



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Sixty-eighth session

12–30 January 2015

Item 4 of the provisional agenda

Consideration of reports of States parties

### List of issues in relation to the combined third and fourth periodic reports of Jamaica

**The State party is requested to submit in writing additional, updated information, if possible before 15 October 2014 (10,700 words maximum).**

*The Committee may take up any aspects of the children's rights set out in the Convention during the dialogue with the State party.*

#### Part I

**In this section, the State party is requested to submit its responses to the following questions.**

1. Please inform the Committee about the measures carried out to harmonize national legislation with the Convention on the Rights of the Child, in particular with respect to the Child Care and Protection Act of 2004 and the process of reviewing the Act.
2. Please provide updated information on the status and implementation of the National Framework of Action for Children as a comprehensive national strategy for the implementation of the Convention in the State party.
3. Please provide the Committee with information on the Child Development Agency as the main entity with the responsibility to coordinate the implementation and evaluation of activities under the Convention across all sectors and from national to district levels, as well as information on the capacity and resources it has to carry out its mandate. Please also provide information on how the Child Development Agency coordinates with the Office of the Children's Advocate and the Office of the Children's Registry.
4. Please provide additional information on the Office of the Children's Advocate, including on its mandate, the human and financial resources allocated to it, its complaint mechanisms, the types of cases it handles, and the awareness-raising activities it undertakes.

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5. Please provide updated information on the measures taken by the State party to combat all forms of violence against children, including corporal punishment, sexual abuse, incest and domestic violence, in all settings, including within the family, schools, alternative care institutions and detention facilities. Please also provide updated information on the measures taken to prevent, and to protect children from, the high level of crime and gang-related activities in the State party. Please additionally provide information on the implementation of the recommendations stemming from the Task Force on Child Abuse Prevention established in 2008 in the Office of the Prime Minister.
6. Please provide updated and detailed information regarding “critical incidents” in childcare facilities, as mentioned in paragraph 226 of the State party report (CRC/C/JAM/3-4), and the measures taken by the State party to reverse the increasing trend of such incidents, including measures to prevent and combat the abuse of children in institutions. Please also provide information on the human and financial resources allocated to the childcare protection system to prevent sexual, physical and mental abuse of children by caregivers. Please additionally provide information on the measures taken to reduce the number of children in residential childcare facilities and to increase the number of children remaining in their homes “on supervision”, or placed in the Living in Family Environments programme or in foster care, including by increasing stipends to foster families.
7. Please provide updated information on the implementation of the recommendations contained in the Keating report relating to children’s homes and places of safety, including measures taken to address sexual abuse, mental health issues, alcohol and substance abuse and antisocial behaviour, as well as those taken to address overcrowding, the non-separation of children in need of care and protection, children deemed “uncontrollable” and children in conflict with the law, the placement of children outside of their parish of origin, which makes regular family visits difficult, and inadequate staffing, especially regarding specialists and the situation of children with special needs.
8. Please provide information on the special-education policy and on measures taken by the State party to include children with disabilities in mainstream education and to increase the accessibility of schools and other facilities to children with disabilities, including with respect to facilities built prior to the enactment of the Early Childhood Act and Regulations in 2005. Please also provide information on children with disabilities in specialized centres and measures to ensure their protection from ill-treatment. Please additionally provide information on the number of children served by the Early Stimulation Programme and whether efforts are under way to expand the programme throughout the island, including in rural areas, especially in the light of the fact that donor funding has negatively affected the operations of 3D Projects and Rural Services for Children with Disabilities.
9. Please provide updated information on the measures taken to address the high rate of teenage pregnancies in the State party, including information on sexual and reproductive health education, including with respect to methods of contraception. Please also provide information on the measures taken to prevent sexually transmitted diseases, in particular HIV/AIDS, including the measures aimed at addressing the stigma and discrimination relating to HIV/AIDS. Please additionally provide information on the national strategic plan on HIV/AIDS for 2007 to 2012, the results achieved under the plan, and the status of the current strategic plan.
10. Please provide detailed information on the practical action taken to reduce child poverty and to improve the standard of living of children, in particular in rural areas, including updated information on the National Poverty Eradication Policy and the National Poverty Eradication Programme, the Social Safety Net Reform Programme, the Programme of Advancement Through Health and Education, the Steps-to-Work programme and the Roving Caregivers Programme; the number of children benefiting from those programmes;

and the impacts of such programmes on the lives of children in the State party. Please also provide updated information on other poverty reduction programmes and initiatives benefiting children, including social welfare allowances and benefits for children from low-income families, including the School Feeding Programme, as well as on programmes to support parents, including information on the activities of the National Parenting Support Commission and the status of the National Parenting Policy. Please additionally provide updated and more comprehensive information on the Social Protection Project supported by the World Bank regarding the increase of conditional cash transfers to poor families with children.

11. Please provide updated information on the measures taken to reduce the number of students who drop out of school, in particular boys, pregnant girls, children living in poverty and children living in rural areas. Please also provide information on the measures taken to address the issue of limited access to secondary education beyond grade 9 owing to the shortage of upper-secondary spaces in urban areas, as well as on the support provided to low-income families for school-related expenses, including books, meals, uniforms, examination fees and transportation. With respect to girls who are forced to leave school during pregnancy, please provide information on the measures taken to ensure that such girls receive the necessary support to continue with their education or vocational training and to reintegrate into schools. In that regard, please indicate whether the State party envisages amending the Education Act to mandate that schools accept adolescent mothers under 18 years of age back into school after the birth of their child.

12. Please provide updated information on the measures taken by the State party to combat child labour, including information on inspections by government authorities in industries known for employing children, including in the informal economy, as well as updated information on the National Plan of Action on Child Labour, the Tackling Child Labour through Education (TACKLE) initiative, and the Possibility Programme, including results achieved. Please also provide information on the draft Occupational Health and Safety Act, including the reasons for the delay in its adoption. Please further provide updated information on the assistance provided by the State party to child victims of labour exploitation, including compensation, education, vocational training, witness protection, and counselling.

13. Please provide updated information on the measures taken to address the problem of children in street situations and issues related to that phenomenon, including information on substance abuse programmes and counselling, HIV/AIDS screening and health services, and support to non-governmental organizations that assist children in street situations. Please also provide information on the measures taken to address the sexual exploitation of children in street situations, in particular boys from poor inner city communities.

14. Please provide information on trafficking in children for the purposes of sexual and labour exploitation and on child pornography in the State party, including statistics on prosecutions and convictions under the new Child Pornography (Prevention) Act of 2009 and the Trafficking in Persons (Prevention, Suppression and Punishment) Act of 2007. Please also provide information on other measures taken to address those problems, including whether the State party envisages classifying conspiracy relating to the above crimes as a criminal offence. Please also provide information on the phenomenon of missing children in Jamaica. Please additionally provide information on shelters for victims, as well as on other services afforded to the victims of trafficking, including mental health counselling and other health-care services, compensation, education, vocational training and witness protection.

15. Please provide updated information on the juvenile justice system and on the action taken to enhance the skills and specialization of all relevant actors, including law enforcement personnel, lawyers, judges and social workers, with regard to the protection of

the rights of children in conflict with the law. In particular, please provide information on the measures taken to strengthen the judiciary, such as by providing adequate resources, increasing the number of judges, and improving access by judges to information, including access to copies of current relevant legislation, to computers and to the Internet. Please additionally provide information on the measures taken to combat the increase in juvenile crime, such as intervention programmes, vocational training and other outreach activities, as well as on the diversion mechanisms and alternatives to punishment and incarceration used in the State party.

16. Please provide information on the task force on residential childcare institutions and the status of the implementation of the Plan of Action, as well as on the status of the implementation of the National Plan of Action for Child Justice (2006–2011), including the development of the National Diversion Policy, the establishment of more family courts, and the measures taken to assist young and vulnerable witnesses.

## Part II

**In this section the Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report regarding:**

- (a) New bills and laws, and their respective regulations;
- (b) New institutions and their mandates, and institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

## Part III

### Data, statistics and other information, if available

1. Please provide data for the last three years on the budgets allocated for children at the national and local levels (in absolute terms and as a percentage of the national budget and of gross domestic product) in the fields of education, health, social services and child protection.
2. Please provide, if available, updated statistical data, disaggregated by age, sex, geographic location and socioeconomic status, for the past three years, on:
  - (a) The number of child victims of abuse, including victims of sexual abuse and exploitation;
  - (b) The number of investigations of cases of sexual violence and rape, and the outcomes of trials, including information on the penalties for perpetrators and on redress and compensation offered to the victims;
  - (c) The incidence of trafficking in children and sexual exploitation in the tourism sector;
  - (d) The incidence of child labour in the informal economy.
3. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, regarding the situation of children deprived of a family environment and separated from their parents. Please indicate, for the past three years, the number of children:

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- (a) Separated from their parents;
    - (b) Living in child-headed households;
    - (c) Placed in institutions;
    - (d) Placed with foster families;
    - (e) Adopted domestically or through intercountry adoptions.
  4. Please provide, if available, updated statistical data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, for the past three years, on the number and/or rates of:
    - (a) Infant mortality;
    - (b) Low birth weight;
    - (c) Overweight and obese children.
    - (d) Maternal mortality;
    - (e) Women and girls receiving medical and professional services for pregnancy and childbirth in rural and urban areas;
    - (f) Teenage pregnancies, as well as the number of cases where the father is identified;
    - (g) Sexually transmitted infections, including HIV/AIDS;
    - (h) Enrolment, retention, graduation and dropout of students at the primary and secondary school levels;
    - (i) Literacy of students at the primary and secondary school levels;
    - (j) Children in detention settings, including juvenile detention centres, adult correctional facilities and police custody, as well as information on how long children are remaining in police lock-ups, including both children in need of care and protection and children in conflict with the law;
    - (k) Children involved with criminal gangs.
  5. Please provide data, disaggregated by age, gender, geographic location, socioeconomic background and type of disability, covering the past three years, on the number of children with disabilities:
    - (a) Attending regular schools;
    - (b) Attending special schools;
    - (c) Not attending school;
    - (d) Institutionalized.
  6. Please provide the Committee with an update of any data in the report which may have been superseded by more recent data collected or affected by new developments.
  7. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
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