JUSTICE FOR CHILDREN SEMINAR

RESOLUTIONS


We, the participants of the countries of the Organisation of Eastern Caribbean States, Barbados and the Turks and Caicos Islands, together with partners, the Eastern Caribbean Supreme Court, United Nations Children’s Fund Office (UNICEF) for Barbados and the Eastern Caribbean, The Austrian Cooperation, The Swiss Agency for Development and Cooperation, the British High Commission, the Organization of the Eastern Caribbean States (OECS), the International Association for Youth and Family Judges and Magistrates and the International Institute for the Rights of the Child, gathered for the JUSTICE FOR CHILDREN SEMINAR FOR JUDICIARY, MAGISTRACY, POLICE, PROBATION AND SOCIAL WORKERS OF THE CARIBBEAN at Gros Islet, Saint Lucia from 26 to 28 July 2007,

AFFIRMING

That the Convention on the Rights of the Child (CRC) and the United Nations standards and norms in juvenile justice, namely the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the JDL Rules constitute the standards for the promotion and protection of the rights of the child with a view to achieving justice for children,

RECOGNIZING

That countries of the OECS, Barbados and the Turks and Caicos Islands should also be guided by the Guidelines for Action on Children in the Criminal Justice System, the Declaration of Basic Principles of Justice for
Victims of Crime and Abuse of Power, the recommendations made in the Concluding Observations of the United Nations Committee on the Rights of the Child on the various reports of the participating countries as well as the Committee’s General Comments No. 10 (2007) on Children’s Rights in Juvenile Justice,

**REAFFIRMING**

Our commitment made in the Belize Commitment To Action on the Rights of the Child to full implementation of the letter and spirit of the Convention on the Rights of the Child and, in particular, the need to revise our laws, policies, principles and programmes,

**NOTING**

That our States are at varying stages in the process of implementation of this laudable goal and there is need to move more speedily towards full implementation,

**REAFFIRMING**

That the family is the fundamental group unit of society and the natural environment for the growth and well-being and socialization of children and that the child should grow up in a family environment and in an atmosphere of happiness, love and understanding,

**RECOGNIZING**

That there is need for the mainstreaming of a gender perspective in all policies and programmes relating to children,

**REAFFIRMING**

The need for States to ensure that every child alleged to have or recognized as having infringed the penal law is treated with dignity in accordance with their international obligations,

**CONCERNED** about the plight of children in need of care and protection and who may also be witnesses and victims in the justice system,
MINDFUL

Of the integral links between Justice For Children and the achievement of the Millennium Development Goals (MDGs) particularly as they relate to overall poverty reduction, realization of human rights, dignity and equity and good governance.

THIS SEMINAR HAS RESOLVED:

Policy development

1. That a national family policy be developed by government through collaboration, civil society and the private sector,

2. That a multi-sectoral committee of social partners (public sector, private sector and civil society) and the media be established to coordinate strategies to ensure the well-being of children

3. That a cohesive inter-ministerial committee be developed within the public sector for the promotion of the holistic well-being of children and that a code of ethics be formulated to guide all support personnel;

Legislation

4. That all laws pertaining to juvenile justice be consolidated into a single comprehensive piece of legislation;

5. That such legislation provide for the availability of restorative justice mechanisms in all types of cases and at all stages of the proceedings;

6. That a juvenile justice section be established within the family division of the court or within the Family Court to deal with all child offenders

7. That separate facilities be utilized to house the juvenile division which will accommodate all related court and social support services in a child-friendly setting
8. That a statutory exception be enacted to the hearsay rule such as to allow for admission of hearsay evidence in reports on children;

9. That legislation be enacted to allow child witnesses to give evidence by video link when testifying in criminal matters;

10. That matters involving juveniles be subjected to time lines;

11. That the legal process has been explained to the child before trial commences;

12. That legal representation for all juvenile offenders be a mandatory requirement;

13. That support programmes for child witnesses/victims before, during and after trial be established, and utilized even in cases where the child victim does not wish to be a witness;

14. That legislation be enacted to provide for a pre-sentence hearing (going beyond a report only and including the child’s voice) to take place in all cases involving the sentencing of children;

15. That the court undertake a periodic review of probation orders and custodial sentences;

16. That in cases where a judge imposes a custodial sentence, that it be made mandatory for the judge to visit the facility where the child is, in order to assist with the periodic review;

17. That both pre-release and post-release programmes be established to prepare the child for release and to monitor the child after release to facilitate the child’s reintegration into society;

**Capacity building**

18. That parenting education be made a component of family life programmes in schools;
19. That recommendation be made that classroom management and training in child rights and other social issues form part of the teacher-training curriculum and professional development for teachers;

20. That continuous education through seminars, workshops, conferences, attachments, short-term courses and professional development exercises be provided on a regular basis for all personnel involved in the delivery of justice for children;

22. That media owners, journalists and the advertising industry be mandated to observe all the ethical guidelines and codes of conduct when dealing with, and reporting on, children;

**Service delivery**

23. That youth organizations be developed, and where they already exist, strengthened, within the schools and the community to respond to the special needs, interests and concerns of youth;

24. That safe spaces for children be established and managed by the community as a preventive measure of the community;

**Awareness raising**

25. That comprehensive community education programmes be conducted to sensitize the public to the benefits of restorative justice;

**Research, data collection and data management**

26. That research be conducted to highlight the economic benefits of prevention activities in order to advocate with relevant ministries for funds allocation;

27. Create a standardized data collection and analysis unit or agency be created to support policy development and programme planning and implementation;
Monitoring and Evaluation

28. That a M&E tool kit for social service delivery be developed as a collaborative effort by the partners used in justice delivery.

28 July 2007