Ref: OCO/RPT/118

Her Excellency, Dr (Mrs) Bibi Ameenah Firdaus Gurib-Fakim, GCSK, CSK, PhD
President of the Republic of Mauritius
State House
Le Reduit

Your Excellency

Pursuant to Section 11 (1) of the Ombudsperson for Children’s Act 2003, I have the honour to submit to you the Annual Report for the period 1st September 2014 to 31st August 2015, to be laid before the National Assembly.

Yours faithfully

Mrs Rookmeenee Narainamah Narayen
Ombudsperson for Children
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<tr>
<td>Mrs R. N. NARAYEN</td>
<td>Ombudsperson for children</td>
</tr>
<tr>
<td>Mr S. Y. MUNBODH</td>
<td>Deputy Permanent Secretary up to 19 June 2015</td>
</tr>
<tr>
<td>Mrs C. SEWOCK</td>
<td>Temp. Secretary</td>
</tr>
<tr>
<td>Mr I. A. BAWAMIA</td>
<td>Investigator</td>
</tr>
<tr>
<td>Mrs Y. R. VEERAMOOTOO</td>
<td>Investigator</td>
</tr>
<tr>
<td>Ms S. P. MAUREE</td>
<td>Investigator</td>
</tr>
<tr>
<td>Mrs S. JOHAHEER</td>
<td>Investigator</td>
</tr>
<tr>
<td>Mr R. JUNGLEE</td>
<td>Office Management Executive</td>
</tr>
<tr>
<td>Mrs T. RAMCHURN</td>
<td>Finance Operations Officer/Senior Finance Operations Officer</td>
</tr>
<tr>
<td>Mrs R. RAMTOHUL</td>
<td>Temp. Office Management Assistant</td>
</tr>
<tr>
<td>Mrs M. PILLAI</td>
<td>Confidential Secretary</td>
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<tr>
<td>Ms N. MARIE-ROSE</td>
<td>Management Support Officer</td>
</tr>
<tr>
<td>Mrs R. D. RAMSOOROOP</td>
<td>Management Support Officer up to 29 July 2015</td>
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<td>Mr S. MUNGRALEE</td>
<td>Management Support Officer</td>
</tr>
<tr>
<td>Mrs A. BUNDHOO</td>
<td>Word Processing Operator</td>
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<tr>
<td>Ms N. TAUCKOOR</td>
<td>Service to Mauritius up to 07 July 2015</td>
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<td>Mr N. MUNGUJ</td>
<td>On Placement</td>
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<td>Mrs K. GUNGARAM</td>
<td>On Placement</td>
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<td>Mrs K. JEEAWOCK</td>
<td>Office Care Attendant</td>
</tr>
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<td>Mrs K. RAMDHUN</td>
<td>Office Care Attendant</td>
</tr>
<tr>
<td>Mr P. RUSMAULLY</td>
<td>Driver</td>
</tr>
<tr>
<td>Mr P. AHKU</td>
<td>Driver</td>
</tr>
</tbody>
</table>

ACRONYMS

- AOMF: Association des Ombudsmans et Médiateurs de la Francophonie
- BPM: Brigade pour la protection des mineurs
- CAB: Citizen Advice Bureau
- CDU: Child Development Unit
- CP: Commissioner of Police
- CPA: Child Protection Act
- CPE: Certificate of Primary Education
- CRC: Convention on the Rights of the Child
- CSA: Child Sexual Abuse
- CYC: Correctional Youth Centre
- DCC: Day Care Centre
- ECCEA: Early Childhood Care Education Authority
- ECD: Early Childhood Development
- EDP: Ecole des parents
- GCSE: General Certificate of Secondary Education
- ICR: Institute for Children’s Rights
- ICQN: Inter Country Quality Node
- MACOSS: Mauritius Council of Social Service
- MBC: Mauritius Broadcasting Corporation
- MEDCO: Mauritius Educational Development Company
- MEHRTESR: Ministry of Education and Human Resources, Tertiary Education and Scientific Research
- MGECDFW: Ministry of Gender Equality, Child Development and Family Welfare
- MIE: Mauritius Institute of Education
- MITD: Mauritius Institute of Training and Development
- MOHQL: Ministry of Health and Quality of Life
- MSIEE: Ministry of Social Integration and Economic Empowerment
- MSSNSRI: Ministry of Social Security, National Solidarity and Reform Institutions
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INTRODUCTION
INTRODUCTION

This is the annual report for year 2014 – 2015, prepared in virtue of Section 11 (1) of the Ombudsperson for Children’s Act 2003, which provides that:

“The Ombudsperson for Children (OC) shall not later than 30th September in each year submit a report on its activities during the preceding year to the President.”

The OC has the statutory duty to:

(a) ensure that the rights, needs and interests of children are given full consideration by public bodies, private authorities, individuals and associations of individuals;

(b) promote the rights and best interests of children; and

(c) promote compliance with the Convention on the Rights of the Child (CRC).

The OC has a quasi-jurisdictional power. She receives complaints, summons witnesses, calls for documents and can compel witnesses to answer questions. The OC does not adopt an adversarial approach. A statement made in good faith by a witness in the course of the investigation cannot be used against him/her in civil or criminal proceedings. Whenever she considers that the right of a child has been or is likely to be violated, the OC, on her own motion, can open an enquiry.

The Office investigated into 379 cases for period 01 June 2014 to 30 June 2015. It is to be noted that most of the complaints come from the disadvantaged regions of the country. (Please see Chapter 7.1 Analysis of Cases).
Activities

Workshops with Student Councils

Between July 2014 and June 2015, the Office organised 9 workshops with representatives of the Student Councils.

The main objective of the workshops was to create awareness of the child’s right to expression and to give the participants a platform to express themselves. Students made a number of constructive proposals. (Please see Chapter 4 Rights to be Heard)

Workshop with Rectors

The main objectives were to have an overview of the educational system and its challenges, and to promote the aims of education as per Article 29 of the CRC. The rectors made a number of proposals and gave instances of best practices already in place in a few schools. (Please see Chapter 5 Sensitisation)

Workshop with Pre-primary School Teachers

The subjects addressed were corporal punishment, bullying and the best interests of the child. (Please see Chapter 5 Sensitisation).

Survey

Last year, our Office carried out a survey in Mauritius, Rodrigues and Agalega in order to assess whether the Office and the CRC are known to the children. The target group was the CPE students. For this reporting year a survey was carried out with Form III students. The survey questionnaire was adapted from a survey conducted by Professor Nigel Thomas of the University of Lancashire. I am thankful to Professor Nigel for his support and to Mrs Ramsooroop, Miss Tauckoor, Mrs Gungaram and Mr Mungur who conducted the survey. (Please see Chapter 6 Survey).

Project with AOMF

Our Office was invited by the “Association des Ombudsmans et Mediateurs de la Francophonie”, (AOMF), to participate in the project “Atelier d’expression artistique” on the rights of the child. The project was carried out at Guy Rozemont Government School, Tranquebar in collaboration with “TIPA”, an NGO. In Rodrigues the collaboration of the Commissioner for Education was sought. The art works produced have been sent to AOMF and would be exhibited at the annual congress of the Organisation internationale de la Francophonie in October 2015.

Since the beginning of this year I have noted that the responsible officers of Ministries more particularly the Ministry of Education and Human Resource, Tertiary Education and Scientific Research (MEHRTESR) and the Ministry of Social Integration and Economic Empowerment (MSIEE) have been responding quite promptly to our queries/requests.

Other Sensitisation Programmes

Children in four residential care institutions (RCI) were sensitised on their rights and responsibilities. The powers and functions of the Ombudsperson were also explained. (Please see Chapter 2 Residential Care Institution).

Lately violence against children has escalated, such atrocities are reported in the media almost everyday. I felt that a powerful raising of awareness amongst the population was required. Accordingly I organized an extensive sensitisation programme, in collaboration with the Citizen Advice Bureau (CAB) and the MSSNSRI. The public welcomed the initiative and so far the responses have been very positive.

I firmly believe that together we can and together we will build a better future for our children!
Acknowledgement

The media has indeed played a very positive role bringing to light the atrocities meted out on our children, following which our Office has initiated a number of investigations. My sincere appreciation for the collaboration of Top FM Radio, since year 2013 for its monthly programme on Child Rights.

I wish to place on record my deep appreciation to NGOs, working with children, for their continued support to children, whose dignity has been stripped by a number of factors namely family environment, the educational system and poverty.

My deep appreciation to the overall team of my Office for their unflinching loyalty to our mission, their relentless support and their contribution to the preparation of this report. A special word of thanks to Mr Mungur and Mrs Gungaram, without whose contribution, it would not have been possible to make an analysis of the cases and to carry out the survey.

"One child. One teacher. One book and One pen can change the world. Education is the only solution."
- Malala Yousafzai
Early Childhood Development (0-3 years)

"Assure that every child, without exception, is registered at birth and starts life safe from violence, with adequate nutrition, clean water, proper sanitation, primary health care and cognitive and psychosocial stimulation or fail their moral and legal obligations as set forth in the Convention on the Rights of the Child." (www.unicef.org)

Introduction

Although each child develops at his or her own pace, numerous studies show that development is fastest during the period before the age of three. It is a time of rapid cognitive, linguistic, social, emotional and motor development. According to UNICEF, the first few years of life have a major influence on a child's success later in life – from good health and success in school, to the level of self-esteem and social skills. The neurosciences provide another rationale that’s hard to refute as they demonstrate that nerve connections that are forged during that period through interaction with those closest to them remain unchanged for the rest of their lives.

This critical period of a child's development offers great opportunities to every child, but it is also the period when those opportunities can be wasted. Poor upbringing in the first 3 years of life is later reflected in feelings of dissatisfaction, impaired relationships, learning difficulties, eating disorders, high rates of crime and violence, addiction and other personal and social issues. It is evident that such disorders become increasingly more expensive and difficult to treat later on.

The rights of children and the cause of human development are unassailable reasons for investing in early childhood and making the rights and well-being of children a priority. Investing in early childhood development represents an investment in a country's future and its development capabilities as well as its socio-economic status. Children living in a healthy and progressive society have a better chance to prosper. According to Frank Field and Graham Allen reviews, it is by intervening in the early years of a child’s life – the ‘Foundation Years’ of 0-5 – that the biggest differences can be made.

This, in turn, reflects the overwhelming evidence that investments designed to create firm foundations at an early stage are dramatically more efficient (both practically and financially) than later remedial interventions.

Early Childhood Development (ECD) falls under the aegis of the Ministry of Gender Equality, Child Development and Family Welfare (MGECDFW). The ECD section, set up within the Child Development Unit, is responsible for the inspection and registration of Day Care Centres (DCCs). In addition to inspection and registration, the officers also investigated into complaints made. If there are protection issues or negligence, the unit attends to the complaints. If need be, the case is referred to the police for inquiry. The Institution for Welfare and Protection of Children Regulations 2000, under the Child Protection Act (CPA) provides for the upkeep of norms and standards of the DCCs. It is mandatory for DCCs to be registered with the Ministry. Paragraph 3 of the Regulations reads as follows:

"No institutions shall operate unless it has been registered under these regulations."

Unfortunately, many children are placed at unnecessary risk in unlicensed child care centres, often hidden behind closed doors and shuttered windows of private homes.

Situation

DCCs have mushroomed across the island over the years. It is an undeniable fact that there is considerable disparity in early childhood care and education (0-3 years). Early childhood care is provided by private individual and the services vary widely from the sophisticated, high level and expensive DCCs to the bare minimum in terms of a room or garage in the childminder’s house. Childcare is also provided by untrained childminders and children are exposed to hazardous conditions and poor hygiene. Quality childcare is beyond the reach of many families. It is therefore imperative to establish a sustainable system of quality and accessible childcare services to one and all in line with Article 18 of the Convention on the Rights of the Child (CRC), which stipulates that:
1. “States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child care services and facilities for which they are eligible.”

Working parents entrust their children to the care of others. Out of 350 DCCs, only 111 are registered. Children's safety and well-being should remain the priority. The National Children's Council (NCC) offers a financial grant of Rs 200,000 to managers of DCCs to upgrade the standards in terms of infrastructure, equipment and services. Over and above the financial grant, the administration would have to bear additional cost.

Table 1.1: Number of DCCs in Mauritius

<table>
<thead>
<tr>
<th>Source: MGECDFW</th>
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<tbody>
<tr>
<td>Number of operating Day Care Centres</td>
</tr>
<tr>
<td>Number of licensed Day Care Centres</td>
</tr>
<tr>
<td>Number of unlicensed Day Care Centres</td>
</tr>
</tbody>
</table>

Challenges

Challenges that the ECD faces:

- lack of human resources renders the regular inspection of DCCs very difficult. Presently, the ECD section has only four officers;

- under Regulations 2000, child caregivers working in DCCs should be professionally qualified in ECD. Unfortunately, many caregivers hold very low basic qualifications, primary or a few years of secondary education; and

- some DCCs cannot be registered with the Ministry as they do not meet the requirement under the second schedule to the Regulations. No doubt, the cost for the upgrading of these institutions would entail an increase in the fees charged, which may not be affordable to responsible parties. Closing of these Centres should probably be envisaged but such a decision would have far reaching implications. As a palliative measure, when shortcomings are observed during inspections of the DCCs, the managers are given a moratorium period to take remedial actions.

Recommendations

1. More officers should be posted to the ECD.

2. Only professionally qualified child caregivers should be recruited and should receive on-going training.

3. Pediatricians should visit nurseries regularly, for early detection of any health issues and developmental problems in children.
PART II
Pre-primary education

“The equation is simple: education is the most basic insurance against poverty. Education represents opportunity. At all ages, it empowers people with the knowledge, skills and confidence they need to shape a better future.”

Irina Bokova, Director-General, UNESCO

Introduction

The early years of a child’s life are very important for his/her health and development. A healthy development requires an environment where the children’s social, emotional and educational needs are met. Therefore, it is vital that pre-primary education, which is the building block of a child’s elementary education, be given due consideration.

Research has shown that pre-primary education is a strategy to prevent drop out of children from formal education and it has a significant impact on the performance of children in basic education programmes. Pre-primary education ensures a smooth transition to primary education and it lays the foundation for lifelong learning. (http://pubs.sciepub.com/education/1/1/7/index.html)

ECCEA

The Early Childhood Care and Education Authority Act 2007, provides for the establishment and management of the Early Childhood Care and Education Authority (ECCEA). The objects of the ECCEA are:

“(a) to harmonise and promote integrated early childhood care and education policies, strategies and programmes in line with recommendations of international and national institutions;

(b) to ensure that all programmes and policies for the education, care and development of the young child in the Republic of Mauritius are in conformity with the Convention on the Rights of the Child; and

(c) to help ensure a smooth transition of the young child from preschool to lower primary school.”

In Mauritius, the total number of children aged 3-5 years is 43,026 for the year 2014. There are 935 pre-primary schools, as shown in the table below and 26,659 children, aged 3 and 4 years, enrolled.

Table 1.2: Number of Pre-Primary Schools (Island of Mauritius)
Source: ECCEA website

<table>
<thead>
<tr>
<th>Year</th>
<th>ECCEA</th>
<th>Private</th>
<th>Local Authorities</th>
<th>Total</th>
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<tr>
<td>2013</td>
<td>189</td>
<td>765</td>
<td>56</td>
<td>977</td>
</tr>
<tr>
<td>2014</td>
<td>189</td>
<td>715</td>
<td>54</td>
<td>958</td>
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<tr>
<td>2015</td>
<td>189</td>
<td>695</td>
<td>51</td>
<td>935</td>
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According to research carried out in Bangladesh, children who have a pre-primary education tend to learn more rapidly through an organized curriculum, learning aids and by interacting with other children. The main purpose of pre-primary education is to prepare children physically, emotionally, socially and mentally for formal schooling. It is therefore vital that the child’s first contact with school is child-friendly and meets his/her needs.
The table below represents the number of children aged 3 and 4 years, enrolled in pre-primary schools.

Table 1.3: Enrolment of children aged 3 and 4 years in Pre-primary Schools
(Island of Mauritius)  Source: ECCEA website

<table>
<thead>
<tr>
<th>Year</th>
<th>Female</th>
<th>Male</th>
<th>Total</th>
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<td>2011</td>
<td>14,731</td>
<td>15,351</td>
<td>30,082</td>
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<tr>
<td>2012</td>
<td>14,768</td>
<td>15,125</td>
<td>29,893</td>
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<tr>
<td>2013</td>
<td>14,153</td>
<td>14,508</td>
<td>28,661</td>
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<tr>
<td>2014</td>
<td>14,093</td>
<td>13,538</td>
<td>27,631</td>
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<tr>
<td>2015</td>
<td>13,190</td>
<td>13,469</td>
<td>26,659</td>
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</table>

One of the aims of the ECCEA is to ascertain that all pre-primary schools are in line with international norms. The ECCEA has to ensure that there is no disparity between the pre-primary schools, that the education provided is essentially of the same quality and provides the same chances to all children. Unfortunately such is not the case.

**Teachers**

Going to school for the first time might be a traumatising experience for the child. Therefore, training of teachers is crucial. Each child develops at his/her own pace. Teachers should be trained on the different developmental stages of a child, namely:

- language development;
- physical development;
- cognitive development; and
- social and emotional development.

Most people refer to pre-primary school as “Ecole Maternelle” which tends to be suggestive that only women have the potential to take care of children aged 3-5 years. It is a fact that the staff of pre-primary school consists mostly of women. The absence of gender balance may impact on the socialisation process of children. According to information gathered in our workshops, males are reluctant to work in pre-primary schools. It must be noted that teaching is a gender biased profession and remains a heavily gendered one. It is the gender imbalance which may steer men away from this profession.

**A pre-primary school inside an elderly home**

Most elderly people living in homes suffer from loneliness and social isolation. In the next 25 years, the number of adults aged 65 years and older is expected to double. With the expansion of the nuclear family, the intergenerational link is not very present.

Research has shown that in Seattle, the Providence Mount St Vincent has an Intergenerational Learning Centre where a pre-primary school has been integrated in an elderly home. The children and residents come together in a variety of planned activities such as music, dancing, art, lunch, storytelling or just visiting. There is much interaction between the children and the elderly people in this intergenerational community. This concept is a success since it is an enriching experience for little ones who are just starting their lives and for the elderly who benefit from a renewed sense of self-worth; an opportunity to transfer knowledge; and the ability to serve as role models. (http://washington.providence.org/senior-care/mount-st-vincent/services/child-care/)

**Recommendations**

Recognising the importance of quality pre-primary education, the OC made the following recommendations:

- the State should increase investment in pre-primary education in order to provide quality education;
regular visits and inspections have to be carried out by officers of the ECCEA, to ensure that the provisions of the ECCEA Act, 2007 are being complied with. Section 11 of the Act, stipulates that:

“the Director, or any employee of the Authority authorised by him, may, with or without notice, visit and inspect any educational institution to ascertain whether it is being run in compliance with this Act and Regulations made under this Act.”;

in order to correct the gender imbalance, men should be encouraged, through sensitisation programmes to join pre-primary schools;

disparity between pre-primary schools should be eliminated and the school environment should be conducive for the healthy development of the child;

teachers should receive ongoing training to enable them to understand children with different abilities;

one of the targets of the Incheon Declaration 2015 is to include “the provision of at least one year of free and compulsory quality pre-primary education and that all children have access to quality early childhood development, care and education”. This provision should be given due consideration in the Government’s 9-year Schooling Project;

a paediatrician should visit schools on a regular basis for the early detection of any health or developmental problems;

integrating a pre-primary school inside an elderly home can be considered as a pilot project by the MEHRTESR together with the MSSNSRI; and

more leisure and recreational activities should be provided in pre-primary schools.

PART III

Primary & Secondary Education

Quality education fosters creativity and knowledge, and ensures the acquisition of the foundational skills of literacy and numeracy as well as analytical, problem-solving and other high-level cognitive, interpersonal and social skills. It also develops the skills, values and attitudes that enable citizens to lead healthy and fulfilled lives, make informed decisions, and respond to local and global challenges through education for sustainable development (ESD) and global citizenship education (GCE).

Incheon Declaration 2015

Education is a fundamental human right and is essential for the exercise of all the other rights. According to the UN Committee on Economic, Social and Cultural Rights, the importance of education is such that it ‘epitomizes the indivisibility and interdependence of human rights.’ Education, as a right, is stipulated in almost all major human rights treaties including the CRC, vide Articles 28 and 29.

World Educational Forum (WEF)

The WEF was held in May 2015 in Incheon, South Korea to discuss the Post-2015 education agenda. The vision adopted reads: “Education 2030: Towards inclusive and equitable quality education and lifelong learning for all.” Mauritius was represented by a high level delegation headed by the Minister of Education and Human Resources, Tertiary Education and Scientific Research. A declaration, known as the Incheon Declaration was adopted by all countries present. (Please see Annex 3)

Education Reforms

On 15 May 2015, Cabinet took note of the draft Concept Paper on Nine-Year Schooling, a new system that entails the elimination of the Certificate of Primary Education (CPE) in its current
form in line with Government Programme 2015-2019. As announced in the Budget Speech 2015-2016, the MEHRTESR would engage in consultations with stakeholders.

**Activities with stakeholders in the Education Sector**

**Workshops with Rectors**

Two series of workshops with rectors of both public and private secondary schools were organised during December 2014 and April 2015. One workshop was also organised in Rodrigues. The officers explained the role, powers and functions of the Ombudsperson and also the spirit of Articles 12 and 29 of the CRC, relating to the Right to be Heard and the aims of Education. (Please see Chapter 5 Sensitisation)

**Workshops with representatives of Student Councils**

The Office organised 9 workshops, 8 in Mauritius and 1 in Rodrigues with a view to sensitise the participants on their right to be heard on all matters affecting them. Participants were encouraged to play a more active role in their respective schools. (Please see Chapter 4 Right to be Heard)

**Problems in Schools**

**Corporal and Humiliating Punishment**

During this reporting year, the Office received 42 complaints of corporal and humiliating punishment allegedly perpetrated by class teachers. In most cases, the teacher denied the accusations. Teachers were reminded of circulars on Corporal Punishment issued by the Ministry and Paragraph 13(4) of the Education Regulations 1957, which reads ‘No Corporal Punishment shall be inflicted on any child in any school.’ The cases were referred to the MEHRTESR for appropriate action. The Office recommended that psychological assistance be provided to the children. In a few cases our investigations revealed that the allegations were unfounded. In our training sessions with professionals of the education sector, our Office emphasises on the negative impact of corporal and humiliating punishment on children. We stressed on positive discipline as an alternative to violent disciplinary measures. At the end of every session, participants were handed a kit containing materials on Prevention of Violence at School.

**Bullying**

Bullying among pupils is a major issue in schools. From July 2014 to June 2015, the Office received no less than 24 complaints. Yet the number of cases reported does not reflect the reality of the situation. Research shows that in many countries, the majority of victims suffer in silence. On several occasions, our Office intervened to ensure that both the victim and the bully receive psychological assistance. Posters on bullying have been sent for the benefit of teachers and children to illustrate the impact of bullying and guidance to tackle the problem.

**Suicide**

Cases of suicide reported recently have created a feeling of fear among parents who believed that their children may suffer from emotional distress. So much so that parents have become apprehensive that their children might attempt to commit suicide. Our Office informed the MEHRTESR of the situation.

**Absenteeism**

Following our sensitisation programmes, we received many cases of absenteeism from school. The MEHRTESR was requested to delegate a social worker to assist the children and their parents in order to find a solution to the problem. In several cases, parents were convened to the Office and were explained the importance of education. The results were very positive. Our investigations revealed that absenteeism is triggered mainly by: bullying, the school environment, the education system itself and interaction between student and teacher. It is our view that the school environment should be reasonably adapted to the needs of the pupils in order to encourage attendance.
Out of School Children

“All it takes is one person to believe in his students. One person to give his students the power to succeed. One person to inspire and to be inspired.”

Vincent Amendolare, (Teach for America, South Carolina 12)

The Office received several cases of absenteeism over a prolonged period due to school dropouts or maladjustment to the education system. The issue has been the subject of in-depth discussions at the Office. We looked for good practices in other countries and identified a US programme titled ‘Teach for America’ which has been adapted in several other countries and proved to be highly effective.

Teach For America (TFA) is an American non profit organization whose mission is to “eliminate educational inequity by enlisting high-achieving recent college graduates and professionals to teach” for at least two years in low-income communities throughout the United States. TFA recruits recent college graduates and professionals to teach for two years in urban and rural communities throughout the United States. The goal of TFA is for its corps members to make both a short-term and long-term impact by leading their students to reach their full potential and becoming lifelong leaders for educational equity. Corps members do not have to be certified teachers, although certified teachers may apply.

They attend an intensive five-week summer training program to prepare for their commitment. TFA teachers are placed in schools in urban areas such as New York City and Houston, as well as in rural places such as eastern North Carolina and the Mississippi Delta. They then serve for two years and are usually placed in schools with other TFA corps members.

Source Teach for America.com/Wikipedia

Rest, play and leisure in schools

Article 31 of the CRC

1. “States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.”

Playing is vital to the holistic development of children. It supports their emotional development by providing a way to express and cope with feelings. Pretend play helps children express feelings. Children also learn to cope with their feelings as they act out being angry, sad, or worried in a situation they control. Pretend play allows them to talk about experiences charged with both pleasant and unpleasant feelings.

In the present education system children hardly have time for leisure activities. They spend most of their time in academic activities and private tuitions.

Parental involvement in schools

“Children do better when they have a close and positive relationship with their parents, and mothers and fathers work together to provide warm, authoritative, responsive, positive, and sensitive parenting”.


The involvement of parents in the education of their children is a major contribution towards their children’s success. Parents should show interest in what their children are doing at school and give them the support they need. A national parenting campaign is imperative in order to empower parents on their roles and responsibilities.
In 2013-2014, this Office recommended that a ‘Club des parents’ be set up in all primary schools. We have been informed by the MEHRTESR that the recommendation has been implemented in all ZEP schools during this reporting year. In many schools NGOs are involved in educating parents on their responsibilities towards their children. An example is the NGO “TIPA” which collaborates with the ZEP Unit at Guy Rozemont Government School. The NGO sensitises parents on their duties through creative arts activities. They also organise joint parent-child activities to promote understanding and respect between parents and children. On numerous occasions, our Office has collaborated with the NGO. In Rodrigues, the Parent Teacher Associations (PTAs), especially in the pre-primary sector, play a very active part in the maintenance of the school building and environment.

Recommendations

2013-2014

It must be noted that most of the recommendations made last year to the MEHRTESR have been implemented.

2014-2015

1. Education reforms

(i) Student Councils should be consulted and their views be given due consideration in line with the CRC.

(ii) Admission to secondary schools on the basis of the catchment area should be contemplated in the near future as the advantages are many:
(a) parents would have a better control over their children;
(b) children would spend less time travelling and therefore have more time for extra curriculum activities; and
(c) children would have more time to spend with their family.

2. Suicide

(i) The Ministry should seek the help of organisations like Life Plus or Befrienders to sensitise parents on the role of the pastoral care; and

(ii) Organise life skills sessions in all schools.

3. Absenteeism

(i) A study should be carried out to identify the root causes and propose a comprehensive programme to bring back out of school children to an educational institution.
(ii) A central unit should be set up at the MEHRTESR to monitor absenteeism in primary schools and at the lower secondary levels.

4. **Out of school children**

The concept of Teach for America (mentioned above) may be considered in the forthcoming educational reforms.

5. **Late admission to primary schools**

Presently, parents applying for late admission of their children to a primary school have to call at the zone directorate. Such a practice does cause inconveniences, and might discourage those who do not consider education as a priority, to have their wards admitted to a primary school.

In order to facilitate and encourage application for late admission, all documents in respect of the admission should be submitted to Head teacher of schools.

6. **Rest, play and leisure in schools**

The school timetable should provide for recreational activities like painting, drawing and gardening. Physical and sport activities including traditional games be organized in both structured and unstructured way.

7. **Parental involvement in schools**

We reiterate the recommendation that a “Club des parents” be set up and we further recommend that the collaboration of NGOs be sought.

8. **Entry Qualification for Secondary School Teachers**

In addition to a university degree, applicants should possess a qualification or knowledge in teenage behavioural problems.

9. **Networking among Rectors**

Rectors of both State and Private Secondary Schools should meet at least every semester to share best practices in their respective school. The meetings could be organized at zonal level.

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**Two examples of good practices in primary schools**

**Case 1**

A teacher noticed that one of his pupils was emotionally affected as the latter was victim of bullying perpetrated by her classmates. She was tagged as “Folle” and consequently wanted to stop school. The teacher acted promptly. As the child likes singing, he invited her to sing in front of the class. He praised her for her performance. Later he made her sing during the morning assembly. She was applauded. Since then, she regained confidence and attended school regularly.

**Case 2**

A new class teacher saw Ram (fictitious name) nearly to tears when he was asked for his name. It was the first time that someone asked for his name in the class. He was tagged “Ti Monstre” by everyone and thus behaved badly. The teacher instructed the pupils that they should call Ram by his name only. The child behavior changed and showed progress. The teacher appointed him as class captain.
There can be no keener revelation of a society’s soul than the way in which it treats its children.

— Nelson Mandela
Residential Care Institutions

Introduction

Children, who cannot be allowed to remain in an environment where they are at risk, are placed in a Residential Care Institution (RCI). We have twenty-one RCIs with 582 residents in Mauritius, and one in Rodrigues with 13 residents.

For the year 2015-2016, Government earmarked a sum of Rs 75 million to cater for children’s needs in RCIs.

Present situation in RCIs

During this reporting year, our officers visited 14 RCIs. It has been observed that in many RCIs, the carers received very little or no training at all. A few carers complained that some children are disrespectful and violent. In some RCIs, no programme has been devised to strengthen the bond between the children and their respective families. Despite our previous recommendations, in many RCIs, a children’s committee has not yet been set up, nor are children’s views taken into consideration in matters affecting them. It is believed that the true test of fairness is the distribution of opportunities. Are children getting the opportunities in RCIs? It would appear that children do not have the opportunity to develop their skills. Such a situation creates frustration and leads to inequality of achievement amongst children.

In spite of the best efforts of the personnel to fulfill the basic care of providing food, shelter and clothing to the children, they may not fully understand the other fundamental rights of the child, namely development and participation. According to the UN Guidelines for the Alternative Care of Children (2009), a child “must be treated with dignity and respect all times” and “should live in a supporting, protecting and caring environment that promotes his/her full potential.” Reference may be made to the book “The Boy Who Was Raised As a Dog”, written by Bruce D. Perry and Maia Szalavitz (2006), at p.55: “the responses of traumatised children are often misinterpreted...Because new situations are inherently stressful, and because youth who have been through trauma often come from homes in which chaos and unpredictability appear “normal” to them, they may respond with fear to what is actually a calm and safe situation. Attempting to take control of what they believe is the inevitable return of chaos, they appear to “provoke” it in order to make things feel more comfortable and predictable. Thus the “honeymoon” period in foster care will end as the child behaves defiantly and destructively in order to prompt familiar screaming and harsh discipline. Like everyone else, they feel more comfortable with what is “familiar”...(and) tend to prefer the “certainty of misery to the misery of uncertainty”. This response to trauma can often cause serious problems for children when it is misunderstood by their caretakers”.

Activities carried out with children in 4 RCIs

Objective

To sensitise the residents on their rights, including their rights to be heard and responsibilities.

Procedure

The investigators explained in-depth the role and function of the Office. The children then watched the DVD “Tico and Rajoo”, followed by an open discussion on children’s rights and responsibilities.

Outcome

In general, the children were able to express themselves on the concept of child rights. The children had no inhibition; they were singing and dancing and they expressed the wish to have regular outdoor activities.
Complaints

1. OCO/COMP/11/3625

On 26 June 2015, the OC and an officer visited a RCI, caring for 11 adolescents. The following observations were made:

(i) no space for leisure and outdoor activities. Three children, who should have been at school, were playing on the roof of the building. There is no staircase leading to the rooftop. The children climbed up the gates and the boundary wall in order to reach the rooftop. The building is surrounded by barbed wires, which represents a danger to the children;

(ii) there are 4 carers, none of them has been trained to work with children. The carer who was present, was at a complete loss. She was not in a position to manage the situation; and

(iii) there are only 2 bedrooms; in each room, there are 3 bunk beds. The resident carer shares one room with the children.

Action taken

1. The Office requested for a copy of the license issued to the manager of the RCI.
2. The Rector of the school was requested to provide the children with appropriate support in order to encourage them to attend school.
3. The manager was convened to the Office.
4. The matter is still under investigation.

2. OCO/SHEL/SCH/VS/234

Following complaints regarding corporal and humiliating punishment inflicted on children, the poor management of the RCIs, the transfer of children from mainstream to a private centre/school and the quality of food served, 4 investigators visited the RCIs on 2 and 3 April 2015. The Manager of the RCI also was heard. The matter was referred to the CDU for appropriate actions; and the MOHQL was requested to inspect the quality of food served at the RCIs.

On 17 April 2015, following complaints received regarding the management of the above institutions, there was a Cabinet Decision to set up a Fact Finding Committee on RCIs for children.

3. OCO/NGO/SOSVI/34/22

On 14 January 2015, a Managing Director and a Pedagogical Manager of a RCI met with the OC and the investigators regarding the placement of a young adult, A.B. (just turned 18 years) who has severe learning disabilities. The personnel of the RCI were unable to cater for him. The Office requested the MSSNSRI to have A.B. placed as soon as possible in an appropriate institution, in line with the Convention on the Rights of Persons with Disabilities. On 1 June 2015, the Secretary of the Resident Care Homes Board informed the Office that the Ministry is contemplating to have A.B. admitted in a Foyer along with his foster mother. We understand that the decision would be soon finalised.

RCI catering for children with disabilities

On 24 October 2014, three investigators visited the RCI.

There are 15 children in the RCI: 4 attend pre-primary school, 8 attend primary school and 3 are in a pre-voc school. There are 6 carers. The children receive the visit of a medical practitioner, a dentist and a psychologist on a regular basis. There is a children’s committee which meets once a month to discuss any problem the children may encounter.

Statement by the Manager

The Manager deplores the fact that the CDU does not always provide the institution with information on the family background and the medical history of the children which is vital to determine the quality of care and health services to be provided.
Activities proposed:

1. therapeutic activities including massage therapy, storytelling, dance and music therapy at a therapeutic centre;
2. regular leisure activities include outings during school holidays and weekends;
3. within the RCI, there are social workers and animators who ensure the daily outdoor and indoor activities, according to their needs; and
4. controlled internet facilities at the community centres.

Recommendations

1. The MGECDFW should submit a profile, on the family background and a medical history of each resident to the Manager within a reasonable time after his/her admission.
2. We reiterate the previous recommendation that a Children’s Committee be set up in all RCIs so that the children may have the opportunity to participate in decision-making and to give their opinion in all matters affecting them.
3. All caregivers should receive ongoing specialised training on child-related issues.
4. To eliminate violence against children in RCIs, the managers should develop educational programmes on child rights. Educational interaction and role play could be devised to teach children methods of non-violent communication and discipline.
5. The Centre for sexually abused children at Grand River North West should be made operational. The staff should include a psychiatrist, counsellors, a clinical psychologist, an occupational therapist, a social worker and a pediatrician to ensure that the children have the appropriate support to cope with their stress and trauma.
6. The MGECDFW and the MSIEE should work in collaboration on an empowerment programme to enable the residents to reintegrate society.
7. Last but not least, the State should put into practice the UN Guidelines for the Alternative Care of Children, ensuring that its contents are reflected in the national legislation, strategies, budget allocations, and human resource development plans.
CHAPTER 3
RODRIGUES AND AGALEGA
The Office effected 3 visits to Rodrigues. Several activities (workshops, talks and a radio programme) were organised with a view to sensitise children, parents, teachers and civil society on the role of the Ombudsperson for Children, child rights and current child-related problems. The sensitisation programmes were as follows:

(i) workshop with members of the Student Councils
   A half day workshop was organised with 48 members of the Student Councils of secondary schools. Article 12 of the CRC was explained. (Please refer to Chapter 4 Right to be Heard)

(ii) workshop with Pre-Primary teachers.
   At the request of the Director of “Associations des Ecoles Maternelles” and with the collaboration of the Commission for Education, we organised two half-day workshops with 66 teachers from 30 pre-schools. (Please refer to Chapter 5 Sensitisation)

(iii) workshop with Rectors
   The views of the Rectors were sought on the ‘Aims of Education’ as per the CRC. The discussions were focussed on the advantages of best practice at school and the importance of involving pupils in decision-making. (Please refer to Chapter 5 Sensitisation)

(iv) Parent Teachers’ Association: Pre-Primary Schools
   The Ombudsperson for Children addressed some 70 members coming from 30 schools on their roles as educators.

(v) Workshop and Survey on ‘Awareness of the OCO, UNCRC and Child Rights’ with children at Quatre Vents’
   20 children aged between 11-14 years attended a one day workshop at the Community Centre of Quatre Vents on 5 November 2014. A survey was also conducted on the same day with 17 children. (Please refer to chapter 5 Sensitisation)

(vi) Meeting with parents at QuatreVents village
   According to information gathered at the meeting, it would appear that the Rodriguans were not aware of the official visit nor were they informed that our officers would receive complaints on child issues on 5 November 2014.

Visits

The Ombudsperson for Children and the officers visited 10 pre-primary schools, 1 SEN School, 1 Epilepsy Health Service Centre (EDYCS) and the foyer for children at risk. The following were observed:

(i) all the teachers working in pre-primary schools hold a CPECE (Certificate of Proficiency in Early Childhood Education) and the proportion of teachers to students is satisfactory;

(ii) buildings need to be renovated and the school yard fenced. The school environment is not sufficiently child-friendly;

(iii) in general, children do bring a proper meal to school. It was, however, brought to our attention that a few children bring plain noodles and plain bread and some come to school without lunch;

(iv) some children suffer from severe behavioural problems, like swearing, peeping under the chairs of others, pulling underwear of other children and self-inflicted marks;
the bad state of the school environment at Mont Malgache, is not conducive to Early
Childhood Development;

a few children are obese while some are underweight; and

members of the PTA are very involved in the general cleaning and maintenance of
school buildings.

Foyer Marie Madelaine, Baladirou

It was noted that last year’s recommendation to embellish the school compound has been
implemented.

Recommendations

a) The Commissioner for Health to appoint Paediatricians and social workers to visit
school regularly in order to detect any behavioural or health problems at an early stage.
The sooner the problem is detected and measures taken, society at large will benefit.
Thus the financial burden at a later stage, which may result from ignoring problems in
eythhood, will be reduced.

b) The Commissioner for Public Infrastructure to ensure that school premises are more
child and eco-friendly.

c) The Commissioner for Education to set up a special unit to take remedial steps to deal
with cases of absenteeism from school.

d) A nutritionist should sensitise parents on the importance of a balanced diet.

e) Children in Foyer Madelaine are exposed to scorching sun which may impair their well-
being. Consequently, it is important that a shed be constructed as soon as possible so
that the children can play outside.

f) A children’s library be set up.

g) A few children who suffer from learning disabilities, speech problems, slight degree of
autism and walking difficulties would be better cared for in specialised schools.

AGALEGA

In June 2013, the Deputy Permanent Secretary repaired to Agalega on an official visit in order
to take stock of the living conditions of the children.

Many of the problems identified would, if not addressed, have a serious impact on the
development of the Agalean children. A number of recommendations was made to the OIDC,
MGEFWCD, MEHRTESR, MOHQL, MLIRET, the Commissioner of Police and NATRESA.

Given the limited resources available and the lack of transport facilities, the OIDC has shown
diligence and taken remedial action within a reasonable time in respect of the recommendations
falling within its attributions. So did the NATRESA.

In July 2015, two officers from the MGEFWCD were on official mission to Agalega. The
outcome was positive. Educational toys have been provided to the two nurseries.

The conversion of the health centre into a medi-clinic is in the pipeline. A resident medical
practitioner has now been posted in Agalega.

The upgrading of the pre-primary education is under consideration by the OIDC and the
ECCEA. It is very disappointing that in Agalega only lower secondary education (Form I, II &
III) is offered whilst those who choose to pursue their education to a higher level have to move
to Mauritius. The MEHRTESR is contemplating not only to improve the quality of education
offered at the lower secondary level but also to offer courses up to Form V.

The decisions taken, though somewhat late, are welcomed and I trust that the projects will be
materialized so as to reduce the development gaps between the Agalean children and those in
Mauritius.

I reiterate the previous recommendations made regarding improvement of the embarkation and the disembarkation of passengers from the ship.

It is understood that provision has been made in last year’s budget for the improvement of the transport facilitation.

Information on the nursery, pre-primary and primary school is illustrated in the tables below:

<table>
<thead>
<tr>
<th>North Agalega</th>
<th>No. of children</th>
<th>No. of caregiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nursery</td>
<td>10 infants</td>
<td>2 caregivers</td>
</tr>
<tr>
<td>Pre-primary</td>
<td>12 children</td>
<td>2 Pre-school assistants</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>South Agalega</th>
<th>No. of children</th>
<th>No. of caregiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nursery</td>
<td>2 infants</td>
<td>1 caregiver</td>
</tr>
<tr>
<td>Pre-primary</td>
<td>1 child</td>
<td>1 Pre-school assistants</td>
</tr>
</tbody>
</table>

**Table 3.1: Nursery, Pre-primary and Primary schools (Source: OIDC)**

In 2012, at Primary level in both South and North Agalega, there were two teachers per school. The Three Cycles were run in one room. As recommended by our Office, there is now one teacher for each Cycle as shown in the table below.

<table>
<thead>
<tr>
<th>South Agalega Government School</th>
<th>Standard</th>
<th>No. of pupils</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Cycle</td>
<td>Std I &amp; Std II</td>
<td>4 pupils</td>
</tr>
<tr>
<td>Second Cycle</td>
<td>Std III &amp; Std IV</td>
<td>3 pupils</td>
</tr>
<tr>
<td>Third Cycle</td>
<td>Std V &amp; Std VI</td>
<td>4 pupils</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Jacques Le Chartier Government School (North)</th>
<th>Standard</th>
<th>No. of pupils</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Cycle</td>
<td>Std I &amp; Std II</td>
<td>11 pupils</td>
</tr>
<tr>
<td>Second Cycle</td>
<td>Std III &amp; Std IV</td>
<td>7 pupils</td>
</tr>
<tr>
<td>Third Cycle</td>
<td>Std V &amp; Std VI</td>
<td>8 pupils</td>
</tr>
</tbody>
</table>

**Table 3.2 Primary schools (Source: OIDC)**

Formal secondary education up to Form III and Prevocational Year 3 are offered by MEDCO L.S.S as per table below.

<table>
<thead>
<tr>
<th>Class</th>
<th>Form I</th>
<th>Form II</th>
<th>Form III</th>
<th>Prevoc 1</th>
<th>Prevoc 2</th>
<th>Prevoc 3</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of students</td>
<td>2</td>
<td>4</td>
<td>3</td>
<td>5</td>
<td>6</td>
<td>0</td>
<td>20</td>
</tr>
</tbody>
</table>

**Table 3.3 Formal secondary education (Source: OIDC)**

The number of Agalean students who pursue their post Form III studies in Mauritius is shown in the table below.

<table>
<thead>
<tr>
<th>Class</th>
<th>Form IV</th>
<th>Form V</th>
<th>HSC</th>
<th>Prevoc 4</th>
<th>MITD</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of students</td>
<td>2</td>
<td>5</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>11</td>
</tr>
</tbody>
</table>

**Table 3.4 Agalean students in Mauritius (Source: OIDC)**
CHAPTER 4
THE RIGHT TO BE HEARD
The Right to be Heard

Article 12, Para 1

“States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.”

Article 12 of the UNCRC establishes the right of children to be involved in decisions that affect them both as individuals and as a group and recognised by the UN Committee on the Rights of the Child as one of the four guiding principles. Together with the key civil rights in the CRC, Article 12 recognises the child as an active agent in the exercise of his or her rights, broadly conceptualised as ‘participation’. In the context of Article 12, participation may be defined as ‘an ongoing process of children’s expression and active involvement in decision making at different levels in matters that concern them. It requires information-sharing and dialogue between children and adults based on mutual respect and consideration of their views, taking into account the child’s age and maturity.

There is no doubt that the right to participation contributes:

- to personal development;
- leads to better decision-making;
- serves to protect children; and
- strengthens accountability.

It is, however, widely believed that children lack the capacity to make rational contributions in matters affecting them. With a view to dispel such a perception, our Office advocates for the recognition of the right of the child to be heard in several national fora.

Workshops with representatives of Student Councils

Workshops organised in Mauritius

8 workshops were organised across the country with 380 participants, as shown in the table below:

<table>
<thead>
<tr>
<th>SN.</th>
<th>DATE</th>
<th>VENUE</th>
<th>No of PARTICIPANTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>29 Jan 2015</td>
<td>Wooton Resource Centre, Wooton, Curepipe</td>
<td>44</td>
</tr>
<tr>
<td>2</td>
<td>26 Feb 2015</td>
<td>Municipal Hall, Quatre Bornes</td>
<td>54</td>
</tr>
<tr>
<td>3</td>
<td>5 March 2015</td>
<td>Municipal Hall, Belle Rose</td>
<td>58</td>
</tr>
<tr>
<td>4</td>
<td>19 March 2015</td>
<td>Moka District Council, Quartier Militaire</td>
<td>51</td>
</tr>
<tr>
<td>5</td>
<td>7 May 2015</td>
<td>Mahebourg Creativity Centre</td>
<td>26</td>
</tr>
<tr>
<td>6</td>
<td>14 May 2015</td>
<td>Souillac Youth Centre</td>
<td>39</td>
</tr>
<tr>
<td>7</td>
<td>21 May 2015</td>
<td>Riviere du Rempart Youth Centre</td>
<td>57</td>
</tr>
<tr>
<td>8</td>
<td>28 May 2015</td>
<td>Arya Samaj Hall, Port Louis</td>
<td>51</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
<td>380</td>
</tr>
</tbody>
</table>

Table 4.1: List of workshops organised with members of Student Councils

Objectives:

1. to have an overview on the framework to set up Student Councils and their functions;
2. to create awareness of the child’s right to expression and participation; and
3. to give children a platform to express themselves on problems they encounter.

In the first part of the workshop emphasis was laid on Article 12 of the CRC. A brief exposé on the Right to be Heard was made. The resource person also explained the role and function of our Office.
In the second part, participants were divided in groups of 10 – 15. The groups comprised of at least one representative from each school. A group leader and a rapporteur were appointed by the participants themselves. The groups were asked to discuss the present situation regarding child participation in their respective school.

It has been noted that in many schools, members of the Student Council are chosen by the Form Masters. In some schools, the members are elected by their peers but the leadership of the Student Council is designated by the school administration or chosen by teachers. Only in very few schools, both the membership and leadership of the councils are elected democratically by the students.

In the Harts ladder of participation, level 4 was attained.
(Note that this measure is used by the major child rights organisations to assess child participation)

In very few cases, the participation of pupils reached level 7. It has also been noted that in some cases the participation of the council would not go above tokenism.

In the final part of the workshop, each group was given a topic from the list below:
- school discipline;
- private tuition and regionalisation;
- introduction of Arts, Technical subjects and Sports in the school curriculum;
- bullying at school;

and was asked:

to put themselves in the shoes of a Minister of Education and his/her Advisors and to make proposals and present the findings in a creative manner.

Proposals made by participants:

1. review the roles and responsibilities of the Student Councils in both private and state secondary schools;
2. the selection of members of the Student Councils and head boy/girl must be carried out by the students themselves;
3. there should be a rotation in the membership to the Student Councils so that more pupils may be involved in the council;
4. management to assign more duties to members of the Student Council:
   - each class representative to submit a weekly report to his Form Master.
   - involve members of the student councils in planning the school budget.
5. networking among members of the Student Councils to monitor certain problems at school;
6. views and opinions of students must be sought regularly in all matters concerning them;
7. to introduce a reward system in schools to encourage participation of students;
8. rules and regulation of schools to be re-visited;
9. to set up disciplinary committees in all schools comprising representatives from Student Councils and the teaching staff;
10. adopt appropriate positive but strict measures against those who smoke, consume alcoholic drinks and use foul language on school premises;
11. introduce subjects like Home Economics and Fashion/Design, Art and technical subjects in all schools;
12. teachers should monitor both high and low academic performers so as to ensure better performance;
13. teachers should be trained to cope with children coming from different family backgrounds and who have challenging behavioural problems;
14. stop discriminating between star, state and private colleges;
15. the place of residence of students should be taken into consideration when processing the admission to a college. This would lead to the following:
- reduction in the rate of absenteeism and lateness;
- children would travel less and their performance may be improved; and
- reduction in transport problems given that there is not enough school buses in many regions.

16. career guidance officers/counsellors to be appointed;
17. the administrative staff should operate in the best interests of students;
18. provide educational tools and equipment. Renovate school buildings;
19. schools to start at 08.30 am because of transport problems;
20. number of school buses to be increased;
21. provide wider options of balanced food in school canteens and cafeterias; and
22. regular medical check-ups in schools.

The findings were presented in sketch, mock press conference, speech and mock meeting between the Minister and his/her Advisors.

**Workshop for representatives of Student Councils in Rodrigues**

Half Day Workshop with 48 students (members of Student Councils) at the Human Resource Centre, Malabar.

**Objectives:**
(i) sensitize participants on Article 12 of the CRC;
(ii) discuss child participation at school;
(iii) role of the Student Councils; and
(iv) seek their views on the educational system.

Article 12 of the CRC was explained. The current situation on children’s participation at school and areas in which members of the Student Councils should be involved were discussed.

The views of students were sought on the following topics:
(i) the involvement of children in school activities;
(ii) school discipline; and
(iii) the introduction of technical subjects, namely; Art, Cookery, Woodworks etc.
Proposals

- Introduce Drama in French/English Literature classes to encourage participation of students in classes and show interest in Art subjects.
- Sports, written/oral speech, essay competitions to be organised not only in a few schools but in all schools.
- Musical instruments to be provided in schools so that children get the opportunity to learn music and discover their interest in the subject.
- More workshops to be organised with students of various schools to discuss on societal issues.
- More colleges to include technical subjects such as fashion & design and home economics in their school curriculum.
- Members of the Student Council to set up a Board where they can raise any issue with the school management.
- Regular meetings to be organised with members of the Student Council to ensure the smooth running of the school.
- Involve members of the Student Council in making the plan of the school budget.
- Regular educational tours to be organised.
- Children should be given the right to express themselves and give their views on matters concerning school discipline.
- Students should be free to utilise mobile phones in class for research purposes only.
- Teachers should not use corporal or humiliating punishment on children.
- To appoint a career guidance Officer in schools.
- Each college should have a psychologist or counsellor to help, motivate and guide students.
- All schools should have a hygienic canteen.
- The school library to be equipped with more educational materials.
- Wi-Fi connection to be improved.

Workshop at Quatre Vents village – Rodrigues

A one day workshop for children of the village of Quatre vents was held in November 2014. The organisation of the workshop was facilitated by 2 child mentors of the region and 20 children aged 11-14 years attended. The objectives were:

- create awareness on the role and functions of the Ombudsman for Children's Office;
- sensitise children on their rights and responsibilities.

A short *exposé* on the role of the Office was given. The DVD “Tico et Rajoo” was then shown. Participants were asked to state a few rights mentioned in the film followed by a discussion on the corresponding responsibilities.

In the second part of the workshop, participants were invited to express themselves on their rights using creative methods like sketch, slam or song. All of them went for sketches.

The survey on awareness of the Ombudsman for Children's Office, UNCRC and Child Rights was also carried out.

“*Atelier d’expression artistique*”

Our Office was invited by AOMF to participate in the project, “*Atelier d’expression artistique*” on the rights of the child.

The project was carried out in two stages:

**Stage 1**– participants were sensitized on their rights. The tools produced by AOMF were used as learning support.

**Stage 2**– participants expressed themselves on one or more rights using creative methodologies like drawings, paintings, slams, songs, sketches, etc.
Our officers were responsible for stage 1 whereas stage 2 was carried out in collaboration with an NGO or a coordinator. The Commissioner for Education was invited to collaborate in the project. The artworks have been sent to the AOMF digitally, and would be exhibited for the Annual Congress of the “Organisation internationale de la Francophonie” (OIF) in October 2015.

In Mauritius

The project was carried out at Guy Rozemont Government School in Tranquebar in collaboration with NGO “TIPA”, which is already working on a programme of “expression artistique” at school. Two groups of Standards 3 and 4 pupils participated. Our officers carried out the sensitisation session, using film projection on child welfare produced by AOMF and the film “Tico et Rajoo” produced by our Office. There was also an activity using the concept of learning through play. The participants then worked with the arts instructors of “TIPA” and produced several paintings and sketches.

In Rodrigues

25 children from 5 secondary schools participated in a one-day workshop. They were shown the film “Tico et Rajoo”. Through a ball game, they then had to state the different rights mentioned in the film. After a debriefing, they were shown another film on personality development produced by AOMF. They were then put in pairs. They were given three cards, color green, red and yellow. 10 statements were read out and they had 1-2 minutes to discuss each statement. If they agreed with the statement they showed the green card, the red one if they disagreed, and the yellow one if in doubt. 2-3 pairs were picked at random to give the reasons for their choice.

The follow-up work was coordinated by Ms Pascaline Potage of the Commission for Education.

The participants sang, prepared paintings, presented sketch and slam. A soft copy of their work was submitted to the Office.
CHAPTER 5
SENSITISATION
**Sensitisation campaigns in Mauritius and Rodrigues**

**Workshop with Rectors of Private and State Secondary Schools**

Our Office organised 8 workshops. Four workshops were held in December 2014 with the rectors of State schools. A second series of 3 workshops were held in April 2015 with rectors of private secondary schools. One workshop was organized in Rodrigues in March this year. 216 rectors and assistant rectors attended the workshops.

The objectives were:
1. to have a better overview of the Educational system and its challenges and;
2. to promote the aims of Education as per Article 29 of the CRC.

The Aims of Education Article 29 of the CRC, simplified version:
“Education should develop each child’s personality and talents to the fullest. It should encourage children to respect their parents, their values and their own and other cultures. It should prepare a child to live as a responsible citizen in the society and respect the natural environment.”

**Rectors of State Secondary Schools - Dec 2014**

The resource person explained the role and function of our Office. Discussions were focused on the advantages of best practices at school and the importance of involving pupils in decision-making. The problems of pupils with challenging behaviour were also raised.

The main points discussed were:
1. the resource person proposed that the Form Masters keep a record on any suspected problematic behaviour, so that the problems may be identified and necessary support be provided to the child at an early stage. The rectors responded positively to this suggestion but added that unless the class size is reduced to a maximum of 25 pupils, the measure would not be effective;
2. all schools to adopt a culture of positive discipline. Rectors expressed the need to have a uniform code of conduct prepared by the MEHRTEST in consultation with all parties including pupils. Guidelines on appropriate actions/sanctions that could be taken in cases of indiscipline be also addressed;
3. Assessment in non-academic areas such as character, behaviour, leadership, should be envisaged so as to motivate pupils to be more responsible;
4. to make education more relevant to the needs of young people, we should shift from traditional pedagogy to the use of modern technology in class. Education must also have a social dimension; activities like drama, music, creative arts, sports and civic activities must be promoted;
5. to reduce stress on pupils, rectors called for the elimination of private tuition;
6. sex education to be introduced in schools;
7. sensitise students on the dangers of dangerous drugs, alcoholic drinks and cigarettes;
8. Student Councils should have a more active role in the management of school. Representatives from the Councils should be involved in decisions regarding discipline within the school compound. The MEHRTEST must create a unit comprising of representatives of school management and Student Councils to discuss recurring problems in schools and to propose solutions thereon;
9. parents should be encouraged to respond positively whenever they are requested to meet the school administration in respect of any matter concerning their children; and
10. our Office should continue sensitising pupils on their rights with emphasis on their responsibilities.
Workshop with Rectors of Private Secondary Schools

Rector’s opinions on the Aims of Education

➢ To promote the intellectual growth and development of a child
➢ To inculcate positive behaviours in children and teach them life skills
➢ To help children discover their hidden potentials and develop their creativity
➢ To extend school hours for a more conducive environment for students

Have the aims of education been subject to changes over time?

YES
➢ The world is evolving. E.g: fast means of communication and the introduction of different subjects in the school curriculum.
➢ It focuses mostly on academic issues and not on students’ needs. Current facilities have been misused and have given rise to many issues within the educational system (e.g: violence and indiscipline at school).

NOT EXACTLY
➢ Academic centred system: Students are more concerned about certificates, obtaining jobs and enjoy luxurious life.
➢ Unhealthy competition still prevails.
➢ Not much has been done to develop skills and creativity in students. Disparity between bright and less able students still exists in academic

Are those aims being met?

YES

Proposals

➢ To review the system and management

   • Sensitise pupils on their responsibilities along with their rights.
   • Educate parents on their roles and responsibilities.
   • Empower educators.
   • School management to be reviewed.
   • Private and state colleges should enjoy the same facilities.
   • Use of media for awareness of children’s rights and responsibilities.
   • Build a partnership programme and bring other stakeholders on board to provide support to the school management.
   • Ombudsperson for Children’s Office, Child Development Unit and BPM should continue assisting schools in serious cases of indiscipline.
Workshop with Rectors of Secondary Schools in Rodrigues

During the workshop, a number of important practices were shared by the rectors.

Best practices in schools

- Many new subjects and activities have been introduced in view to broaden the knowledge of students in various fields like Marine Science, Agriculture, Sports, moral values and also green energy (Ex: Hydroponic gardening and Photovoltaic installation for producing electricity).
- Physical education has been introduced as an academic subject in some schools.
- Pupils are given the opportunity to participate in competitions: Elocution in English Language, painting and sports (at Regional and National levels).
- Pupils are taught to keep their environment clean.
- Regular meetings with resource persons. Example: when a teacher is on leave, the school arranges for resource persons to deliver talks on child-related issues.

The rectors made some proposals on the challenges they encounter:

- given the number of subjects in the school curriculum and the extra-curriculum activities organised, school hours must be extended. Current school hours are insufficient to promote both academic teaching and child participation in activities.
- school libraries and laboratories to be well equipped with educational tools.
- set up different types of educational institutions where pupils will study according to their interests and potential.
- focus on the holistic development of the child to achieve the aims of education in line with the CRC.
- school rules and regulations to be re-visited. Measures should ensure that students and parents abide by them.
- appoint career guidance officers to help students.
Rectors present: PERRINE Etienne (Grande Montagne College), LEVEQUE Eric (Rodrigues College), FLORE Jean Denis (Terre Rouge College), SEESAGHEN A (Mont Lubin College), BHOWANY R (Le Chou College), KULPOO Oodaye (Marechal College).

Workshop with Pre-Primary teachers

At the request of the Director of “Associations des ecoles maternelles” of Rodrigues and with the collaboration of the Commission for Education, our Office organised two half-day workshops for 66 pre-primary teachers who work in 30 pre-primary schools.

The objective was to create awareness on:

- corporal punishment;
- bullying; and
- Article 2 of the CRC, non-discrimination.

The participants were divided into 3 groups. Each group worked for 30 minutes on one theme and was given 10 minutes for reporting.

Corporal Punishment

For the activity on corporal punishment, the participants were asked to reflect and give their views on drawings and the reactions of children (see below) who have been victims of corporal punishment inflicted by their parents or teachers.
Reporting

The participants recognised the negative effects of corporal punishment namely:

- it teaches children that hurting others is unacceptable;
- it may cause physical impairment; and
- it has a post traumatic impact on children.

The participants discussed the alternative to corporal punishment, which a few teachers are already putting into practice namely:

- give simple explanations of consequences for both “good” and “bad” behaviour;
- label the behaviour and not the child; and
- praise good deeds and behaviour.

Bullying

The Investigator explained the meaning of bullying and gave the teachers posters on “Halte au bullying”.

The participants were asked to:

- relate a bullying incident which occurred at school; and
- how they dealt with the situation.

Reporting

The participants related the case of a girl named Olivia who had very short hair and was bullied by a group of other girls. The girls did not play with her and told her that they would not approach her because of her hair.

Olivia became very shy and did not want to participate in the classwork. Olivia’s teacher carried out activities to explain what is wrong and what is right. The participants used role play and storytelling techniques to teach children that they should respect each other. The outcome was that Olivia regained her self-confidence, the other children apologised to her and started playing with her.
**Article 2 of the CRC, non-discrimination**

The participants were asked to reflect on the table below regarding “What is Fair?”. They had to explain whether the best interests of the child have been respected regarding non-discrimination.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Gina wants to play football with a group of boys at break time, but they won’t let her play because she is a girl. Is this fair to Gina?</td>
<td></td>
</tr>
<tr>
<td>2. Ali is ten years old and likes to go to school. But his family needs him to get a job to earn some money, because there are younger children to feed. So Ali does not get to finish primary school. Is this fair to Ali?</td>
<td></td>
</tr>
<tr>
<td>3. Marta comes to school without having done her homework. The teacher makes her stay indoors during break time to do her homework. Is this fair to Marta?</td>
<td></td>
</tr>
<tr>
<td>4. Chris doesn’t like school, and wants to leave. His parents do not want him to leave because he is only ten years old. Is this fair to Chris?</td>
<td></td>
</tr>
<tr>
<td>5. Rose and Tahira have come to live in a new country, and are learning to speak a new language. Sometimes in school, they speak their native language. The teacher stops them and tells them that they must learn to speak like everyone else. Is this fair to Rose and Tahira?</td>
<td></td>
</tr>
<tr>
<td>6. George, who is white, tells a joke about black people. The teacher tells George that he must stop, that saying cruel things about people of another race is not allowed in this school. Is this fair to George?</td>
<td></td>
</tr>
</tbody>
</table>

**Table 5.1: What is Fair? - Activity**

All the participants analysed the different situations in a child-sensitive manner.

- **Situation 1**
  - They agreed that not letting Gina play because she is a girl, is discriminatory.

- **Situation 2**
  - They discussed about the importance of education and the responsibilities of the parents to send Ali to school.

- **Situation 4**
  - They believed that Chris’ parents were right. However, some participants added that, the parents had to find out why Chris wanted to leave school (maybe Chris is bullied).

- **Situation 5**
  - According to the participants, the situation was an example of discrimination perpetrated by the teacher.

- **Situation 6**
  - They agreed that the teacher had done the right thing.

**Sensitisation**

(i) On the invitation of Mrs Begue Marie Lourdes, President of the Association of pre-primary schools, on 17 June 2014, the OC addressed members of the PTA on their roles as Educators.

(ii) 25 parents from the village of Quatre Vents attended a session on the role and functions of the Office. The parents requested that similar sessions be held in different villages and sensitise the public through TV and Radio programmes.

**Radio programme**

The objective was to disseminate information on the role of our Office so as to further raise public awareness and to encourage people to report cases relating to the violation of the rights of the child. Three officers were on Radio on 24 March 2015 from 1700 hours to 1800 hours. The procedures to lodge a complaint were explained. They were also informed that information received is strictly confidential.
### Sensitisation campaigns CAB Offices

<table>
<thead>
<tr>
<th>SN</th>
<th>Date</th>
<th>CAB Office</th>
<th>No. of Participants/Beneficiaries</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>03 June</td>
<td>Grand Bois</td>
<td>33</td>
</tr>
<tr>
<td>2</td>
<td>10 June</td>
<td>St Pierre</td>
<td>43</td>
</tr>
<tr>
<td>3</td>
<td>17 June</td>
<td>Plaine Magnien</td>
<td>40</td>
</tr>
<tr>
<td>4</td>
<td>24 June</td>
<td>Lallmatie</td>
<td>39</td>
</tr>
<tr>
<td>5</td>
<td>01 July</td>
<td>Petite Rivière</td>
<td>48</td>
</tr>
<tr>
<td>6</td>
<td>08 July</td>
<td>Piton</td>
<td>45</td>
</tr>
<tr>
<td>7</td>
<td>15 July</td>
<td>Pointe Aux Sables</td>
<td>48</td>
</tr>
<tr>
<td>8</td>
<td>15 July</td>
<td>Quatre Bornes</td>
<td>35</td>
</tr>
<tr>
<td>9</td>
<td>22 July</td>
<td>Cite Vallijee</td>
<td>33</td>
</tr>
<tr>
<td>10</td>
<td>05 August</td>
<td>Rose Belle</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>TOTAL</strong></td>
<td>406</td>
</tr>
</tbody>
</table>

Table 5.2: 2014 – Human Rights Sensitisation Campaign  
(Child’s Rights and Related issues)

### Violence against children

Our Office in collaboration with CAB has been carrying out extensive awareness campaigns across the country on the above subject. Table below shows the number of people sensitised:

<table>
<thead>
<tr>
<th>SN</th>
<th>Date</th>
<th>CAB Office</th>
<th>No. of Participants/Beneficiaries</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>19 May</td>
<td>Midlands</td>
<td>85</td>
</tr>
<tr>
<td>2</td>
<td>26 May</td>
<td>Grand Baie</td>
<td>31</td>
</tr>
<tr>
<td>3</td>
<td>02 June</td>
<td>Rose Hill</td>
<td>17</td>
</tr>
<tr>
<td>4</td>
<td>09 June</td>
<td>Pamplemousses</td>
<td>56</td>
</tr>
<tr>
<td>5</td>
<td>16 June</td>
<td>Montagne Blanche</td>
<td>46</td>
</tr>
<tr>
<td>6</td>
<td>23 June</td>
<td>Beau Bassin</td>
<td>34</td>
</tr>
<tr>
<td>7</td>
<td>30 June</td>
<td>Triolet</td>
<td>64</td>
</tr>
<tr>
<td>8</td>
<td>07 July</td>
<td>Vacoas</td>
<td>69</td>
</tr>
<tr>
<td>9</td>
<td>14 July</td>
<td>Sainte Croix</td>
<td>47</td>
</tr>
<tr>
<td>10</td>
<td>21 July</td>
<td>Mahébourg</td>
<td>48</td>
</tr>
<tr>
<td>11</td>
<td>28 July</td>
<td>Rivière du Rempart</td>
<td>20</td>
</tr>
<tr>
<td>12</td>
<td>04 August</td>
<td>Petite Rivière</td>
<td>43</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total</strong></td>
<td><strong>560</strong></td>
</tr>
</tbody>
</table>

Table 5.3: 2015 Violence against Children Campaigns

### Training of Carers at SOS Children’s Village

At the request of the Manager of SOS Children’s village, our Office organised 2 training sessions with 26 carers on 24 March and 23 April 2015. The topics discussed were:

- the role and function of the Ombudsperson for Children;
- overview on child’s rights; and
- positive discipline.
The role and function of the Office were explained. Participants were exposed to the different Articles of the CRC. The importance of mutual respect between ‘house-mothers’ and their respective ‘children’ was also stressed.

The participants were of the view that children need to be heard in order to boost their self-confidence, thus helping them sort out their personal problems. Some of the suggestions made by ‘house-mothers’ to encourage children to be more responsible are:

- delegate roles to enable children to learn about their responsibilities;
- praise children for good decision making;
- encourage children to participate in housekeeping;
- house meetings to be held on a weekly basis;
- more educational outings and recreational activities; and
- a charter on the rights and responsibilities of family members. The charter to be prepared and endorsed by the children themselves.

The participants raised the current problems they are facing and made the following proposals:

- a full-time Psychologist be appointed;
- a new strategy be adopted for the retention of ‘house-mothers’ and ‘aunts’ as frequent changes cause a disruption in the bonding between the carer and the child; and
- children should meet and socialize with other children in the locality at least 2-3 times a week.

Institute for Children’s Rights (ICR)

On 04 April 2012, our officer ran a Training of trainers course organised by the ICR at the Raja Yoga Meditation Centre in Rose Belle. 25 persons working with families in the region were present. The topics covered were:

- the role and function of the Office;
- the spirit of the CRC, namely, non-discrimination, best interest of the child right to survival and development and the right to be heard; and
- the role of social workers in child protection.

<table>
<thead>
<tr>
<th>SN.</th>
<th>Date</th>
<th>Radio Channel</th>
<th>Topic</th>
<th>Resource Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>23 June 2014</td>
<td>Top FM</td>
<td>Bilan of the Office</td>
<td>Mr. Bawamia and Mrs Veeramootoo</td>
</tr>
<tr>
<td>2</td>
<td>14 July 2014</td>
<td>Top FM</td>
<td>Positive Discipline</td>
<td>Mrs Johaheer and Mrs Veeramootoo</td>
</tr>
<tr>
<td>3</td>
<td>8 September 2014</td>
<td>Top FM</td>
<td>Violence against Children</td>
<td>Mr. Bawamia</td>
</tr>
<tr>
<td>4</td>
<td>13 October 2014</td>
<td>Top FM</td>
<td>Corporal Punishment</td>
<td>Mr. Bawamia and Mrs Veeramootoo</td>
</tr>
<tr>
<td>5</td>
<td>19 November 2014</td>
<td>KOOL FM</td>
<td>Children victims of violence</td>
<td>Mrs Johaheer and Mrs Veeramootoo</td>
</tr>
<tr>
<td>6</td>
<td>2 Feb 2015</td>
<td>Top FM</td>
<td>Parental responsibility and rights to education</td>
<td>Mr. Bawamia and Mrs Veeramootoo</td>
</tr>
<tr>
<td>7</td>
<td>4 May 2015</td>
<td>Top FM</td>
<td>Article 19: Droit à la protection</td>
<td>Mr. Bawamia and Mrs Veeramootoo</td>
</tr>
<tr>
<td>8</td>
<td>29 June 2015</td>
<td>Top FM</td>
<td>Bullying</td>
<td>OC and Mrs Mauree</td>
</tr>
<tr>
<td>9</td>
<td>13 July 2015</td>
<td>Top FM</td>
<td>Droits aux loisirs</td>
<td>OC and Mrs Mauree</td>
</tr>
</tbody>
</table>

Table 5.4: Radio Programmes
WHAT DO U KNOW? - U TELL US!

1. About you:
   - [ ] boy
   - [ ] girl
   - [ ] age
   - [ ] School Name:

2. Where do you live?

3. Can you say what each of these pictures stand for?

4. Did you know that children have rights?
   - [ ] Yes
   - [ ] No
   - [ ] If yes, what rights do you think children have?

5. Did you know that there is a United Nations Convention on the Rights of the Child?
   - [ ] Yes
   - [ ] No
   - [ ] Even, how did you know?

CHAPTER 6
SURVEY
SURVEY

6.1 INTRODUCTION

The purpose of this paper is to analyse and report the result obtained following a survey on “Awareness of the Ombudsperson for Children’s Office, UNCRC and Child’s Rights” conducted with 301 Form III students in the Republic of Mauritius.

6.2 PROBLEM DEFINITION

The objective of this report is to assess whether the Ombudsperson for Children’s Office, the UNCRC and child’s rights are known to children in the Republic of Mauritius.

6.3 THE AIMS OF THIS STUDY ARE:

(i) to find out whether children:
   a) know that they have rights,
   b) are aware of the UNCRC,
   c) have heard of the Ombudsperson for Children’s Office; and
(ii) to formulate measures to improve the level of awareness on child related matters.

6.4 METHODOLOGY

The research methodology opted for this paper was a school-based survey, conducted in five zones, namely, the four educational zones in Mauritius (Zone 1-4) and Rodrigues Island.

6.4.1 Population

The population sample was Form III students aged between 13 to 14 years.

6.4.2 Sampling Design and Method

The sample design was based on the following consideration:

- that the sample should be representative of all educational zones
- that the selection of respondent should follow probability sampling method

A stratified random sampling method was used to conduct the survey among Form III students. Based on the sampling design, the outcome was:

- 15 schools from each of the 4 zones were targeted;
- 26 state schools and 28 private schools participated;
- 5 names were picked at random from the attendance book of each school and in Rodrigues, a total number of 17 names were picked.

6.4.3 Sample Size

An initial sample size of 300 was targeted for Mauritius, but there were actually only 284 as 6 colleges did not participate. In Rodrigues, there were 17 participants. The population demographic per region was as follows:

<table>
<thead>
<tr>
<th>Region</th>
<th>Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>68</td>
</tr>
<tr>
<td>South</td>
<td>35</td>
</tr>
<tr>
<td>East</td>
<td>24</td>
</tr>
<tr>
<td>West</td>
<td>15</td>
</tr>
<tr>
<td>Central</td>
<td>142</td>
</tr>
<tr>
<td>Rodrigues</td>
<td>17</td>
</tr>
<tr>
<td>Total</td>
<td>301</td>
</tr>
</tbody>
</table>

Table 6.1: Participants per region
6.4.4 Questionnaire Design and Administration

The survey questionnaire was adapted from the University of Lancashire: “Evaluating the Children’s Commissioner of Wales: report of a participatory research study”. The questionnaire consists of eight questions, where mostly respondent were required to select from a list of defined choices.

The questionnaire was explained in ‘creole’ and ‘French’ to children.

6.4.5 Ethics

A letter was issued to rectors of selected schools, a month prior to the conduct of the survey, informing them of the purpose of our visit. The date and time of our visit, the number of participants required and the duration of the exercise were also mentioned. An acknowledgement sheet was attached to confirm their participation.

6.4.6 Data Collection

Data was collected in November 2014 in Rodrigues and between February and June 2015 in Mauritius.

6.4.7 Limitations of study

The Rector of 1 school did not allow the students to participate in the survey while 5 schools despite having confirmed, did not participate due to extra curriculum activities. Therefore the number of participants targeted was not met.

6.4.8 Data Analysis

A series of data analysis was conducted based on the 301 completed questionnaires. Analysis of the data was made using Microsoft Excel 2010 illustrated by pie charts and bar charts.

6.5 ANALYSIS OF RESULTS

6.5.1 Introduction

This section presents, discusses and analyses the findings of the survey conducted.

6.5.2 Demographic Characteristics of Children

This section illustrates the statistics obtained for the following demographic profiles: gender, age, school zone and region.

6.5.3 Gender

Out of a total of 301 participants, 160 (53%) were females and 141 (47%) were males as illustrated in the figure below:

Figure 6.1: Gender

Gender

- Female
- Male

53%
47%
6.5.4 Age

The target group was students of Form III or the equivalent where the American syllabus was adopted. Most students were between the ages of 13 and 14 as shown in the table below:

![Figure 6.2: Age](image)

6.5.5 Region where participants live

For the analysis, the region where children live has been classified according to sub regional zones: central part of the island 47%; North 22%; South 12%; East 8%; West 5%; and 6% from Rodrigues.

![Figure 6.3: Participants per Region](image)

6.5.6 Symbols and Logo Recognition

Participants were asked to identify four different logos (two of the Republic of Mauritius and two used by the Office):

![Logos](image)

The responses were as follows:

<table>
<thead>
<tr>
<th>Logo/Symbol</th>
<th>Number of Correct Responses</th>
<th>Number of Wrong Responses</th>
<th>Percentage of Correct Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flag of Mauritius</td>
<td>292</td>
<td>9</td>
<td>97%</td>
</tr>
<tr>
<td>Coat of Arms</td>
<td>179</td>
<td>122</td>
<td>60%</td>
</tr>
<tr>
<td>OC Logo</td>
<td>52</td>
<td>249</td>
<td>17%</td>
</tr>
<tr>
<td>Budi</td>
<td>28</td>
<td>273</td>
<td>9%</td>
</tr>
</tbody>
</table>

Table 6.2: Number of correct responses

6.5.7 Child’s Rights

Children were asked the following: ‘Did you know that children have rights?’ 79% (237 children) answered ‘Yes’.

They were also asked to list some “rights that they think children have”.
Some of the most important rights mentioned were the right to education (49%), freedom of expression (14%) and the right to leisure, play and culture (7%).

Their responses are recorded in the figure below.

**Figure 6.4: Responses - Children’s Rights**

### Rights
- Access to information; mass media
- Best interests of the child
- Food
- Freedom of expression
- Leisure, play and culture
- No child labour
- Parental guidance
- Protection of rights
- Respect for the views of the child
- Right to be heard
- Survival and development
- Adequate standard of living
- Education
- Freedom of association
- Freedom of thought, conscience and religion
- Name and identity
- Other forms of exploitation
- Protection from all forms of violence
- Registration, name, nationality, care
- Right to basic needs
- Right to non violence

6% Survival and development
6% Respect for the views of the child
6% Education
14% Freedom of Expression
7% Leisure, play and culture
3% Protection from all forms of Violence

---

### 6.5.8 The UNCRC

Participants were asked if they knew that there is a United Nations Convention on the Rights of the Child. 60% of participants answered in the negative and 40% answered in the affirmative. Those who answered “yes” were then asked how they knew about the UNCRC. Their answers are illustrated in the figure below.

**Figure 6.5: Responses UNCRC**

**How did you know about the CRC?**

- Booklets
- Internet
- Friends
- Library
- Magazine
- Newspaper
- Other
- Parents
- Radio
- School
- TV
- Youth groups

- 6% Youth Groups
- 1% Other
- 16% Internet
- 4% Library
- 6% Friends
- 6% Magazine
- 14% Newspaper
- 20% TV
- 26% School
- 1% Parents
- 6% Radio
6.5.9 The Ombudsperson for Children

Participants were asked if they have heard of the OC and her team. Only 16% answered in the affirmative. 39 participants (13%) responded to the second part of the question about the functions of the OC and her team. Out of those who responded, “Fight for children’s Rights” was the most common answer, as illustrated below:

Figure 6.6: Responses – What does the OC and her team do?

<table>
<thead>
<tr>
<th>What does the OC and her team do?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fight for children...</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

6.5.10 Whether children have met the Ombudsperson for Children or her team?

Children were also asked if they had met the OC and her team, only 3% of participants had met her in workshops and other sensitisation campaigns organised by the Office.

6.5.11 Ways in which the Ombudsperson and her team could make their work better known amongst all children.

Finally children were asked to suggest ways in which the OC and her team could make their work better known amongst all children and young people.

Their responses are illustrated below:

Figure 6.7: Responses- Ways in which the OC and her team could make their work better known amongst all children
6.6 FINDINGS

- Concerning symbols and logo recognition, children are not familiar with the logos used by the Office. Only 17% were able to recognise the logos of the Office and 9% for Budi. For most children, Budi is simply a boy running while the logo of the Office is an ‘O’ and ‘C’.

- Many children did not know about their rights, despite the distribution of pamphlets, booklets and posters to many schools. During our visit to schools, it was noticed that in most schools posters were affixed in the staff room or the rector’s Office, out of children’s sight.

- The majority (79%) was aware that they have rights. The right to education was the most common right mentioned and the participants listed 21 different rights. Only 40% of participants were aware of the UNCRC. Most of them learnt about the UNCRC at school (26%), on TV (20%), through the internet (16%) and from Newspapers (14%). 16% of participants have heard of the OC and only 3% have met the OC in person. When asked about the work of the OC and her team, 'Fight for children’s rights’, ‘Helping children in difficulty’ and ‘Sensitise children about their rights’ were the most common responses.

6.7 ACTION TAKEN FOLLOWING THE FINDINGS

Our Office has decided to seek the collaboration of our stakeholders, namely:

- Minister of Education and Human Resource, Tertiary Education and Scientific Research;
- Minister of Gender Equality, Child Development and Family Welfare;
- Minister of Youth and Sports;
- Minister of Social Security, National Solidarity and Reform Institutions; and
- Commissioner of Police

to display posters/distribute pamphlets and booklets relating to the rights of the child, produced by the Office, in schools, Women Centres, Youth Centres, Social Welfare Centres and Police Stations.

6.8 CONCLUSION

The findings of this survey show that children are aware of their rights but the awareness level of the role of our Office remains unsatisfactory.
### Annex

#### List of colleges which participated in the survey per Zone

##### Zone 1

<table>
<thead>
<tr>
<th>School Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Droopnath Ramphul SSS</td>
<td>Calbasses</td>
</tr>
<tr>
<td>Adolphe De Plevitz SSS</td>
<td>Grand Baie</td>
</tr>
<tr>
<td>S.Jugdambi SSS</td>
<td>Goodlands</td>
</tr>
<tr>
<td>Friendship College</td>
<td>Goodlands</td>
</tr>
<tr>
<td>R.Prayag SSS</td>
<td>Rivière Du Rempart</td>
</tr>
<tr>
<td>Universal College</td>
<td>Rivière Du Rempart</td>
</tr>
<tr>
<td>Piton SSS</td>
<td>Piton</td>
</tr>
<tr>
<td>Bhujoharry College</td>
<td>Pointe aux Sables</td>
</tr>
<tr>
<td>Medco</td>
<td>Cassis, Port Louis</td>
</tr>
<tr>
<td>Cosmopolitan College</td>
<td>Flaines Des Papayes</td>
</tr>
<tr>
<td>Lady Sushil SSS</td>
<td>Triolet</td>
</tr>
<tr>
<td>Merton College</td>
<td>Pamplemousses</td>
</tr>
</tbody>
</table>

##### Zone 2

<table>
<thead>
<tr>
<th>School Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sir Leckraz Teeluck SSS</td>
<td>Central Flacq</td>
</tr>
<tr>
<td>Prof.Bissoondoyal</td>
<td>Flacq</td>
</tr>
<tr>
<td>Manilal Doctor SSS</td>
<td>Lallmattic</td>
</tr>
<tr>
<td>Mayflower College</td>
<td>Brisee Verdiere</td>
</tr>
<tr>
<td>Royal Holloway College</td>
<td>Montagne Blanche</td>
</tr>
<tr>
<td>S. Indira Gandhi SSS</td>
<td>Quartier Militaire</td>
</tr>
<tr>
<td>Loretto Convent</td>
<td>Saint Pierre</td>
</tr>
<tr>
<td>Le Bocage</td>
<td>Moka</td>
</tr>
<tr>
<td>MGI</td>
<td>Moka</td>
</tr>
<tr>
<td>Ebene SSS</td>
<td>Ebene</td>
</tr>
<tr>
<td>Patten College</td>
<td>Rose Hill</td>
</tr>
<tr>
<td>New Eton College</td>
<td>Rose Hill</td>
</tr>
<tr>
<td>St-Mary's College</td>
<td>Rose Hill</td>
</tr>
<tr>
<td>John Kennedy College</td>
<td>Beau Bassin</td>
</tr>
</tbody>
</table>
### Zone 3

<table>
<thead>
<tr>
<th>School Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loreto Mahebourg</td>
<td>Mahebourg</td>
</tr>
<tr>
<td>France Boyer SSS</td>
<td>Plaine Magnien</td>
</tr>
<tr>
<td>S. Bissondoyal SSS</td>
<td>Rose Belle</td>
</tr>
<tr>
<td>MGSS Nouvelle France</td>
<td>Nouvelle France</td>
</tr>
<tr>
<td>Keats College</td>
<td>CheminGrenier</td>
</tr>
<tr>
<td>Thanacody College</td>
<td>Souillac</td>
</tr>
<tr>
<td>Rivière des Anguilles SSS</td>
<td>Rivière Des Anguilles</td>
</tr>
<tr>
<td>Hindu Girls College</td>
<td>Curepipe</td>
</tr>
<tr>
<td>Notre-Dame College</td>
<td>Curepipe</td>
</tr>
<tr>
<td>Presidency College</td>
<td>Curepipe</td>
</tr>
<tr>
<td>Mauritius College</td>
<td>Curepipe</td>
</tr>
<tr>
<td>Royal College</td>
<td>Curepipe</td>
</tr>
<tr>
<td>St. Joseph College</td>
<td>Curepipe</td>
</tr>
<tr>
<td>Samputh College</td>
<td>Curepipe</td>
</tr>
</tbody>
</table>

### Zone 4

<table>
<thead>
<tr>
<th>School Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>QuatreBornes SSS</td>
<td>Quatre Bornes</td>
</tr>
<tr>
<td>Patten College</td>
<td>Quatre Bornes</td>
</tr>
<tr>
<td>Loreto Convent</td>
<td>Quatre Bornes</td>
</tr>
<tr>
<td>N.Saddul College</td>
<td>Vacoas</td>
</tr>
<tr>
<td>Vacos SSS</td>
<td>Vacoas</td>
</tr>
<tr>
<td>MGSS Solferino</td>
<td>Vacoas</td>
</tr>
<tr>
<td>R.Chaperon SSS</td>
<td>Belle Rose</td>
</tr>
<tr>
<td>Phoenix SSS</td>
<td>Phoenix</td>
</tr>
<tr>
<td>Maurice Cure College</td>
<td>Vacoas</td>
</tr>
<tr>
<td>Adventist College</td>
<td>Phoenix</td>
</tr>
<tr>
<td>Morning Star</td>
<td>Trianon</td>
</tr>
<tr>
<td>La Galette SSS</td>
<td>La Galette</td>
</tr>
<tr>
<td>College du St. Esprit</td>
<td>Rivière Noire</td>
</tr>
<tr>
<td>Sivananda SSS</td>
<td>Bambous</td>
</tr>
</tbody>
</table>
CHAPTER 7

CASES LODGED
7.1 Analysis of Cases

From June 2014-June 2015, a total of 379 cases were lodged at the Office. The analysis of cases was carried out in terms of nature of complaint, gender, age and region.

Nature of Complaints

Around 41 different types of complaints were recorded; the complaints were classified in 17 different categories, as illustrated in the table below:

<table>
<thead>
<tr>
<th>Nature of Case</th>
<th>No. of cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adoption/Legal/Custody/Family Conflict</td>
<td>37</td>
</tr>
<tr>
<td>Absenteeism</td>
<td>34</td>
</tr>
<tr>
<td>School Problems/Education</td>
<td>40</td>
</tr>
<tr>
<td>Attempt Upon Chastity/Sexual Abuse/Sexual Harassment</td>
<td>36</td>
</tr>
<tr>
<td>Physical Abuse/Corporal Punishment</td>
<td>42</td>
</tr>
<tr>
<td>Bullying/Verbal Abuse</td>
<td>24</td>
</tr>
<tr>
<td>Transport Problems</td>
<td>2</td>
</tr>
<tr>
<td>Child at Risk/Child</td>
<td>13</td>
</tr>
<tr>
<td>Neglect/Exploitation/Labour/Prostitution</td>
<td>75</td>
</tr>
<tr>
<td>Child Beyond Control</td>
<td>11</td>
</tr>
<tr>
<td>Fugue/Missing/Kidnapping</td>
<td>9</td>
</tr>
<tr>
<td>Psychological/Behavioural Problems/Suicide</td>
<td>25</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>11</td>
</tr>
<tr>
<td>Carer/Shelter/Rehabilitation</td>
<td>9</td>
</tr>
<tr>
<td>Drugs/Alcohol/Social Problems</td>
<td>3</td>
</tr>
<tr>
<td>Poverty/Handicapped Child</td>
<td>3</td>
</tr>
<tr>
<td>Juvenile Offenders/Delinquency/Youth</td>
<td>10</td>
</tr>
<tr>
<td>Others</td>
<td>6</td>
</tr>
</tbody>
</table>

Table 7.1: Number of Cases

- a) The majority of cases were: child at risk, child neglect, child exploitation, child labour and child prostitution, representing 20% or 75 cases.
- b) Corporal punishment was also on the high side, representing 11% of the total or 42 cases.
- c) School problems represent 11%.
- d) Cases of adoption, legal issues, custody and family conflict represent 10% or 37 cases.
- e) 42 cases of absenteeism, representing 9% of were recorded.
- f) Other types of complaints received were: psychological/behavioural problems and suicide (7%), verbal abuse and bullying (6%) and child beyond control (3%).
Age

The Age of children was divided into 5 different age groups for analysis, namely: (0-3 yrs), (4-7 yrs), (8-11 yrs), (12-15 yrs) and (16-18 yrs). The results show that as was the case last year, the majority of cases relates to children between 12-15 yrs (27%) as illustrated in Figure 7.2 below:

Figure 7.2: Age of Children

<table>
<thead>
<tr>
<th>Age Group</th>
<th>No. of cases</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-3 yrs</td>
<td>23</td>
<td>6%</td>
</tr>
<tr>
<td>4-7 yrs</td>
<td>61</td>
<td>16%</td>
</tr>
<tr>
<td>8-11 yrs</td>
<td>74</td>
<td>20%</td>
</tr>
<tr>
<td>12-15 yrs</td>
<td>103</td>
<td>27%</td>
</tr>
<tr>
<td>16-18 yrs</td>
<td>35</td>
<td>9%</td>
</tr>
<tr>
<td>Unknown</td>
<td>83</td>
<td>22%</td>
</tr>
</tbody>
</table>

Table 7.2: Age distribution of Children

Gender

Result shows that there are more females (49%) than males (45%).

Figure 7.3: Gender

<table>
<thead>
<tr>
<th>Gender</th>
<th>No of Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female</td>
<td>187</td>
</tr>
<tr>
<td>Male</td>
<td>169</td>
</tr>
<tr>
<td>Unknown</td>
<td>23</td>
</tr>
<tr>
<td>Grand Total</td>
<td>379</td>
</tr>
</tbody>
</table>

Table 7.3: Gender Distribution
The analysis of cases per region was grouped according to its respective Municipal and District councils.

**Figure 7.4: Region**

<table>
<thead>
<tr>
<th>Region</th>
<th>No of Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Port Louis</td>
<td>78</td>
</tr>
<tr>
<td>Q.Bornes</td>
<td>25</td>
</tr>
<tr>
<td>Curepipe</td>
<td>32</td>
</tr>
<tr>
<td>Moka/Flacq</td>
<td>32</td>
</tr>
<tr>
<td>Grand Port/Savanne</td>
<td>31</td>
</tr>
<tr>
<td>B.Bassin/R-Hill</td>
<td>71</td>
</tr>
<tr>
<td>Vacoas/Phoenix</td>
<td>23</td>
</tr>
<tr>
<td>Pamplemousses/Riv. Du Rempart</td>
<td>48</td>
</tr>
<tr>
<td>Black River</td>
<td>10</td>
</tr>
<tr>
<td>Rodrigues</td>
<td>11</td>
</tr>
<tr>
<td>Unknown</td>
<td>16</td>
</tr>
<tr>
<td>Foreign (Reunion, France)</td>
<td>2</td>
</tr>
</tbody>
</table>

**Table 7.4: Distribution of Cases per Region**

a) The majority of cases recorded are from Port Louis (21% or 78 cases), the regions of Cassis, Point aux Sables, Tranquebar, Vallee des Pretres, PlaineVerte and Saint Croix.
b) 19% or 71 cases received are from the town of Beau-Bassin/Rose-Hill. Most of the cases come from Chebel, Cite Barkly, Camp Levieux and Coromandel.
c) The district of Pamplemousses/Riviere du Rempart represents 13% of the total or 48 cases.
d) From Curepipe, 32 cases (9%) were lodged, mostly from regions of Malherbes, Highlands and Forest-Side.
e) The other regions are: Moka/Flacq (9%), Grand Port/ Savanne (8%), Quatre Bornes (7%) and Black River with the lowest percentage of 3% or 10 cases.
f) Cases recorded in Rodrigues are 3% (11 cases).
g) The Office also recorded a few cases of Mauritian children living abroad mostly from Reunion Island and France.
7.2 Selected Cases

7.2.1 OCO/COMP/11/3646

Nature of complaint

On 25 April 2015, our Office opened an enquiry into a case of alleged sexual abuse on a 4-year-old girl. The perpetrator was a member of her family.

Action taken

1. The OC and the Investigator in charge of the file met with the minor’s mother and her live-in partner. The mother related how her daughter had been sexually abused for a long time, and it was only on 5 May 2015 that she was able to take her child home under her responsibility.

2. At the request of the OC, an NGO kindly accepted to assist the family.

3. The Office requested the following:
   a. the MOHQL to submit the child’s medical records;
   b. the MEHRTESR to give psychological assistance and support to the child; and
   c. the MSSEE to provide financial assistance to the family.

4. On 5 June 2015, the mother complained that her daughter was very aggressive towards her step brother. The matter was referred to the CDU.

Outcome

It would appear that the child was at risk, as the mother could not cope with the behavioural problem of the child. The CDU consequently placed the child in a RCI.

7.2.2 OCO/COMP/11/3567

Nature of complaint

A child was seriously injured on school premises. A branch had fallen on her leg. It was reported that officers of the Road Development Authority were felling branches during school hours.

Action taken

According to the child’s father, his daughter sustained a fractured leg. He deplored the lack of safety in the school compound and reported the matter to the Police. The Headmaster informed our Office that a Health and Safety Officer from the MEHRITESR had enquired into the matter.

The Office requested a report from:

(i) the Police;
(ii) the Headmaster on the incident and measures taken to enhance safety on the school premises; and
(iii) Health and Safety Officer of the MEHRITESR.

As at 23 February 2015, the child was still bedridden. Our Office recommended that a teacher be sent to the child’s place at least once a week to cover the school programme.

Outcome

The lopping of branches was stopped. The Headmaster and a School Inspector had visited the child.
Follow up

The child has now recovered and has resumed school.

7.2.3 OCO/COMP/3406

Nature of complaint

Following a radio program on “Absenteeism” on 27 June 2014, a mother complained that her daughter, who was in standard II, had not been attending school since February 2014, as she did not get along with her new teacher. Despite the numerous working sessions undertaken by the psychologist of MEHRTESR, the child failed to turn up in class.

Action taken

1. On 1 July 2014, the Office requested for a copy of the psychological report from the MEHRTESR.
2. On 2 September 2014, the OC received mother and child. Two officers spoke to the child in the children’s corner.
3. Investigator in charge of the case discussed the child’s problem with the Headmistress. The latter promised that she would speak to the teacher and would do the needful so that the child could resume school.
4. The OC suggested to the Zone Directorate that the child’s mother be allowed to stay with her daughter in school to help her overcome her insecurities.

Outcome

The child has now a more positive attitude, she has resumed school and her relationship with her teacher has improved.

Follow up

On 2 October 2014, an Investigator and an officer met with the Headmistress, the teacher and the child. There was a marked difference in the child’s attitude. Gone was the shy and confused girl.

On 28 May 2015, the Investigator again called the child’s mother for feedback. The child, now in standard III, attends school regularly and is doing very well.

7.2.4 OCO/SME/L/SCH/VSO/234

Our Office received complaints that the manager of a SEN school run by an NGO has been violating the rights of the pupils, residents of the three RCIs, managed by the same organisation. There were 31 pupils attending the school, all of them were girls. The main complaints received were corporal punishment.

Action taken

A visit was effected on 02 April 2015. Our officers interviewed the Head of the school, teachers and a few pupils. They gathered the following information:

- the centre was registered as a SEN school in 2014 and was granted a one year temporary registration, expiring in October 2015;
- children were transferred from mainstream schools to the centre without any prior assessment;
- the school does not follow the National Curriculum; and
- children were not being provided with a balanced diet.

Outcome

1. The MEHRTESR was informed of the situation and requested to take appropriate action.
2. The MOHQL was requested to carry out regular inspections and to advise management on proper nutrition.
7.2.5 OCO/Comp/11/3552

A mother complained that the class teacher did not pay attention to her daughter. She explained that during an educational outing, pupils were left under the responsibility of two male teachers as the only lady teacher accompanying them had to leave early to attend a funeral in her family. The itinerary was modified and pupils returned home earlier. Part of the fare was refunded. The mother expressed her grievance to the Headmistress. She alleged that since then her daughter has been victimised.

The mother was not happy with the teaching method. According to her, the children were lagging behind. A class PTA was organised to sort out matters but the teacher did not turn up.

Action taken:

1. Two Investigators repaired to the school to enquire into the matter. The Headmistress:
   - spoke highly of the teacher;
   - stated that following the complaints, the school inspectors called at the school on several occasions and followed the work of the teacher. They did not notice any shortcomings;
   - explained that on the day of the class PTA, the teacher had to leave early as he was not well. The parent created a pandemonium in the school compound and the police had to be called to restore order.

The officers also met the teacher who vehemently denied the complaints levelled against him. He stated that the child used to take private tuition from him and is a very bright pupil. According to him, the problem had nothing to do with his teaching method but rather a family issue.

The officers addressed the class on the rights of the child and one officer spoke to a few children individually. According to the children, the teacher is very caring and they like him.

Outcome

1. The investigation revealed that the child has not been in any way victimised.

2. The parents were requested to provide a conducive learning environment and to refrain from putting pressure on the teacher.

7.2.6 OCO/Pro/SCH/42/147

Complaints from a Secondary School

Two Investigators met members of the Student Council on 5 May 2015. A representative of the Regional Directorate was present. The pupils were made aware of the role and function of our Office. They were also given an overview on the Convention on the Rights of the Child with emphasis on Article 12 – the Right to be Heard.

The pupils reported that:

1. they have no problem with the school administration, particularly with the Rector. The latter has taken several positive measures. The situation at the school has improved. There is more discipline and the school environment is healthier;

2. the toilets need to be repaired. The new toilet block is not yet operational;

3. the Physical Education and outdoor activities for the pre-vocational sections were stopped at beginning of the second term; and

4. there are only 2 school buses for a school population of nearly 500 pupils. Many pupils arrived at school late and in the afternoon they have to walk a long distance to catch the public transport.
Action taken:

The MEHRTESR was apprised of the complaints and was requested to take appropriate measures at the earliest.

Outcome

In a correspondence dated 22 June, the MEHRTESR reported the following:

(i) most toilets have been repaired and old ones would be renovated by MPI in the next financial budget. The new block is partly operational and only one cubicle is closed because of ongoing repair works;

(ii) pre-vocational streams have weekly Physical Education classes, as per their time table. They also have various outdoor activities; and

(iii) requests have been made to the NTA for 2 additional buses (1 NTC and 1 UBS).

7.2.7 OCO/PRO/SCH/42/172

Our Office was informed that pupils in a State College in lower Plaine Wilhems, very often jumped over the wall and left the school compound during school hours; they bought cigarettes in a nearby shop; the Rector was aware of the problems but failed to take appropriate action.

Action taken:

1. A letter was sent to the Rector requesting for explanations. He admitted being aware of the problem but given his workload, it was difficult for him to monitor the situation. He added that:

   (i) the school compound is fenced except for an area where the barbed wires were damaged;
   (ii) some parents encourage their children to leave school earlier to attend private tuition; and
   (iii) there is no gate keeper posted at the school despite several requests made to the Zone Directorate.

2. A visit was carried out at the school to assess the situation. The officers seized the opportunity to sensitize a group of pupils on their rights and responsibilities at school. The officers observed the following:

   (i) the gate was opened, a student was leaving the school compound and some students were wandering around;
   (ii) on their way to the hall, the officers saw a group of pupils playing cards in the yard. The Rector confiscated the pack of cards; and
   (iii) on leaving the school premises, pupils were seen still playing cards.

The matter was discussed with the Rector. The Commissioner of Police was requested to take action on complaints regarding the sales of cigarettes. The police gave the shopkeeper a warning.
7.2.8 OCO/COMP/11/3485

Nature of complaint

On 17 September 2014, the Office received an anonymous complaint alleging that a 12 year old child refused to attend school and his father did not take any remedial action.

Action taken

The case was referred to the MEHRTESR, requesting that the child be provided with appropriate support.

Outcome

1. As per report dated 29 September 2014, from the MEHRTESR:
   - a social worker visited the child and his family;
   - child was refusing to go to school because he suffers from skin problem;
   - the social worker advised the parents on the services provided by the MOHQL;
   - the child’s father was counselled on the importance of education; and
   - the father promised that he would send his child to school.

2. The child has been followed by an Educational Social Worker and since then has been attending school.

7.2.9 OCO/COMP/11/3399

Nature of complaint

Father of child Sara (fictitious name) called at the Office in June 2014 complaining against the management of the pre-primary school which Sara attends. He stated that:

- for the past year, his child has been returning home from school with minor injuries;
- he filed a complaint at the ECCEA and had a meeting with an officer;
- the officer assured him that inspectors would visit the school and that the problems would be looked into;
- the manager of the pre-primary school did not allow his child to attend school because he had made a complaint to the ECCEA; and
- an officer of the ECCEA advised him to transfer Sara to another school because he did not sign the school’s rules and regulations.

Action taken

The investigator contacted a coordinator working at the ECCEA to enquire about the case. According to the Coordinator, he did not give any instruction to any Officer regarding the transfer of the child. He assured the investigator that he would look into the matter.

Outcome

The coordinator called Sara’s father informing him that he has taken matters in hand. Sara is now happily attending school.
7.2.10 OCO/COMP/11/3568

Nature of complaint

Sanjay (fictitious name) is a Form 3 student in a private school. The mother claimed that Sanjay has been sent home from school because he brought his chemistry textbook instead of his physics textbook and she has not been informed.

Action taken

The Manager of the school informed our Office, by letter, that students who do not have their textbooks would not be admitted in class. The Manager was summoned to our Office to provide additional information.

Outcome

According to two representatives from the school:

- Sanjay did not bring his books to school;
- no child has been sent back from school without prior notice to the parents; and
- children are sent back home as a disciplinary measure.

The representatives were reminded that sending back a child from school could put the child at risk since there is no guarantee that the child would return home. The representatives were advised that disciplinary measures should not be to the detriment of children and that the best interests of children should be taken into consideration at all times.

7.2.11 OCO/COMP/11/3488

Family Conflict/Child neglect

Child Doger (fictitious name) aged 15, accompanied by a member of his family called at the Office on 17 September 2014. The child alleged that he is victim of neglect, physical and verbal abuse by his father. The child is compelled to stay at his relative's place since he is being denied access to the family house. Since the death of his mother in March 2014, his relationship with his father grew from bad to worse. His father re-married. The child is very much distressed by the conflict within his family.

Action taken

1. Reports from the police and the CDU have been sought.
2. Mediation has been carried out over a certain period.

Outcome

The father-son relationship has improved. The family is now living happily under the same roof.

7.2.12 OCO/COMP/11/3517

Corporal Punishment

On 14 October 2014, the Office received a complaint alleging that a teacher has inflicted corporal punishment on child Chris (fictitious name). The mother alleged that the incident had a severe impact on the child. He is having serious memory problems and is depressed. He feels that the school environment is hostile and he is not in the correct frame of mind to attend school. The child is following psychiatric treatment.
**Action taken**

1. Reports from the MEHRTESR have been sought.
2. Our Office recommended that the child be admitted to a SEN school.

**Outcome**

The child has been admitted to a SEN school and the MEHRTESR is following the child.

### 7.2.13 OCO/COMP/11/3445

**Alleged neglect by father**

Neel (fictitious name) lives with his paternal aunt and uncle. The paternal aunt alleged that he is neglected by his father. The father does not pay the school fees and does not support the child financially.

**Action taken**

1. Mediation has been carried out.
2. The matter was referred to CDU.

**Outcome**

1. The child has been admitted to a state school.
2. The child continues to live with his relatives but does spend time with his father.

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<tr>
<th>S No</th>
<th>Training</th>
<th>Officer</th>
<th>Objectives</th>
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<tbody>
<tr>
<td>1</td>
<td>Bilateral training course in Public Administration, 3 to 22 July 2014, Peking University China.</td>
<td>Mr Y. Munbodh, Deputy Permanent Secretary</td>
<td>The training aimed at providing deeper insights in public administration and highlighted the historical, cultural, political, economic and social perspectives of China, cutting across the public sector and its strategic policies.</td>
</tr>
<tr>
<td>2</td>
<td>International Summer Course on the Rights of the Child, 11 to 18 July 2014, University of Moncton, New Brunswick, Canada.</td>
<td>Mr I.A. Bawamia, Investigator</td>
<td>The training programme focused on: (i) fundamental principles history and philosophy, enforcement mechanisms and the various educational and psychological approaches as per the UN Convention on the Rights of the Child. (ii) the right of the child to be heard before judicial and administrative institutions. (iii) the child’s rights to be heard in public engagement processes, various youth hearing processes and child &amp; youth parliaments and decisions making structures.</td>
</tr>
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<td>4</td>
<td>International Summer Course on the Rights of the Child, 5 to 10 July 2015, University of Moncton, New Brunswick, Canada.</td>
<td>Mrs S. Johaheer, Investigator</td>
<td>The course dealt with issues concerning the mental health of children and teenagers and focused on Section 23 and 24 of the UNCRC. The objective of the course is to encourage learning focused on current issues and to</td>
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<td>No.</td>
<td>Event Description</td>
<td>Presenter(s)</td>
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<td>5</td>
<td>Early Childhood Development (ICQN-ECD), 6th August 2014.</td>
<td>Mr. I.A. Bawamia Investigator</td>
<td>To bring together representatives from ministries of education to address common national priorities in the ECD sector.</td>
</tr>
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<td>6</td>
<td>Human Rights Education (Ministry of Education), 18th August 2014.</td>
<td>Mr. I.A. Bawamia Investigator</td>
<td>To validate a document on how to integrate Human Rights in the present lower secondary curriculum.</td>
</tr>
<tr>
<td>7</td>
<td>University of Mauritius Roundtable, 28th August 2014.</td>
<td>Mr. I.A. Bawamia Investigator</td>
<td>The status of victims in Mauritius</td>
</tr>
<tr>
<td>8</td>
<td>Half-day Workshop on International Humanitarian Law, 19th November 2014, Prime Minister’s Office.</td>
<td>Ms S.P. Mauree Investigator</td>
<td>Introduction and sensitisation on International Humanitarian Law, New Weapons (cyber attacks: drones, autonomous robots, computer operated weapons)</td>
</tr>
<tr>
<td>9</td>
<td>Workshop on the Commemoration of the International Day Against Violence Against Women, 25th November 2014.</td>
<td>Ms S. Johaheer Investigator and Mr Y. Munbodh, Deputy Permanent Secretary</td>
<td>To reflect and devise strategies to better fight violence against women with focus on the perpetrator.</td>
</tr>
<tr>
<td>10</td>
<td>Project “TOUCHE PAS”, 22nd July 2015, ASTEK, Ebène.</td>
<td>Ms S.P. Mauree Investigator</td>
<td>ASTEK Mauritius (Societe de conseil et de services en systèmes d'information et R&amp;D) is working on a 2D interactive application named « Touche Pas »; this application would be a tool for adults/teachers to talk about sexual abuse with children.</td>
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</tbody>
</table>

Table 8.1: Training/Workshop/Meeting attended by officers

ANNEXES

1. Ombudsperson for Children’s Act
3. World Education Forum/INCHEON Declaration 2015
OMBUDSPERSON FOR CHILDREN ACT
Act 41 of 2003 – 20 November 2003

ARRANGEMENT OF SECTIONS

SECTION
1. Short title
2. Interpretation
3. Establishment of Office of Ombudsperson for Children
4. Appointment of Ombudsperson for Children
5. Objects of Office of Ombudsperson for Children
6. Functions of Ombudsperson for Children
7. Investigation
8. Protection of witnesses
9. Protection from liability
10. Staff of Ombudsperson for Children
11 A. Offences
12. Regulations
13. — SCHEDULE

1. Short title

This Act may be cited as the Ombudsperson for Children Act.

2. Interpretation

“child” means a person under the age of 18;


“Minister” means the Minister to whom responsibility for the subject of child development is assigned;

“Ombudsperson for Children” means the Ombudsperson for Children whose Office is established under section 3;

“public body” means—

(a) a Ministry or Government Department;

(b) a local authority;

(c) a statutory corporation;

(d) any other company, partnership or other entity of which Government is, by the holding of shares or some other financial input, or in any other manner, in a position to influence the policy or decision of such body.

3. Establishment of Office of Ombudsperson for Children

(1) There is established for the purposes of this Act the Office of Ombudsperson for Children.

(2) The Ombudsperson for Children shall be a person who has a wide knowledge of the issues and the law relating to children in Mauritius.

(3) The Ombudsperson for Children shall take before the President the oath specified in the Schedule before assuming the duties of his Office.

4. Appointment of Ombudsperson for Children

(1) The Ombudsperson for Children shall be appointed by the President of the Republic, acting after consultation with the Prime Minister, the Leader of the Opposition, the Minister and such other persons as he considers appropriate.

(2) An appointment under subsection (1) shall be subject to such terms
and conditions as the President may determine.

(3) The Ombudsperson for Children shall hold Office for 4 years and shall be eligible for reappointment for only a second term of 4 years.

(4) The President may remove the Ombudsperson for Children from Office for inability to perform the functions of his Office, whether arising from infirmity of body and mind or any other cause, or for misbehaviour.

(5) The Ombudsperson for Children shall not engage in any trade, business, profession or political activity.

5. Objects of Office of Ombudsperson for Children

The Ombudsperson for Children shall—

(a) ensure that the rights, needs and interests of children are given full consideration by public bodies, private authorities, individuals and associations of individuals;

(b) promote the rights and best interests of children;

(c) promote compliance with the Convention.

6. Functions of Ombudsperson for Children

In carrying out the duties of his Office, the Ombudsperson for Children shall—

(a) make proposals to the Minister on legislation, policies and practices regarding services to, or the rights of, children;

(b) advise the Minister on public and private residential placement facilities and shelters established for the benefit of children;

(c) advise public bodies and other institutions responsible for providing care and other services to children on the protection of the rights of children;

(d) take such steps as he may deem necessary to ensure that children under the care of, or supervision of, a public body are treated fairly, properly and adequately;

(e) propose measures to ensure that the legal rights of children in care are protected and that the placement facilities promote the safety of children and conform with such norms as the Ombudsperson for Children may, from time to time, recommend;

(f) initiate an investigation whenever the Ombudsperson for Children considers that there is, has been or is likely to be a violation of the rights of a child;

(g) investigate cases relating to the situation of children in the family, in schools and in all other institutions, including private or public bodies, as well as cases of abandoned children or street children;

(h) investigate any suspected or reported case of child labour;

(i) investigate any case concerning a child who is a citizen of Mauritius and who may be abroad at the time of the investigation, or a child who is not a citizen of Mauritius but who is residing in Mauritius;

(j) investigate complaints made by a child, or any other person, in relation to the rights of any child;

(k) advise the Minister on the establishment of mechanisms to afford children the ability to express themselves freely, according to their age and maturity, especially on all matters concerning their individual or collective rights;

(l) advise the Minister on the creation of partnerships with parents, teachers, non-governmental as well as governmental organisations, local authorities and any other stakeholders committed to the promotion of children’s rights.

7. Investigation

(1) Where the Ombudsperson for Children considers, either upon complaint made to him or on his own motion, that it is necessary to investigate a matter relating to the rights of a child, the Ombudsperson for Children shall investigate the complaint in such manner as he considers appropriate.

(2) For the purposes of an investigation under this Act, the Ombudsperson for Children may—

(a) request any person, including any public Officer, to provide information concerning a child whose rights have been, are being or are likely to be violated;

(b) enter premises where—

(i) a child is present, either temporarily or permanently, including an educational or health institution and a place of detention, in order to study the environment of such a place and assess its suitability;

(ii) a child may be in employment;

(iii) there is reasonable ground to believe that the moral and physical safety of a child may be in danger;

(c) request the Commissioner of Police to enquire and report to the Ombudsperson for Children on any allegation relating to: the breach of the rights of a child;

(d) enter any licensed premises where the Ombudsperson for Children suspects that alcohol and tobacco may be handled, consumed or purchased by children;

(e) record the statement of any person in connection with an investigation;

(f) request the assistance of the Commissioner of Police and the Officer-in-charge of any public body or institution, as the case may be, to facilitate any entry and effect, where appropriate, any seizure pursuant to paragraphs (b) and (d);

(g) summon witnesses and examine them on oath;

(h) call for the production of any document or other exhibit; and

(i) obtain such information, file or other record, upon application to the Judge in Chambers whenever necessary under any law, as
may be required for the investigation.

(3) Following an investigation under subsection (1), the Ombudsperson for Children shall—
   (a) act as a mediator to resolve any dispute relating to the rights of the child;
   (b) make a report to such person or authority as the Ombudsperson for Children considers appropriate;
   (c) make proposals of a general nature to the Minister or on any matter which may have arisen in the course of the investigation.

(4) The Ombudsperson for Children shall not investigate any case which is pending before any Court but may refer any child involved in such a case to the Ministry for advice, assistance or counselling.

[S. 7 amended by s. 3 of Act 8 of 2005.]

8. Protection of witnesses

Notwithstanding any enactment, no statement made in good faith by any person by way of a written complaint, or by the giving in writing of a statement made in the course of an investigation, to the Ombudsperson for Children, or any member of the staff of the Ombudsperson for Children, shall subject the maker of the statement to, or be used against him in, any civil or criminal proceedings.

9. Protection from liability

No liability, civil or criminal, shall lie against the Ombudsperson for Children, or any member of the staff of the Ombudsperson for Children, in respect of anything which is done, or purported to be done, in good faith under this Act or in respect of the publication, by or under the authority of the Ombudsperson for Children, of any report, proceedings or other matter under this Act.

10. Staff of Ombudsperson for Children

The Secretary to Cabinet and Head of the Civil Service shall make available to the Ombudsperson for Children such administrative and other staff as the Ombudsperson for Children may require.


(1) The Ombudsperson for Children shall, not later than 30 September in each year, submit a report on its activities during the preceding year to the President.

(2) Notwithstanding subsection (1), the Ombudsperson for Children may at any other time, submit a special report on any matter which, in his opinion, is of such urgency or importance that it should not be delayed until submission of an annual report to the President.

(3) The President shall cause every report sent to him under this section to be laid before the Assembly within one month of its submission.

11A. Offences

(1) A person shall commit an offence—
   (a) where he—
      (i) fails to attend before the Ombudsperson for Children;
      (ii) refuses to take the oath before the Ombudsperson for Children;
      (iii) wilfully refuses to furnish any information or to produce any document, record, file or exhibit, when required to do so under section 7;
      (b) where he—
         (i) refuses to answer to the best of his knowledge any question lawfully put to him by the Ombudsperson for Children;
         (ii) knowingly gives to the Ombudsperson for Children false evidence or evidence which he knows to be misleading, in connection with an investigation under section 7;
      (c) where at any sitting held for the purposes of an investigation under section 7, he—
         (i) insults the Ombudsperson for Children;
         (ii) wilfully interrupts the proceedings.

(2) Any person who commits an offence under this section shall, on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 12 months.

[S. 11A inserted by s. 4 of Act 8 of 2005.]

12. Regulations

The Minister may—
   (a) make such regulations as he thinks fit for the purposes of this Act;
   (b) after consultation with the Ombudsperson for Children, make regulations for the purpose of regulating the procedure to be applied for the investigation of complaints by the Ombudsperson for Children.

13. —

SCHEDULE

[Section 3]

I, having been appointed to be the Ombudsperson for Children under the Ombudsperson for Children Act do swear/solemnly affirm that I shall faithfully, impartially and to the best of my ability discharge the trust and perform the duties devolving upon me by such appointment and that I shall not, without reasonable cause, disclose any information imparted to me in the performance of such duties.

(S) Before me,

Date: (S) President of the Republic
Annex 2

Convention on the Rights of the Child – Simplified Version

Article 1 (Definition of the child): The Convention defines a ‘child’ as a person below the age of 18, unless the laws of a particular country set the legal age for adulthood younger. The Committee on the Rights of the Child, the monitoring body for the Convention, has encouraged States to review the age of majority if it is set below 18 and to increase the level of protection for all children under 18.

Article 2 (Non-discrimination): The Convention applies to all children, whatever their race, religion or abilities; whatever they think or say, whatever type of family they come from. It doesn’t matter where children live, what language they speak, what their parents do, whether they are boys or girls, what their culture is, whether they have a disability or whether they are rich or poor. No child should be treated unfairly on any basis.

Article 3 (Best interests of the child): The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.

Article 4 (Protection of rights): Governments have a responsibility to take all available measures to make sure children’s rights are respected, protected and fulfilled. When countries ratify the Convention, they agree to review their laws relating to children. This involves assessing their social services, legal, health and educational systems, as well as levels of funding for these services. Governments are then obliged to take all necessary steps to ensure that the minimum standards set by the Convention in these areas are being met. They must help families protect children’s rights and create an environment where they can grow and reach their potential. In some instances, this may involve changing existing laws or creating new ones. Such legislative changes are not imposed, but come about through the same process by which any law is created or reformed within a country. Article 41 of the Convention points out the when a country already has higher legal standards than those seen in the Convention, the higher standards always prevail.

Article 5 (Parental guidance): Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to use their rights properly. Helping children to understand their rights does not mean pushing them to make choices with consequences that they are too young to handle. Article 5 encourages parents to deal with rights issues “in a manner consistent with the evolving capacities of the child”. The Convention does not take responsibility for children away from their parents and give more authority to governments. It does place on governments the responsibility to protect and assist families in fulfilling their essential role as nurturers of children.

Article 6 (Survival and development): Children have the right to live. Governments should ensure that children survive and develop healthily.

Article 7 (Registration, name, nationality, care): All children have the right to a legally registered name, officially recognised by the government. Children have the right to a nationality (to belong to a country). Children also have the right to know and, as far as possible, to be cared for by their parents.

Article 8 (Preservation of identity): Children have the right to an identity – an official record of who they are. Governments should respect children’s right to a name, a nationality and family ties.

Article 9 (Separation from parents): Children have the right to live with their parent(s), unless it is bad for them. Children whose parents do not live together have the right to stay in contact with both parents, unless this might hurt the child.

Article 10 (Family reunification): Families whose members live in different countries should be allowed to move between those countries so that parents and children can stay in contact, or get back together as a family.
Article 11 (Kidnapping): Governments should take steps to stop children being taken out of their own country illegally. This article is particularly concerned with parental abductions. The Convention’s Optional Protocol on the sale of children, child prostitution and child pornography has a provision that concerns abduction for financial gain.

Article 12 (Respect for the views of the child): When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account. This does not mean that children can now tell their parents what to do. This Convention encourages adults to listen to the opinions of children and involve them in decision-making – not give children authority over adults. Article 12 does not interfere with parents’ right and responsibility to express their views on matters affecting their children. Moreover, the Convention recognizes that the level of a child’s participation in decisions must be appropriate to the child’s level of maturity. Children's ability to form and express their opinions develops with age and most adults will naturally give the views of teenagers greater weight than those of a preschooler, whether in family, legal or administrative decisions.

Article 13 (Freedom of expression): Children have the right to get and share information, as long as the information is not damaging to them or others. In exercising the right to freedom of expression, children have the responsibility to also respect the rights, freedoms and reputations of others. The freedom of expression includes the right to share information in any way they choose, including by talking, drawing or writing.

Article 14 (Freedom of thought, conscience and religion): Children have the right to think and believe what they want and to practise their religion, as long as they are not stopping other people from enjoying their rights. Parents should help guide their children in these matters. The Convention respects the rights and duties of parents in providing religious and moral guidance to their children. Religious groups around the world have expressed support for the Convention, which indicates that it in no way prevents parents from bringing their children up within a religious tradition. At the same time, the Convention recognizes that as children mature and are able to form their own views, some may question certain religious practices or cultural traditions. The Convention supports children’s right to examine their beliefs, but it also states that their right to express their beliefs implies respect for the rights and freedoms of others.

Article 15 (Freedom of association): Children have the right to meet together and to join groups and organisations, as long as it does not stop other people from enjoying their rights. In exercising their rights, children have the responsibility to respect the rights, freedoms and reputations of others.

Article 16 (Right to privacy): Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

Article 17 (Access to information; mass media): Children have the right to get information that is important to their health and well-being. Governments should encourage mass media – radio, television, newspapers and Internet content sources – to provide information that children can understand and to not promote materials that could harm children. Mass media should particularly be encouraged to supply information in languages that minority and indigenous children can understand. Children should also have access to children’s books.

Article 18 (Parental responsibilities; state assistance): Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments must respect the responsibility of parents for providing appropriate guidance to their children – the Convention does not take responsibility for children away from their parents and give more authority to governments. It places a responsibility on governments to provide support services to parents, especially if both parents work outside the home.
Article 19 (Protection from all forms of violence): Children have the right to be protected from being hurt and mistreated, physically or mentally. Governments should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them. In terms of discipline, the Convention does not specify what forms of punishment parents should use. However any form of discipline involving violence is unacceptable. There are ways to discipline children that are effective in helping children learn about family and social expectations for their behaviour – ones that are non-violent, are appropriate to the child's level of development and take the best interests of the child into consideration. In most countries, laws already define what sorts of punishments are considered excessive or abusive. It is up to each government to review these laws in light of the Convention.

Article 20 (Children deprived of family environment): Children who cannot be looked after by their own family have a right to special care and must be looked after properly, by people who respect their ethnic group, religion, culture and language.

Article 21 (Adoption): Children have the right to care and protection if they are adopted or in foster care. The first concern must be what is best for them. The same rules should apply whether they are adopted in the country where they were born, or if they are taken to live in another country.

Article 22 (Refugee children): Children have the right to special protection and help if they are refugees (if they have been forced to leave their home and live in another country), as well as all the rights in this Convention.

Article 23 (Children with disabilities): Children who have any kind of disability have the right to special care and support, as well as all the rights in the Convention, so that they can live full and independent lives.

Article 24 (Health and health services): Children have the right to good quality health care – the best health care possible – to safe drinking water, nutritious food, a clean and safe environment, and information to help them stay healthy. Rich countries should help poorer countries achieve this.

Article 25 (Review of treatment in care): Children who are looked after by their local authorities, rather than their parents, have the right to have these living arrangements looked at regularly to see if they are the most appropriate. Their care and treatment should always be based on “the best interests of the child”. (see Guiding Principles, Article 3)

Article 26 (Social security): Children – either through their guardians or directly – have the right to help from the government if they are poor or in need.

Article 27 (Adequate standard of living): Children have the right to a standard of living that is good enough to meet their physical and mental needs. Governments should help families and guardians who cannot afford to provide this, particularly with regard to food, clothing and housing.

Article 28: (Right to education): All children have the right to a primary education, which should be free. Wealthy countries should help poorer countries achieve this right. Discipline in schools should respect children’s dignity. For children to benefit from education, schools must be run in an orderly way – without the use of violence. Any form of school discipline should take into account the child's human dignity. Therefore, governments must ensure that school administrators review their discipline policies and eliminate any discipline practices involving physical or mental violence, abuse or neglect. The Convention places a high value on education. Young people should be encouraged to reach the highest level of education of which they are capable.

Article 29 (Goals of education): Children’s education should develop each child’s personality, talents and abilities to the fullest. It should encourage children to respect others, human rights and their own and other cultures. It should also help them learn to live peacefully, protect the environment and respect other people. Children have a particular responsibility to respect the rights their parents, and education should aim to develop respect for the values and culture of
their parents. The Convention does not address such issues as school uniforms, dress codes, the singing of the national anthem or prayer in schools. It is up to governments and school officials in each country to determine whether, in the context of their society and existing laws, such matters infringe upon other rights protected by the Convention.

**Article 30 (Children of minorities/indigenous groups):** Minority or indigenous children have the right to learn about and practice their own culture, language and religion. The right to practice one’s own culture, language and religion applies to everyone; the Convention here highlights this right in instances where the practices are not shared by the majority of people in the country.

**Article 31 (Leisure, play and culture):** Children have the right to relax and play, and to join in a wide range of cultural, artistic and other recreational activities.

**Article 32 (Child labour):** The government should protect children from work that is dangerous or might harm their health or their education. While the Convention protects children from harmful and exploitative work, there is nothing in it that prohibits parents from expecting their children to help out at home in ways that are safe and appropriate to their age. If children help out in a family farm or business, the tasks they do be safe and suited to their level of development and comply with national labour laws. Children's work should not jeopardize any of their other rights, including the right to education, or the right to relaxation and play.

**Article 33 (Drug abuse):** Governments should use all means possible to protect children from the use of harmful drugs and from being used in the drug trade.

**Article 34 (Sexual exploitation):** Governments should protect children from all forms of sexual exploitation and abuse. This provision in the Convention is augmented by the Optional Protocol on the sale of children, child prostitution and child pornography.

**Article 35 (Abduction, sale and trafficking):** The government should take all measures possible to make sure that children are not abducted, sold or trafficked. This provision in the Convention is augmented by the Optional Protocol on the sale of children, child prostitution and child pornography.

**Article 36 (Other forms of exploitation):** Children should be protected from any activity that takes advantage of them or could harm their welfare and development.

**Article 37 (Detention and punishment):** No one is allowed to punish children in a cruel or harmful way. Children who break the law should not be treated cruelly. They should not be put in prison with adults, should be able to keep in contact with their families, and should not be sentenced to death or life imprisonment without possibility of release.

**Article 38 (War and armed conflicts):** Governments must do everything they can to protect and care for children affected by war. Children under 15 should not be forced or recruited to take part in a war or join the armed forces. The Convention’s Optional Protocol on the involvement of children in armed conflict further develops this right, raising the age for direct participation in armed conflict to 18 and establishing an ban on compulsory recruitment for children under 18.

**Article 39 (Rehabilitation of child victims):** Children who have been neglected, abused or exploited should receive special help to physically and psychologically recover and reintegrate into society. Particular attention should be paid to restoring the health, self-respect and dignity of the child.

**Article 40 (Juvenile justice):** Children who are accused of breaking the law have the right to legal help and fair treatment in a justice system that respects their rights. Governments are required to set a minimum age below which children cannot be held criminally responsible and to provide minimum guarantees for the fairness and quick resolution of judicial or alternative proceedings.

**Article 41 (Respect for superior national standards):** If the laws of a country provide better protection of children’s rights than the articles in this Convention, those laws should apply.
Article 42 (Knowledge of rights): Governments should make the Convention known to adults and children. Adults should help children learn about their rights, too. (See also article 4.)

Articles 43-54 (implementation measures): These articles discuss how governments and international organizations like UNICEF should work to ensure children are protected in their rights.

In the Incheon Declaration, the Ministers and other delegates recognized education as key to achieving full employment and poverty eradication. They also took the commitment to focus their efforts on access, equity and inclusion, quality and learning outcomes. The main decisions under each theme are given below:

**Access**

- To ensure the provision of 12 years of free, publicly funded equitable primary and secondary education, of which at least nine years are compulsory.
- To provide for at least one year of free and compulsory quality pre-primary education and that all children to have access to quality early childhood development, care and education.
- To provide meaningful education and training opportunities for out of school children and adolescents.

**Equity and Inclusion**

- To address all forms of exclusion and marginalisation, disparities and inequalities in access, participation and learning outcomes.
- No education target should be considered met unless met by all.
- To focus efforts on the most disadvantaged, especially those with disabilities and to ensure that no one is left behind.
Quality and Learning Outcome

- Commitment to quality education and to improving learning outcomes, which requires strengthening inputs, processes and evaluation of outcomes and mechanisms to measure progress.

- To ensure that teachers and educators are empowered, adequately recruited, well-trained, professionally qualified, motivated and supported within well-resourced, efficient and effectively governed systems.