

HELP & SHELTER

TRAINING & CAPACITY BUILDING TO ENHANCE SERVICE DELIVERY PROJECT (FUNDED BY THE USAID GOVERNANCE ENHANCEMENT PROJECT BY AGREEMENT WITH PROJECT IMPLEMENTER TETRA TECH ARD)

Activity Report: Protection of Children Act and Sexual Offences Act Workshop Day 1 (27 November 2010)

1. Introduction/Background

The first workshop conducted by Help & Shelter under the grant agreement focused on the Protection of Children Act 2009 (PCA) and Sexual Offences Act 2010 (SOA). This workshop delivered a general overview as well as specific and technical information on various provisions in both of these Acts. The PCA legislates that the Court and any other body or entity, including social services agencies, has to make sure that the best interests of the child are considered when any decisions are made regarding a child's safety, health and well-being, with penalties being set out for failure to do so. The PCA operates in tandem with the Childcare and Protection Agency, which provides that CPA has overall responsibility in relation to the implementation of all laws regarding children i.e. child care and development, foster homes, voluntary organizations, status of children, protection of children, custody, contact, guardianship and maintenance of children. Familiarity with provisions of the PCA is crucial for staff, volunteers, public education and community-based workers at Help & Shelter as well as personnel attached to partner social service organizations and CBOs who work in the delivery of services to children and families.

The SOA is also critically important to the work that Help & Shelter and other partner social service organizations engage in as it replaces the old legislative provisions relating to sexual offences, which was outdated, archaic and in many ways irrelevant to our modern technological age. These failings contributed to extremely low rates of conviction, gender biases, lengthy, inefficient court procedures and failure to address new types of sexual offences etc. Help & Shelter court support counselors in particular need to be familiar with the SOA as their job is to counsel and support their clients, the majority of whom are children, through the court process. As many court support clients are young children who have been sexually abused it is necessary that all aspects of the new law are well understood and so can be communicated clearly to clients and their families. Familiarity with the provisions of the new PCA and SOA are also important for the implementation of Help & Shelter's Child Protection Policy and for compliance with child protection legislation.

2. Methodology

The methodology used was formal power point slide presentations, outlining the provisions of the PCA and SOA. During each presentation slide, facilitator Justice Roxane George actively encouraged questions, observations and discussions. The session was extremely interactive as participants took the opportunity to ask, clarify and comment on the PCA and SOA which the facilitator responded to comprehensively and honestly.

3. Topics and Participants' Feedback

Topics covered were the PCA and SOA.

The slide presentations of Protection of Children's Act included:

- Constitutional Principles on Rights of the Child
- Childcare & Protection Agency
- Protection of the Children's Act –
- Who is a Child
- Best Interest of a Child
- Maintaining Family Unit
- Child Protection Board
- Protective Intervention
- Duty to Report - Responsibility to Report –

- What Happens When Report is Made - Protection Orders (available to Director of CPA or social worker) - Removal & Placement of a Child - Other Proceedings re Protection of a Child - Child's Right to Information re protection & court proceedings
- Other Criminal Offences
- Other Provisions

The slide Presentation on SOA included

- SOA-when it came into effect; what it implements, gender neutrality of the SOA
- Previous/Old SOA Offences
- Challenges of new SOA
- Important Definitions - child consent, presumptions against consent, consent under the age of 16, consent and disability or mental disorder, penetration, sexual activity sexual touching,

Participants' Feedback

Out of a total of 44 participants 37/84% of participants completed H&S evaluation forms. Feedback from these forms indicated that 97% of participants definitely agreed that information was presented in a way they understood, 92% definitely agreed and 5% somewhat agreed that the workshop increased their knowledge and understanding of the SOA, 81% definitely and 19% somewhat agreed that the workshop increased their knowledge of ways to assist persons who are sexually abused, 48% felt there was definitely enough time and 40% somewhat enough time for discussion and sharing of information, 87% of participants were also of the opinion that the workshop was definitely well facilitated while 10% felt that it was somewhat well facilitated.

What participants found most useful

- Incidents in court cases were explained, simplified and options, guidance and alternatives discussed
- Information given on child protection, role & responsibilities under the CPA were useful
- Learning that Governmental Child Care Agencies are not taking adequate care of children since some of them aren't being removed or aren't being taken to Court
- Constitutional principles on the rights of the child
- That the child can be consulted on many aspects of their care and protection and that the Childcare & Protection Agency does not cover adoption of children
- That children under the age of 16 can't give consent to any form of sexual activity
- Being educated by the SOA
- Answers given to questions, and clarifications
- Everything about the SOA and CPA was useful
- Information on definitions & policies
- The different aspects on the Protection of the Child Act and the SOA
- The explanation of the SOA was done very well, it was very educational
- The preparation & presentation of the information and knowledge it provided
- Facilitator was very clear and knowledgeable in the way she presented the information

What participants learnt

- That there is provision in the Protection of the Child Act for a Child Protection Board
- Everyone has the responsibility to report child abuse and penalties for failing to do so
- I learnt that the CPA was put into effect on the 20th May 2010
- I have learnt to be sure & have evidence when reporting a matter of child abuse
- I learnt about the protection of the Child Act which includes rights of the child and best interest of the child
- I learnt about the role of the Childcare & Protection Agency
- it is the right of every citizen to protect our children and as we have learnt it is imperative to report any sexual offences against our children
- I learnt some of the constitutional principles governing the protection of the Child Act and SOA
- While we have the CPA and SOA there, we do not have the structure or resources to implement
- That a lot can be done to help victims

How participants will you use information gained

- To help other persons know about rape under the SOA and who can give consent
- To empower parents and their children
- To be able to give clients the guidelines in cases of sexual offences
- Information will be useful in my programme and will help me to view situations on a wider scale
- To help children and report to the Childcare & Protection Agency
- I will share with members of my organization
- To make better decisions in my future interactions with cases I work on
- To protect any child or person that is at risk
- I work with children and parents all the time and am now better equipped to deal with them
- Giving information to others i.e. clients, friends & neighbours
- In advocacy work of Help & Shelter
- I will educate others on the information I learnt which will increase awareness
- I will build on the information received so as to become more knowledgeable about legal terms
- For sharing & discussions among colleagues as well as enhancement of work expectations
- By incorporating it in my day to day practice
- I am thinking about studying Law next year

Recommendations & other comments

- I suggest continued training to strengthen capacity of participants, reading materials, follow up
- The workshop was very informative. I am more aware of how the judicial system works
- I need to know more about the Law & other areas related to women and children
- it was indeed a whole lot of information that can help in our neighbourhood of 2 communities
- The workshop was well planned & flow of information was very good
- We need to have the SOA in our possession and to understand it

4. Workshop continuation

The workshop was continued on 11 December 2010.

5. Qualitative reporting techniques

Qualitative information was gathered through the use of open ended questions on the Help & Shelter participant evaluation form, which participants answered giving their opinions and views. Forms were anonymous so opinions expressed could not be traced to any one individual.

6. Quantitative reporting techniques/methodologies

Quantitative information was gathered through the use of tools such as:

- ARD-required attendance sheets and registration forms.
- Participant evaluation forms developed by Help & Shelter, which assessed quantitative information on delivery and grasp of information, increased knowledge and understanding of the CPA and SOA, workshop facilitation and adequacy of venue and food.

Participants were given registration forms in their file folders to fill out and return by the end of the workshop. As participants arrived they were directed to fill out required information on the attendance sheet. Participant evaluation forms were given out and participants were asked to fill them out and return to the M&E officer at the end of the workshop.