economic, social and cultural life of the country. One expression of this right is the annual Youth Parliament where young men and women debate issues of national, regional and international importance and articulate recommendations.

76. The youth are also active in the National Youth Council and the National Student Councils. These Councils are however seasonal in their activities as their programmes are not consistent and sustained all year round.

77. In the judicial system, there continues to be a general lack of legal representation for juveniles who are in conflict with the law. The responsibility for representation of children before the courts rests with the Department of Probation and Parole. Probation Officers usually prepare Pre Sentence Reports for juveniles which include the views of the child.

78. The Evidence Act makes provisions to recognize the views of the child in court matters. For example, Section 15 makes provisions for a child 12 years old and over to give sworn testimony where competency is presumed<sup>30</sup>. In section 29 of the Evidence Act, children under 12 years cannot be sworn, but if the child states: "O I promise to tell the truth" that child's unsworn testimony may be taken.

79. The Evidence Act also contains provisions which define who is a vulnerable witness and the exceptional manner in which such a witness may be permitted to testify. A child under the age of 12 years who is a complainant in a sexual offence case may be afforded

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<sup>29</sup> Saint Lucia National Youth Policy. (April 2000). Ministry of Education, Human Resource Development, Youth and Sports.

<sup>30</sup> 30 The Evidence Act 27

treatment as a vulnerable witness. In such cases according to the Evidence Act the child may be allowed to testify while being screened off from the defendant; or testify from a place outside the court room either in island or elsewhere by means of technology. Saint Lucia has introduced the Video Link technology which has proven to be essential in protecting children who have been victims of sexual abuse.

## D. Civil rights and freedoms

### 1. Abolition of corporal punishment

*Reply to the issues raised in paragraphs 34 and 35 of the concluding observations*

80. Saint Lucia has not amended the Education Act of 1999 to explicitly prohibit corporal punishment in educational institutions. Amending the Education Act of 1999 to prohibit the use of corporal punishment and also to eradicate its use in the family remains a formidable challenge. This is because corporal punishment is part of the culture of discipline on the island. Nonetheless, some attempts have been made to promote positive, participatory and non violent forms of discipline in a manner that is consistent with the Convention in parenting programmes as well as in public education programmes.

81. Cognizant of the need to eradicate the use of corporal punishment in schools and to find alternatives, Saint Lucia is part of a UNICEF and UNESCO sponsored project entitled: **“Fostering the positive behavioural management of children in inclusive child-friendly classrooms in Saint Lucia.”** The objective of this initiative is to create school environments that are free of violence and classrooms that are inclusive and child-friendly. This is in keeping with UNESCO’s vision of creating a space in which reflection, creativity, innovation, effective communication and quality education are channels of change<sup>31</sup>. The activities of this project include parenting skills training and principal and teacher training.

82. The positive behavior change management of children in inclusive child-friendly classrooms began in 2009 and is being implemented at two pilot schools in Saint Lucia, the Fond Assau Combined School and the Bocage Secondary School. The project is a collaborative effort between the Ministry of Education, the Saint Lucia National Commission for UNESCO, UNICEF and a number of other national corporations/agencies, including the Saint Lucia Teachers’ Union, Ministry of Health, RISE (St Lucia) Inc, Behavioural Insights Inc, and religious organizations.

83. According to the official report of the positive behaviour change management of children in inclusive child-friendly classrooms project of 2009, significant results have been realized as outlined below:

(a) Principals of the participating schools have attested to the fact that there is a significant decline in the use of corporal punishment being administered in their respective schools;

(b) Positive discipline has been used by classroom teachers. Teachers indicated that they use other strategies to maintain discipline in their classrooms. For example, one of the most popular strategy being used is what is called ‘the colour wheel’ (at the primary school), and the use of the reward system for positive behaviour (at the secondary school);

<sup>31</sup> The Positive Behavior Change Management of Children in Inclusive Child-friendly Classrooms Evaluation Report, 2009. Saint Lucia.

(c) Fewer students are being referred to the principal, since teachers do not have as many disciplinary problems in their classes; and

(d) The principal of one of the participating schools reported that she has not used the strap for punishing students since the start of the project, but instead, has been using other strategies to discipline<sup>32</sup>.

This pilot project involves two schools; one control school and one experimental school where teachers are assisted in using alternative forms of corporal punishment.

## **E. Family environment and alternative care**

### **1. Parenting education programmes**

*Reply to the issues raised in paragraphs 36 and 37 of the concluding observations*

84. Saint Lucia recognized the need to review its established social service agencies providing counseling and parenting education to families. To this end, a parenting project was introduced in 2004/5 as part of the Year of the Child and activities. This project continued in 2009 with funding from the European Commission through its Special Framework of Assistance (SFA). The objectives of the parenting programme were as follows:

(a) To continue the development and implementation of a parenting programme for children in care through the Division of Human Services and Family Affairs;

(b) To develop a directory of parenting programmes available on the island;

(c) To conduct parenting programmes island wide for children in care;

(d) To develop a step-by-step curriculum for facilitators of parenting programmes for children in care; and

(e) To develop a framework for the implementation of a National Parenting Programme.

85. The parenting programme for children in care had the objective to provide parents with children in care parenting skills with the specific purpose of reuniting them with their children. The Final Project Report, 2009, revealed that parent self reports point to the positive impact of the parenting sessions in the acquisition and practice of positive parenting skills<sup>33</sup>. However, according to the Report, 2009 the participating parents were confronted with multiple risk factors such as poverty, unemployment, domestic violence, substance abuse, low self-esteem and illiteracy that negatively affected their ability to totally develop their parenting capacity to be reunited with their children despite acquiring positive parenting skills. Plans for the continuation of the parenting programme are ongoing subject to the availability of funds.

86. One of the recommendations of the Parenting Programme initiative is the formulation of a parenting policy<sup>34</sup>. According to the Project Report, 2009 the main focus of the policy must be to support parents in the best interest of their children and to allow for

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<sup>32</sup> Ibid.

<sup>33</sup> Simej, A. (November, 2009). Draft Final Project Report Parenting Programme for Parents of Children in Care: Project Implementation and Recommendations. Division of Human Services and Family Affairs.

<sup>34</sup> Ibid.



the measurement of the effectiveness of prevention and intervention programmes with families through research<sup>35</sup>.

87. A directory of parenting programmes on the island which was one of the deliverables of the aforementioned project revealed that there are nine parenting programmes on the island. Of these programmes, the Roving Caregivers Programme is the only one that is consistent in the delivery of parenting skills. The others invite guest speakers to deliver sporadic lectures to groups of parents. Meanwhile, on an ad hoc basis, family education and awareness programmes are organized by a number of organizations including schools, non governmental organizations and faith-based organizations.

88. The Family Court has a parenting programme which targets parents with children who are victims of family violence. One of the long term objectives of this programme is to minimize the risk that children who witness domestic abuse will not perpetuate the cycle of domestic violence in their own families. The parenting programme at the Family Court is not limited to domestic violence issues, it also addresses various forms of child maltreatment.

89. The Roving Caregivers Programme (RCP) is one initiative that was introduced in 2002 by the Caribbean Support Initiative (CSI) to provide early childhood stimulation to children from birth to three years of age who are at risk by focusing on parents and children through a home visitation intervention model originated in Jamaica. The main aim of the Programme is to enhance parenting knowledge, stimulate good parenting behavior and change inappropriate child rearing practices. This is facilitated through regular visits by the home visitors called Rovers. This Programme is financially supported by the Bernard Van Leer Foundation.

90. The Roving Caregivers Programme targets communities which meet the poverty vulnerability profile and have the highest cohort of newborn to three-year-olds that are inadequately served with daycare or preschool services. A total of 25 Rovers provide services to approximately 250 households and eight communities. The Rovers receive intensive and systematic training in preparation for their work with children and the parents and family members. The Rovers provide stimulation to individual children and/or to clusters of children, their parents and family members. Home visits are conducted twice weekly for a duration of sixty to ninety minutes.

91. A longitudinal qualitative and quantitative impact evaluation of the Roving Caregivers Programme began in 2007 and the results have been positive. The findings of the qualitative evaluation reveal that in 2007 the data revealed that parents reported that they developed a greater ability to talk about changes that they were seeing in their children. This changed in 2008 showing a significant improvement in their ability to express positive feelings about changes noticed<sup>36</sup>.

92. In the area of discipline in 2007 the evaluation study revealed that the parents expressed mixed feelings around the forms of punishment and expressed a desire to use corporal punishment a lot less. They attributed this new found position to the regular visits of the Rovers. The 2008 evaluation study revealed that the parent's willingness to try alternative ways of punishment and to shy away from excessive beating and corporal punishment therefore became more obvious and more well articulated and more conscious<sup>37</sup>. According to the report, these self reflections from the parents demonstrate

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<sup>35</sup> Ibid.

<sup>36</sup> Impact Study of the Roving Caregivers Programme Research Findings. Caribbean Support Initiative (CSI), 2009.

<sup>37</sup> Ibid.

increased cognition and an awareness of their roles and impact on their children's development.

93. It is recognized that the aforementioned parenting education programmes are to a large extent intervention in their orientation, it is recommended that more efforts be made to develop and implement more prevention programmes.

**2. Amendment of legislation to include the recognition of both parents in the upbringing of children and information relating to child development and upbringing**

*Reply to the issues raised in paragraphs 38 and 39 of the concluding observations*

94. The draft Status of Children Bill under the OECS Domestic Violence and Legal Reform project mentioned earlier in (paras. 42 and 43) makes provisions for both parents to have joint custody of the child.

95. As regards the collection of disaggregated data relating to difficulties in child development, the Ministry of Health through the Child and Adolescent Health Programme has instituted the Child Health Passport which contains data on the growth and development of children, their milestones and developmental challenges. Attempts are currently being made by the Ministry of Health, Health Information System to capture these valuable data and to be better able to analyze and develop policies and appropriate interventions for the optimum development and upbringing of children.

**3. Protection of the rights of a separated parent and /or child**

*Reply to the issues raised in paragraphs 40 and 41 of the concluding observations*

96. In 2008 the Civil Code was amended by an Act of Parliament. One of the three amendments in 2008, articles 1 and 25 related to the registering of children at birth.

97. In cases where children are separated from their parents, a custody evaluation report, and or a social enquiry report are usually prepared by a social worker for the court. The social worker usually interviews the child and includes his/her views in the report. In some cases, the judge or magistrate may interview the child to obtain his/her views prior to making a judgment. Decisions are usually taken in the best interest of the child.

**4. Improvement in law and process relating to the recovery of maintenance for the child**

*Reply to the issues raised in paragraphs 42 and 43 of the concluding observations*

98. Saint Lucia has participated in regional conferences to discuss the possible introduction of laws in order to secure the recovery of maintenance from abroad.

**5. Legislation to ensure that children placed in alternative care can visit their parents when deprived of a family environment**

*Reply to the issues raised in paragraphs 44 and 45 of the concluding observations*

99. Children at the Boys Training Centre, which is an institution for both boys in need of care and protection and those who are in conflict with the law are allowed to visit their parents in the community. The parents are also allowed to visit their children whilst they are detained at the Centre.

100. Parents with children at the Holy Family Children's Home are also allowed to visit their children at the Home, unless in cases where it is deemed that this may not be in the best interest of the child.

101. Saint Lucia has not yet introduced legislation to ensure the child's right to contact or visit the parent when the child is deprived of a family environment. However, the OECS Draft Child Care and Adoption Bill makes provisions for such visitation and contact. It is expected that this Bill will be adopted by the Government in the near future.

102. The island has also prepared a number of draft policies and operations manuals to promote best practices when providing alternative care for children deprived of a family environment. A Foster Care and Adoption Policy and Operations Manual has been completed. Although the Manual has not been formally adopted by the Government, it is currently being used by the Division of Human Services and Family Affairs which is the main government agency with responsibility for foster care placements. The Manual makes explicit provisions for family visitation and contact. It is a routine practice of the Division of Human Services and Family Affairs to arrange family visits of children who are placed in foster care.

103. Saint Lucia will very soon be opening a Transit Home which is intended to be a place of safety for children between the ages of 0– 18 years who are victims of child abuse and severe neglect and in need of care and protection. The Operations Manual for the Transit Home makes clear provisions and outlines the procedures for family visits. The preparation of this manual was made possible with funding and technical support from the UNICEF office for Barbados and the Eastern Caribbean.

104. A draft Policy and Operations Manual for the Registration Guidance and Inspection for Children's Homes has been developed with the explicit objective of ensuring that residential services intending to and delivering service to children who are at risk and in need of special care and protection, provide the highest possible standard of alternative care. Thus, the Government seeks to ensure that the wellbeing and safety of all children in need is achieved through regulatory systems and coordinated measures and responses. This manual was also prepared with the support of UNICEF office for Barbados and the Eastern Caribbean.

105. Saint Lucia has also prepared a draft National Minimum Standards for Children's Homes. The minimum standards illustrates the Government of Saint Lucia's commitment to the ideals of the Convention on the Rights of the Child in ensuring the safety and well being of all children who are at risk and in need of special care and protection. This manual was also prepared with the support of UNICEF office for Barbados and the Eastern Caribbean.

106. The adoption of the aforementioned policies and operations manual and the OECS draft model legislations will make positive outcomes more likely for children who come into contact with state care systems.

## **6. Adoption**

### *Reply to the issues raised in paragraphs 46, 47 and 48 of the concluding observations*

107. As mentioned earlier, Saint Lucia is a member of the Organization of Eastern Caribbean States (OECS) and action on this recommendation was dealt with within this subregional framework. The Child Care and Adoption Bill makes provisions for best practices in cases of adoption and outlines the adoption process for both domestic and intercountry adoption. The Bill makes provisions for the establishment of an adoption committee and the need to have an adoption register to assist in follow up after an adoption has taken place. In light of the provisions articulated in the OECS model legislation, Saint Lucia is expected to adopt this bill very soon in the near future.

108. Prior to the adoption of any child in Saint Lucia, the Division of Human Services and Family Affairs conducts a screening process and submits a Home Study Report to the

Attorney General Chambers. Part of the screening process includes an interview with the child to obtain his/her views. The expressed views of the child are included in the report and are considered by the judge in his/her final decision. It is also the practice of the Attorney General Chambers to conduct an interview with the child and also to prepare their own independent report. In some cases the presiding judge in an adoption matter may also interview the child to determine the child's wish.

109. Saint Lucia has not ratified the 1993 Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption, but plans are currently being made to rectify this situation.

## **7. Abuse and neglect**

*Reply to the issues raised in paragraphs 49 and 50 of the concluding observations*

110. Saint Lucia is very concerned about the increasing incidents of child abuse of various kinds. According to the data from the Division of Human Services and Family Affairs, the number of reported cases of child sexual abuse increased by 45% from 2004 to 2008 (see Table 9). There was a similar increase in the number of reported cases of physical abuse case with an increase of 56% over the same period. It must be noted that this data only reflects the reported cases at the Division of Human Services and Family Affairs and does not reflect the actual cases island wide. This is due to the absence of a centralized data base registry and poor interagency collaboration.

111. Increases in the number of reported cases of child maltreatment have resulted in a total of 139 children in foster care placements with 102 foster carers as of December 2009. The majority of the children in foster care, i.e., 68% reside in Castries and its environs. The majority of the children in foster care are girls, and in non kinship care (see Tables 10 & 11).

112. Saint Lucia has not adopted the draft Protocol for the Management of Child Abuse and Neglect. However, there has been a series of workshops held during the period under review to sensitize stakeholders about the protocol for reporting and referral of child abuse and neglect cases. The stakeholders who participated in the series of training included teachers, principals, judges, magistrates, lawyers, court prosecutors, religious leaders, community workers, parents and children.

113. There is compliance by some agencies to the protocol and so there is a need for continued public education programmes to raise awareness about the mandatory reporting of all suspected and actual cases of child maltreatment.

114. The Royal Saint Lucia Police Force introduced the Vulnerable Persons Team in the north and south of the island in 2006. This Unit was introduced to provide child friendly services in the investigation and management of all cases of child abuse and neglect. Since the introduction of this Team, there has been a significant improvement in child abuse investigations by the police. The Team has also resulted in an improved inter agency collaboration between the police and the Division of Human Services and Family Affairs in child abuse related matters.

115. There is a draft Royal Saint Lucia Police Force Child Protection Manual prepared by Detective Superintendent Paddy Mulligan one of the British Police Officers assigned to Saint Lucia. This manual provides clear guidelines for the police in the investigation,

management, post arrest and suspect management and multi agency collaboration for all forms of child abuse cases<sup>38</sup>. This manual needs to be reviewed and adopted by the police.

116. The OECS Child Care and Adoption Bill provides for the care and protection of children from various forms of child abuse. The Bill makes provisions for mandatory reporting and place emphasis on investigation, assessment, intervention, emergency removal of children and foster care placements.

117. There is still room for improvement in investigating child abuse cases by the police and the Division of Human Services and Family Affairs. Saint Lucia acknowledges the need for ongoing training for the police and child protection social workers and this recommendation is reflected in the Child Development and Children at Risk in Saint Lucia: A Proposal for the Child Development Project, Volume II, 2007.

118. There have been some improvements in programmes for the psychological and physical recovery and social reintegration for victims of sexual abuse and other forms of abuse. Over a period of one year, a small group of six adolescent girls who were victims of sexual abuse participated in a pilot programme entitled “*Support Group Programme for Sexually Abused Children*” A manual was developed with the intention to continue the programme in other sub offices of the Division of Human Services and Family Affairs as well as in the schools. A cadre of facilitators, primarily school counsellors island-wide were also trained and commissioned to use the manual with sexually abused children.

119. In September 2008, the Ministry of Health partnered with the University of the West Indies Mona Campus, Caribbean Internship Programme to recruit and utilize the expertise of a Masters level Clinical Psychologist. In April 2009, the Clinical Psychologist was appointed at the Division of Human Services and Family Affairs to provide psychological services to children who are victims of abuse of various kinds. The Clinical Psychologist, working in collaboration with a Family Case Worker between September 2008 and January 2010, provided counseling and psychological services to 166 referred cases of children and their families.

120. The Women Support Centre of the Department of Gender Relations provides shelter to women and their children who are victims of severe domestic violence. For the period 2005-2009 a total of 160 children between the ages of 3 weeks to 16 years benefitted from the services of the Women Support Centre. Of the 160 children 77 were male and 83 female (see Table 12).

## 8. Child helpline (Child Link)

*Reply to the issues raised in paragraphs 51 and 52 of the concluding observations*

121. As soon as the Transit Home ‘New Beginnings’ is opened, the Child Link which operates during the day at the Division of Human Services and Family Affairs will be transferred to the Home and will operate as a 24 hour service for children. In keeping with the popular use of the internet and other forms of information technology by children, it is recommended that the Transit Home operates a regulated chatroom explicitly designated to communicate with children.

<sup>38</sup> Paddy Mulligan. Detective Superintendent. (2006). Royal Saint Lucia Police Force Child Protection Manual. Castries, Saint Lucia.

## **F. Basic health and welfare**

### **1. Policy for children with disabilities**

*Reply to the issues raised in paragraphs 53 and 54 of the concluding observations*

122. Saint Lucia has developed a draft National Policy for Persons with Disabilities, 2006 Sections 4.3.1 to 4.3.32 delineate the measures to be pursued in order to improve the quality of life for all persons with disabilities. Some of the measures specifically related to children are as follows:

(a) All schools and facilities will be made accessible to Children with Special Needs (CSNs) through the construction of ramps, rails and other suitable structures;

(b) Adequate mechanisms including early assessment and intervention, as well as remedial services, will be provided for Children with Learning Disabilities (CLDs);

(c) Establish an integrated system of education for all children with disabilities (CWDs). The Ministry of Education will support the production of educational materials in alternate formats such as Braille or audiocassettes that should be made available in all school libraries and public libraries;

(d) Teacher training programmes at the Sir Arthur Lewis Community College (SALCC) will include compulsory special education course work for all teachers in the core curriculum;

(e) Establish a National Assessment Centre (NAC) which shall provide various assessments for students within the educational system whenever necessary;

(f) Develop and implement a School Entry Assessment Programme (SEAP) where all students receive hearing, vision, paediatric and developmental assessment before entry into infant school;

(g) Compulsory education will be from 5 years to 18 years at special schools;

(h) Provisions will be made for the rehabilitation of children with multiple disabilities through parental training, education and professional support.

(i) Establish a National Service Programme for children and adults with multiple disabilities and or deaf/blindness; and

(j) Establish specialized institutional care for children with multiple disabilities who have been neglected and abandoned<sup>39</sup>.

123. The available demographic data reveal that persons with disabilities account for 6.6% of the population, 47.3% are male and 52.7% are female. There is 14.1% of the population with a disability who are 15 years and under<sup>40</sup>.

124. In response to children with disabilities the Special Education Unit in the Ministry of Education coordinates the Multi-disciplinary Team (MDT) which conducts developmental assessments for children. A total of two hundred and one (201) students were assessed for the period 2004 – 2010.

125. Special Education Centres on the island cater to students with a wide range of special needs including: hearing, visual and learning. A total of 265 students were enrolled in five Special Education Centres as of 2007/08<sup>41</sup>.

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<sup>39</sup> Draft National Policy for Persons with Disabilities.

<sup>40</sup> Ibid.

126. In 2009 a new Dennery Child Development Centre opened to provide services to children with disabilities.

127. The National Council of and for Persons with Disabilities provide services to children who have all forms of disabilities to include wheel chairs and other mobility aides. There are Field Officers who conduct periodic home visits and assist parents with the rehabilitation of their children with severe disabilities.

128. Increasingly more children with disabilities are afforded opportunities to be integrated in the primary and secondary schools.

129. The Saint Lucia Blind Welfare Association provides a variety of services to children who are visually impaired. For example the Kids Insight Project under the auspices of the Saint Lucia Blind Welfare Association in collaboration with the LIONS Club of Castries and the University of West Virginia began in 2003. A cumulative number of 828 children have been medically examined since the inception of the programme, the majority of whom benefitted from services such as surgeries and received vision aides (see Table 13).

130. Saint Lucia acknowledges the need to provide more attention to special training for teachers who work with children with developmental disabilities. To this end, the Ministry of Education in collaboration with Lynchburg University of the United States of America trained fifteen (15) persons in Educational Assessment. These persons provide student assessment for the Multi-disciplinary Team (MDT).

131. Some primary schools on the island have specialized programmes for students who are academically delayed. Additionally, the Saint Blind Welfare Association continued to provide training to teachers of the primary and secondary school and itinerant teachers who assist the visually impaired that have been integrated in the main stream educational institutions.

132. Saint Lucia recognizes the need to make the physical environment and other public areas accessible for children with disabilities. To this end, the Building Code of 1999 makes provisions to ensure accessibility guidelines for designers and builders for public building and facilities. However, there is still a great need to actually make schools, sports and leisure facilities more accessible to children with disabilities.

133. Saint Lucia does not have any residential facility for children with severe disabilities. Children with disabilities are currently placed at the Senior Citizens' Home for the homeless and the elderly. This is due to the lack of available resources.

## 2. Child obesity and other health related issues

### *Reply to the issues raised in paragraphs 55–58 of the concluding observations*

134. Saint Lucia has not undertaken a formal comprehensive study to assess the nature and extent of adolescent health problems in which to formulate adolescent health policies and programmes. However, a number of conferences, workshops and focus group discussions have been held during the period under review to obtain the views of adolescents on matters relating to HIV and AIDS, sexual and reproductive health, drugs, crime and violence. It was through these activities, the Youth Friendly Health Centre initiative was developed albeit based in one health centre in the north of the island.

135. Access to antenatal care is at 99% and access to a skilled medical practitioner at birth is universal.

<sup>41</sup> Government of Saint Lucia Education Statistical Digest, June 2008

136. The island is concerned about the issues of low birth weight. The data for the year 2004 to 2006 remained relatively constant at approximately 11%, and decreased to 9.3% in 2007. Data for 2008 and 2009 are not available.

137. In light of the Government's concern about the low birth weight, pre and post natal health and obesity, child and adolescent health is one of the twelve priority health area programmes of the Ministry of Health's new National Health Strategic Plan 2006-2011. The vision statement for the Child and Adolescent Health Programme is: "*Healthy children ensuring a healthy nation for the future.*"

138. The Child and Adolescent Health Programme is coordinated through a service hub provided by a network of specialist Community Child Health Service clinics in each region, operated by the Community Paediatrician and the Community Nursing Service. Its implementation is overseen by a national multi-disciplinary management team representative of all agencies working with children and families: Child and Adolescent Health Programme Manager; hospital teams; social support services; legal/enforcement services; educational services; pre-school; day care Services; Bureau of Health Promotion; patients, family, community; NGO's; private sector; regional and international partners<sup>42</sup>.

139. In addition to the schedule of specialist clinics, the child health service also includes other networked child health activities:

(a) Routine "Well-Baby" care provided by Community nurses in each region for growth and development monitoring, nutritional counseling and immunizations;

(b) School Health Programme – school entrants and leavers growth and developmental assessment and immunizations – Community Nursing Service;

(c) Developmental Assess/Intervention/Staff training – Child Development and Guidance Centre;

(d) Community-Based Multi-disabled Care – CBR Multi-disciplinary Team; e. Special Education Needs Assessment – Ministry of Education Multi-disciplinary Team;

(f) HIV/AIDS Paediatric Clinical Team service;

(g) Sickle Cell disease community outreach service;

(h) Kids in Custody/Care clinic: Boys Training Center, Upton Gardens Girls Centre and the Holy Family Children's Home;

(i) Specialist cardiac and neuro-muscular local and/or overseas support services; and

(j) Paediatric Accident and Emergency Room service – in development<sup>43</sup>.

140. During the period of this report, Saint Lucia lost the founding member of the Child Development and Guidance Centre who provided essential services to children with developmental disabilities. This founding member was the only developmental paediatrician on the island providing this valuable service. Her departure was due to the unavailability of funds. After a brief interruption of the services, another paediatrician now provides services to children with developmental disabilities at the Child Development and Guidance Centre.

<sup>42</sup> Child Development and Children at Risk in Saint Lucia Saint Lucia: A Review of the needs and Services for Children, Volume I, Caribbean Development Bank, July 2007.

<sup>43</sup> Ibid.



141. A study conducted in 2006 to examine the prevalence of overweight and obesity in five year old children in Saint Lucia revealed that the rates of overweight and obesity were high: 14.4% and 9.2% respectively<sup>44</sup>. The study also found that there were no significant differences between boys and girls in the prevalence of overweight or obesity. The Child and Adolescent Health Programme has developed a programme in selected schools to address childhood obesity and overweight. Financial support for this programme was made available by the Pan American Health Organization (PAHO) and other agencies.

142. There is the Health and Family Life Education (HFLE) curriculum in all primary and secondary schools on the island. HFLE is a comprehensive, life skills-based programme for students aged 9-14, which focuses on the development of the whole person. The curriculum is organized around four themes that address the complexity and connectedness between the various concepts and ideas, goals, components and standards, which are associated with attitude and behaviour change of adolescents. The four thematic areas include: self and interpersonal relationships; sexuality and sexual health; eating and fitness; and managing the environment. The Health and Family Life Education curriculum therefore fully addresses the concepts of adolescent reproductive health, adolescent's reproductive health rights as well as prevention of teenage pregnancies and sexually transmitted illnesses, HIV and AIDS.

143. The Saint Lucia Planned Parenthood Association coordinates the Peer Helpers Programmes in all secondary schools on the island. In this programme children are trained to educate their peers on issues relating to their sexuality and reproductive health.

144. Young people between the ages of 16 -17 cannot access sexual and reproductive health care services without parental consent. This creates an ethical dilemma for health care providers, wherein the age of sexual consent is 16 years, but children need parental consent to access sexual and reproductive health care services at that age. This situation is sensitive and needs to be addressed.

145. For the period 2004 to 2008 teen pregnancies in Saint Lucia have declined. In 2004, there were a total of 452 teen pregnancies followed by a decrease to 397 in 2005 and a further reduction to 387 in 2008 (see Tables 14 & 15).

146. The National AIDS Programme Secretariat (NAPS) has a well coordinated programme of providing psychosocial support and clinical care to children made vulnerable through HIV and AIDS. As of June 2009, a total of 159 orphans and vulnerable children (OVC) received psychosocial support and services by one Social Worker attached to the Division of Human Services and Family Affairs. There is a corresponding 128 adults including parents who are also part of this programme also made possible by another lone Social Worker attached at the Division of Human Services and Family Affairs (see Table 16).

147. The National AIDS Programme Secretariat (NAPS) also has a strategic plan and implements ongoing prevention and clinical care services to persons infected and affected with HIV and AIDS.

148. The island has constructed a new psychiatric hospital named 'Saint Lucia National Mental Wellness Centre' which was commissioned on March 2010. This hospital provides outpatient mental health care to children and adolescents with a range of mental health problems, including suicidal behavior, anxiety disorders and depression. The hospital also

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<sup>44</sup> Gardner, K, and Bird, J. (Spring 2009). Overweight and Obesity in Five year old children in Saint Lucia.

has a designated space for inpatient care for adolescents with mental health problems. This space will be fully furnished and commissioned in the near future.

149. There is a draft Mental Health Policy, 2007 that contains a specific section entitled: “Services for Children and Adolescents (0-18 Years). This draft policy states that mental health services shall provide support and services that are more responsive to the needs of children and adolescents with serious emotional disturbances at every level of the system<sup>45</sup>. According to the draft policy, the services shall have the following features:

(a) Services for mentally ill or emotionally disturbed children and adolescents will be to the greatest extent possible, delivered in age-appropriate settings;

(b) Families will be centrally involved in the coordination of care for their children and adolescents;

(c) A system of care will be established within and across sectors (Education, Health, Social Services) that includes mechanisms to promote communication and referrals among professionals such that children and families receive appropriate services regardless of how and where they seek help and irrespective of the nature of their problems;

(d) If in-patient intervention becomes necessary, children and adolescents will be placed in specially designated units, which provides age-appropriate physical space, equipment and programmatic services; and

(e) When there is need for stricter security than is available in this designated unit, the individual will be placed in a more appropriate setting.

### **3. Social security and child care services and facilities**

*Reply to the issues raised in paragraphs 59 and 60 of the concluding observations*

150. Recognizing the need to review Government’s policies pertaining to the child’s right to social security, grants and benefits, in 2009 the Government commissioned the Social Safety Net Assessment. The purpose of this assessment was to assess child and gender sensitive social safety net programmes and to make recommendations to remedy the gaps. This assessment revealed that Saint Lucia implements a number of targeted social assistance programmes but faces significant challenges in providing a sustainable safety net that protects the most vulnerable<sup>46</sup>.

151. According to the Social Safety Net Assessment 2009, the social safety net does not adequately protect children, single parents (who are predominantly women) or the working age poor (with or without children) and could do a better job of promoting human capital development. The Assessment made a number of recommendations such as: (a) expanding the supply and promote participation in early childhood programmes for infants and young children who are poor and vulnerable; and (b) promote the participation of vulnerable adolescents and youth in second chance education and training through a School-to-Work transition. The Government is currently advancing plans to implement these recommendations with funding from the World Bank.

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<sup>45</sup> Mental Health Draft Policy, 2007. Ministry of Health, Wellness, Family Affairs, National Mobilisation, Human Services and Gender Relations.

<sup>46</sup> Saint Lucia Social Safety Net Assessment, September 2009. 50

## G. Education, leisure and cultural activities

### 1. Education

*Reply to the issues raised in paragraphs 61 and 63 of the concluding observations*

152. At the beginning of the 2006/07 school year, all who wrote the Common Entrance Examination have universal access to secondary education. The total enrolment at secondary schools increased from 14,578 to 15,527 in 2007/08 which represents an increase of 6.51%. Female enrolment accounted for 51.0% of total enrolment at secondary schools. The gross enrolment ratio as of 2007/08 for secondary education was 90.0%, whilst the net enrolment ratio was 80.0%<sup>47</sup> (see Tables 17 & 18).

153. There are now two private secondary schools with a combined enrollment of 500 students as of 2009. In addition to these two secondary schools, one private primary school expanded into a secondary school in 2009.

154. At the end of the academic year 2008, the completion rate at the primary school level was approximately 95.2%. The total number of dropouts as of 2006/07 declined significantly by 60.0%. This considerable decrease in dropouts is attributed to the discontinuation of senior primary grades, as a result of universal secondary education. Over 70.0% of all primary school dropouts in the past originated from the senior primary grades. The majority of dropouts were males at 77.9%. The repetition rate for primary schools fell marginally by 0.2% to 2.5% with males accounting for 66.5% of repeaters<sup>48</sup>.

155. For the academic year, 2007/08, the completion rate among secondary school students was approximately 91.3%. There were 35 repeaters at the secondary school level, 21 females and 14 males. The total number of dropouts at secondary school fell significantly for the period 2006/07 by 37.0% over the previous academic year, representing an actual figure of 138 students<sup>49</sup>.

156. The Government was concerned with the above mentioned rate of school dropout both at the primary and secondary schools and in 2009 filled the vacant position of School Attendant Officer. This Officer has the sole responsibility to ensure that children attend school regularly.

157. In response to the school dropout social problem, in January 2010 the programme 'Why Try' was piloted in four secondary schools. This programme which is sponsored by a private commercial organization is intended to help students stay in school.

158. The Ministry of Social Transformation, Youth and Sports is piloting a Community After School Programme in three deprived communities, namely; Faux-A-Chaux, La Maze and Mon Repos. This programme started in April 2009 and is for a duration of four years. The main aim of the programme is to improve the academic performance as well as the behavior and attitudes of underprivileged children between the ages of 8 – 16 years<sup>50</sup>. The ultimate goal is to ensure children remain in school and contribute to community empowerment and national development. As of 2010, a total of 108 children are benefitting from the programme engaging in various activities such as home work, drama, painting and

<sup>47</sup> Government of Saint Lucia Education Statistical Digest, June 2008 and Saint Lucia Economic and Social Review, 2008.

<sup>48</sup> Saint Lucia Economic and Social Review, 2008.

<sup>49</sup> Ibid.

<sup>50</sup> Community After School Programme Project Proposal to OAS. Ministry of Social Transformation, Youth and Sports.

other healthy recreational activities. The programme is funded by the Organization of American States (OAS) and the Government of Saint Lucia.

159. The Upton Gardens Girls Centre targeting students with behavioural problems, abused and neglected girls who are at risk of severe delinquent behaviours continued with its programme. There are plans to expand the Centre to include a residential facility for adolescent girls who are deemed to be at risk of engaging in behaviours destined to their own self destruction.

160. In 2005, the Ministry of Education began a Student Support Centre to provide services to students in the following areas: counselling, special education, school attendance, welfare programmes and HIV and AIDS programmes. In that same year Guidance Counsellors were appointed in every secondary school and District Counsellors appointed to provide support to primary and Infant schools.

161. There are no particular programmes targeting the dropout rate specifically among boys. However, the Centre for Adolescent and Renewal Education (CARE) which is a private Roman Catholic Church institution continues to cater for both boys and girls who drop out of secondary school. CARE provides students with a combined technical, vocational and life skills training for a two year programme in five districts. Total enrolment at the CARE Centres fell by 14.0% to 220 in 2007/2008 due to financial constraints. Of first year students 32.7% were female, while 17.8% of second year students were female<sup>51</sup>. Anecdotal reports continue to reveal that graduates from CARE enter the work field with good work ethics and positive attitude.

162. All teenage mothers are allowed to return to school after the birth of their child. There is however a need to create a more enabling environment for the teen parent in the area of child care and parenting education at schools, community health centres as well through community programmes. There is no written policy by the Ministry of Education with regard to this continued positive development.

163. The Ministry of Education has a Technical and Vocational Education Unit (TVEU). This Unit is currently working towards the integration of information communication and technology (ICT) in the school curriculum in order to create new ways of teaching and learning for both students and teachers. The plan is to introduce Computer Aided Instruction (CAI) using computer simulation techniques and kiosks. The introduction of this new technology aims to improve the capacity of all schools to deliver high quality, relevant education and training.

164. The Corpus Christi Girls' Vocational School, operated by the Roman Catholic Carmelite Sisters which targeted girls who did not succeed the Common Entrance Examination in order to enter a secondary school experienced a significant drop in enrollment from 200 to 25 students and subsequent closure in 2009. The drop in enrollment followed by complete closure was due to universal secondary education which now provides every child a space at a secondary school and the lack of financial resources to maintain the school. The Girls' Vocational School remains a viable educational institution because of its technical vocational curriculum and every effort should be made to reopen this institution.

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<sup>51</sup> Saint Lucia 2009 Poverty Reduction Strategy and Action Plan, Draft Report, Government of Saint Lucia.

## 2. Universal access to early childhood care

*Reply to the issues raised in paragraph 62 of the concluding observations*

165. Saint Lucia is committed to improving the status of pre-school and day care services. Previously, the Department of Day Care Services was part of the Ministry of Social Transformation, whilst the Department of Pre-school Services was part of the Ministry of Education, Early Childhood Education Unit. Effective 2007, by an amendment to the Education Act of 1999, the Department of Day Care Services became part of the Early Childhood Education Unit making it possible to integrate all early childhood programmes.

166. There is a revised draft Early Childhood Policy (2009) guided by the vision statement: “Every child in Saint Lucia shall have the opportunity to develop to his/her full potential by being provided with a sound start to life”<sup>52</sup>. This policy document is intended to ensure all children from zero to eight years have the opportunity to access age appropriate and developmentally oriented early childhood services<sup>53</sup>.

167. For the year 2008 the number of pre-school centres decreased marginally from 105 to 104. All pre-schools are privately owned with 40.0% located in Castries and surrounding areas. The number of students enrolled in pre-school increased by 1.5% to 3,882. A gender analysis of the children enrolment in pre-schools indicates that 50.1% of the children were boys, while 49.9% were girls<sup>54</sup>.

168. The number of day care centres as of 2008 were 46 with an increased in total enrolment by 3.7% 1,452. An examination of daycare enrollment figures by gender revealed that 51.9% were boys and 48.1% were girls<sup>55</sup>.

## 3. Leisure, recreation and cultural activities

*Reply to the issues raised in paragraphs 64 and 65 of the concluding observations*

169. Legislation has not been introduced to explicitly give children a right to leisure, recreation and cultural activities. Children still have limited access to recreational facilities. However, pre, primary and secondary schools have annual sporting and athletic events to provide students with opportunities for physical exercise and competitive sports.

## H. Special protection measures

### 1. Child labour

*Reply to the issues raised in paragraphs 66 and 67 of the concluding observations*

170. The ILO Convention No. 138 concerning Minimum Age for Admission to Employment has not been ratified. However, the draft Labour Code of 2006 addresses the minimum age of employment for children to coincide with the school leaving age which is 16 years according to the Education Act of 1999.

<sup>52</sup> Early Childhood Policy, March 2009, revised

<sup>53</sup> Ibid.

<sup>54</sup> Saint Lucia Economic and Social Review, 2008.

<sup>55</sup> Saint Lucia Economic and Social Review, 2008 and the Government of Saint Lucia Educational Statistical Digest, June 2008.

171. The Draft Labour Code of 2006, devotes an entire section, i.e., Division 9: 122– 127 to the employment of children and young persons. For example this Division explicitly states: “A person shall not employ or allow to be employed any child who is under the minimum school leaving age as declared by any law in force in Saint Lucia except for employment during school holidays in light work”<sup>56</sup>.

172. Section 122(3)(f) describes light work as work done by persons over the age of thirteen years which is not harmful, prejudicial or dangerous to the child or young person and does not place at risk the child’s well-being, education, physical or mental health, or spiritual, moral or social development.

173. Section 122(3)(f) further provides some examples of light work such as (i) newspaper rounds; (ii) car-washing; (iii) cake sales and other sales at school and charity fairs; if such light work is approved by the Labour Commissioner by order published in the Gazette after consultation with organizations of employers and employees concerned<sup>57</sup>.

174. Section 123 of the draft Labour Code of 2006 makes provisions for a young person to be employed if he or she has been certified as fit and suitable for the work which he or she is expected to perform by a medical practitioner after a medical examination and thereafter his or her employment shall be subject to annual medical supervision until he or she reaches the age of eighteen years.

175. Section 124(1) makes provisions for an employer to keep a register of all children and young persons employed by him or her.

176. Section 127 of the draft Labour Code of 2006 outlines the penalties for violation of the proposed laws regarding the employment of children which includes a fine and, or a term of imprisonment.

177. No attention has been done to address child labour in the informal economy in urban areas on the island.

## 2. Drug abuse

### *Reply to the issues raised in paragraphs 68 and 69 of the concluding observations*

178. Saint Lucia remains concerned at the number of children who use drugs and of their involvement in drug trafficking in and outside of schools. To this end, the Substance Abuse Advisory Council Secretariat in 2005 conducted a National Survey of drug use among secondary school students in Saint Lucia. This study was intended to determine the number and characteristics of secondary school students who abuse substances. The study also sought to determine the nature of the substances abused as well as perceptions of the varying degrees of harmfulness of using these substances. A representative sample of 2,072 secondary school students was part of the survey. The survey revealed that alcohol was the most widely used substance among secondary students. Cigarettes and marijuana were the next most widely used substances<sup>58</sup> (see Figures A4 – A8).

179. As a result of the findings of this survey there has been a noticeable increase in radio and television jingles raising public awareness about the negative use and abuse of drugs and violence. Additionally, a Volunteer Corp Programme has been introduced and drug free

<sup>56</sup> Draft Labour Code of 2006. Division 9: 122 - (1).

<sup>57</sup> Ibid. Division 9: 122 (3), (f).

<sup>58</sup> National Survey of Drug use among Secondary School Students in Saint Lucia. 2005. Substance Abuse Advisory Council Secretariat. CICAD-OAS).

clubs and community action groups have been revitalized to increase the impact of the Substance Abuse Advisory Council Secretariat public education campaign.

180. Drug education is a component of the Health and Family Life Education curriculum in all primary and secondary schools.

181. The Drug Abuse Resistance Education programme (DARE) which is an initiative of the Community Relations Branch of the Royal Saint Lucia Police Force provided students with knowledge and skills to resist drug use and violence. This initiative is currently dormant, but efforts are presently being made to revive the programme.

182. The Turning Point Drug Rehabilitation and Detoxification Unit continues to provide treatment for adults and also admits children. Saint Lucia recognizes the need to treat children in a different facility and will endeavour to remedy this situation.

### 3. Sexual abuse

#### *Reply to the issues raised in paragraphs 70 and 71 of the concluding observations*

183. Recognizing the problem of sexual exploitation of children, the Government commissioned the Child Development and Children at Risk Report in 2006. This project was funded by the Caribbean Development Bank. This Report made a number of recommendations to include special training on child sexual abuse for teachers, social workers and police officers. These recommendations have not been implemented.

184. There are no existing plans to address the commercial sexual exploitation of children. This is because of the absence of actual data and scarce human and financial resources.

185. The revised Criminal Code of 2004 of Saint Lucia which came into effect on 1 January, 2005, addresses some of the limitations of the laws with regard to the sexual exploitation of children. For example, Section 126 makes it an offence for anyone to have sexual intercourse with a person under the age of 12 regardless of consent. Further, Section 127 of the Code reserves the right to indict anyone who has sex with a child aged 12 to 15 exclusively. Section 124 of the revised Criminal Code of 2004 makes provision for other forms of "sexual connection" such as oral sex.

186. Section 119(1) of the revised Criminal Code of 2004 states: "Every person who is in a position of trust or authority towards a young person, who in the course of his or her duty becomes aware of any act of abuse committed against that young person shall as soon as practicable make a written report of the case to any police officer or to the Government department responsible for Social Services." Section 119(5) describes persons in authority as: guardians; teacher; medical practitioner, social worker, drivers of school buses or any person having charge of young persons to fail to report cases of abuse. Section 119(2) states: "A person mentioned in Subsection (1) who without reasonable cause fails or refuses to make such report to the police officer commits an offence and is liable on summary conviction to a fine of one thousand dollars."

187. It is recommended that the list of mandatory reports include care givers at day care centers and pre schools and school counselors. Additionally, it should be noted that Section 119 of the Criminal Code of 2004 is limited to reporting child sexual abuse (defined as "unlawful sexual intercourse or connection") committed against "young persons" and therefore does not protect children under 12 years old and other forms of child maltreatment.

188. The Criminal Code of 2004 under Section 142(b) also criminalizes out of court settlements or 'arrangements' as they are commonly referred to on the island. The main aim

of 'arrangements' is to compensate a child's parents or guardians with cash or goods in kind in exchange for dropping a case of child sexual abuse<sup>59</sup>.

#### 4. Juvenile justice

*Reply to the issues raised in paragraphs 72 and 73 of the concluding observations*

189. Saint Lucia remains concerned about the increase in juvenile crimes. The available data from the Family Court reflects a disturbing trend whereby increasingly boys and girls are engaging in more serious criminal activities such as assault, stealing, housebreaking and possession of drugs and weapons (see Table 19).

190. The data available from the Department of Probation and Parole Services for the year 2006 reveal that there were 21 new cases of juveniles receiving probation compared to 16 in the year 2002<sup>60</sup>. Statistics from that Department for the year 2009 also reveal a total of 40 juveniles placed on probation and 62 on supervision orders. The number of juveniles placed on probation in 2009 represents a 53% increase from the year 2006. As regards girls, in 2009 there were 9 female juveniles placed on probation and 26 on supervision orders. Data from the Department of Probation and Parole further reveals that of the 62 juveniles placed on supervision orders, 26 were females, representing 42% of the total figure of 172.

191. In view of the status of the juvenile justice system, there have been many spirited attempts to introduce alternative sentencing to juveniles who are in conflict with the law such as community service and mediation. Probation Officers and the magistracy have been introduced to restorative justice, but this system has not been used in the juvenile justice system.

192. 'Act Now Generation' is an annual theatrical production organized by children and young adults who are in conflict with the law. This production utilizes the creativity and artistic talents of young persons who are in conflict with the law. Children who have participated in this annual production have overwhelmingly commented on the positive impact it has had on changing their antisocial behaviours.

193. The Saint Lucia Bar Association introduced a Big Brother Programme targeting only boys who are in conflict with the law. This initiative has been able to help young males redirect their lives toward becoming more law abiding citizens.

194. In addition to the abovementioned initiatives made to address the gaps in the juvenile justice system, very soon the island will adopt the OECS Juvenile Justice Bill which is one of the four bills under the Family Law and Domestic Violence Legal and Judicial Reform Project of the OECS.

195. The OECS Child Justice Bill is in accordance with articles 37 and 40 of the Convention. The Bill aims to develop a criminal justice process for juveniles accused of committing offences by protecting their rights as juveniles in keeping with the international instruments. The Bill therefore provides for the minimum age of criminal responsibility, recommends the diversion of cases away from the formal court procedures and the usage of restorative justice. When this Bill comes into effect, the Children and Young Persons Act will be repealed, thus abolishing truancy and vagrancy as status offences in the legislation.

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<sup>59</sup> Eugene, C. (2006). *Child Sexual Abuse – The Silent Crime and its Impact on Children*. Presented at the First OECS Conference on Youth Crime and Violence. Saint Lucia.

<sup>60</sup> Child Development and Children at Risk in Saint Lucia: A Review of the needs and Services for Children, Volume I, Caribbean Development Bank, 2007.



196. There is still no facility to accommodate juvenile girls who offend. However, there are plans to open a residential facility for adolescent girls as an extension to the Upton Gardens Girls Centre. A building has been identified and Government has also made budgetary allocations to purchase the property.

197. The Boys Training Centre continues to be the lone institution to accommodate boys who are in conflict with the law as well as those who are in need of care and protection. The Centre also provides accommodation for boys on remand awaiting the outcome of their cases. Many attempts have been made to separate the two categories of boys detained at the Boys Training Centre. Unfortunately, these attempts have been fraught with implementation challenges. Plans are currently being made to construct a temporary extension on the existing facility to separate the two categories of boys. This project which is funded by the Saint Lucia Development Fund (SSDF) is designed to create a home-like atmosphere for the boys who are in need of care and protection<sup>61</sup>. A second structure with four units is also under construction. The units will be used to accommodate boys with very serious behavioural problems, temporary holding area for new children before they are examined by a doctor, isolation area for children with illness and a medical unit to secure medication and from which medical personnel can provide health care services.

198. According to the current Manager of the Boys Training Centre 30 % of the children at the Boys Training Centre attend school in the formal education system<sup>62</sup>. This figure has been reduced to 9% because some children have been released from the Centre and four children had to be taken out from school because of the threat they posed to other students, the Centre and themselves. A proposal for the education of the remaining children to be based at the Centre has been submitted to the Ministry of Education for consideration. Testing of all the children at the Centre to determine their literacy level has begun. A computer lab is near completion made possible by the Rotary Club of Gros-Islet and the Government. Monroe College is also assisting with the installation of computers.

199. The medical and psychological needs of the children at the Boys Training Centre are being addressed as the Community Paediatrician makes weekly visits and the Consultant Psychiatrist has conducted psychological evaluation of the children who present challenging behaviours. The Saint Lucia Substance Abuse Advisory Council Secretariat is in the process of developing a programme for the Centre to address the substance abuse problems of the boys as well as to provide staff training. Meanwhile, some of the boys have been selected to benefit from the Big Brother Programme of the Saint Lucia Bar Association. LIME Telecommunications Company has also introduced a Big Brother Programme at the Centre.

200. In the area of staff training, the Boys Training Centre now implements a five day orientation programme for all incoming employees. This orientation programme includes such topics as basic developmental psychology, the behaviour management system, report writing, log book entry and the laws relating to juvenile justice.

201. There have been improvements to the physical structure of the building of the Boys Training Centre. Nonetheless, the facility is still inadequate and unsafe. The island still struggles in its efforts at improving the quality of care and educational programmes at the Centre. Notwithstanding the challenges faced by the Boys Training Centre during the period under review, some boys have made strides after leaving the Centre. Some boys who entered illiterate left with literacy skills and a few have been able to obtain stable employment and live a life befitting of a law abiding citizen.

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<sup>61</sup> Memo from the Manager, Boys Training Centre, April 2010.

<sup>62</sup> Ibid

202. There have been some additional Government initiatives aimed at addressing the challenges at the Boys Training Centre and juvenile justice in general. These include; the Singh and Porter Report, 2006, the Child Development and Children at Risk in Saint Lucia project, 2007, and the Seraphin, Alexander and John Report, 2008 and the reestablishment of the Boys Training Centre Management Committee. Quite recently the Ministry of Justice proposed the construction of the Family and Youth Resource Centre. This centre will serve as a multi-service centre for professionals and parents to assist in the reduction of youth crime and violence. It is hoped that the project shall be funded in the near future. Meanwhile, there are conceptual designs for a juvenile complex to accommodate juvenile boys and girls. This complex shall replace the existing Boys Training Centre. A site has been identified for this complex as well as for the construction of the Family and Youth Resource Centre. There is a Steering Committee along with sub committees that currently meet regularly with the responsibility for the implementation of the aforementioned projects.

203. There has been limited formal and systematic training for legal administrators, social workers, probation officers, police officers, prosecutors and judges dealing with children who are in conflict with the law who are below the age of 18. However, it must be noted that effective 2009, a cadre of twenty-two (22) persons consisting of police officers, social workers and probation officers were trained and certified as mediators by the Eastern Caribbean Supreme Court.

204. Saint Lucia recognizes the need to abolish the provisions which allow the imposition of a life sentence on children age 16 or 17 at the time of the commitment of the crime and ensure that children aged 16 and 17 are not considered as adults and are afforded the same protection as younger children under the justice system.

### **III. Other recommendations**

#### **A. Optional Protocols to the Convention on the Rights of the Child**

205. Saint Lucia has not ratified the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.

#### **B. Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance**

206. Saint Lucia has not followed up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

207. Saint Lucia will seek to establish and adhere to a set of future-focused international standards against which decisions about children's care will continue to be made.

### **IV. Conclusion**

208. This concludes Saint Lucia's combined second, third, fourth periodic report to the United Nation's Committee on the Rights of the Child. Saint Lucia tried its very best to make strides in the implementation of the Convention and to ensure the enjoyment of

human rights by children in the island. Saint Lucia looks forward to discussing this report and updating the Committee when it is presented and considered.

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