

**Fourth Report of the Joint Select Committee on Human Rights, Equality and Diversity into
the Systems in place to Protect Children from Abuse**

*Response of the Ministry of Education (MOE) to the Recommendations/Comments outlined
on Pages 36 to 43 of the Report*

FINDINGS AND RECOMMENDATIONS

Findings – Objective 1

To examine the adequacy of programmes and services for detection, reduction and treatment of child abuse and teenage pregnancy.

Adequacy of Child Abuse Programmes and Services

Common Challenges

4.1. During the inquiry process, the Committee was informed that the primary problem for the CPU, SSSD and the CATT is inadequate funding for the various programmes necessary to support the rehabilitation and protection of the children who have been victims of abuse or sexual abuse. The SSSD, CPU and the CATT are also understaffed with professionals to manage the caseloads, to provide long-term intervention services and a coordinated prevention strategy in the area of child abuse.

Response:

Despite financial challenges, the MOE continues to retain personnel in Guidance and School Social Work to maintain the preventive and responsive work delivered within the schools. Efforts are being made to plan for a smaller ratio of student to SSSD personnel in the future. Adherence to the principle of provision of service is a high priority.

4.2. UNICEF and CATT identified that there are difficulties with inter-agency collaboration and coordination involved in the detection, reduction and treatment of child abuse in Trinidad and Tobago. The Committee noted that the Draft Trinidad and Tobago National Child Abuse Protocol: A Guide for Stakeholders had not been approved and finalised.

Response:

The MOE recognises the importance of inter-agency collaboration. Previous attempts to strengthen such collaboration failed due to scheduling difficulties. The MOE will continue its attempts to reach out to the CATT.

4.3. The Committee noted the difficulties experienced by the MOE to aggregate the child abuse data in schools due to confidentiality issues and high staff turnover. However, parallel systems exist in other agencies such as the CPIMS of the CATT that triages public calls and the Crime and Problem Analysis Branch of the TTPS that processes investigation data.

Response:

Continuing sensitisation of teachers and parents with respect to the importance of reporting instances of child abuse can assist in MOE efforts to identify possible undetected cases of child abuse. The effort to re-start inter-agency collaboration between MOE and CATT can also assist in identifying cases reported only to CATT and in improving the detection and intervention rates. Monthly reviews of specific child abuse data being conducted in each of the seven (7) Education Districts will strengthen aggregation of this data.

4.3- 4.7 were directed to CATT

4.8. The Committee was pleased that the success rate for MOE's programmes and services included:

- ✓ 100% of students receive professional intervention upon referral for incidents of child abuse;
- ✓ 95% of students remain in school or attend alternative programmes subsequent to teenage pregnancy
- ✓ 80% of students are aware of how to identify and report child abuse
- ✓ 98% of students remain in school or attend alternative programmes subsequent to child abuse interventions.

Response:

The MOE continues to ensure that 100% of the students who are referred for incidents of child abuse receive professional intervention.

4.9 The Committee was pleased that the SSSD, MOE has ongoing training sessions for teachers in order to facilitate the identification of symptoms of child abuse.

Response:

The MOE continues to provide regular sensitisation workshops with principals and teachers in all Education Districts in the area of child protection and the children's package of legislation, with specific emphasis on mandatory reporting for the identification of symptoms of child abuse.

4.10. The Committee was concerned that staff constraints had led to the prioritisation of responsive approaches rather than a proactive approach to child abuse reports. For example the

ratio of School Social Workers in Primary Schools is 1:7, the ratio of School Social Workers in Secondary Schools is 1:3, the ratio of Guidance Officers in Primary Schools is 1:3, the ratio of Guidance Officers in Secondary Schools is 1:1 and a maximum of one (1) Clinical Psychologist in each Education District.

Response:

Although the staff constraints lead to a prioritization in responding to need, there is still a preventive and proactive approach whereby parent information is dispensed at entry and transition points in the education system and classroom guidance is provided at the Infant Level and at additional year groups across the system, addressing safety and identification of persons in the education system who are available to help.

The Ministry is also exploring ways to strengthen the use of the Internet, Webpages and popular media.

4.11. The Committee was pleased that the MOE has Circular Memorandum No.76 entitled “Procedures for all School Personnel Re: Matters of Child Sexual Abuse” mandating the protocol for principals of schools to whom child abuse or child sexual abuse was reported.

Response

The MOE through its School Supervision and Management Division continues to mandate the protocols outlined in the Circular Memorandum No.76 to ensure the reporting of child abuse and child sexual abuse cases.

4.12. The Committee was concerned that as at February 03, 2017, the MOE had an estimated 117 child abuse cases involving teachers at the Teaching Service Commission and that 19 of the 117 are sexual abuse cases with offences ranging from touching, sexting, hugging and sexual intercourse.

Response:

The nineteen (19) sexual abuse cases involving teachers are still before the Teaching Service Commission. Seven (7) of the other child abuse cases have been resolved and closed.

4.13. According to the CATT’s Statistical Bulletin13 for the period May 18, 2015 to February 17, 2016, the incidence of child abuse appeared to be higher during school holidays and over a quarter of all cases involved children under the age of six. However, the Committee noted that the MOE’s programmes for Early Childhood Care and Education are provided based on request only.

Response:

Before the Carnival season there is intensification in whole school and class-wide safety sessions by Guidance Officers and school administration. The sustainability of this safety approach may dwindle over the longer school holidays when students are within the family or home setting for these periods. However, if an alleged abuse occurs or there is a suspected case involving a child, the report is expected to be made to the CPU by the first responder, the Children's Authority (CATT) is notified and CATT deals with the case at that time. If the child attends a primary or secondary school the CATT is expected to elicit the support and intervention of the SSSD assigned personnel at the school through communication with the SSSD office.

At the ECCE level, the SSSD has begun to develop sensitisation sessions to offer the staff of ECCE Centres on a district by district outreach, with the goal being to make them more aware of indicators of abuse and their social responsibility as the first responder to report these cases.

4.14. - 4.22. are directed at institutions and agencies other than MOE

4.23. According to the MOE and TTPS, there is a need to review, strengthen and formalise collaboration amongst stakeholders with respect to programmes and services in the area of child abuse.

Response:

As indicted at 4.2 above, the MOE will continue its efforts at collaboration.

4.24. The Committee noted that the CATT does not have a designated programme for teenage mothers and utilises the Choices Adolescent Mother's Program of the Child Welfare League. It was also expressed that the Choices Program, which is one of the two (2) facilities which accept pregnant teenagers, is not operating at full capacity.

Response

The MOE has been invited to work with the Choices Adolescent Mother's Program of the Child Welfare League to review and renew the programme structure. This collaboration is ongoing.

4.25. The Committee was pleased that the programme encourages daily attendance in order for teenaged mothers to return to secondary school.

Response:

The MOE also supports the attendance of teenaged mothers to participate fully during the course of the programme.

Recommendations

4.26. The Committee recommends the finalisation of the Trinidad and Tobago National Child Abuse Protocol: A Guide for Stakeholders by July 2017.

Response:

The MOE strongly supports this recommendation and will make every effort to contribute to the finalisation of the Protocol.

4.27 is directed at the Office of the Prime Minister

4.28. The Committee acknowledges the programmes and services provided by the agencies and suggests that the agencies broaden programmes and sensitisation sessions to ensure a wider range of awareness amongst the population.

Response:

As indicated in 4.10, efforts to utilise other media are being initiated to increase awareness amongst members of the population who access the Ministry's Webpage (www.moe.gov.tt), as well as to explore available social media as a means of increasing awareness.

4.29. The Committee recommends that the MOE introduce regular sexual education programmes and sensitisation sessions in primary and secondary schools, to minimise the number of students becoming sexually active during the ages of ten (10) to seventeen (17).

Response:

The Ministry of Education through the National Health and Family Life Education (HFLE) policy has attempted to address the need for Sexual Health Education in the schools. The Ministry has provided the HFLE curriculum, which addresses the issue/value of Sexuality and Sexual Health at both the primary and secondary schools in Trinidad and Tobago. The focus is placed on self and relationships. The HFLE curriculum addresses this issue/value from as early as Infant Years One and Two and continues throughout the class levels incorporating within its curriculum topics such as growth and development. Sample lessons have been provided in the Teachers' Guide of the HFLE curriculum.

4.30 – 4.31 are directed at CATT and TTPS .

4.32. The Committee recommends that the MOE, the TTPS and the CATT take steps to reduce the critical shortage of qualified human resources at their facilities.

Response:

The MOE is currently working with the Ministry of Public Administration and Communication to rationalise the organisational structure of the SSSD in order to recruit staff.

4.33 is directed to the TTPS

4.34. The Committee found that the Education Act, Chap. 39:01 currently used by the MOE does not include a provision mandating sex education in schools. It was proposed that sexual education can be part of the school curriculum as an appropriate and practical mean of protecting young girls against teenage pregnancy by empowering them to understand their rights under the law.

Response:

It would be highly unusual for the Education Act to mandate any aspect of the school curriculum. As discussed in 4.29 above, the HFLE curriculum addresses issues of sexuality and sexual health. The readiness for sexual health information beyond what is provided therein will require further parent and, indeed, national dialogue.

4.35. During the hearing, the Committee was informed of the difficulties of recognising criminal intent in cases where the Romeo Clause could be exploited as a defence. As such there may be times when cases of sexual abuse amongst children cannot be prosecuted.

4.36. The Committee noted that the age of criminal responsibility with regard to sexual crimes is twelve (12) years old, as such, the Romeo Clause does not necessarily or automatically debar a twelve (12) year old child from facing prosecution if it is found that they were coerced, involved in or perpetrated a sexual crime.

Responses to 4.35 and 4.36:

School Social Workers and Guidance Officers are guided by the children's package of legislation and observe mandatory reporting of all child maltreatment matters including those that fall within the Romeo Clause. The Romeo Clause allows for the decriminalisation of sexual activity between children. However, the Children's Act only makes this provision if the minor is found in sexual activity with another child if they are less than two (2) years older, not in a familial relationship or position of trust, are not of the same sex as the child, there has been no threat, coercion, deception, exploitation, grooming or manipulation in the sexual relationship.

The SSSD staff understands that it is the police and the judicial system that have the authority to investigate and make a determination whether a charge will be laid. The role of the SSSD staff member is clearly defined as a first responder as it relates to reporting. However, the underlying cause or risk factors that permitted two (2) minors to engage in sexually inappropriate and or irresponsible behaviours must still be addressed and is an area for concern as it can lead to further developmental crises for the minors such as teenage pregnancy, medical health issues including sexually transmitted diseases, future sexual exploitation of the minor, school drop-out and beyond control behaviours. Thus, the psycho-social issues resulting from the choices must be identified and remediated. Therefore, after suspected child maltreatment has been reported to child protection agencies, the treatment interventions are designed not only to remedy whatever harm may have occurred, but also to prevent future occurrences of child maltreatment and to minimise the negative consequences of child maltreatment experiences for children and their families.

The School Social Worker will work along with other stakeholders such as CATT, CPU, National Family Services and other relevant entities to ensure that the child is protected and family members are rehabilitated.

4.39. The Committee recommends the MOE create a policy that mandates the teaching of sexual education to the students in both primary and secondary schools.

Response:

The Ministry has a National Health and Family Life Education (HFLE) policy which mandates an HFLE curriculum be implemented in schools. It addresses the area of sexuality and sexual health at both the primary and secondary schools. At the primary school level, HFLE has been infused into all subject areas of the new Primary Curriculum. At the lower secondary level, HFLE is timetabled for two (2) periods per week to include the modules: self and inter-personal relationship.