

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 2 (11 December 2010)**

1. Introduction/Background

As mentioned before, the SOA is 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service organizations engage in as it replaces the old legislative provisions relating to sexual offences, which was outdated, archaic and in many ways irrelevant to our modern technological age.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 convictions, 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 new 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.

The target group remained the same as for Day 1 of the workshop on the PCA and SOA.

2. Methodology

Again, 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 again actively encouraged questions, observations and discussions and 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 the Sexual Offences Act included:

- Rape
- Sexual Assault
- Incest
- New Offences under SOA
- Offences Against Child under 16 yrs
- Defences Against Teenage Sexual Activity
- Sexual Activity with a Child- abuse of position of trust
- Arranging/Facilitating Commission of a Child Sexual Offence
- Sexual Offences Against Persons with Mental Disorders
- Sexual Offences by Care Workers
- Exposure of Genitals
- Voyeurism
- Other Offences
- Offences Committed Outside Guyana
- Abolition of Defence of Marital & Other Relationships
- Abolition of Presumption of Sexual Intercourse of Males under 14yrs
- Police Action- investigation, confrontations
- Court Proceedings- special courts
- Modernising Rules of Evidence- corroboration of evidence, complainants sexual activity
- Special Measures- screens, audio-visual links, removal of gowns, intermediary witnesses, anatomically correct dolls
- Intermediaries and Functions
- Role of H&S Counsellors & Others

- Technical Evidence Issues- competence/capacity to testify, unsworn evidence, admissibility of children's statements
- General Information- task force, sexual violence unit, rules of Court, serving of statements
- Complainant's Right to Express Views
- Bail
- Other Orders- compensation
- Reporting Obligations of Health Workers
- Paper Committals

Participants' Feedback

Out of a total of 35 participants 28/80% of participants completed H&S evaluation forms. Feedback from these forms indicated that 93% of participants definitely agreed, that information was presented in a way they understood, 85% definitely agreed and 4% somewhat agreed that the workshop increased their knowledge and understanding of the SOA, 54% felt there was definitely enough time and 32% somewhat enough time for discussion and sharing of information.

What participants found most useful

- Conflict between the law, culture & consent
- Ways in which evidence is given under the new Act
- All the information on paper committals
- Gaps in evidence of rape and use of intermediaries
- Age of consent and definition of child as a person 18 years and under
- Presumption against consent
- Sexual activity as a consequence of abuse of position of trust
- Definitions and explanations of the various sections in the SOA
- The explanation in the SOA of rape (incest) between family members that specified biological and non biological relationships
- The way the facilitator delivered her presentation in a simple and straightforward way
- Clarification of participants concerns and explanations of issues raised by Justice George
- The open discussions on various areas in the SOA
- The entire session was useful , very informative, educational and interactive

What participants learnt from today's session

- Additions of offences to SOA e.g. sexual grooming, voyeurism
- Definitions of various legal terms
- The SOA and how it relates to rape, incest, caseworkers, and social workers
- Penalties for persons in positions of trust who abuse those in their care
- The use of anatomically correct dolls to depict where the complainant was assaulted
- The importance of the use of anatomically correct dolls when counselling children who have been sexually abused
- I learnt that even a husband can be charged with rape of his wife
- Having knowledge leads to better interpretation of the Law
- That the SOA is in effect
- That although changes and additions have been made in the new SOA, there is still much more clarifications and explanations that need to be done
- I have learnt that the Court is really trying with the SOA but much improvement is needed
- Due to some technicality a perpetrator can walk free
- I learnt about the different types of sexual offences that need to be highlighted in the communities, various definitions of the SOA and legal responsibilities
- Almost everything discussed was new to me

How participants will you use the information gained

- Advise my clients on their right to report all sexual activity done to children below the age of 16
- I will use the information to guide decisions in our prevention programme that targets children in our organization

- I will share information with fellow workers and peers
- I will use information in Court and with referral agencies
- To share information gained in my Church group and in my community
- The information will be used to do volunteer work
- As guidance during counseling and to assist client's on the way forward
- To improve my representing of women and children during any sort of violation
- Share information with staff so that our OVC and HBC programme can function effectively in terms of cases of sexual abuse among clients
- Hold sessions with members of my organization
- With the information gained I will definitely give my support in reporting cases of sexual abuse I might be aware of
- I work at Red Thread and knowing more about the SOA will benefit me a lot
- Incorporate the information in day to day life and work
- Sharing this with others in my home and community
- To assist person who need this information
- To enhance my knowledge and to help educate others

Recommendations & other comments

- This information should be shared with all social workers, police, nurses, etc. more public education awareness should be done
- A lot of training is needed for persons to understand the new SOA
- There needs to be much more public awareness and education on this Act
- Can Justice Roxanne George facilitate sessions for other NGO's who cater for OVC and HBC clients. There are cases of sexual offences & DV present in these homes.
- More sessions to be done in all areas i.e. Laws, for all H&S volunteers
- It would be good if the different aspects of the SOA which need to be reviewed is done immediately
- The police stations need to have better and more modern facilities for identification of suspects by eye witnesses or victims of crimes
- I would like to thank H&S for the information provided in educating me about sexual offences
- It is important that all participants have a copy of the SOA

4. Follow-up sessions

Any further follow up sessions would depend on the availability of Justice George.

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.