

GRENADA Non Governmental Organisations'
Shadow Report to the Committee on the Rights of
the Child.

December 2009

CONTENTS

Page 4	1. Foreword
Page 5	2. Methodology
Page 7	3. Subjects of Concern
	3.(1) Legislation
Page 8	3.(2) Data Collection
Page 9	3.(3) Independent Monitoring Structures
	3.(4) Allocation of budgetary resources
Page 10	3.(5) Dissemination of the Convention
	3.(6) Definition of the Child
Page 11	3.(7) General Principles
	a) Non Discrimination
	b) Criminal Code
	c) Respect for the views of the Child
Page 13	3.(8) Civil Rights and Freedom
	a) Birth Registration
	3.(9) Family Environment and Alternative Care
	a) Parental Responsibilities
Page 14	3.(10) Protection of children deprived of a family environment
Page 15	3.(11) Domestic and Intercountry Adoption

Page 16	3. (12) Abuse/neglect/maltreatment/violence
Page 18	3. (13) Corporal Punishment
Page 19	3. (14) Basic Health and Welfare <ul style="list-style-type: none">a) Reproductive Healthb) Sickle Cell
Page 22	3. (15) Children with Disabilities
	3. (16) Environmental Health
Page 23	3. (17) Education, Leisure and Cultural Activities <ul style="list-style-type: none">a) Teenage Pregnancyb) Other urgent concerns
Page 25	3. (18) Special Protection Measures <ul style="list-style-type: none">a) Economic Exploitationb) Drug Abuse
Page 26	3. (19) Administration of Juvenile Justice
	3. (20) Dissemination of the report
Page 27	4. Final comments
Page 28	Appendices

GRENADA Non Governmental Organisations' Report to the Committee on the Rights of the Child.

1. Foreword

This report was coordinated by the Grenada Community Development Agency, GRENCODA funded by UNICEF and presented to NGO group for the Convention of the Rights of the Child by the Grenada Coalition on the Rights of the Child, GNCRC.

The report was prepared in response to a request from the NGO group on the Convention on the Rights of the Child. Preparation and submission of this report was done within a twenty two (22) calendar days deadline November 10th to December 2nd, 2009. Every effort was made to ensure the quality and integrity of the information contained herein despite the time limit

The NGO's are of the opinion that the State report adequately covers all peripheral matters such as an overview of Grenada, its socio-economics and other information; and as given the already extremely tight deadline this information will not be included in this document.

The NGOs were particularly pleased for the recognition, commendation and observations of the Committee to the 1st State report which lead to the establishment of the National Coalition on the Rights of the Child who has been instrumental in initiating the establishment of the Grenada Adoption Board in 1994, the initiation and drafting of the Child Protection Act and the creation of the Programme for Adolescent Mothers among other programmes.

NGOs also appreciate the Committee's understanding of the State's vulnerability to natural disasters especially hurricanes, two of which have dealt devastating blows to the country in the last five years.

Efforts made by all sectors in Grenada, Carriacou and Petite Martinique are well established and documented as well as the hard work undertaken by the populist to meet the requirements of the Convention on the Rights of the Child, to which Grenada, on 2nd February 1990, became a signatory with ratification on 5th November that same year.

GDA/NGO/CRC

and all the hard work undertaken by people to meet the requirements of the Convention on the Rights of the Child, to which Grenada, on 2 February 1990, became a signatory with ratification on 5 November 1990.

However, the following statement which was included in the 1st Grenada State report to the Committee on the Rights of the Child, remains true for the most part, *“Children are said to be at the forefront of many programmes organized by Government and non-governmental organizations. In spite of this, however, there is no national plan of action ensuring the well-being of Grenadian children. Children's issues do not seem to command the prominence that they ought to on either the legislative or the administrative level. In many instances, policies regarding children are vague, not known, or non-existent”*,¹ Ten years on, the status of children in Grenada has not changed significantly. In a recent workshop held to present the results of research done in Grenada, on Child Sexual Abuse, comments were made about the lack of outrage in the society when discussing the issue. There seems to be a high tolerance level towards child sexual abuse which might suggest that there is an attitude prevailing that sexual abuse of children is not necessarily bad. This inertia seems to be endemic in the culture to all forms of abuse and not least sexual abuse of children.

This attitude is perpetuated by the fact that professionals charged with the task of the protection of children do not carry out their duties in a timely and proper manner.

This report which is the first within the last ten years will attempt to comment on every aspect of development which has happened in relation to the Convention, draw attention and offer recommendations for changing, developing or implementation as required.

2. METHODOLOGY

This process was undertaken between November 10th and December 1st 2009.

Terms of Reference included:

- Formularization with the method for submission of the NGO report.
Review of all relevant documents as a prerequisite for the preparation of an NGO report.
- Consult/interview agencies and individuals in relation to specific areas identified for follow up as referred to by the committee in the last state report.
- Prepare and circulate a draft report for discussion by stakeholders.

1. This quote is taken from the 1st Grenada State Report to the Committee on the Rights of the Child, submitted in 1997
- Prepare and submit on December 1st 2009 comprehensive report according to CRC guidelines.

A number of reports were read and digested by the consultant for the purpose of designing a draft document to engage the NGO community and other stakeholders in an intensive five hours session. These included the current and last State reports, the CRC's guidelines for submission of the NGO report, various samples of other countries NGO reports and the CRC's recommendation document in response to Grenada's 1st State Report.

Subsequently, a consultation paper was drafted which contained the recommendations from the Committee on the Rights of the Child in response to the 1st State Report and the State's responses to the recommendations.

The NGO community was asked to comment on both the Committee's recommendations and the State's responses and to add any other observations or comments about issues they felt were important and needed to be highlighted.

This process was carried out through one to one interviews, numerous telephone conversations and by responses to the document by electronic mail. The final draft report was subsequently compiled and sent to all subscribers and interested parties in the NGO community who were invited to a consultation session on November 30th for revisions and amendments.

The discussion, conducted at the headquarters of the Coalition on the Rights of the Child, proved to be lively, informative and challenging and provoked a great deal of debate in relation to the matters in question. The culmination of these enthusiastic interactions is captured in this final document especially in the Recommendation and Action sections.

The report follows, for the most part, the format set by the CRC's recommended document although we have placed some issues under what was thought to be a more fitting category, e.g. the Programme for Adolescent Mothers was considered to fit more appropriately under Education as it is an

alternative Education for teenage mothers. Legislation was also considered to be inclusive of all kinds of laws but for our purpose we have focused on Family Law under this heading and have a separate section for criminal law as it pertains to Children's Rights,

3. Subjects of concern and NGO recommendations for Action

3 (1) Legislation

Legislation deals with all kinds of laws used to govern a country. In this section we will deal with Family Law which is being considered for implementation at present. Matters pertaining to Criminal Law and children will be addressed later in the document.

The Organisation of Eastern Caribbean States, (OECS), Grenada is a member of this body, has been conducting consultations in relation to legislative review with a view to its member states adopting a comprehensive children's rights code. These include:

- i) The status of Children Bill
- ii) The Child Care and Adoption Bill
- iii) The juvenile Justice Bill
- iv) The Domestic Violence Bill

These bills continue to make their way through the Government processes but have yet to be gazetted and implemented although this was carded for 2008. There is concern about when and how the OECS legislation will be implemented and there is a need for strategic planning for measures to ensure it will happen. There is anxiety that the resources will not be available for the implementation of these bills especially The Child Care and Adoption Bill, however, little effort seems to have been gone into exploring possibilities, both of funding and a thorough investigation into what resources are presently available which could be utilized or trained adequately to carry out the tasks required.

Some of the requirements of the new legislation only need a change in approach and attitude to make them effective.

The 1998 Child Protection Act and 2001 Domestic Violence Act have become completely ineffective because they are not implemented and there is concern that this will happen once again. There are a number of other bills that the OECS Family Law Reform Bill can generate which are needed in Grenada but are not being considered as yet.

- Divorce Legislation
- Common Law Unions

- The Child Support Bill
- Family Court *

Grenada has drafted its own Family Court Bill and there is a possibility that we will ask the OECS to agree to this draft being used. We would like Grenada's model of a Family Court to be one that deals with these issues at both the Court levels, magistrate and the High Court; with adequate support systems such as probation etc, residing in one building.

Recommendation and Action

We want to see the OECS legislation implemented in a timely and proper manner. If Grenada's Family Court bill is not agreed by the OECS, then we will want to see the adoption of the Family Court Bill being drafted by the St Lucia OECS Head Quarters.

The Evidence Act needs amending to take into consideration Children's Rights.

The other three bills are needed and the NGO community will need to continue lobbying to ensure their inclusion in the statutes.

3.(2) Data collection

There are individual agencies that collect data but there is no central collection and analyzing of data to date. Individual agencies acknowledge that data collection and analysis is particularly important in establishing that current programs are working (or not working as the case may be) and to identify vulnerable groups Data collection and analysis is essential for interim reports and when writing proposals to new funding sources.

The NGO community is hopeful that implementation of the OECS bills will transform data collection, particularly in the field of Child Protection, as mandatory reporting will create the need for clear and comprehensive systems to be put in place.

*The Family Court Bill is to be drafted for the OECS by St Lucia

A centralized data base is needed, this would have a standardized form for NGO's and Government Departments to collect data monthly, which could be entered online. There is a need recognize that lack of data leads to lack of proper planning for services and this would improve things greatly.

The police data needs to reflect abuse of children, at present, sexual assault of children falls under the Indecent assault of adults. There is a need for different section for data for children.

Recommendation and Action

To urge Government to create a centralized database, it presently has one for the Ministry of Finance but this needs to be expanded to include all forms of data and statistics required by a Government for service planning and applications for funding to the International community.

3.(3) Independent monitoring structures

An Ombudsperson has been appointed the role of which is prescribed by law to deal with public service issues so the role is legally defined.

Recommendation

There is a need for a post to look at Children's rights issues, this is not necessarily the same person, and our recommendation would be that we need someone who has an independent portfolio, or may have the role of advising the Ombudsperson in relation to issues affecting the Rights of Children.

3. (4) Allocation of budgetary resources

There is a need for capacity development and policy direction for all those involved in data collection which would involve more comprehensive categorization of where budget allocations are designated according to gender, age, etc. Some individual agencies have comprehensive breakdowns of their budgets but the practice is not universal in the country.

It was noted that in the last budget, spending on Social Development was the lowest with education being the highest.

Recommendation and Action

We need more financial commitment in this area and more effort made to secure international assistance.

3.(5) Dissemination of the Convention

The Convention needs to be institutionalized in the State structure, it needs to be consulted and adhered to when any kind of legal or policy

development is being initiated in relation to Children. We are particularly concerned about the lack of training and sensitization of key professionals, such as the police, nurses, doctors, teachers and social workers working with children who are unaware of the existence of the Convention. The Grenada National Coalition on the Rights of the Child, the Grenada Association of Professional Social Workers and other agencies have a litany of examples of injustice in the area of Children's Rights.

The United Nations and other International agencies recognize the important role played by the Non Governmental Organizations in the governance and service delivery of their countries.

Recommendation and Action

There is a need for the Government of Grenada to create a policy statement on how the NGOs can partner with Government, as the voice of NGOs and Civil Society also needs to be included in the International debate.

3. (6) Definition of the Child

Grenada does not have one definition of who constitutes a child, our age range of who is a child ranges from 7 years old to 21 years of age. 7 is the age of criminal responsibility and young people continue to have to ask for permission to marry up until the age of 21. It is accepted that there will always be various ages applied to different stages of responsibility for a child, this is an ongoing debate in most societies, however the one that is causing the greatest concern at present in Grenada is the criminal age of responsibility. This is why we are making an urgent call for reform.

We are fully aware that other island states have raised the criminal age of responsibility to 12; however, there is no consensus in Grenada in relation to this issue. There is an urgent need for consensus building for what the age should be.

The Holdip report, commissioned by the GNCRC made a number of recommendations in relation to the standardization of the age of responsibility for children; however, again, nothing came of it. This was submitted in 2002.

Recommendation and Action

Grenada needs to be considering, as a matter of urgency, the reformation of its Criminal Code; this may fall outside the OECS reform.

There is an urgent need for debate and consensus building for an alternative age for Criminal responsibility for children.

3. (7). General principles

- a) Non-discrimination.

There are various programmes implemented by different agencies which focus on eliminating traditional gender roles. Planned Parenthood Association had been implementing a skills for living program among selected schools over many years. Due to budget constraints it was discontinued in 2009. Emphasis was placed on male/female roles and responsibilities in heterosexual relationships. The ministry of Education should incorporate such institutions in its program on youth development. We are aware of some Regional studies conducted by the Caribbean Children's Support Initiative, the rationale of which is being used for Grenada's parenting programme. Concern was expressed by several individuals, that the course content might be enlightened in relation to gender stereotypes and empowerment of both males and females, however, it was feared that entrenched attitudes may not have been challenged adequately or are they continuing to perpetuate archaic gender roles using religion as its basis.

Recommendation

There is a need for a National policy; this would assist in addressing the issue of eliminating traditional gender roles. The policy would need to have an implementation strategy which could inform the direction of all agencies engaged in the delivery of such a programme.

b. Criminal code

The Criminal Code, as it stands has major flaws, particularly in relation to legislation which talks to sexual offences against children. These are the ones identified as of primary concern at present:

1. The statute limitation on the defilement of females which now stands at three months.
2. The 'Honest belief' defence, this is where the defence is based on the argument that the defendant 'honestly believed' that the child was older than 16 years.
3. The gender specifics of the Criminal Act, boys and girls need to be afforded equal protection from all forms of sexual abuse and exploitation.
4. The limited definition of rape, it needs to be broadened to include other traumatic acts of invasive penetration.

5. The issue of child pornography; we have a disturbing incidence of men videotaping sexual intercourse with young women and the putting it on the internet for general consumption without the young woman's consent. There are no laws in Grenada which address this matter at present.

Recommendation and Action

Grenada needs to follow the lead of other Caribbean countries that have created a Sexual Offences Amendment Act, pending a full amendment. This will address some of the above issues and as these are major items on The Child Rights agenda, it needs to be sooner rather than later. Grenada is continually commissioning reports on these issues but somehow implementation seems to be evasive, this is despite having a vast resource of expertise in the country.

Tougher sentencing of sexual offenders and perpetrators of domestic abuse would also help to send the right message to potential abusers.

c. Respect for the views of the Child

Children and young people are represented fairly well in the more informal structures of presenting views but in the judicial system where bigger decisions are made about the future of children, their voices are not deemed reliable. Section 14 of the Child Protection Act allows for the Child's Voice to be represented in any Court proceedings by legal counsel, however, this has never been evoked and there is nothing built into the legislation that speaks to the voice of the child being important and needs to be heard.

3.(8). Civil rights and freedom

Birth registration

Very little seems to have been done to address articles 7 and 8 of the Convention. The registration process appears to have become slightly better in that most children are now registered before they leave the hospital; however, not all are given a name and will continue to be addressed as Baby along with the surname of the family, often until attendance at pre-school requires the child to have a given name. There is also a widespread practice whereby even though the child's name is registered at birth, they will not be given a birth certificate until they produce a baptismal paper signed by a Pastor or priest.

Recommendation

The practice of linking the baptismal paper with the birth certificate has to be challenged. The birth certificate also needs changing to include columns for the Mother's occupation and address, the father's is already required. It also needs to have a column where the child's surname is registered, for common law relationships, so that they will have a legal surname that cannot be changed on the whim of parents. Fathers should have the right to have their names included on birth certificates when the child is born out of wedlock.

3. (9) Family environment and alternative care

a) Parental responsibilities

The Parenting programme currently being facilitated in the State is managed by a partnership of Government and NGO stakeholders and one of its aims is to become the standard training approach to parenting in the country. The facilitators delivering the training have already qualified at an Associate Degree level and will continue to train to higher levels. This course is accredited by the University of the West Indies.

Numerous training courses for parents are under way across the island; they will receive a certificate on completing the course.

Common Law Unions - the view of the NGO community is that children are not really protected until all Unions are legally recognized. The bill relating to this issue is not presently being considered for implementation in Grenada.

Recommendation and Action

Lobbying by Civil Society in the matter of the status of children of common law unions has to continue as there has been no State action as yet.

3.(10) Protection of children deprived of a family environment

There are a number of concerns in the NGO community in relation to alternative care for children.

1. There is a lack of alternative care for both boys and girls.

2. Emergency accommodation has been created for older children but its management at present is unsatisfactory.
3. There seems to be very little social work done with parents for rehabilitation with an eye on the return of the child into the family home.
4. There seems to be a lack of social work undertaken with families per se.
5. The lack of work undertaken to work with children and families when adoption is being considered.
6. The NCH Action for Children will no longer be present as a Fostering agency from 2011 and this will fall on the State which does not seem to have the capacity to absorb this responsibility. An assessment, recently undertaken, but not yet completed, shows in its preliminary findings that there is significant scope for improvement in the State machinery for implementation.

The Child Welfare Authority is the body that gives Child Care Homes their license to operate. The license evaluations are made once every three years when a panel of people, including the fire service, visit the Centres to assess every aspect of the environment as well as the practice. CWA also pays monthly visits to assess standards and to offer some support, however, training, ongoing support and supervision of staff in Child Care Homes continues to be a major issue. It appears that there is no acknowledgement of the impact of the work on the staff which results in disillusionment and early burn out. Concern was expressed that Child Care Homes are inadequately resourced and staff lack benefits such as Health Insurance etc.

There continues to be concern about the number of children held in Care Homes without due legal process having been undertaken to ascertain their legal position.

Action and Recommendation

Staff of Child Care Homes needs an ongoing programme of training and support in order to acknowledge the multitude of roles they play in their work. They need clarity re roles and responsibilities and lines of accountability.

The NGO community completely endorses the notion of an Independent Complaints Authority for children; it will need to be completely independent of Government ties or interference.

3.(11) Domestic and intercountry adoptions

In response to Article 21 of the Convention, the NGO community feels that nothing short of signing on to The Hague Convention will suffice and during consultation for this document it became clear that the Adoption Board is presently finalizing its recommendation to Cabinet, that Grenada does precisely this and becomes a party to the Hague Convention with a view to commencing training for social workers in January 2010.

This is welcomed and will encourage proper implementation of the Hague Convention rather than using it as a baseline guide which has culminated in a system which is not properly implemented. The OECS legislation again addresses this issue, however, at this point it is not clear whether this piece of legislation will be adopted in Grenada.

There has been no study to assess why girls are preferred to boys for adoption purposes.

Recommendation and Action

To ensure that when the Hague Convention is adopted, the implementation is thorough and comprehensive social work reports are mandatory for both in country and International adoptions.

3.(12) Abuse/neglect/maltreatment/violence

In response to Article 19 of the Convention, the NGO community concurs with the findings of the State about the lack of power bestowed on the Child Welfare Authority to deal adequately with issue of Child Protection.

We are also expressing concern in relation to several other areas in the protection of children.

1. There is no Duty Team in any agency to respond to reports of alleged child abuse.
2. There is no coherence in relation to initial investigations and the use of Protection Orders.
3. A Child Abuse Protocol was ratified by Cabinet and has not been implemented. An audit in relation to the use of the Protocol was undertaken recently, the findings of which indicated clearly that agencies working with children had not adopted the Protocol and some did not even know of its existence.

4. We are not aware that there is a Child Abuse Register nor of the process that is undertaken for a child to be placed on the Register.
5. The rules of evidence giving need to be relaxed in order to make the court a more child friendly environment when giving evidence particularly in sexual abuse cases of younger victims. One suggestion is that the initial interview is recorded on camera and is accepted as the evidence in court.
6. The prosecution of parents when they collude with the abuse of their children by acceptance of money or other gifts.
7. Domestic Violence studies, generally, show that there is an inextricable link between Child Abuse and Domestic Violence.
8. There have been several studies in relation to Sexual Abuse completed since the last State report, locally, regionally and Internationally, the most recent being "Child Abuse in the Eastern Caribbean" commissioned by UNICEF and funded by The Department for International Development, (DFID). It was carried out by the University of Huddersfield and Action for Children. This is a very comprehensive study and once again underscores the findings of previous documents in stating that Child Abuse, in all its forms, is a major cause of concern and particularly, Child Sexual Abuse. Two of the recommendations from the above mentioned study are shown below.
9. Emerging trends of exploitation of young people in the sex industry. Recent media reports have indicated that this is becoming more organized in the society to the point of advertising for employees as 'Escorts' for visitors to the country whether they be business people or tourists. A recent informal study undertaken by a small NGO in Grenada, interviewed more than 300 people working in the sex industry. Those interviewed ranged in age from 12 years to those in their fifties from both sexes. The report was met with disbelief when presented to the local GNCRC and has not been widely disseminated

It was also strongly purported that there is not enough work being undertaken for numerous issues relating to child sexual abuse and the following recommendations were also made by local NGOS as being of the utmost urgency.

Recommendations and Action

- i) The psychological and physical reintegration of victims - particularly when the victim is living in close proximity to the perpetrator and they are out on bond pending court proceedings.
- ii) The rehabilitation of offenders/perpetrators
- iii) Raising public awareness and education of all areas of society in relation to Child Abuse - the NGO movement is particularly aware that this needs to be done with younger people not yet totally institutionalized into the culture.
- iv) Technology and abuse prevention
- v) Multi disciplinary and inter professional work.
- vi) Aggressively promoting what is acceptable/not acceptable especially with respect to sexual abuse. It would be good to outline simple clear steps to take and what to do so that relatives/victim are clear on the steps to be taken to sound the alarm, provide the evidence and get help.
- vii) 'The development of a Regional Strategic Plan for Building Abuse-free Childhoods.' ²
- viii) 'The establishment of a Regional child Protection Hub containing policy and best practice expertise that can be drawn upon by professionals, agencies and government departments.' ³

However, despite the fact that there is no lack of recommendations there continues to be a lack of will to translate them sufficiently into action

3.(13) Corporal punishment

In response to Article 28.2 of the Convention, while we are aware that some measures have been introduced, particularly by the Education Act to contain corporal punishment in the schools, we are informed that some magistrates continue to commission this to be done a child as punishment. Parents also continue to take children to the Police Station for beatings when they deem that their children are "out of their control".

Families using corporal punishment as a form of discipline is institutionalized in the culture and very little work has been done in challenging this practice and while the debate rages about the pros and cons of corporal punishment, we are far from prohibiting the practice in this society.

Some moves have been made by a local NGO to link with International agencies engaged in the lobby to prohibit corporal punishment entirely, this is presently in its embryonic stages.

GDA/NGO/CRC

The GNCRC has woven this as part of their advocacy. It has not been particularly well received as the alternatives are unclear given little empirical evidence as to alternative forms of punishment.

Recommendation and Action

To keep the debate going with all sections of Civil Society.

2. /3 These recommendations were taken from the report ' Child Sexual Abuse in the Eastern Caribbean' commissioned by UNICEF and partially funded by the Department for International Development. It was carried out by the Huddersfield Centre for applied Childhood Studies and Action for Children

3.(14) Basic health and welfare

Right to health and access to health services

i) Reproductive Health.

There does not seem to be a concerted approach or a policy lead to the issue in the Country. The NGO community applauds the fact that some NGOs have made an attempt to bring some awareness of the importance of empowering young women in the prenatal and antenatal stages, because as some research shows, the biggest influence on breast feeding is the attitude of the father, attitudes of health professionals make little or no difference. Due to lack of resources some of these forward looking services have had to close.

They have made several recommendations as a result of their experiences.

Recommendations and Action

- a) Teenagers need to have education re: responsible sex and pregnancy prevention especially as transactional sex seems to be on the increase in Grenada.
- b) Young people need to be empowered to make informed decisions in relation to sex and other life decisions and also to be able to own their power as sexual abuse and exploitation present some of the most challenging issues. *"Young women are particularly at risk, often being victims of incest, sexual exploitation and other forms of sexual abuse. Transactional sex with older men, now commonly referred to as the "SugarDaddy Syndrome", is reported as becoming alarmingly widespread. Incest, which places children at risk in their own home environment, is also a significant issue. The age difference and youthfulness of the young persons exploited by older male adults makes the negotiation of condom use and sexual boundaries very difficult. This is an extremely important factor that inevitably increases the risk of HIV infection for children".⁴* An excerpt taken from the report commissioned by the World Bank to look at 'Protecting Children Affected by AIDS in the Caribbean', the Grenada extract being authored by Jacqueline Sealy Burke.
This study also showed that there were no adequate services for those infected or affected by HIV/AIDS and as much as 15% of all cases are among young people aged 15-24 years. This last fact presents an alarming need for enhanced strategies to address the situation facing vulnerable young women in Grenada.
- c) The Family Life and Health Education programme in schools needs to be addressing the issues of informed sexual choices and reproductive

d) health matters.

e) Confidential counseling not tainted by religious persuasions needs to be made available for young people.

f) Academia is seen as the only way to future employment, this needs to be accompanied with equivalent employment and life skills training, particularly for teenage parents.

Adolescent Rights and Access to Reproductive Health Services must be addressed in the National Health Plan. Organizations like Planned Parenthood have been providing such services for over 4 decades.

The AIDS study in point b) above also indicated that there was no legislative framework or policy that speaks to young people's reproductive rights which renders them with no service.

Confidentiality is a major stumbling block in all these issues of medical advice and treatment especially without parental consent as there is no clear law or policy with respect to age which says when a child can consent to medical treatment or seek services related to contraception, HIV testing, pregnancy and abortion.

There has been some discussion on the matter of contraceptive use particularly the Morning after Pill, the discussion talked about whether it constitutes abortion resulting in its use contravening the Abortion laws of the country. As there is no lead being taken on this issue by anyone, the matter is left unaddressed and service to teenagers is on an ad hoc basis.

The National AIDS Directorate, which existed for two years with World Bank funding, no longer exists and the Ministry of Health are now the lead agency for HIV/AIDS and are undertaking activities in relation to this issue.

4. This quote was taken from the World Bank report 'Protecting Children affected by AIDS in the Caribbean'

Recommendation and Action

We need a structured system to include referral and follow up work with adolescents. They need to be recognized as a client group in their own right.

Increasing the number of (trained) social workers, psychologists and youth friendly care, counselling and rehabilitation facilities for adolescents needs to be part of a national strategic plan for children and family services.

The issue of post coital contraception for cases of incest and rape of children needs to be revisited and lobbied for again.

Greater collaboration with the Ministry of Health among others should be instituted for working with these issues.

(ii) Sickle Cell

Sickle Cell is another major issue in Grenada which was not recognized until two and a half years ago, when the Sickle Cell Association of Grenada was formed to attempt to begin to address concerns. A study done by WINREF in 2000/1 found a 9.6% incidence of sickle cell trait in a study conducted in selected Secondary schools in Grenada.

SCAG are campaigning to extend the screening programme to all newborns, failing this to at least extend it to all Secondary schools in Grenada, Carriacou and Petit Martinique so that all adolescents will know their status before they become sexually active. This process will at least enable young people to make informed choices when thinking about life partners.

SCAG, in partnership with Government, is developing a parent held health record book for children. This will enable children whether affected by sickle cell or not to attend any doctor's surgery, which is the practice in this country, and the doctor will know immediately of the existence of the child's chronic illness, symptoms and their medical history.

SCAG is also convening a regional conference in Grenada, for the centenary celebration of the discovery of Sickle Cell as a diagnosis. The first person given the diagnosis of Sickle Cell was a Grenadian, Walter, Clement Noel, in 1910.

Recommendation and Action

The work needs to be recognized and allocated resources in the Government's budget.

3.(15). Children with disabilities

The State outlines some of the existing initiatives undertaken by both Government and NGOs, such as the Dorothy Hopkin Home, the two Special Education Schools, the NCH Spice Project and two Itinerant teacher initiatives who work with specific grades in some schools. The Grenada National Council for the Disabled's school books programme and its training initiatives are noted along with the Children's Health Organization for Relief and Educational Services (CHORES) which visits the island periodically.

Numerous initiatives have been undertaken in relation to working with disabled children and the initiative of a Task Force, consisting of multi disciplinary professionals from Government and the NGO community, convened by the Ministry of Education in 1999, was seen as progressive. The aim of the Task Force was to create a strategy to coordinate services for children who were deemed to have different abilities. The NCH Spice Project for education was one of the initiatives that came out of this and it has been subsequently taken over by Government and continues to go from strength to strength. GNCD, the Council for the Disabled, continues their lobbying for better resources for all those with disabilities, including children, however, they have very limited resources but perform as best they can. A policy is in its draft stages in relation to the needs of people with disabilities, such as Housing and Employment, and the need for more professionals such as speech therapists and occupational therapists, again this needs to be held within a National Strategic Plan.

3.(16) Environmental health

Environmental health issues continue to give concern since they are largely ignored by those in power. The Grenada Solid Waste Management Authority do what they can with limited resources but without a National vision and policy their work will always be sidelined.

There has been some changes in the legislation i.e. the Grenada Solid Waste Management Authority Act (1995) and the Waste Management Act, passed in 2001, however, no policy or protocol have been developed to provide for implementation or enforcement of the Act.

There are some efforts being made to recycle waste materials and the Authority is engaged in continuous public awareness programmes.

The practice of using pit latrines has continued with a survey conducted in 2005 finding that 36 per cent of households were continuing to use them.

There has also been no change in the pollution of the sea, with all liquid waste being disposed of in the sea, in an untreated state which has major public health issues which are not being addressed.

Recommendation and Action

Implementation and enforcement of the Acts, this issue surfaces again and again, the laws are in existence but no drive to make things happen.

3.(17) Education, leisure and cultural activities

Right and aims of education

The NGO movement fully endorses the most recent State initiative by the Ministry of Education where we have seen the introduction of free school books which in turn increases children's access to education. We also support the decision to pay attention to curriculum development with the introduction of vocational subjects on a wider scale in the schools and the introduction of Universal Education. Guidance and Counselling has also become a feature in a large number of schools which is again to be applauded.

A major concern was highlighted recently however, in the case of the alleged inappropriate behavior of a teacher. It became clear that the Education Act does not adequately address professional misconduct by teaching staff or others working in close proximity to children. This is presently being addressed by a working party of NGO stakeholders and the Ministry.

(i) Teenage pregnancy

The NGO movement appreciates the recognition given to the initiative of PAM which has been in existence for over ten years. A policy was developed in 2007 between the Government and key stakeholders where PAM was given the role of lead agency in adolescent pregnancies and was given additional resources by the Ministry of Education. The Ministry has honoured its commitment in relation to resources; however, the

implementation of PAM as lead agency has again been sporadic and left to individual decisions made by individual Heads of Schools.

An informal gathering of statistics has shown that births to teenage mothers number more than three hundred every year. PAM, in its present form has a full capacity of about 40 students. In light of this it is obvious that PAM is not adequately meeting the needs of its constituents.

(ii) Concerns and queries were also expressed at the following issues:

- a) That the present content taught in schools does not adequately challenge gender stereotypes and could be considered to reinforce them sometimes, both in the formal and informal curriculum
- b) It is thought that some schools have informal barriers in relation to gender, specifically in relation to technical subjects.
- c) The Ministry of Education now has a policy of excluding students from school while awaiting the outcome of criminal proceedings.

Recommendation and Action

The Education Act needs to be amended to ensure that sanctions will be imposed on those not conducting themselves in an appropriately professional manner.

That PAM is decentralized to other parts of the country as the cost of travel makes it prohibitive for most students to reach the centre in St George's.

That a proper policy be developed and implemented whereby school age Mothers are permitted to return to school after the birth of their babies. This decision should not be made at the individual Heads of school's discretion but as a National policy direction.

The present policy of excluding children regardless of the crime committed needs to be challenged immediately, this is totally in contravention of the right to education.

3.(18). Special protection measures

a) Economic exploitation

The NGO community investigated the existence of the Child Labour Study which apparently was conducted by TAWU, the Trades and Allied Workers Union, only to be told that it was not an open document.

The issue of child labour is one that is clearly in existence as a number of schools have said that some children in their schools will miss the same days every week according to the schedule of cruise ships in the Port or

Market Day in the bigger towns. The Ministry of Education has begun to employ School Attendance Officers too monitor children staying away from school. This could potentially be one avenue by which informal child labour could be monitored; however, informal reports question the efficacy of the service and its implementation in particular.

Recommendation and Action

We continue to be concerned about the lack of communication vis a vis studies and other kinds of policy documents, circulation of this kind of information and discussions on these issues need to be greatly improved. Grenada may need to commission another study of Child Labour.

b) Drug abuse

In response to Article 33 of the Convention in relation to Drug Abuse, there are several programmes facilitated by individual NGOs which attempt to address the issue of drug abuse, however, an issue as important as this needs a National Policy and direction so agencies could take their lead from the National Strategy Policy document, if it existed.

There is concern that we have no rehabilitation services for drug and alcohol abuse as the facility we had, i.e. Carlton House was destroyed by Hurricane Ivan. The Ministry of Health is indicating that it will be rebuilt in another part of the country but is also saying in the same breath that there is no money available for this kind of endeavour at present.

Recommendation and Action

A National Strategic Plan is in place but again is not implemented. This could be done in partnership with the NGO community which could place this kind of service as part of a holistic approach to the health of the people of the Nation.

3.(19) Administration of juvenile justice

There is concern that the Juvenile facility has not come on stream. We have to accept that some children will need to be incarcerated but we cannot have them being placed with other adults. This facility has been in the pipeline for 8 years but nothing has materialized, it is becoming inexcusable.

Grenada's law does not allow for a multitude of sentencing options to be made available for young people in conflict with the law and due to the

GDA/NGO/CRC

lack of a correctional facility; the judiciary convict young people to the adult prison which increases the possibilities of their potential exploitation and exposure to sexual activity with a risk of HIV. It also exposes them to being given the information on how to engage in a life of criminality.

It is noted that there does seem to be a more vibrant probation department emerging from the Ministry of Social Development but this has a long way to go

Recommendation and Action

A Juvenile Justice Act, which is again imminent as part of the OECS Family Law Act, is a priority. The Act will need to include the notion that juveniles are children in need of protection rather than criminals in need of punishment.

3.(20). Dissemination of the report

In light of Article 44, Article 6 of the Convention, dissemination of reports is of paramount importance. However, in Grenada, this is consistently bad, there is a lack of follow through which is endemic in all the studies done in Grenada, even outside of social work and Children's Rights

4. Final Comments

Grenada has worked very hard to keep up with the changing world and has produced legislation in keeping with these changes. The OECS is now attempting to standardize legislation in the region, particularly in the area of Family Law and Grenada is part of these consultations, with a view to implementing some or all of these bills. These need to be drafted and passed with due consideration to the requirements of the Convention which would put Child Rights and the 'best interests of the Child' at the centre of relevant legislation

The NGO community and the rest of Civil Society in Grenada has to take responsibility to ensure that the new legislation is implemented adequately and successfully.

Government needs to be looking at working in partnership with the NGO community, to allow for the circulation of information and for successful collaboration in implementation, not only of legislation but of programmes aimed at Children and Families in need of social assistance and other services.

2009

Appendix 1: Table of agencies and individuals consulted and who attended the consultation.

Agency/Individual	Consulted	Attended consultation meeting
GNCD	GNCD	
NCH Action for Children	NCH	
Grensava	Grensava	
Belair Children's Home	Belair Children's Home	Belair Children's Home
Grenada Assoc. of Professional Social Workers	Grenada Assoc of Professional social Workers	Grenada Assoc of Professional Social Workers
GNCRC	GNCRC	GNCRC
Legal Aid and Counselling Clinic	LACC	LACC
Sickle Cell Association of Grenada	SCAG	
Childbirth Resource Centre of GND	CRCG	
YWCA	YWCA	
Planned Parenthood	Planned Parenthood	
Programme for Adolescent Mothers	PAM	PAM
Grenada fund for Conservation	GFC	
Father Mallagan Home for Boys	FMHB	FMHB
Grenada National Org for Women	GNOW	GNOW
Grencoda	GRENCODA	GRENCODA
Red Crosss		
Human Rights Organisation		
Conference of Churches		
Food and Nutrition Council		
Grenada Union of Teachers		
Anande Trotman Joseph	Anande Trotman Joseph	
GRENEED		Grened
New Life Organisation		Newlo

Appendix 2

Bibliography

1. Government of Grenada. (1995) Initial report on the implementation of the Convention on the Rights of the Child in Grenada (CRC/C/15/Add.121).
2. Government of Grenada (2009) Second report on the implementation of the Convention on the Rights of the Child in Grenada.
3. 2nd State report submitted by Grenada on the implementation of the Convention on the Rights of the Child in 2009.
4. World Bank commissioned report on 'Protecting Children Affected by AIDS in the Caribbean', the Grenada section being authored by Jacqueline Sealy Burke.
5. Study on Child abuse commissioned by UNICEF and partially funded by Department for International Development. The study was carried out by the University of Huddersfield (Centre for applied Childhood Studies and Action for Children).
6. NGO report submitted by Costa Rica
7. Concluding Observations of the Committee on the Rights of the Child: Grenada. 28/02/2000. CRC/C/15/Add.121. (Concluding Observations/Comments)
8. Reporting Guide for NGOs submitting reports to the Committee on the Rights of the Child.
9. Government of Grenada. (1998) Child Protection, Act No. 17 of 1998.
10. Government of Grenada. (2002) Education Act of 2002.
11. Government of Grenada. (2007) National Policy on HIV/AIDS.
12. Government of Grenada. The Evidence Act CAP 92 of the 1990 Laws of Grenada.
13. Grenada National Coalition on the Rights of the Child. Child Abuse Protocol.
14. Ministry of Education. (2007) Strategic Plan for Educational Enhancement and Development (SPEED 2).

15. Organisation of Eastern Caribbean States. (2007) Draft Child Care and Adoption Bill.
16. Organisation of Eastern Caribbean States. (2007) Draft Domestic Violence Bill.
17. Organisation of Eastern Caribbean States. (2007) Domestic Violence Bill Explanatory Note. OECS Legal Reform Project 2007.
18. Organisation of Eastern Caribbean States. (2007) Draft Juvenile Justice Bill.
19. Organisation of Eastern Caribbean States. (2007) Juvenile Justice Bill Explanatory Note. OECS Legal Reform Project 2007.
20. Organisation of Eastern Caribbean States. (2007) OECS Family Law and Domestic Violence Legal and Judicial Reform Project February 2007.
21. Organisation of Eastern Caribbean States. (2007) Draft Status of Children Bill.
22. Holdip, Malcolm. (2000) Rights of the Child Legislative Review.
23. Child Welfare Authority. Code of Standards for the operations of Child Care homes