



# OMBUDSPERSON FOR CHILDREN

**ANNUAL REPORT 2020-2021**

“ Father and child  
playing at  
Résidence Anoska ”





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## List of Acronyms

<b>ADHD</b>	Attention-Deficit Hyperactivity Disorder
<b>AOMA</b>	African Ombudsman and Mediators Association
<b>AOMF</b>	Association des Ombudsman et Médiateurs de la Francophonie
<b>BPM</b>	Brigade pour la Protection des Mineurs
<b>CAB</b>	Citizens Advice Bureau
<b>CDU</b>	Child Development Unit
<b>CERT-MU</b>	Computer Emergency Response Team (Mauritius)
<b>COVID-19</b>	Coronavirus disease of 2019
<b>CPA</b>	Child Protection Act 1994
<b>CRC</b>	Convention on the Rights of the Child
<b>CRPD</b>	Convention on the Rights of Persons with Disabilities
<b>CSA</b>	Child sexual abuse
<b>CSE</b>	Child sexual exploitation
<b>CSEC</b>	Commercial sexual exploitation of children
<b>CSO</b>	Child sex offender
<b>CTPA</b>	Combating of Trafficking in Persons Act 2009
<b>CYC</b>	Correctional Youth Centre
<b>DPP</b>	Director of Public Prosecutions
<b>ECCEA</b>	Early Childhood Care and Education Authority
<b>ECPAT</b>	End Child Prostitution and Trafficking
<b>EU</b>	European Union
<b>FWPO</b>	Family Welfare and Protection Officer
<b>HRC</b>	Human Rights Council (United Nations)
<b>HRDC</b>	Human Resource Development Council
<b>HSC</b>	Higher School Certificate
<b>ICT</b>	Information and Communication Technologies
<b>ICTA</b>	Information and Communication Technologies Authority
<b>IOI</b>	International Ombudsman Institute



<b>IP</b>	Internet Protocol
<b>IWG</b>	Interagency Working Group
<b>MBC</b>	Mauritius Broadcasting Corporation
<b>METEST</b>	Ministry of Education, Tertiary Education, Science and Technology
<b>MGEFW</b>	Ministry of Gender Equality and Family Welfare
<b>MHW</b>	Ministry of Health and Wellness
<b>MLHRDT</b>	Ministry of Labour, Human Resource Development and Training
<b>MP</b>	Member of Parliament
<b>MSSNSRI</b>	Ministry of Social Security, National Solidarity and Reform Institutions
<b>MWRCDFW</b>	Ministry of Women's Rights, Child Development and Family Welfare
<b>MYESR</b>	Ministry of Youth Empowerment, Sports and Recreation
<b>NCB</b>	National Computer Board
<b>NEF</b>	National Empowerment Foundation
<b>NGO</b>	Non-governmental organisation
<b>NSIF</b>	National Social Inclusion Foundation
<b>OC</b>	Ombudsperson for Children
<b>OCA</b>	Ombudsperson for Children Act 2003
<b>OCO</b>	Ombudsperson for Children's Office
<b>OCSA</b>	Online child sexual abuse
<b>OCSE</b>	Online child sexual exploitation
<b>OCSO</b>	Online child sex offender
<b>OCSASE</b>	Online child sexual abuse and sexual exploitation
<b>PMO</b>	Prime Minister's Office
<b>PPS</b>	Pre-Primary School
<b>PSAC</b>	Primary School Achievement Certificate
<b>PSEA</b>	Private Secondary Education Authority
<b>PTA</b>	Parents Teachers Association
<b>RCI</b>	Residential care institution
<b>RYC</b>	Rehabilitation Youth Centre
<b>SBFPF</b>	Statutory Bodies Family Protection Fund

<b>SEDEC</b>	Service Diocésain de L'Education Catholique
<b>SEN</b>	Special Education Needs
<b>SENA</b>	Special Education Needs Authority
<b>SENRDC</b>	Special Education Needs Resource and Development Centre
<b>SMF</b>	Special Mobile Force
<b>SRM</b>	Social Register of Mauritius
<b>SSS</b>	State Secondary School
<b>UN</b>	United Nations
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UNICEF</b>	United Nations International Children's Emergency Fund
<b>UOM</b>	University of Mauritius
<b>WHO</b>	World Health Organisation

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A stylized illustration of a woman with blonde hair and a rainbow headband, smiling, surrounded by four children of diverse ethnicities. The children are also smiling and appear to be holding hands or reaching towards the center. The illustration is in a soft, pastel color palette.

# **Chapter 1:**

## **General Introduction**



Source: UNICEF (n.d.) *CRC icons and child friendly text*. Retrieved on 20 September 2021 from [weshare.unicef.org/CS.aspx?VP3=SearchResult&STID=2AMZIFJXAUY](https://weshare.unicef.org/CS.aspx?VP3=SearchResult&STID=2AMZIFJXAUY)

## General Introduction

I would like to begin my Annual Report 2020-2021 by saying that **this year's publication is more about depth than breadth**. Let me explain. The context that has been created by our daily fight against the COVID-19 pandemic has undoubtedly moved the world in rethinking ways of life, policies and legislation in order to prioritise the health of citizens over other aspects such as education and leisure, among others. Countries across the globe, including the Republic of Mauritius, are being faced with the challenge of continuously figuring out a new 'normal' that would best fit their populations' needs, while at the same time, ensuring the respect of fundamental human rights that they ratified through international instruments, such as the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities or the African Charter on the Rights and Welfare of the Child.

As well stated by the Council of Europe (2020)<sup>1</sup> in the context of the COVID-19 pandemic, *"children may be confined, but their rights are not!"* As the Ombudsperson for Children (OC) of the Republic of Mauritius, it was my duty to ensure, along with the limits imposed by the sanitary situation, that my mandate assigned by the Ombudsperson for Children Act (OCA) 2003 (refer to Appendix A) was being fulfilled as far as possible. The work undertaken by my team and I has been summarised through a report on our activities and an overview of the cases that we handled in chapters 5 and 6 respectively.

### *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.*

*~ OCA 2003, section 5*

<sup>1</sup> Council of Europe (2020). *Children may be confined, but their rights are not!* Retrieved on 25 August 2020 from [www.coe.int/en/web/democracy/covid-19-newsroom/-/asset\\_publisher/ueOjQLU2N7mp/content/children-may-be-confined-but-their-rights-are-not-/9577501?inheritRedirect=false&redirect=https%3A%2F%2Fwww.coe.int%2Fen%2Fweb%2Fdemocracy%2Fnewsroom%3Fp\\_id%3D101\\_INSTANCE\\_ueOjQLU2N7mp%26p\\_p\\_lifecycle%3D0%26p\\_p\\_state%3Dnormal%26p\\_p\\_mode%3Dview%26p\\_p\\_col\\_id%3Dcolumn-1%26p\\_p\\_col\\_count%3D1](https://www.coe.int/en/web/democracy/covid-19-newsroom/-/asset_publisher/ueOjQLU2N7mp/content/children-may-be-confined-but-their-rights-are-not-/9577501?inheritRedirect=false&redirect=https%3A%2F%2Fwww.coe.int%2Fen%2Fweb%2Fdemocracy%2Fnewsroom%3Fp_id%3D101_INSTANCE_ueOjQLU2N7mp%26p_p_lifecycle%3D0%26p_p_state%3Dnormal%26p_p_mode%3Dview%26p_p_col_id%3Dcolumn-1%26p_p_col_count%3D1)

To return to the idea of depth rather than breadth for this current Annual Report, I chose this year to **focus on 3 main areas**, that were investigated upon thoroughly and analysed rigorously, in order to develop a more comprehensive understanding of the promotion and protection of local children's rights within complex environments and situations, notably:

- (1) The protection of the rights of the child in a locality perceived to be prone to violence against children;**
- (2) The phenomena of online child sexual abuse and sexual exploitation and their implications on children's rights in the country; and**
- (3) The impact of lockdowns during the COVID-19 pandemic on the rights of children with disabilities and those with special education needs.**

**The first area** was explored in the context of **an enquiry by the OCO carried out at *Résidence Anoska***, an area located at 16<sup>ème</sup> Mille, Forest Side, Curepipe, which is elaborated in chapter 2 of the present Annual Report. In accordance with section 7 of the OCA 2003, I initiated this investigation in June 2020, which was completed more than one year later in August 2021, with the aims of assessing whether the rights of children of *Résidence Anoska* were being protected, and of making recommendations in this regard to ensure compliance with the Convention on the Rights of the Child (CRC; United Nations [UN], 1989; refer to Appendix B for articles 1-42)<sup>2</sup>.

There was an accumulation of several events that triggered this investigation. On 05 April 2015, Eléana Edouarda Gentil, an 11-year-old girl who lived at *Résidence Anoska*, went missing. The police found her corpse in a state of decomposition on 15 April 2015 in a bushy area at *Nouvelle France*. At that time, the forensic doctors did not entirely dismiss the possibility that she might have been sexually abused. The suspicious death of this child caused public outrage and, since then, *Résidence Anoska* has been perceived as an extremely vulnerable area where children are considerably exposed to different forms of violence. Five years later, the sexual assault of a 3-year-old girl on 28 June 2020 reinforced the impression that *Résidence Anoska* still failed in the protection of its children.

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<sup>2</sup> United Nations (1989). *Convention on the Rights of the Child*. Geneva: Author.

Furthermore, I became very concerned by an increasing number of complaints received at my office related to gross child neglect at *Résidence Anoska*. I was also informed by some non-governmental organisations (NGOs) working within this locality that often families who were most at risk refused their services. Moreover, Officers of the Child Development Unit (CDU), the central authority for child protection in the country, usually encountered significant difficulties in the performance of their duty to protect children victims of different forms of abuse within this community. Some of them even feared for their security.

*“...I realised that the problems faced by its children were much more complex and community-wide, and that I had to use a systemic approach of investigation in order to analyse in a holistic manner the factors that affected the fulfilment of children’s rights in Résidence Anoska.”*

Until 28 June 2020, my work at *Résidence Anoska* was on a case-to-case complaint basis. However, given the above-stated information on this locality, I realised that the problems faced by its children were much more complex and community-wide, and that I had to use a systemic approach of investigation in order to analyse in a holistic manner the factors that affected the fulfilment of children’s rights in *Résidence Anoska*. Tightening the safety net to protect children of this community from all forms of rights violations and abuse indeed requires a systemic overhaul. Hence, my investigation covered different aspects, including

- housing conditions in the locality;
- the historical background of this community; and
- different community dynamics in matters related to children’s rights, more specifically their rights to leisure, education, protection, and a clean and safe environment.

In large part, the inquiry comprised of a survey during which my team and I gathered quantitative and qualitative data from various NGOs engaged with the community of *Résidence Anoska*, different governmental agencies (e.g., the National Social Inclusion Foundation [NSIF], the National Empowerment Foundation [NEF], the Child Development Unit [CDU], the police and schools attended by the children), as well as inhabitants of this locality. Above all, I was committed to ensuring that this



investigation included the voices and active participation of the community members of *Résidence Anoska*, including children. Moreover, an action research study by Mr Eric Mangar published in 2011 entitled “*The resettlement and integration of La Pipe Community in Mauritius: A Resettlement theory for planners, dam builders, NGOs and affected population against forced resettlement*” further contributed to informing this enquiry. This study was an eye opener on the historical relocation in the year 1999 of the former inhabitants of *La Pipe*, Midlands, to an area in 16<sup>ème</sup> Mille, Forest Side, which later became known as *Résidence Anoska*. For additional information, relevant newspaper articles regarding happenings in this locality were also consulted.

As I mentioned earlier, this investigation on *Résidence Anoska* took a number of months to complete. My team and I encountered a series of challenges, as outlined below:

- There was an absence of written reports on children of this locality and an unavailability of quantitative data related to children of different age groups and their families.
- At the beginning of the survey, we faced some reticence from inhabitants to be interviewed by staff of the Ombudsperson for Children’s Office (OCO).
- Some visits by the OCO’s staff had to be scheduled outside working hours to improve chances of meeting a maximum of inhabitants of the locality.
- With some families, several attempts had to be made by the OCO’s staff to encourage them to participate in the survey.
- Sanitary measures restricting social gatherings and interactions in the context of the COVID-19 pandemic slowed down the investigation process considerably.
- Meetings could only be organised in small groups, which were time consuming and stretched over long periods of time.

I am hoping that the investigation report on this locality, as given in chapter 2 of the present publication, could be used as a blueprint by the inhabitants and all other stakeholders engaged within *Résidence Anoska* for the following two main purposes:

- (1) to understand the history, strengths and possible areas of improvement of this locality; and

- (2) to implement evidence-based, coordinated and multi-partnership projects, involving governmental and non-governmental organisations as well as the inhabitants, for the protection and betterment of the children and families of this community.

It is important to highlight here, that, in addition to the inquiry on *Résidence Anoska*, the OCO's team also handled many other complaints and investigations related to other areas such as violation of children's rights at school, in the family or in alternative care settings, among others. I would not hesitate to add that we are a hardworking team and, that we strive annually to optimise our available resources and handle a maximum number of complaints, in view to promote and protect the rights of our country's children. From July 2020 to August 2021, nearly 80 per cent of our caseload had been resolved.

*“As the OC, I am deeply concerned with the reality that some children of our country are being manipulated online for sexually abusive and exploitative purposes.”*

**The second area** that my team and I attended to this year was **the phenomena of online child sexual abuse and sexual exploitation (OCSASE) and their implications on children's rights in the country.** Since the onset of the COVID-19 pandemic, a surge in the use of the internet by children across age groups for different

functions, including education and entertainment, has been observed around the world, and the Republic of Mauritius is no exception. Although the UN Committee on the Rights of the Child (2021)<sup>3</sup> noted that the digital environment “*affords new opportunities for the realization of children's rights*”, it also warned that it “*poses the risks of their violation or abuse*”.

As the OC, I am deeply concerned with the reality that some children of our country are being manipulated online for sexually abusive and exploitative purposes. Videos portraying them engaging in sexual activities are being streamed and indecent images circulated on the internet. There is no doubt that the circulation of these sexually explicit materials has caused significant harm to the minors

<sup>3</sup> Committee on the Rights of the Child (2021). *General comment No. 25 (2021) on children's rights in relation to the digital environment*. Geneva: UN.

involved and may have long-lasting traumatic effects on their mental health, education and future opportunities.

This year, I conducted an own-motion enquiry on the issues of OCSASE and launched a Press Communiqué to invite inputs from the general public, including children and young people, on OCSASE and related matters. The main aims were to deepen our understanding of OCSASE, based on both international and local perspectives on these matters, and to propose evidence-based recommendations using a child rights lens that could help target the root causes of these expanding social ills among children. The full enquiry report is provided in chapter 3 of the present publication. I strongly believe that building a safer childhood is all stakeholders' responsibility, and this also includes the empowerment of children to learn to identify threats to their own protection, both online and offline.

Finally, **the third area** of focus in the current Annual Report, as provided in chapter 4, is **the impact of lockdowns during the COVID-19 pandemic on the rights of children with disabilities and those with special education needs (SEN)**. I would like to reiterate that it is inevitable during pandemics for authorities' decisions regarding public health, for example, actioning a national or regional lockdown, to naturally take precedence over other aspects of life, such as education or leisure, of all citizens, including children. Nevertheless, it remains important to appraise the impact of such lockdowns on the population, especially on vulnerable groups of children such as those with disabilities and special education needs.

Hence, this year, my team and I attempted to identify some of the barriers faced by children with visual, hearing, intellectual and multiple impairments with regards to online/remote education and how these could be overcome through relevant accessibility features. We also interviewed several parents/caregivers who have children with disabilities and/or SEN to get

*“...it is inevitable during pandemics for authorities' decisions regarding public health, for example, actioning a national or regional lockdown, to naturally take precedence over other aspects of life, such as education or leisure, of all citizens, including children.”*

an insight on their experiences, including both their challenges and successes, on handling their children's different physical, social, educational, leisure, emotional and psychological needs during the national lockdowns. I then proposed general recommendations on how to better promote and protect the rights of these children during any future lockdowns or similar events.

I would like to point out that the work carried out by my team and I at the OCO involves a variety of means: sensitisation workshops, face-to-face meetings at and outside the office, group discussions, mediations, field visits, media interviews, phone calls and exchange of correspondences such as letters and electronic mails, among others. We therefore rely essentially on human interaction to advance the children's agenda and promote compliance with the UNCRC.

However, during the current reporting year, similar to many other institutions, we had to rapidly readapt our professional routine to a new 'normal' characterised by sanitary restrictions - social distancing, mask wearing and regular hand sanitisation and washing. Complainants were increasingly encouraged to lodge their concerns by phone, electronic mails, letters and online platforms such as 'WhatsApp'. For those citizens who chose to come to our office to file their complaints outside lockdown periods, we ensured the respect of strict sanitary precautions. Furthermore, when we conducted site visits at schools, residential care institutions (RCIs), hospitals, nurseries and people's homes, we took all the required precautions. Despite the sanitary situation, we managed to visit 63 SEN schools and 24 RCIs over the reporting year 2020-2021.

Continuous professional development is also a core part of the work at the OCO. Given the COVID-19 context, various online capacity-building and training sessions were attended by the OCO's Investigators to improve their awareness on evolving matters in the domain of children's rights. Most of these webinars were conducted by international organisations, namely, the International Ombudsman Institute (IOI), the African Ombudsman and Mediators Association (AOMA) and the *"Association des Ombudsman et Médiateurs de la Francophonie"* (AOMF), to which the OCO is affiliated. I would like to acknowledge here the precious roles of the IOI, AOMA and AOMF in supporting the growth and efficiency of the OCO and its staff to better promote and protect children's rights.

To conclude, I would say that, around the world, the COVID-19 pandemic is impacting on children's lives in many ways. No one can deny that this international public health crisis may have long-term adverse impact on children. For instance, the Human Rights Watch (2020)<sup>4</sup> in New York advanced in an online article that

*More than 1.5 billion students are out of school. Widespread job and income loss and economic insecurity among families are likely to increase rates of child labor, sexual exploitation, teenage pregnancy, and child marriage. Stresses on families, particularly those living under quarantines and lockdowns, are increasing the incidence of domestic violence. As the global death toll from COVID-19 increases, large numbers of children will be orphaned and vulnerable to exploitation and abuse.*

The children and families of the Republic of Mauritius are certainly not immune to the aforementioned potential effects of the COVID-19 pandemic. **I maintain that it is more than ever necessary for ALL OF US to consolidate our networking efforts and coordinate our actions to uphold the rights of our children, especially during crisis times.**

***Long live children's rights!***

***Mrs Rita Venkatasawmy, O.S.K***

***Ombudsperson for Children***

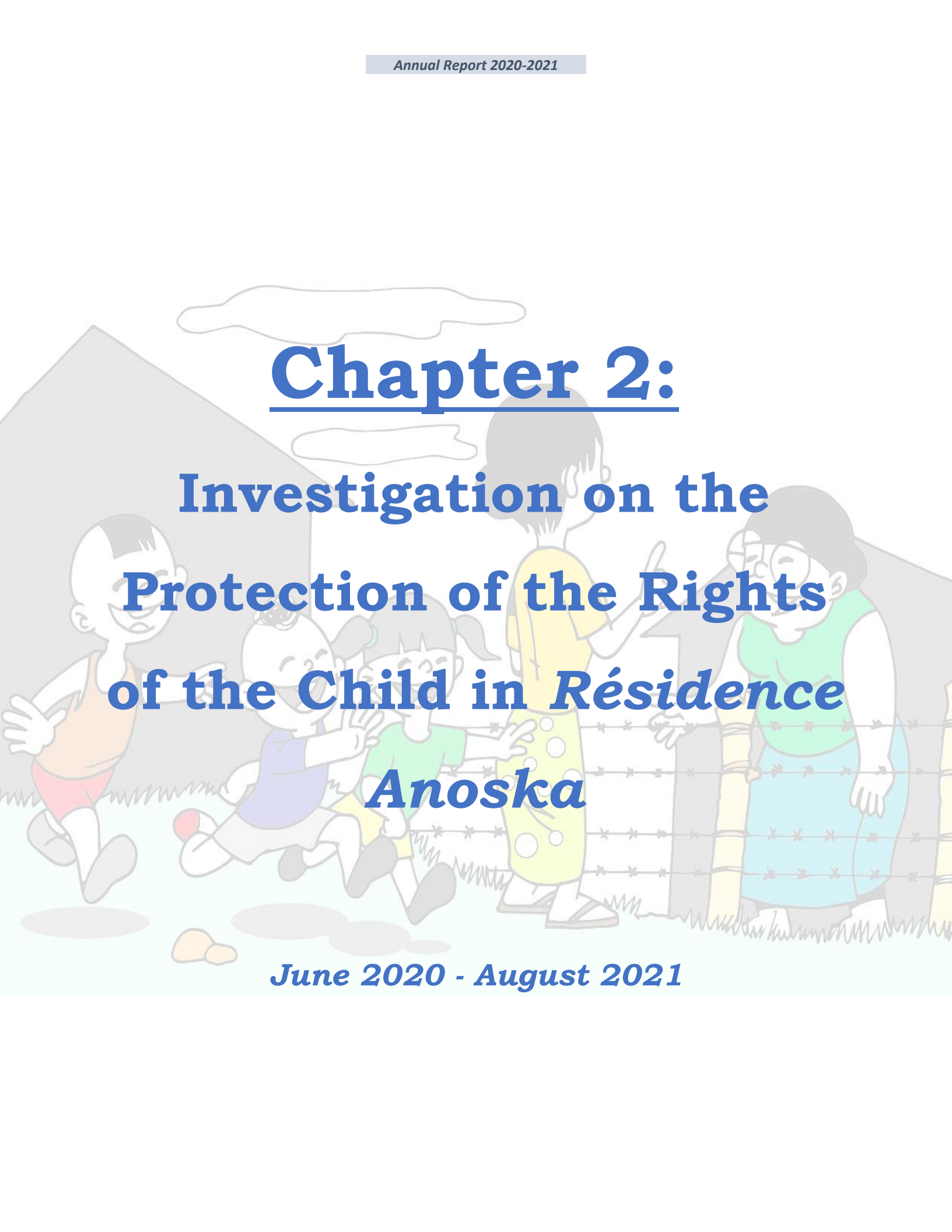
***Republic of Mauritius***

***Annual Report 2020-2021***

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<sup>4</sup> Human Rights Watch (2020). *COVID-19's Devastating impact on children: Governments should mitigate harm, protect most vulnerable*. New York: Author. Retrieved on 21 September 2021 from [www.hrw.org/news/2020/04/09/covid-19s-devastating-impact-children](https://www.hrw.org/news/2020/04/09/covid-19s-devastating-impact-children)



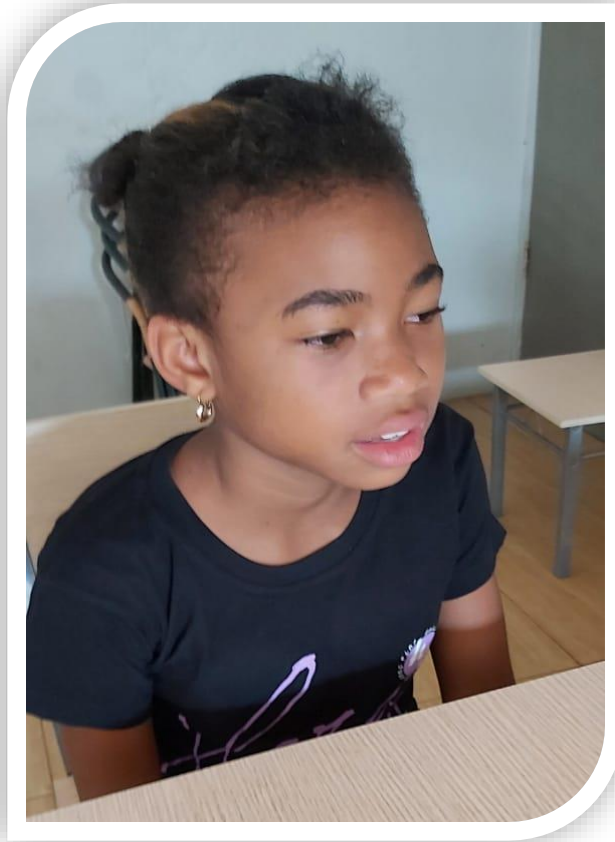
A faint, stylized illustration in the background shows several children and two adults behind a barbed wire fence. On the left, a boy in an orange tank top and red shorts is running. Next to him, a girl in a purple shirt and grey pants is also running. In the center, a girl in a green shirt and yellow pants is running. To the right, a woman in a yellow dress with white polka dots is standing, and another woman in a green vest and blue skirt is standing next to her. The background also features a grey house and some clouds.

# **Chapter 2:**

## **Investigation on the Protection of the Rights of the Child in *Résidence* *Anoska***

***June 2020 - August 2021***

### Meet Lucia Collette, 11 years




*"I dream of becoming an air hostess so that I can discover the world," says Lucia Collette, who just joined the Extended Programme at the Hindu Girls College in Curepipe. Even if she is aiming at the sky, the little one keeps her feet on the ground, aware that it is education which will allow her to achieve her ambitions. She says that she loves going to school. She further states that wearing her college uniform makes her feel proud. The fact that her teachers appreciate her work and her personality makes her feel prouder. She feels valued by them.*

*Like Lucia Collette, several dozen children at Résidence Anoska have dreams, and, above all, the desire to make them come true.*

## 2.1. Background

### 2.1.1. Introductory notes

Children are, in fact, vulnerable beings. They depend on adults for all their needs and protection. This is one of the reasons why, in 1989, the United Nations adopted a specific convention for children, the Convention on the Rights of the Child (CRC). This Convention has four fundamental principles, namely: non-discrimination, the best interests of the child, his right to life, survival and development, and the respect of his opinions.



**“CHILDHOOD IS A BUBBLE THAT ALLOWS ADULTS  
TO RISE UP. ANY FORM OF VIOLENCE CAN PIERCE  
IT AND THWART THE FLIGHT OF ANY INDIVIDUAL.”**

~ Stéphane Théri, Writer

The CRC (UN, 1989) is the very basis of the interventions of the Ombudsperson for Children’s Office (OCO). The OC believes that this same international instrument will help build a safe and dignified environment for the children of *Résidence Anoska*, while ensuring the protection and promotion of their rights.

*Résidence Anoska*, located at 16<sup>ème</sup> Mille, Forest Side, Mauritius, has been in the spotlight several times over the past decade following various allegations of child abuse. That being said, it must be recognized that, since the relocation of the 77 families from *La Pipe*, Midlands, Mauritius, in 1999, to *Résidence Anoska*, governmental and non-governmental organisations (NGOs) have carried out numerous actions in favour of the children of this community. For instance, a two-day workshop was organised by the OCO in August 2020, which mobilised the active participation of many community members of *Résidence Anoska* and different NGOs in view to carry out an inventory of the situation of the children in the locality. Many questions surfaced during this workshop, for example:

- Did the interventions conducted at *Résidence Anoska* by various social actors produce the expected outcomes?
- How could NGOs and government agencies further improve their interventions?
- What more could residents do to ensure better protection for children?
- Did the solidarity that prevailed among the families when they lived in *La Pipe*, Midlands, still exist?
- Did the residents still live as a community like before, or did they just coexist next to one another?
- Did the children victims of various forms of abuse at *Résidence Anoska* constitute a majority or a minority?

The challenge became then to find relevant answers and constructive solutions for the benefit of all the children of this locality. In this context, it was necessary to conduct in-depth surveys with the inhabitants at *Résidence Anoska*, including field observations of the daily lives of children and their families. The OC firmly believed that actively listening to the community members and building a rapport of trust with them could provide a better insight of the prevailing situation of children's rights within this locality.

The present chapter contains the OC's investigation report on the rights of the children of *Résidence Anoska*. The enquiry's main objectives were as follows:

- To enable community members of *Résidence Anoska*, NGOs and governmental bodies to take stock of the history, strengths and areas of improvement of this community;
- To enable residents and stakeholders of this locality to obtain a more comprehensive picture of the situation of children at *Résidence Anoska* based on qualitative and quantitative data;
- To encourage relevant stakeholders to devise evidence-based child-related interventions in order to better protect and promote the rights of children in *Résidence Anoska*;
- To promote the actions being carried out by the inhabitants of *Résidence Anoska* in relation to the protection and promotion of children's rights;

- To inform community members as well as individuals, volunteers, Social Workers and other professionals engaged within *Résidence Anoska* on the services offered by governmental agencies and NGOs; and
- To raise the awareness of community members and other stakeholders engaged within *Résidence Anoska* on how to develop projects for and with children in accordance with the principles and provisions of the CRC (UN, 1989).

It is hoped that this chapter could help all those working in the best interests of children to understand the need to collaborate among themselves in order to promote children's rights in a holistic way, and not just focus their efforts on single areas affecting children, such as child sexual abuse. It is also anticipated that this chapter could encourage child rights activists to deeply reflect on the importance of the CRC (UN, 1989), because reflection should always precede action in order to provide quality interventions to children. The OC emphasises that no initiatives should be carried out without the participation of the inhabitants, including children, and that they are themselves the primary stakeholders of their development.

Finally, this chapter also highlights the value of strong and coordinated partnerships between community members and actors in the child protection domain in the best interests of all children. The OC hopes that this report would radiate optimism and contribute to the evolution of the protection of the rights of the child, not only in *Résidence Anoska*, but in the Mauritian society as a whole. The OC would also like to add that the current investigation report is being converted in a user-friendly and illustrated document, in French language, that would be soon published and distributed to community members of *Résidence Anoska* and other relevant stakeholders.

### 2.1.2. A message from Mr Joseph Lacher Pierre Louis, alias Ricarl, inhabitant of Résidence Anoska

*“It is with great emotion that I bring my contribution to the realisation of this investigation report on Résidence Anoska, an initiative of the Ombudsperson for Children. I was born and raised in La Pipe, Midlands, Mauritius, where I worked for a while in the tea fields, before moving to Résidence Anoska. My native village had been inhabited by several families from Rodrigues for over fifty years. Also, I witnessed life as it was lived in La Pipe and Résidence Anoska respectively.*

*To understand the importance of this study by the OC, you need to know the history of this place and the people who were living there. Because unfortunately, for many years, Résidence Anoska has been infamous, often, because of the various incidents which occurred there, and which were subsequently reported in the press.*

*Allow me to come back to the beautiful memories of our village of yesteryear and of our savoir-vivre. Fraternity, friendship, cooperation and sharing... These were the values and the lifestyle shared by the inhabitants of La Pipe for several decades. It was customary to help people in difficulty. For example, when someone went to buy groceries at the store, he/she would often take other families' shopping lists, so that they did not have to make the trip. We were happy in our village despite the only problem we had, that of public transport.*

*We have always wanted to pass on our savoir-vivre to the younger generation. But our relocation to Résidence Anoska has turned our lives upside down forever. Certainly, we have benefitted from many facilities such as transport, recreation and quick access to the hospital, among others. However, we also had to face challenges - adapting to a new environment, looking for new jobs, amongst many others. Suddenly, we were taken over by a rise in negative feelings. Anxiety, stress and frustration quickly replaced our zest for life. And this affected our family life where there are now frequent quarrels. Community life took a hit too. The adverse influence of some outsiders who interfered in the lives of inhabitants at Résidence Anoska did not help with solving matters. It was clear that the former inhabitants of La Pipe had lost some of the values that had held them together in the past.*

*Over time people have been able to find jobs, particularly by shifting to agriculture or masonry. But, at a societal level, things deteriorated. Moreover, we heard more stories of moral misdemeanours involving minors in the locality. Even if the harm done to these innocent little ones cannot be erased and forgotten, our community is working hard to provide better lives to the other children. For example, they are encouraged to go to school because education is the key to success. The proof, there are doctors, public officers and teachers who come from Résidence Anoska. People were once fearful and intimidated when they saw officials wearing a tie in the locality. But today, education has broken down social barriers and stereotypes. The inhabitants of Résidence Anoska have regained their self-confidence.*

*Using available resources, the community of Résidence Anoska is also committed to offering leisure activities to children. Indeed, activities are often organised at the social centre of the locality, allowing children to participate in cultural programs, games and painting workshops, among others. A club bringing together young people has also been created in our small village and it organises activities promoting the development of its members. For example, every year, the club organises a concert at Résidence Anoska. The locals participate fully because it is not only just about partying, but above all an opportunity to strengthen family and social ties.*

*This pathway would not have been possible without the help and support of the Ombudsperson for Children's Office. Here, I want to emphasise that, unlike others who have come to impose their ideas on the locals, the Ombudsperson for Children, Rita Venkatasawmy, took a different approach. She listened to us and took into consideration our contribution to the sustainable development of the locality in order to improve the living conditions of our children. She actively involved us in the activities, particularly in successive reflection workshops, relating to the well-being of our children. The Ombudsperson for Children has also empowered us by giving us a voice. She came without prejudice and touched the heart of this locality. It is always with great joy and pride that we work together with Rita Venkatasawmy.*

*As for me, I have a dream. That each child knows his historical background, the origin and journey of his parents, and the values that have united our community in the past, but also those that we have adopted at Résidence Anoska. Children are the adults of tomorrow. They have a key role to play in passing on their values and their history to the next generation. I also want all the children to be proud of their*








*village and contribute to its development. My dream is also to see these children learn to live with dignity in society and that they do not need an old Ricarl to move forward.*

*We have come a long way, but there is still a lot to be done. We must not conceal the fact that our village is still presently dealing with many challenges. All together, we are determined to overcome them. All together, we are a community working hard to improve the protection of the rights of our children.”*

### **2.1.3. A glimpse at the role of the Ombudsperson for Children**

#### *What does the Ombudsperson for Children (OC) do?*

-  *The OC is an independent mediator who ensures that the rights and best interests of the child are given full consideration by public bodies, private authorities, individuals and associations of individuals.*
-  *He is the advocate of the rights of the child, as well as the spokesperson for minors.*
-  *He promotes compliance with the Convention on the Rights of the Child.*
-  *He makes proposals to the competent authorities on legislation, policies and practices regarding services to, or the rights of, children.*
-  *He raises public awareness on the provisions of the Convention on the Rights of the Child.*



## 2.2. A meticulous investigation that lasted a year...

### 2.2.1. Objectives: Improving the present and securing the future

The main purpose of this investigation was to provide quantitative and qualitative information on the situation of the children of *Résidence Anoska* with a view of making recommendations for the implementation of an action plan aiming at improving their well-being and quality of life. The sexual assault perpetrated on a 3-year-old girl living at *Résidence Anoska* in June 2020 prompted the Ombudsperson for Children to carry out this investigation.

This unfortunate incident also brought to the surface the April 2015 sexual assault and murder of the 11-year-old girl, Eléana Gentil, who also lived at *Résidence Anoska*. Five years later, this locality found itself once again in the spotlight of the media, thus reinforcing negative stereotypes associated to it. Given that such events could significantly impact the lives and future opportunities of children residing within this community, the OC had the duty to ensure as far as possible the protection of the rights of these children.

The investigation was based on a scientific approach and took the form of an in-depth survey where field data were collected by observing and interviewing the inhabitants and other relevant stakeholders on different areas related to children's rights, and by finding historical information on this community. It relied on the premises that:

- The present and the future of citizens could not be effectively improved without knowing their history.
- Listening to the perspectives of the affected community members should be a must.
- Any actions by governmental bodies and/or NGOs should be based on scientific data to improve their efficiency and capacity to produce expected results.

Through this report, the OC would like to provide a blueprint to the inhabitants and all other stakeholders engaged within *Résidence Anoska*, based upon which the history, strengths and possible areas of improvement of this community could be understood, as well as, evidence-based and targeted

interventions could be derived in favour of its children. This report could also help in strengthening the partnership between governmental bodies and NGOs in better coordinating services for the protection and development of the children of this locality.

### **2.2.2. How did the OC and her team proceed?**

Working with a community with the aim of promoting children's rights takes a lot of dexterity, especially when the locality has previously been labelled as an unsafe or abusive place for children. First, the OC and her team had to gain the trust of the locals so that they could speak with them with an open heart. It was not an easy task. Moreover, this explains, in part, why the data collection was carried out in several phases.

The information obtained during the first data collection were incomplete due to the reluctance of certain inhabitants to provide the requested information to officers to whom they were not well acquainted. Hence, the OCO's team had to go back to the locality several times, often, after working hours to improve chances of meeting those children and adults of *Résidence Anoska* who were not there during the day due to going to school and work respectively. The field survey of the OCO took place under strict sanitary conditions, after the confinement periods of 2020 and 2021.

Article 12(1) of the CRC (UN, 1989) advanced that *"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"*. In compliance to this international provision, the OC and her team took care not only to consult adults of *Résidence Anoska* during the field survey, but also to listen actively to the voices of the child residents and collect their views on matters concerning them. This is how the OCO's team was able to gather valuable information on the past, present and hopes for the future of the inhabitants of *Résidence Anoska*, including children, which are summarised in the current chapter.

Collection of data alone would not bring about change. However, it could provide a clear overview on the needs of a target population so that suitable remedial measures and prevention strategies could be developed and implemented. Moreover, data collection at different time intervals allows for measuring

changes over time and evaluating the effectiveness of strategies applied. The OC and her team hope that governmental bodies and NGOs could use the findings of this investigation report to set up various projects that could help improve the lives of the inhabitants of *Résidence Anoska*, especially its children.

### **2.2.3. Methodology of the enquiry**

A total of 163 families living at *Résidence Anoska* were surveyed by the OC and her team from 30 June 2020 to 31 August 2021, that is, over a period of a little more than a year. This period excluded the national lockdown period of March 2021. A chronological table of activities carried out by the OCO's team with regard to this investigation is provided in subsection 2.2.4.

**A combination of both quantitative and qualitative methods was used for data collection as follows:**

#### **2.2.3.1. Administration of a survey questionnaire**

A questionnaire comprising of 11 questions was administered by the OCO's staff to the inhabitants of *Résidence Anoska* during face-to-face meetings organised at their homes while respecting all sanitary measures. The purpose of the survey was explained to them beforehand, and they were assured that their confidentiality would be protected at all times. The questionnaire was designed in English, but the OCO's interviewers translated the questions into *Kreol morisien* when speaking with the inhabitants. Some questions were closed with limited response options, while others were open-ended and allowed for more qualitative information to be gathered from participants. The survey covered different areas of enquiry such as family, education, health and housing.

#### **2.2.3.2. Field observations**

The OCO's staff carried out field observations at varied points in time over the investigation period, including different times of the day, to collect information on the daily ways of life of the inhabitants of the locality and to take stock of environmental features such as the states of houses, community-based facilities and green areas.

### 2.2.3.3. Qualitative individual interviews with inhabitants and relevant stakeholders

Some individual inhabitants, including heads of families in the locality, volunteered to be interviewed on different areas, for example, the history of *Résidence Anoska*, their transition from *La Pipe, Midlands*, their personal experiences of living in this locality, their family and work lives and their concerns on the problems faced by the locality, among others. Other relevant stakeholders such as representatives of governmental bodies and NGOs working with this community were also consulted where necessary.

### 2.2.3.4. Focus group discussions with the inhabitants

The OC and her team organised several focus group discussions with the inhabitants, both children and adults, at the locality's Social Centre, where they openly interacted on the challenges *Résidence Anoska* faced in the protection of their children's rights, and on their ideas of how to improve the situation. These meetings were also an opportunity to build rapport with the community members and improve their willingness to participate in the OCO's survey. Furthermore, a two-day 'networking forum' was also organised by the OCO with several inhabitants of *Résidence Anoska* and relevant stakeholders engaged with this community to improve their awareness on children's rights and strengthen their partnerships in safeguarding these rights (more information in subsection 2.4).

### 2.2.3.5. Reviewing documentation

The OC and her team reviewed different documentation related to this locality, which included a 2011 publication by Mr Eric Mangar entitled "*The resettlement and integration of La Pipe Community in Mauritius: A Resettlement theory for planners, dam builders, NGOs and affected population against forced resettlement*" (more details in subsection 2.3.3 of the present chapter), and newspaper articles.

The data collected through the means listed in subsections 2.2.3.1 to 2.2.3.5 were compiled using the spreadsheet software, *Microsoft Excel*, and analysed by the OC and her team of Investigators to extract the relevant quantitative and qualitative information regarding the matters related to the rights of the children of *Résidence Anoska*. These data were summarised using tables, diagrams and thematic descriptions, as shown in later subsections of the current chapter.

## 2.2.4. Chronology of the OCO's investigation on *Résidence Anoska* (June 2020 - August 2021)

Date(s)	Activities in the context of the OCO's investigation on <i>Résidence Anoska</i>
<b>JUNE 2020</b>	
<b>30.06.20</b>	<ul style="list-style-type: none"> <li>• An urgent meeting chaired by the Ombudsperson for Children (OC) with the OCO's team of Investigators, following the report of a case of sexual abuse of a 3-year-old girl that happened on 28 June 2020 at <i>Résidence Anoska</i></li> <li>• Opening of an investigation by the OC</li> <li>• Meeting with non-governmental organisations (NGOs) engaged in the fight for children living in extreme poverty, including those working in the locality of <i>Résidence Anoska</i></li> </ul>
<b>JULY 2020</b>	
<b>02.07.20</b>	<ul style="list-style-type: none"> <li>• First day of field investigation by the OCO's Investigators at <i>Résidence Anoska</i> on the case of the 3-year-old child victim of sexual abuse</li> </ul>
<b>03.07.20</b>	<ul style="list-style-type: none"> <li>• Second day of field investigation by the OCO's Investigators at several relevant locations to collect information</li> </ul>
<b>03.07.20</b>	<ul style="list-style-type: none"> <li>• Summons of different parties involved in this case at the OC's office</li> </ul>
<b>06.07.20</b>	<ul style="list-style-type: none"> <li>• Third day of field investigation at <i>Résidence Anoska</i></li> </ul>
<b>08.07.20</b>	<ul style="list-style-type: none"> <li>• Meeting at the OCO with representatives of NGOs working in the area of extreme child poverty, including those working in the locality of <i>Résidence Anoska</i></li> </ul>

Date(s)	Activities in the context of the OCO's investigation on <i>Résidence Anoska</i> (ctd)
<b>09.07.20</b>	<ul style="list-style-type: none"> <li>• Debriefing between the OC and the OCO's Investigators on the information gathered from the field visits at <i>Résidence Anoska</i></li> <li>• Decision taken to organise a 'networking forum' for the benefit of the community members of <i>Résidence Anoska</i> and child professionals working with this community</li> </ul>
<b>21.07.20</b>	<ul style="list-style-type: none"> <li>• First preparatory meeting with child professionals working in the locality of <i>Résidence Anoska</i> in view of a 'networking forum'</li> </ul>
<b>23.07.20</b>	<ul style="list-style-type: none"> <li>• Meeting with staff and students of Midlands Government School (Note: Many children of <i>Résidence Anoska</i> attend this school.)</li> </ul>
<b>28.07.20</b>	<ul style="list-style-type: none"> <li>• First preparatory meeting with community members of <i>Résidence Anoska</i> in their locality about the 'networking forum'</li> </ul>
<b>31.07.20</b>	<ul style="list-style-type: none"> <li>• Second preparatory meeting with community members of <i>Résidence Anoska</i> in their locality about the 'networking forum'</li> </ul>
<b>AUGUST 2020</b>	
<b>04.08.20</b>	<ul style="list-style-type: none"> <li>• Second preparatory meeting with child professionals working in the locality of <i>Résidence Anoska</i> in view of the 'networking forum'</li> <li>• Third preparatory meeting held at the OCO with community representatives of <i>Résidence Anoska</i></li> </ul>
<b>10.08.20</b>	<ul style="list-style-type: none"> <li>• Third and final preparatory meeting, held at the OCO and chaired by the OC, with child professionals working in the locality of <i>Résidence Anoska</i></li> <li>• Fourth and final preparatory meeting held with community members of <i>Résidence Anoska</i> in the evening</li> </ul>

Date(s)	Activities in the context of the OCO's investigation on <i>Résidence Anoska</i> (ctd)
<b>12.08.20 &amp; 13.08.20</b>	<ul style="list-style-type: none"> <li>The 2-day 'networking forum' at the Palms Hotel in Quatre Bornes on the theme entitled <i>"Strengthening the safety net to protect children of Résidence Anoska from all forms of abuse through the dynamic partnership between community members and child professionals"</i></li> </ul>
<b>17.08.20</b>	<ul style="list-style-type: none"> <li>Meeting chaired by the OC at her office to evaluate the 2-day 'networking forum'</li> </ul>
<b>20.08.20</b>	<ul style="list-style-type: none"> <li>The OC's Press Conference entitled <i>"Protecting and promoting the rights of the child at Résidence Anoska"</i> to discuss on the highlights of the 2-day 'networking forum' and the way forward</li> </ul>
<b>24.08.20 &amp; 25.08.20</b>	<ul style="list-style-type: none"> <li>Elaboration and validation of a survey questionnaire to collect data from the families living in <i>Résidence Anoska</i></li> </ul>
<b>26.08.20, 27.08.20, 28.08.20 &amp; 30.08.20</b>	<ul style="list-style-type: none"> <li>Field survey on the situation of children living at <i>Résidence Anoska</i></li> <li>Interviews with heads of families</li> <li>Residents invited to respond to the survey questionnaire</li> </ul>
<b>SEPTEMBER 2020</b>	
<b>01.09.20</b>	<ul style="list-style-type: none"> <li>Debriefing session between the OC and the OCO's Investigators to determine the way forward of the enquiry</li> </ul>
<b>02.09.20</b>	<ul style="list-style-type: none"> <li>Verification of questionnaires administered during the door-to-door survey exercise by the OCO's Investigators at <i>Résidence Anoska</i></li> </ul>
<b>04.09.20</b>	<ul style="list-style-type: none"> <li>Collection of information from NGOs on their areas of intervention at <i>Résidence Anoska</i></li> </ul>

Date(s)	Activities in the context of the OCO's investigation on <i>Résidence Anoska</i> (ctd)
<b>08.09.20</b>	<ul style="list-style-type: none"> <li>Collection of additional information from some families who had been previously interviewed</li> </ul>
<b>09.09.20, 10.09.20, 13.09.20 &amp; 14.09.20</b>	<ul style="list-style-type: none"> <li>Contact established with other families of <i>Résidence Anoska</i> identified to complete the data collection exercise</li> <li>Telephone interviews with heads of families concerned</li> </ul>
<b>30.09.20</b>	<ul style="list-style-type: none"> <li>Publication of the first report related to activities carried out (up until the Press Conference of 20.08.21) for the promotion of the rights of children at <i>Résidence Anoska</i> in the OC's Annual Report 2019-2020</li> </ul>
<b>OCTOBER 2020</b>	
<b>03.10.20</b>	<ul style="list-style-type: none"> <li>Meeting of the OC with inhabitants of <i>Résidence Anoska</i> to invite them to the launching ceremony of her Annual Report 2019-2020</li> </ul>
<b>06.10.20</b>	<ul style="list-style-type: none"> <li>Launching of the OC's Annual Report 2019-2020 in the presence of a delegation of inhabitants of <i>Résidence Anoska</i></li> </ul>
<b>07.10.20 - 31.10.20</b>	<ul style="list-style-type: none"> <li>Compilation of data collected during the field surveys at <i>Résidence Anoska</i></li> </ul>
<b>NOVEMBER 2020</b>	
<b>03.11.20</b>	<ul style="list-style-type: none"> <li>Meeting with members of the "Forces Vives" of <i>Résidence Anoska</i></li> </ul>
<b>04.11.20 - 30.11.20</b>	<ul style="list-style-type: none"> <li>Analyses of data collected during the field surveys at <i>Résidence Anoska</i></li> </ul>



Date(s)	Activities in the context of the OCO's investigation on <i>Résidence Anoska</i> (ctd)
<b>DECEMBER 2020</b>	
<b>01.12.20 - 16.12.20</b>	<ul style="list-style-type: none"> <li>Ongoing analyses of data collected during the field surveys at <i>Résidence Anoska</i></li> </ul>
<b>17.12.20</b>	<ul style="list-style-type: none"> <li>Awareness-raising activity by the OCO targeting the children of <i>Résidence Anoska</i></li> </ul>
<b>23.12.20</b>	<ul style="list-style-type: none"> <li>Meeting of the OC with those in charge of the "<i>Forces Vives</i>" of <i>Résidence Anoska</i> to discuss the living conditions of the children and the preparation of a report on their situation</li> </ul>
<b>JANUARY 2021</b>	
<b>18.01.21</b>	<ul style="list-style-type: none"> <li>Another meeting of the OC with members of the "<i>Forces Vives</i>" of <i>Résidence Anoska</i> to reinforce the locality's collaboration in contributing to the report</li> </ul>
<b>22.01.21</b>	<ul style="list-style-type: none"> <li>Meeting among the OC, representatives of the "<i>Forces Vives</i>" of <i>Résidence Anoska</i> and a team of photographers in connection with the illustration of the report</li> </ul>
<b>FEBRUARY 2021</b>	
<b>13.02.21 &amp; 14.02.21</b>	<ul style="list-style-type: none"> <li>Photoshoot at <i>Résidence Anoska</i> for reporting purposes</li> </ul>
<b>24.02.21</b>	<ul style="list-style-type: none"> <li>Photo session at the schools attended by the children of <i>Résidence Anoska</i> (carried out with the permission of parents and schools' management)</li> </ul>
<b>MARCH 2021</b>	
<b>06.03.21</b>	<ul style="list-style-type: none"> <li>Organisation of an outing for children of <i>Résidence Anoska</i> and photoshoot at <i>La Pipe</i>, Midlands</li> </ul>

Date(s)	Activities in the context of the OCO's investigation on <i>Résidence Anoska</i> (ctd)
<b>MARCH/APRIL 2021</b>	
<b>10.03.21 - 30.04.21</b>	<ul style="list-style-type: none"> <li>• Ongoing data collection and consultations by phone during the national lockdown due to the COVID-19 pandemic in March 2021 and the first gradual reopening phase in April 2021</li> <li>• Phone debriefing sessions among OCO's Investigators on data collected</li> <li>• Start of drafting of the report on <i>Résidence Anoska</i></li> </ul>
<b>MAY 2021</b>	
<b>02.05.21</b>	<ul style="list-style-type: none"> <li>• Meeting between the OC and locals at <i>Résidence Anoska</i></li> <li>• Additional interviews with children and parents on the living conditions in the locality</li> </ul>
<b>03.05.21</b>	<ul style="list-style-type: none"> <li>• Production of a first draft of the report on <i>Résidence Anoska</i></li> </ul>
<b>06.05.21</b>	<ul style="list-style-type: none"> <li>• Photoshoot and aerial shots at <i>Résidence Anoska</i></li> </ul>
<b>10.05.21</b>	<ul style="list-style-type: none"> <li>• Interactive meeting at <i>Résidence Anoska</i> with children and their parents, and the OC and her team regarding the main themes of the report on their locality</li> </ul>
<b>14.05.21</b>	<ul style="list-style-type: none"> <li>• Debriefing between the OC and the OCO's Investigators regarding other information gathered during the field visits at <i>Résidence Anoska</i></li> </ul>
<b>20.05.21, 21.05.21 &amp; 26.05.21</b>	<ul style="list-style-type: none"> <li>• Field survey of families at <i>Résidence Anoska</i> who had not yet been interviewed</li> </ul>
<b>27.05.21</b>	<ul style="list-style-type: none"> <li>• Meeting at the OCO with Mr Eric Mangar, Negotiator and Resettlement Coordinator for the ex-residents of <i>La Pipe</i></li> </ul>

Date(s)	Activities in the context of the OCO's investigation on <i>Résidence Anoska</i> (ctd)
<b>27.05.21 &amp; 28.05.21</b>	<ul style="list-style-type: none"> <li>• Identification of around 50 additional families in <i>Résidence Anoska</i> not previously surveyed</li> <li>• Interviews with the heads of these families and administration of survey questionnaires with the family members</li> </ul>
<b>JUNE 2021</b>	
<b>01.06.21</b>	<ul style="list-style-type: none"> <li>• Continued interviews with the newly identified heads of families and administration of survey questionnaires with the family members</li> </ul>
<b>02.06.21 - 04.06.21</b>	<ul style="list-style-type: none"> <li>• Verification of survey questionnaires completed during the door-to-door visits carried out by the OCO's Investigators</li> </ul>
<b>07.06.21, 11.06.21, 14.06.21, 18.06.21, 21.06.21, 25.06.21, 28.06.21 &amp; 30.06.21</b>	<ul style="list-style-type: none"> <li>• Compilation of data collected from families of <i>Résidence Anoska</i></li> <li>• Ongoing analyses of data by the OC and the OCO's Investigators</li> </ul>
<b>JULY 2021</b>	
<b>05.07.21</b>	<ul style="list-style-type: none"> <li>• Meeting with representatives of NGOs working with families of <i>Résidence Anoska</i></li> </ul>
<b>06.07.21 - 09.07.21</b>	<ul style="list-style-type: none"> <li>• Collection of information from NGOs managing projects at <i>Résidence Anoska</i></li> </ul>

Date(s)	Activities in the context of the OCO's investigation on <i>Résidence Anoska</i> (ctd)
<b>JULY/AUGUST 2021</b>	
<b>10.07.21 - 31.08.21</b>	<ul style="list-style-type: none"> <li>• Writing of the investigation report on <i>Résidence Anoska</i> for inclusion in the OC's Annual Report 2020-2021</li> <li>• Preparation of a user-friendly and illustrated version of the report in French language for dissemination among the inhabitants of <i>Résidence Anoska</i> and other relevant stakeholders</li> <li>• Regular contact between the OC and "Forces Vives" of <i>Résidence Anoska</i>.</li> <li>• Collection by OCO's Investigators of additional information where necessary from community members of <i>Résidence Anoska</i> by telephone</li> <li>• Additional photoshoot where needed to improve the illustration of the report</li> <li>• Finalisation of the content and formatting of the report</li> </ul>

## 2.3. *Résidence Anoska: The history of a resettlement*

The present section summarises information collected by the OC and the OCO's Investigators regarding the history of *Résidence Anoska* and its inhabitants, as well as, the challenges that were faced by the latter in the past, especially when they relocated from *La Pipe*, Midlands. The written work of Mr Eric Mangar (refer to subsection 2.3.3 for more information) is also acknowledged in this history section.

### 2.3.1. Once upon a time in *La Pipe*...

It was in 1999, in the wake of the setting up of the 'Midlands Dam' project in Mauritius, that the 77 families living in *La Pipe*, Midlands, were made to relocate to 16<sup>ème</sup> Mille, Forest Side, specifically at a place that would be later called '*Anoska*'. This name was that of the pond at *La Pipe* where the inhabitants indulged in Tilapia fishing. This pond no longer exists today since the 'Midlands Dam' Reservoir has been erected in its place. The name '*Anoska*' nevertheless retained the immaterial memory of the past life of these inhabitants who are, mostly, of Rodriguan origin. Moreover, in order to preserve their common social and cultural identity, these families had requested to be relocated to the same place. They remained together despite the precarious conditions in which they lived. The Leader of *Résidence Anoska*, Mr Ricarl Pierre Louis, still remembers with nostalgia the solidarity that prevailed at that time.



~ Samuel Johnson, British writer,  
*The Story of Rasselas* (1759)

During the period from 1995 to 1999, the former inhabitants of *La Pipe* participated in negotiations and discussions regarding their relocation. This had allowed them to not only strengthen ties with one another, but also to defend their human rights as a close-knit group with conviction. "*We acted together. If we were not united, we would not have been able to advance our cause,*" said Mr R. Pierre Louis.

On 18 February 1999, trucks of the Special Mobile Force (SMF) and those of a sugar estate transported the personal belongings of the 77 families to their new houses. The next day, it was the turn of the inhabitants of *La Pipe* to settle in their new homes. Many of them felt that this move was a blessing in disguise, whereby they had finally become home owners and were free from the label of 'squatters'. It was a new life that began for these 77 families. On 21 November 1999, *Résidence Anoska*, known at the time as *Cité Anoska*, was inaugurated. This locality is now part of the District Council of Grand-Port.

### **2.3.2. New life, new challenges...**

A major challenge awaited the new inhabitants of *Résidence Anoska*: earning an income. In *La Pipe*, several of these families used to earn their living by working in tea fields. Following their relocation, it was as if their lives had to start again, and this applied to finding a new job as well. This situation had led to the impoverishment of many of these families. Without money, it was even more difficult to put food on the table. In their previous village, natural resources were abundant and the families could often easily find something to eat for free. In their newfound locality, nothing was freely available. *"We buy bananas at Rs 2 each, while, at La Pipe, this fruit was free because we could find it everywhere. Here bananas do not grow. Previously, we could rely on nature to feed us on a daily basis. Now we have to pay for everything,"* the residents lamented. Others added that, at *La Pipe*, they just had to cook rice and find *"enn ti kari"* from the surrounding environment. They remembered fishing for delicious shrimps from the river.

Hence, many of these families could not help but feel uprooted. Their migration was not accompanied with any psychosocial support. The economic and social development of these people was seriously compromised. Mr Eric Mangar (personal communication, 27 May 2021) explained that, according to international research, forced resettlement could lead to unemployment, poverty, marginalisation, and social and cultural problems. He argued that studies had shown that this type of relocation had an extremely disruptive effect on the community, sometimes leading to exclusion and causing low self-esteem and anxiety among its members. He also pointed out that this drastic change in lifestyle required significant capacity for adaptation and adjustment.

It is important that governmental and non-governmental organisations wishing to support the community of *Résidence Anoska* and protect the children's rights become mindful of these inhabitants' historical impoverishment at the time of their relocation, and that many of them are still experiencing its long-term effects. The OC believes that a good understanding of the historical past of *Résidence Anoska* can act as a driver in motivating inhabitants towards a better future for themselves. In addition, the children of *Résidence Anoska* have the right to know their individual and collective identity.

Today, *Résidence Anoska* is no longer a community with only 77 families consisting of a total of 363 members. These figures have increased to 163 families comprising 558 members. Currently, three generations live together under one roof and their living situation is more complex. Although the children have not personally known the realities of *La Pipe*, Midlands, they have been brought up in their homes by parents and grandparents whose ways of life originate from this former settlement. That is why it is important for these children to learn about *La Pipe* and the history of their relocation to *Résidence Anoska*.

The OC is convinced that, if children and their parents explored their past, they would understand their origins. This could give them the opportunity to remember important values that could positively influence their present. In other words, their shared past could help them strengthen their bonds to build a better future together.

### **2.3.3. Who is Mr Eric Mangar?**

Mr Eric Mangar is a key figure in the struggle of the inhabitants of *Résidence Anoska* for the respect of their rights. The *Mouvement pour l'Autosuffisance Alimentaire* (MAA), founded by Mr E. Mangar in 1981, has been present at *La Pipe* since 1993. When the project of the construction of the Midlands Dam was announced, the intervention of Mr E. Mangar with the concerned families took a new direction. Thus, from 1995 to 1999, he acted as the Negotiator and Resettlement Coordinator of this community to ensure the proper relocation of the 77 families of *La Pipe*. Subsequently, he supported those who operated as farmers to restore their livelihoods.

To account for his experiences and fight during the relocation process of ex-residents of *La Pipe*, he published in May 2011 a research paper entitled *“The resettlement and integration of La Pipe Community in Mauritius: A resettlement theory for planners, dam builders, NGOs and affected population against forced resettlement.”* Mr E. Mangar’s written work put into perspective contemporary community dynamics related to the relocation of families. It contained not only detailed descriptions of the history of a resettlement, but also in-depth discussions on the resulting socio-economic effects on the people.



## 2.4. Protection of children's rights: The commitment of the inhabitants



**“THERE IS NO DEVELOPMENT WITHOUT A CHANGE IN MENTALITIES AND EMERGENCE WILL NOT BE POSSIBLE WITHOUT THE COMMITMENT OF THE PEOPLES.”**

~ Albert Zilevou, Specialist in Marketing Strategy  
and Lecturer in Communication and Marketing, Togo (1978)

**The protection of children cannot be ensured by authorities alone. It is also the responsibility of citizens.** Similarly, respect for the rights of the child of *Résidence Anoska* cannot be achieved without the commitment of its inhabitants. One has to be realistic: it is not possible to have a police officer, a civil servant or a social worker to look after each minor 7 days a week. Since a child's primary setting is often the home, surrounded by his or her family, it is mainly up to the latter to ensure that the child grows up in a safe and healthy environment. Other adults living in the community also have a role and responsibility in the protection of children.

Given the above-mentioned facts, the OCO initiated a series of sensitisation actions in the context of a ‘networking forum’ between community members of *Résidence Anoska* and child professionals engaged within this locality so that the inhabitants could better engage themselves in the protection of their children. Highlights of this ‘networking forum’ are provided in subsections 2.4.1 to 2.4.8. It is important to know that section 6(l) of the Ombudsperson for Children Act 2003 stipulated that the OC shall “*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*”.

### **2.4.1. Establishing a platform to strengthen community member-professional partnership in child protection**

On 12 and 13 August 2020, a ‘networking forum’ bringing together community members of *Résidence Anoska* and professionals working with children in the locality was organised at the Palms Hotel in Quatre-Bornes. More than one month prior to the event, the OC and her team had organised several preparatory meetings and activities. These included meetings with various NGOs working with children living in poverty, including those living in *Résidence Anoska*, as well as with the staff and students of the Midlands Government School. Three preparatory meetings were held with professionals working with children of this community. Visits to the locality were also organised, as well as an interactive meeting between the OCO’s team and the inhabitants. Moreover, it was during the latter exercise that 25 inhabitants were chosen with the help of Mr Ricarl Pierre Louis to represent the community of *Résidence Anoska* at the OCO’s ‘networking forum’.

### **2.4.2. Objectives of the ‘networking forum’**

The main objective of this event was to provide an optimum platform that promoted dynamic and respectful interactions between community members of *Résidence Anoska* and child professionals in joining hands for the protection of the children. Thoughtful pedagogical approaches were used and residents were empowered to become more effective whistle-blowers on actual or suspected cases of all forms of violence against children in their locality. The OC also wished to strengthen their motivation and active engagement in the fight against child abuse.

Examples of activities carried out at the ‘networking forum’ were:

- A pairing exercise of each of the 25 community participants of *Résidence Anoska* with a professional from 10 different NGOs, namely, *Action Familiale*, ATD Fourth World, DIS-MOI, Lovebridge, *Mouvement d'Aide à la Maternité*, SAFIRE, SOS Children's Village, T1 Diams, Unlock Potential and Youth for Human Rights, to enable them to build rapport and learn ways of understanding and working with each other.
- Interactive discussions among the OC, community members and child professionals on different areas such as the various forms of child abuse in order to raise the participants’ awareness on how to better protect children.

### **2.4.3. The role of the central authority responsible for child protection**

This forum also included the participation of the Child Development Unit (CDU), the central authority responsible for child protection in the Republic of Mauritius. The aim of having the CDU to intervene during this initiative was to elucidate any preconceived ideas about its role in order to encourage the community members of *Résidence Anoska* to become whistle-blowers of any violations of children's rights. This approach had the desired effect because some participants openly expressed their concerns regarding child protection. For instance, one of them boldly said that the CDU 'snatched' children from their families. This became an opportunity for the Head of the CDU, Mrs Karuna Chooramun, to dispel the doubts of the inhabitants by explaining how CDU officers act as protectors of children.

### **2.4.4. Commitment requires knowledge**

The OC encouraged the participants to take the future of their community into their own hands by committing to protect the rights of children of *Résidence Anoska*. She explained that, in order to overcome challenges that stood in the way of achieving their dreams, the acquisition of relevant knowledge was a very necessary tool. Hence, the networking forum allowed the participants to discover a host of services offered by the different NGOs (named in subsection 2.4.2) and governmental and parastatal agencies present (e.g., the CDU, the Early Childhood Care and Education Authority, the National Empowerment Foundation, the National Social Inclusion Foundation, and the Brigade pour la Protection des Mineurs), and to interact with their representatives. A quiz was also organised which enabled the community members to enrich their knowledge on children's rights, the duties of parents and the role of institutions involved in the protection of the child. Moreover, group discussions allowed them to identify problems at *Résidence Anoska* and propose possible corresponding solutions.

### **2.4.5. Valuing human beings**

The OC believes that, when a person is valued, this boosts his/her self-esteem and he/she is encouraged to become a better human being. In this context, the OCO showed its appreciation to the community participants from *Résidence Anoska* by awarding each of them a certificate of participation. Furthermore, several of them were invited to display their talents. For example, Ms Marie Marleneda

Jolicoeur, who often sings at mini concerts in her locality, performed a beautiful song on children and the importance of education during the forum. She was accompanied by Ms. Y. M Yone Shin from the NGO Lovebridge in the delivery of this song. Additionally, two teenagers of *Résidence Anoska* amazed the audience with an African dance. These demonstrations were undoubtedly a glimpse of the innumerable talented people who lived in this community.

#### **2.4.6. A game as a means of explanation**

During the ‘networking forum’, the popular game of *Chinese Whispers* which consisted of quickly circulating, by word of mouth, a sentence pronounced by the first person in the line, which had to be stated aloud by the last one. While this game highlighted the ability to listen, it also demonstrated how words could be distorted or amplified during their transmission. This was precisely the goal of the game at the forum - understanding how information could be distorted in a chain of communication if not retained and transmitted correctly from one party to the other.

The OC also explained that an investigation is initiated when a complaint was made in relation to possible loopholes in the mechanisms in place for child protection or alleged shortcomings of concerned authorities to act diligently. The participants understood how negligence or recklessness in sharing information, especially unverified news, could lead to conflicts, disruption and even violence within families and communities.

#### **2.4.7. The voice of *Résidence Anoska***

How could one talk about *Résidence Anoska* without giving voice to the inhabitants of the locality themselves? Thus, on several occasions in the forum, community members, including children and young people, from *Résidence Anoska* had the opportunity to express themselves freely on different matters of interest. Some of the participants did not hesitate to point out that NGOs sometimes operated in *Résidence Anoska* without consultation with the leaders and community members of this locality. Some residents also voiced out their concerns on the stigmatisation of their locality.

### **2.4.8. What next?**

The highlights that emerged from this forum were made official at a Press Conference held at the OCO on 20 August 2020. On that day, the OC announced that a survey would be conducted to collect quantitative and qualitative data on the families and children of *Résidence Anoska*. The survey's objectives would be to assess, in light of the CRC (UN, 1989), how the rights of these children were being respected and promoted, and to produce a report summarising and analysing the gathered information, which is in the form of the present chapter.

## 2.5. The main quantitative findings in the survey at *Résidence Anoska*

### 2.5.1. The population of *Résidence Anoska*

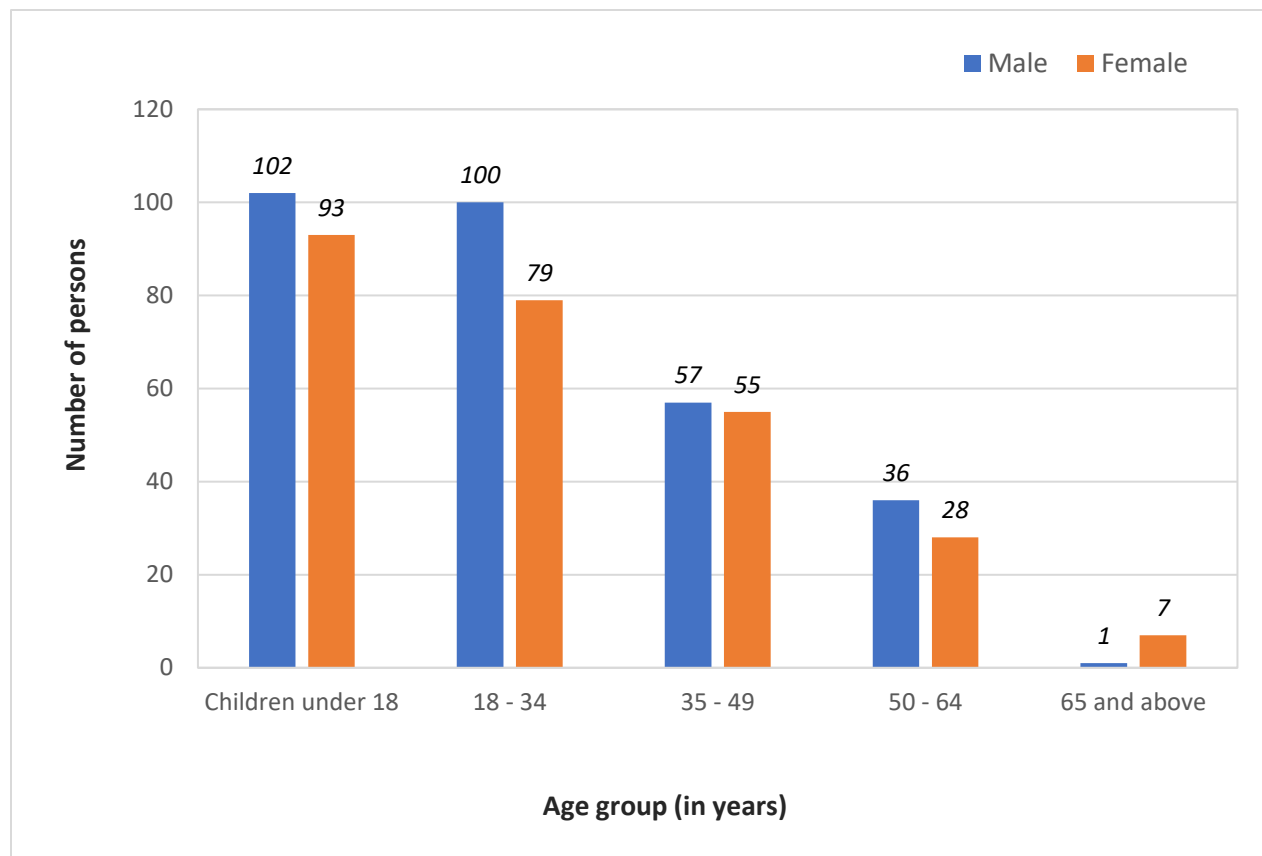
Although, as reported in section 2.3 of the present chapter, **77 households/families representing 363 people** relocated from *La Pipe* to *Résidence Anoska* in 1999, at the time of the OCO's data collection as at June 2021, a new total of **163 households/families representing 558 people** was identified. Over 22 years, this showed an increase of around **112 per cent** in the number of households/families in the locality and a rise in its overall population of nearly **54 per cent**.

Out of the 558 people identified in *Résidence Anoska*, **296 (i.e., 53 per cent)** were **males** and **262 (i.e., 47 per cent)** were **females**. There were **195 children aged under 18 years**, representing around 35 per cent of this locality's population. Table 1 below provides the number of persons in *Résidence Anoska* broken down by sex and age group.

**Table 1. Number of persons in *Résidence Anoska* by sex and age group.**

Age group (in years)	Number of persons		
	<i>Male</i>	<i>Female</i>	<b>Total</b>
Children under 18	102	93	<b>195</b>
18 - 34	100	79	<b>179</b>
35 - 49	57	55	<b>112</b>
50 - 64	36	28	<b>64</b>
65 and above	1	7	<b>8</b>
<b>Total</b>	<b>296</b>	<b>262</b>	<b>558</b>

Figure 1 below shows a bar chart on the number of persons by sex and age group living in *Résidence Anoska*. It was noted that the population in *Résidence Anoska* was predominantly young with around 67 per cent representing individuals aged 34 years or under.

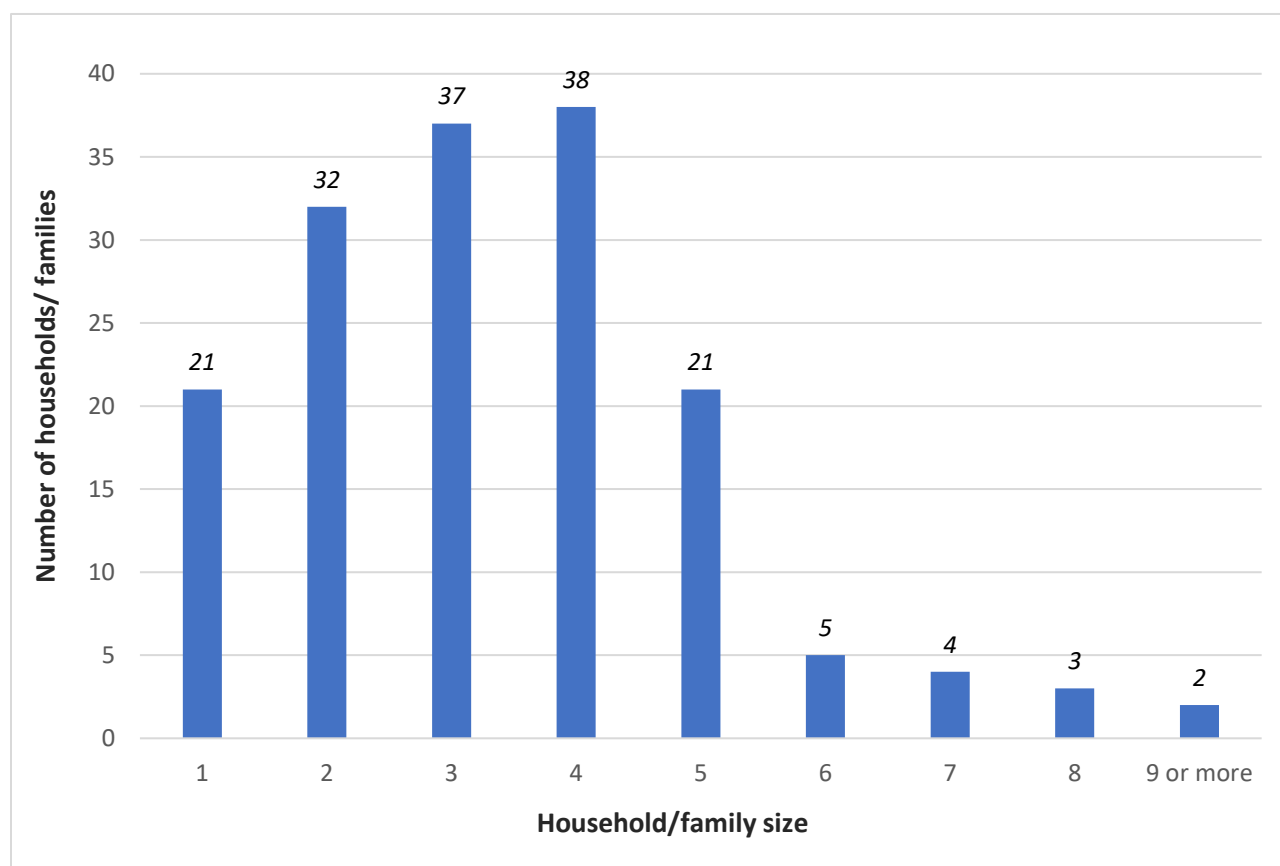


**Figure 1.** Number of persons living in *Résidence Anoska* by sex and age group.

## 2.5.2. The families of *Résidence Anoska*

### 2.5.2.1. Household/family sizes

The number of persons in each household/family at *Résidence Anoska* ranged **from 1 to as many as 14**. The majority of households/families however comprised **less than 5 persons**; these small households/families made up **79 per cent** of the total number of households/families. The average number of persons in a household/family was **3.4**. Figure 2 below shows a breakdown of the number of identified households/families in terms of their size, that is, the total number of persons living in any given household/family.

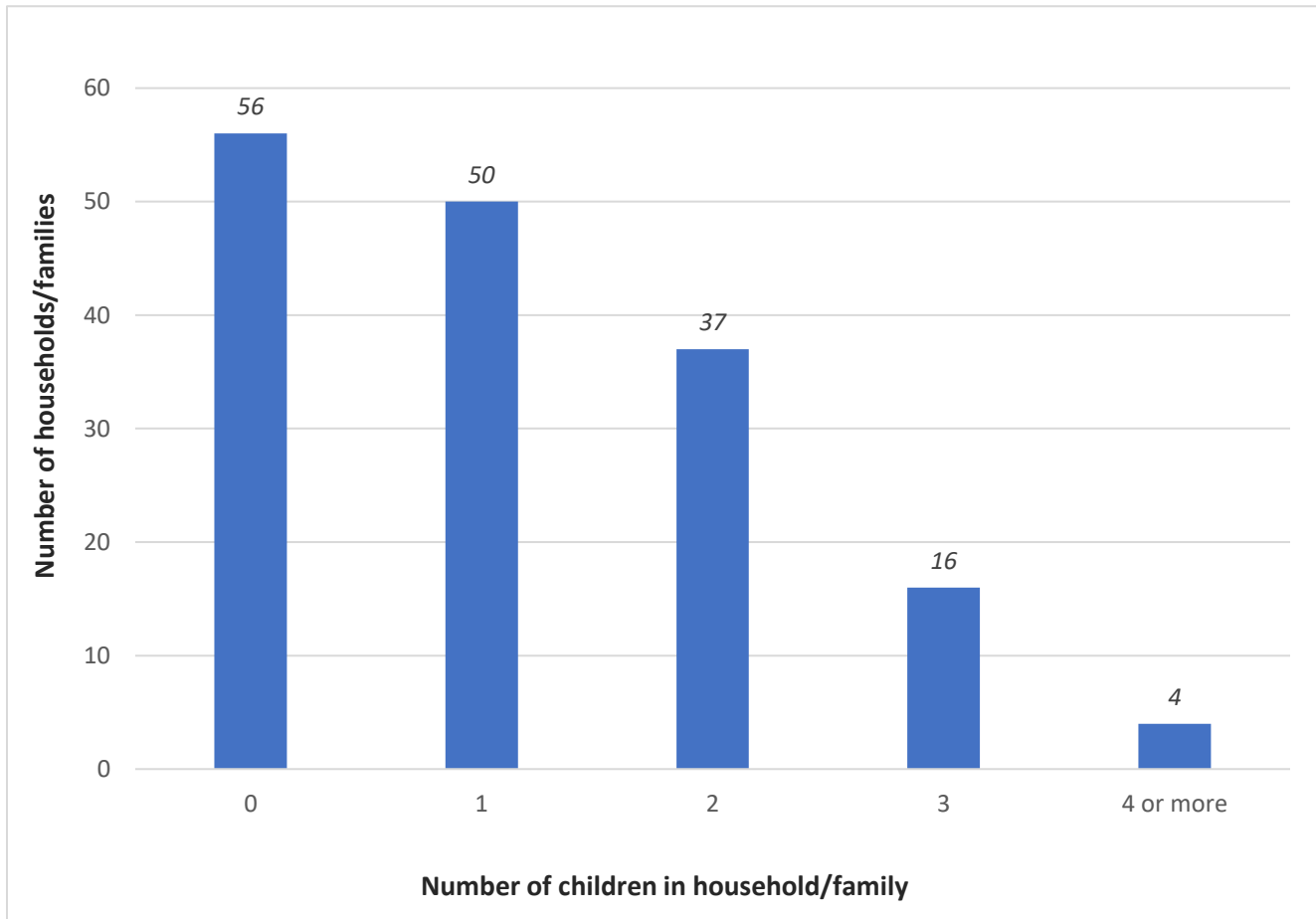


**Figure 2.** Number of households/families in *Résidence Anoska* by household/family size.



### 2.5.2.2. Number of children within households/families

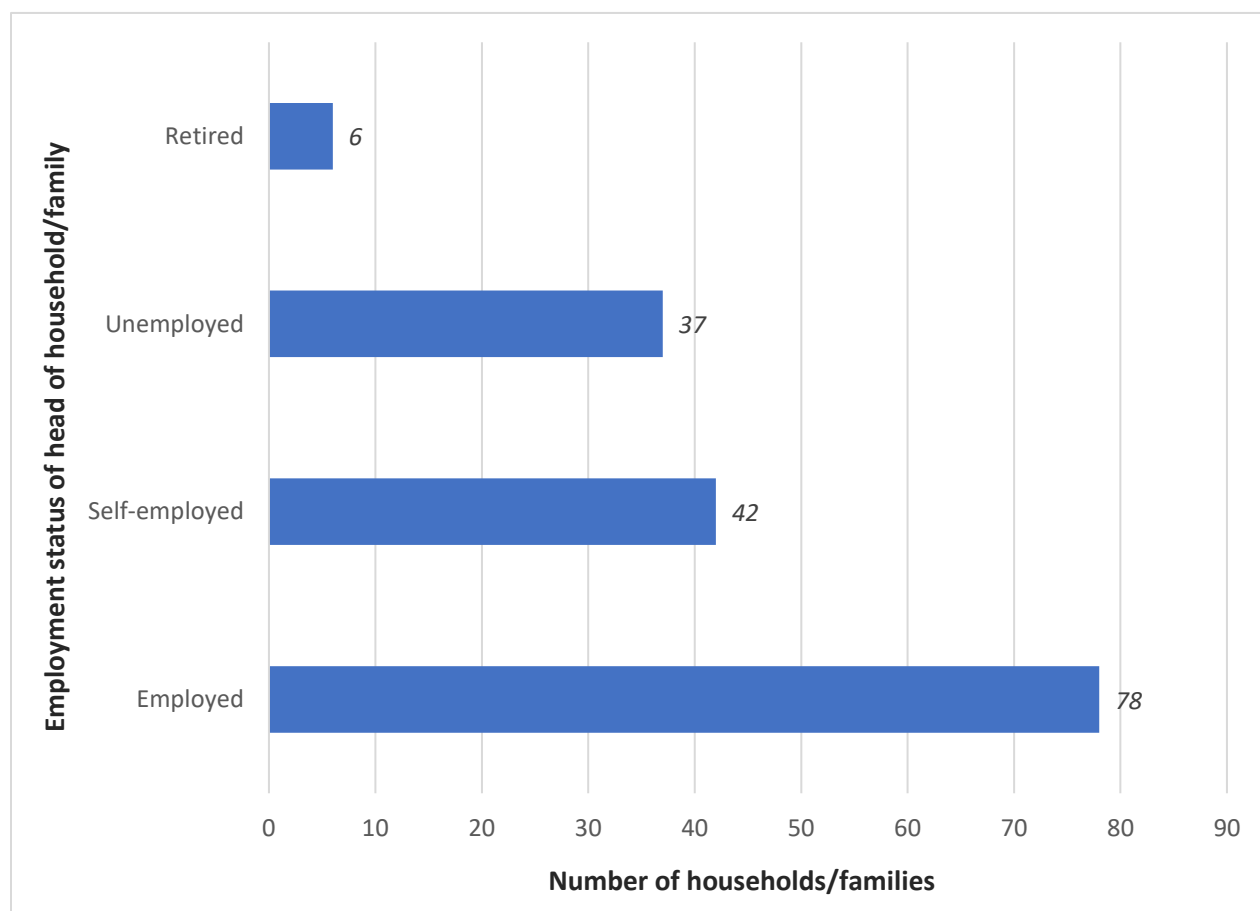
Nearly **two-thirds (i.e., 107)** of the **163 households/families** in *Résidence Anoska* had children aged up to 18 years. Most of them had **1-3 children** and only **4 households/families** had **more than 3 children**. Figure 3 below provides the number of households/families by the number of children under 18 years living within the household/family.



**Figure 3. Number of households/families with children in *Résidence Anoska*.**

### 2.5.2.3. Employment status of the heads of households/families

Out of the 163 households/families in *Résidence Anoska*, **120 (i.e., around 74 per cent)** were headed by persons who were either employed or self-employed. The remaining **26 per cent (i.e., 43 households/families)** were headed by persons who were not working, of whom **6** heads of households/families were retired. The unemployment rate among heads of households/families in the locality represented nearly **23 per cent**. Figure 4 below illustrates the number of households/families in *Résidence Anoska* by the employment status of the heads of the households/families.

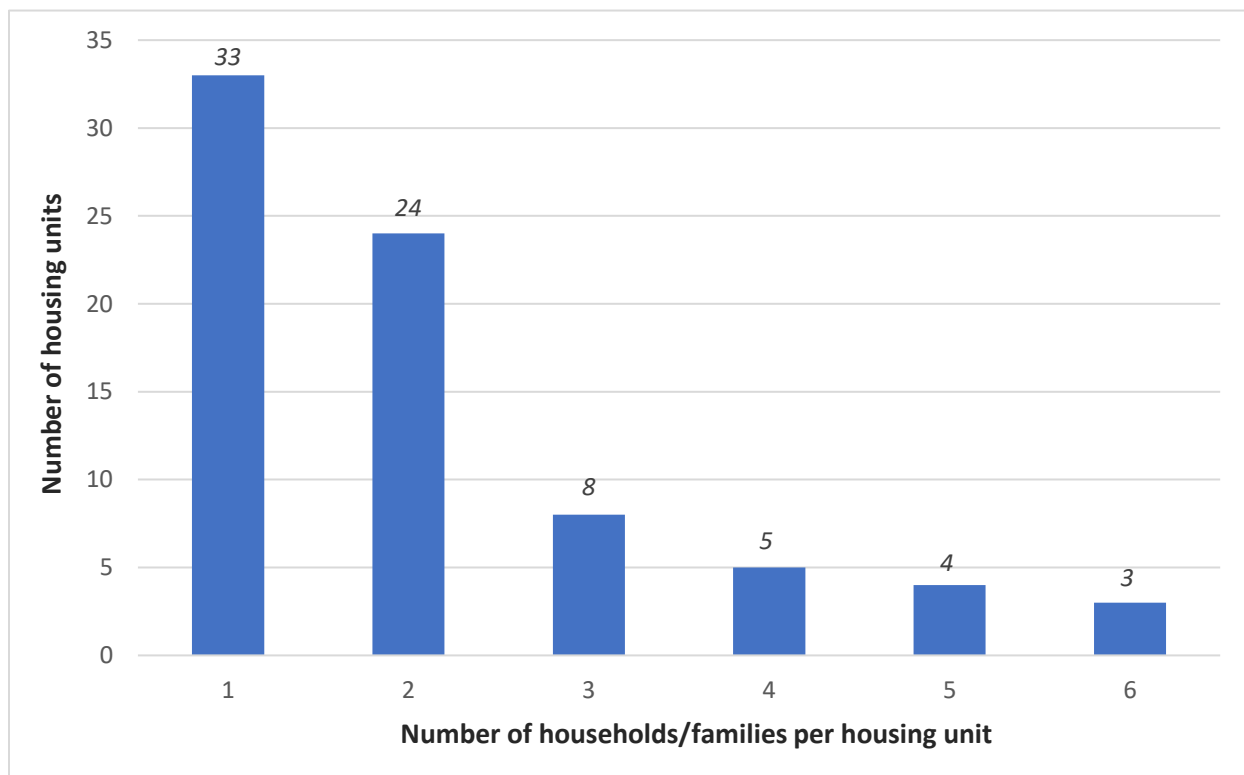


**Figure 4.** Employment status of heads of households/families in *Résidence Anoska*.

#### 2.5.2.4. Number of households/families living in a housing unit

At the time of the OCO's survey, the 558 identified inhabitants of *Résidence Anoska* lived in a total of **77 housing units**. It was noted that the number of households/families living in each housing unit **rangé from 1 to as many as 6**. Some **26 per cent** of the housing units (i.e., **20 housing units**) were each occupied by **3 or more households/families**. The average number of persons living in each housing unit was as high as **7.2**.

As mentioned in subsection 2.5.1 of the current chapter, the 77 households/families at the time of the relocation increased to 163 households/families over 22 years. Some housing units, initially built for one household/family, underwent extensions over time to accommodate more than one household/family. In fact, **17 out of the 77 housing units** identified (i.e., **around 22 per cent**) accommodated **more than 9 residents**. **Four of them** even housed **more than 19 persons**. Figure 5 below provides an overview of the number of housing units in *Résidence Anoska* by the number of households/families per housing unit.



**Figure 5. Number of housing units by number of households/families in *Résidence Anoska*.**

## 2.5.3. The children of *Résidence Anoska*

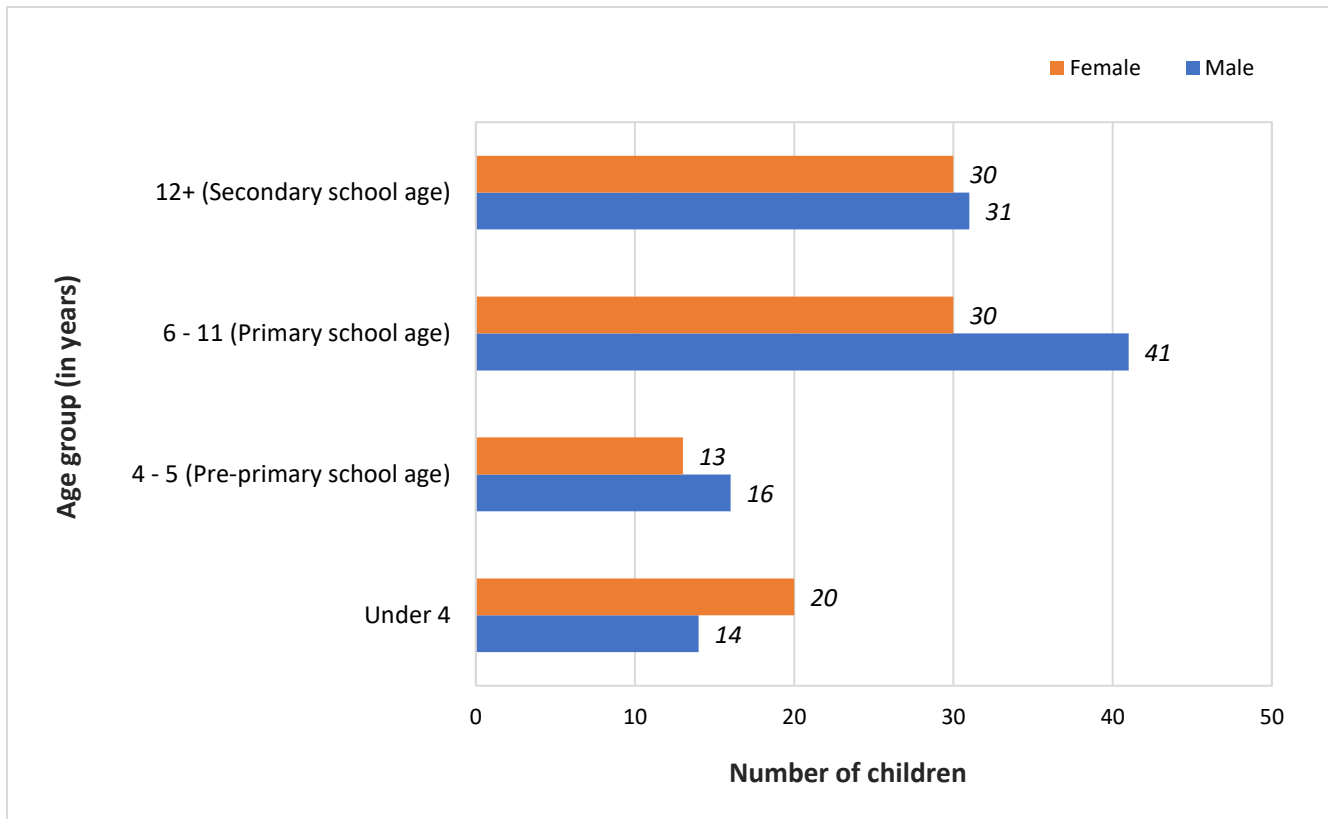
### 2.5.3.1. Number of children by sex and age

Out of a total of **195 children aged under 18 years old** at *Résidence Anoska*, **102** were **boys** and **93** were **girls**. Table 2 below provides a detailed breakdown of the number of children in this locality by sex and age.

**Table 2. Number of children in *Résidence Anoska* by sex and age.**

Age of child (in years)	Number of children		
	Male	Female	Total
Under 1	3	4	7
1	4	8	12
2	4	4	8
3	3	4	7
4	7	6	13
5	9	7	16
6	9	7	16
7	5	3	8
8	3	3	6
9	7	4	11
10	8	8	16
11	9	5	14
12	2	7	9
13	9	3	12
14	5	5	10
15	3	4	7
16	4	5	9
17	8	6	14
<b>Total</b>	<b>102</b>	<b>93</b>	<b>195</b>

Among these children, **18 per cent** were **under 4 years** of age, **15 per cent** were of pre-primary school age (**4-5 years**), **36 per cent** were of primary school age (**6 – 11 years**) and the remaining **31 per cent** of secondary school age (**above 11 years**). Boys outnumbered girls at all these age groups, except in the youngest age group (i.e., below 4 years old). This information is illustrated in Figure 6 below.



**Figure 6. Number of children of Résidence Anoska by sex and age group.**

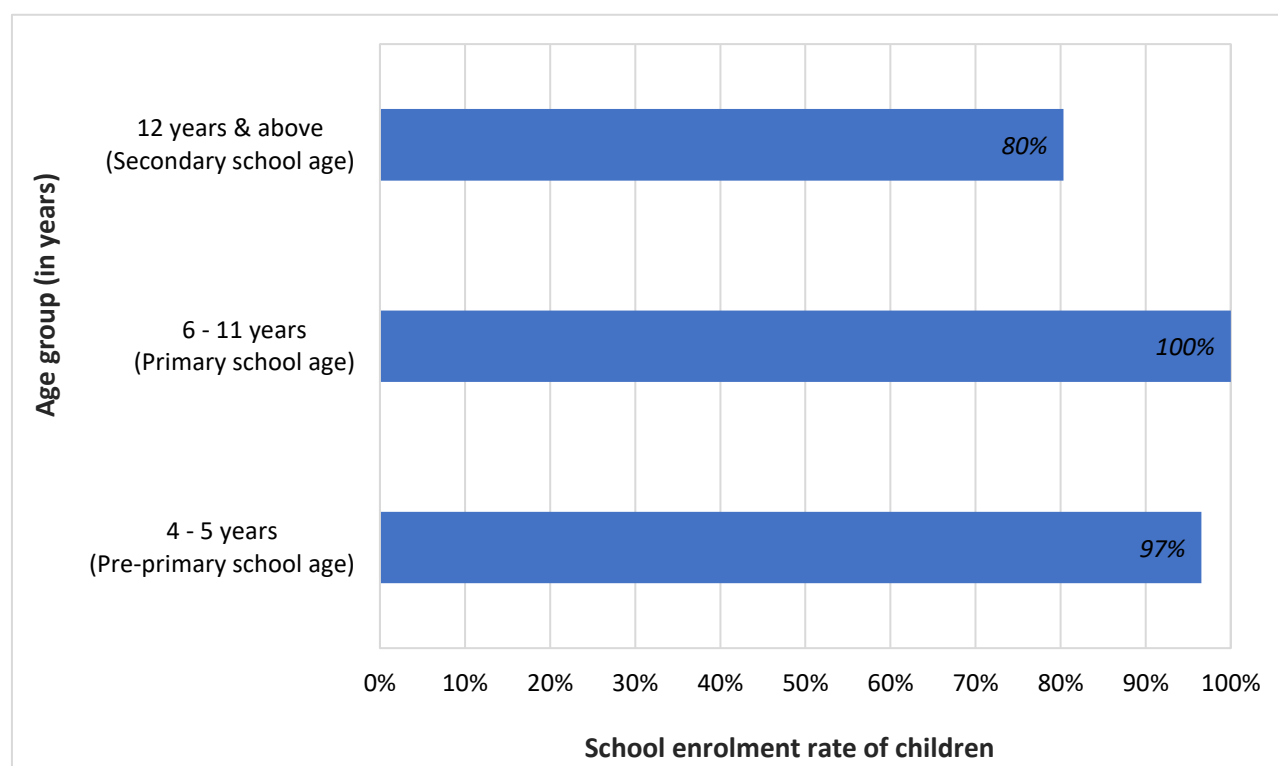
### 2.5.3.2. Children's education

#### *2.5.3.2.1. Children at school*

Out of the **161** children of school-going age (**4 years and above**), **148** (about 92 per cent) attended school, of whom, **4** attended **Special Education Needs (SEN) schools** and **7** attended technical/vocational training institutions. **School enrolment** was the highest among **children of primary school age (100 per cent)** and the lowest (**80 per cent**) for those of **secondary school age**. Table 3 below provides further details on the number of children by age group and school/educational institution attended, while Figure 7 below illustrates the enrolment rate of school-going children by age group at Résidence Anoska.

**Table 3. Number of children in *Résidence Anoska* by age group and school/educational institution attended.**

Age group of child (in years)	School/educational institution attended						Total
	No school	Pre- primary	Primary	Secondary	SEN	Technical/ Vocational	
Under 4	30	4	0	0	0	0	34
4 - 5 (Pre-primary school age)	1	25	2	0	1	0	29
6 - 11 (Primary school age)	0	4	58	7	2	0	71
12+ (Secondary school age)	12	0	1	40	1	7	61
<b>Total</b>	<b>43</b>	<b>33</b>	<b>61</b>	<b>47</b>	<b>4</b>	<b>7</b>	<b>195</b>



**Figure 7. School enrolment rate of school-going children by age group in *Résidence Anoska*.**

### 2.5.3.2.2. *Children out of school*

Some 13 children under the age of 18 years in *Résidence Anoska* did not attend school, of whom 5 (including 4 boys and 1 girl) were within the compulsory age of up to 16 years for schooling in the Republic of Mauritius. Table 4 below provides a detailed breakdown on children who are out of school in the locality, by sex and age.

**Table 4. Number of children under 18 years in *Résidence Anoska* not attending school, by sex and age.**

Age of child (in years)	Number of children		
	Male	Female	Total
4	1	-	1
13	1	-	1
14	1	-	1
16	1	1	2
17	5	3	8
<b>Total</b>	<b>9</b>	<b>4</b>	<b>13</b>

### 2.5.3.3. *Children's families*

#### 2.5.3.3.1. *Type of household/family with children*

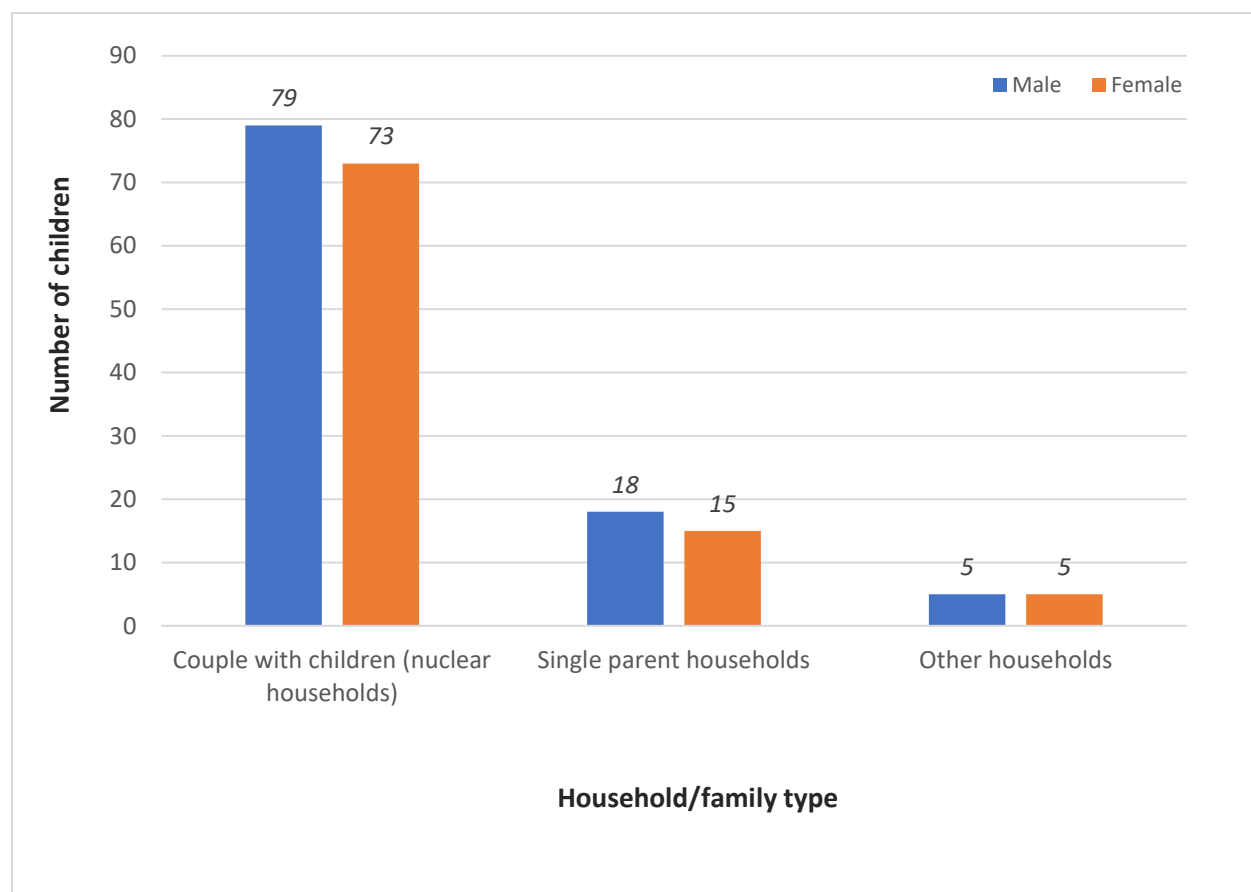
Out of the 195 children living in *Résidence Anoska*,

- **152** children (nearly **78 per cent**) lived in nuclear families with **both their parents**;
- **33** children resided with only **one parent** (either the father or the mother); and
- **10** children lived in other types of households/families.

Table 5 and Figure 8 below provide breakdowns of the number of children in *Résidence Anoska* by sex and type of household/family.

**Table 5. Number of children in *Résidence Anoska* by sex and type of household/family.**

Type of household/family with children	Number of children		
	Male	Female	Total
<u>Nuclear household/family (Couple with children)</u>	<u>79</u>	<u>73</u>	<u>152</u>
<u>Single parent household/family</u>	<u>18</u>	<u>15</u>	<u>33</u>
• <i>Single father-headed household</i>	5	6	11
• <i>Single mother-headed household</i>	13	9	22
<u>Other households/families</u>	<u>5</u>	<u>5</u>	<u>10</u>
<b><u>Total</u></b>	<b><u>102</u></b>	<b><u>93</u></b>	<b><u>195</u></b>

**Figure 8. Number of children in *Résidence Anoska* by sex and type of household/family.**

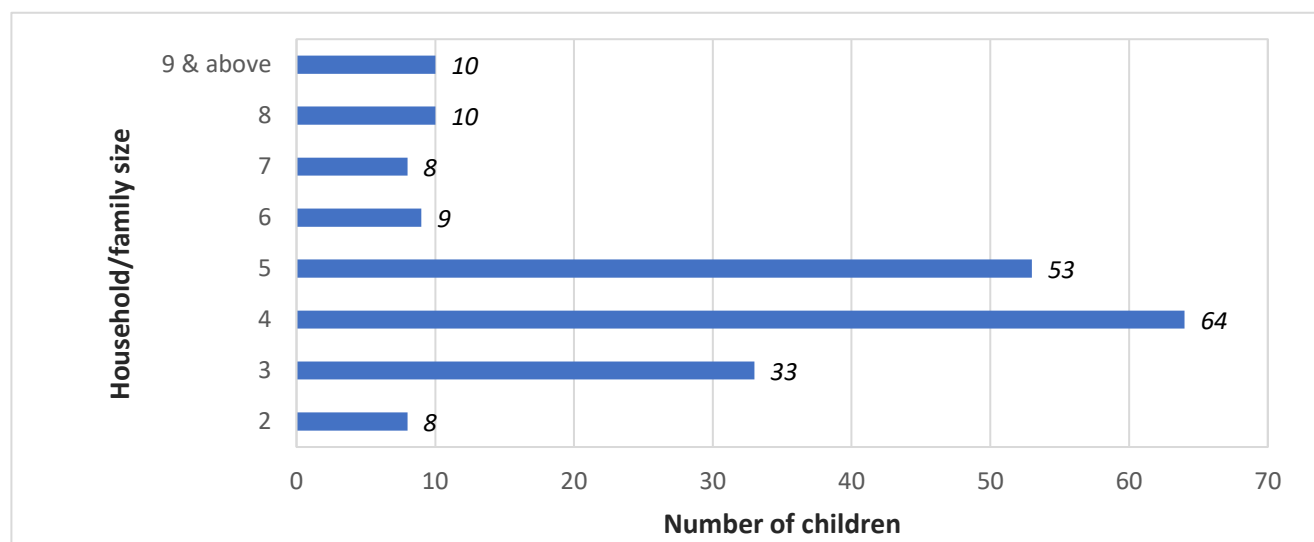


### 2.5.3.3.2. Household/family size with children

Most of the children (around **81 per cent**) lived in small households/families with **2-5 people**. However, **9 children** (4 boys and 5 girls) lived in a very large household/family of **14 persons**. Table 6 below shows the number of children in *Résidence Anoska* by sex and household/family size. Figure 9 then provides a graphical overview of the total number of children by household/family size.

**Table 6. Number of children in *Résidence Anoska* by sex and household/family size.**

Household/family size	Number of children		
	Male	Female	Total
2	7	1	8
3	17	16	33
4	31	33	64
5	26	27	53
6	4	5	9
7	7	1	8
8	6	4	10
9	0	1	1
14	4	5	9
<b>Total</b>	<b>102</b>	<b>93</b>	<b>195</b>



**Figure 9. Number of children by household/family size in *Résidence Anoska*.**

### 2.5.3.4. Children's housing

#### 2.5.3.4.1. Number of occupants in housing units with children

Taking into consideration that some houses accommodated more than 1 household/family, it is more relevant to estimate overcrowding by looking at the total number of occupants in a housing unit. Based on this, it is found that **18 per cent** of the children (i.e., 35) of *Résidence Anoska* lived in overcrowded housing units of **11-15 occupants** each, and another **39 per cent** of the children (i.e., 76) lived in largely overcrowded housing units of **more than 15 occupants** each. Table 7 below gives more details on the number of children by sex and number of occupants per housing unit in the locality.

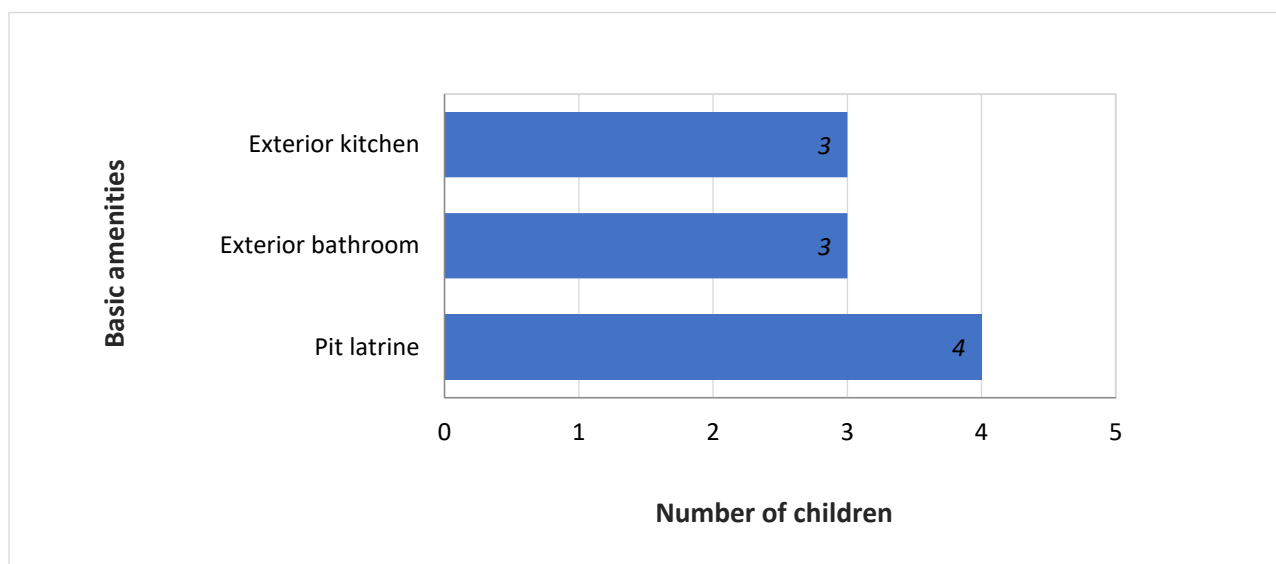
**Table 7. Number of children by sex and number of occupants in a housing unit in *Résidence Anoska*.**

Number of occupants in housing unit	Number of children		
	Male	Female	Total
1 - 5	16	23	39
6-10	28	17	45
11 - 15	16	19	35
16 - 20	17	20	37
21 and above	25	14	39
<b>Total</b>	<b>102</b>	<b>93</b>	<b>195</b>

#### 2.5.3.4.2. Amenities in housing units accommodating children

Most of the children lived in housing units equipped with basic amenities such as flush toilets, interior bathrooms and interior kitchens. However, as shown in Figure 10 below, it was noted during the OCO's survey that 10 children lived in housing units with

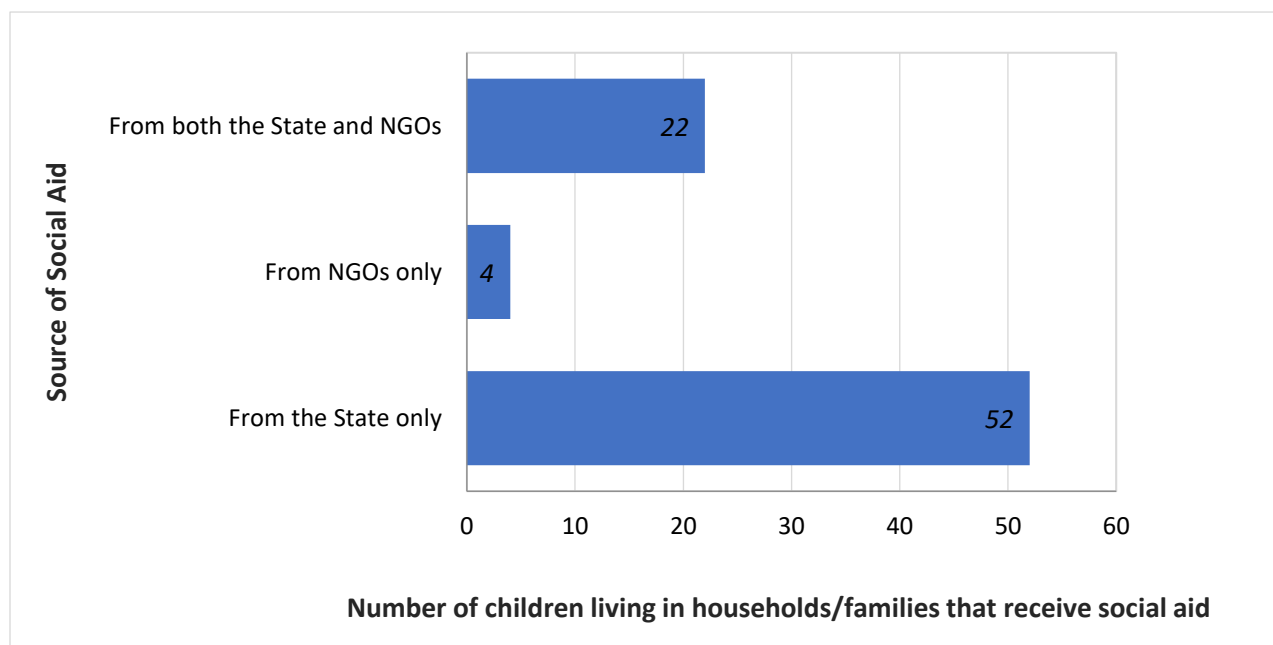
- pit latrines (4 children),
- exterior bathrooms (3 children); and
- exterior kitchens (3 children).



**Figure 10. Number of children in Résidence Anoska living in housing units with pit latrines and exterior amenities.**


#### 2.5.3.5. Children living in households/families that receive Social Aid

Out of the 195 children living in *Résidence Anoska*, **78 of them** (i.e., 40 per cent) lived in households/families that receive Social Aid from the State or NGOs only, or from both, as illustrated in Figure 11 below:



**Figure 11. Number of children in Résidence Anoska living in households/families that receive social aid from the State or NGOs, or both.**

## 2.6. Interpretation of data and discussion of qualitative field information collected at *Résidence Anoska*



**"I'VE ALWAYS LOVED NUMBERS. AS A CHILD, WHEN I DID MATH, I UNDERSTOOD EVERYTHING. I LEARNED DECIMAL NUMBERS WITHOUT DIFFICULTY. THE SAME GOES FOR FRACTIONS. I KNEW EVERYTHING ABOUT ROMAN NUMERALS. I WAS ASKED A PROBLEM, I SOLVED IT. I WAS SHOWN STATISTICS AND, INSTEAD OF TAKING A GLASSY LOOK LIKE MANY, FOR ME THE FACTS AND TRENDS INDICATED BY THE FIGURES READ LIKE A STORY."**

~ Arnold Schwarzenegger, Actor and Former Governor of California

This investigation on the protection of children's rights in *Résidence Anoska* emphasised how important it was to collect a maximum of relevant quantitative and qualitative data from the inhabitants to obtain a clearer picture of the needs of the children and their families, and achieve a better way forward together with them. In-depth analysis of data is also a necessary procedure to assess the nature and extent of the vulnerability of children and to identify areas requiring interventions, particularly those that are most urgent. Additionally, meaningful data help to monitor the progress made in the implementation of programmes and to evaluate programmes' effectiveness so as to ameliorate interventions. The present section discusses both the quantitative and qualitative data collected from the OCO's questionnaire survey, field observations and interviews in *Résidence Anoska* under **four overarching themes**, namely:

1. The children of *Résidence Anoska* have the right to protection;
2. Education to unlock the child's potential: educational barriers and successes at *Résidence Anoska*;
3. Children of *Résidence Anoska* have talents; and
4. In search of a healthy environment for children.

## 2.6.1. The children of *Résidence Anoska* have the right to protection



**“WE OWE OUR CHILDREN – THE MOST  
VULNERABLE BEINGS IN ANY SOCIETY – A LIFE FREE  
FROM VIOLENCE AND FEAR.”**

~ Nelson Mandela

Children are vulnerable beings as they depend on adults for their protection. As promoted by the CRC (UN, 1989), the child has the right to be protected from all forms of violence, ill-treatment, abuse and exploitation.

Violence committed against a child – in any form – is a violation of his/her right to protection, and this can happen across social and economic backgrounds. Worse, children are at risk even in places where they should have felt safe, like at home, in alternative care institutions, or at school. This is also the case for *Résidence Anoska*. Most inhabitants of this locality have been sensitised on this matter and they are now determined to protect the children of their locality. It is also important to note that the CRC (UN, 1989) stipulated that respect for the right to protection of children did not depend solely on the authorities, but also on other stakeholders such as parents, relatives, NGOs and teachers, among others.

### 2.6.1.1. Stigma associated with the locality

When one talks about *Résidence Anoska*, he/she cannot, unfortunately, dissociate it from all the past human tragedies of which some of its children had been victims. The story of 11-year-old Eléana Gentil, in particular, can be sadly remembered. She disappeared on the night of Easter Sunday, 05 April 2015. Ten days later, on 15 April 2015, the girl's body was found in the area of *Nouvelle France*, about two kilometres from her home. Five years later, at *Résidence Anoska*, a 3-year-old girl was the victim of a sexual assault. And, as part of the investigation carried out by the CDU, it came to light that her older sister of 9 years was also sexually abused.

Since this double tragedy, *Résidence Anoska* has often been in the spotlight of the media. Many articles that appeared in the press depicted a bleak picture of this locality. As a result, the inhabitants felt stigmatised. These unfortunate incidents raised many questions on the vulnerability of the children who live in *Résidence Anoska* and on their living conditions.

In response, the OCO initiated various discussions with residents and NGOs working at *Résidence Anoska*, in order to build strong partnerships among them in view of protecting children of this locality from all forms of violence. As explained in subsection 2.4 earlier, these meetings culminated in a 2-day ‘networking forum’ on 12 and 13 August 2020. Subsequently, the OCO conducted a survey from August 2020 to June 2021 at *Résidence Anoska* to collect qualitative and quantitative data on the children and families living there.

#### 2.6.1.2. Small living areas, increased risk of promiscuity

The data collected by the OCO on the population and constitution of families in *Résidence Anoska* allowed for a better understanding of the demography and socio-economic situation of this community. Such information could allow policy makers to plan and implement appropriate actions for the members of this locality. The investigation showed that *Résidence Anoska* had, as at June 2021, 163 families including 558 people, compared to the relocation period in 1999, when the population of *La Pipe* amounted to 77 families, or 363 people. The data gathered at *Résidence Anoska* revealed that 50 out of the 163 families, had only one child. Fifty-six families had no children, 37 families had 2 children, and only 2 families had more than 4 children. Of the 107 families with children, 75 said they received no social assistance from the authorities.

Since the relocation, it was clear that the families had grown in size over 22 years. In some cases, three, or even four, generations lived in the same dwelling. The houses were originally built for one family on land plots of 7 “perches” each. Some housing units were later extended to lodge more families, and households in *Résidence Anoska* evolved to more complex structures with several generations, as well as, non-family members sharing the same accommodation. For instance, at *Résidence Anoska*, it was found that some land plots of 7 “perches” accommodated up to 6 families. The most populous dwelling accommodated 28 people, consisting of 13 adults and 15 children.

Additionally, the OCO's team noted that these complex households, often in poor conditions, appeared to have led to further social problems, such as:

- High levels of tension and stress in some homes where family members consumed substances such as cigarettes, alcohol or drugs;
- Crowded homes that did not necessarily provide a conducive environment to children's learning and overall development;
- Lack of involvement of parents, in terms of time, skills and motivation, in assisting their children's school education; and
- Lack of personal space in home environments, and adolescents sharing the same rooms with young adults, which increased the risks of promiscuity, children witnessing intimate acts between adults living in the same house, and even child sexual abuse.

### 2.6.1.3. Fragile family structures

At *Résidence Anoska*, most families have a nuclear structure, that is couples with children. Often, due to lack of financial means, young couples continue living in their parental homes, while keeping their independence. Upon the birth of their own children, they would usually enlarge the housing structure or reconfigure existing spaces within the house. Sometimes, up to 4 generations - grandparents, parents, children and grandchildren - coexist under the same roof, resulting into extended families within restrained spaces. In addition to the struggle for physical space, intergenerational conflicts were also reported to be common during the survey. Children's wellbeing and growth were likely to be affected within such milieus.

On the other hand, there were 21 single-parent families at *Résidence Anoska*, 13 of them headed by the mother, while 8 others by the father. These parents often had to do everything on their own: work and earn an income, as well as, take care of household chores and all the children's needs. It was noted that this multi-tasking was a significant challenge for these single parents. Ideally, children need both parents for their different needs such as their safety, health, education and leisure, among others.

The investigation also revealed that some parents were negligent towards their children. For instance, some parents had not yet had their children vaccinated. Other parents were not aware at all of the activities of their children during the day. Owing to having to work to support their families, some parents entrusted the care of their younger children to their older offspring. As a result, the latter would miss school. There were also parents who, unfortunately, did not have the means to adequately meet the basic needs of their children.

In addition, it was noted during the enquiry that some parents consumed alcohol frequently. In these cases, children were often left to themselves. They did not attend school regularly and, even worse, some did not go to school at all and wandered the streets. Being away from the safety net of schools and with a lack of healthy leisure activities, these children were highly likely to engage in harmful activities and were at risk of becoming prey to different forms of abuse.

#### 2.6.1.4. The residents sensitive to the suffering of victims

The situations mentioned in the above sections can inevitably increase risks of children becoming victims of different forms of abuse, including physical, emotional and sexual abuse. Nevertheless, some residents asserted that one should not blame an entire locality for the crimes of a few people and label everyone as ‘abusers’. A group of them claimed during the OCO’s survey that: *“The cases of sexual abuse recorded in the neighbourhood are very often related to outsiders who come to live in one of our houses. It is true that we do not live in the best conditions in the world, but we are, above all, human beings. We are not insensitive to the suffering of these victims.”*

Some inhabitants of *Résidence Anoska* openly related that, following some conflicts with other members of the locality, they were reluctant to alert the authorities when they witnessed violence inflicted on children. In some cases, parents said that they feared their children would be taken away from them by the CDU. Hence, they preferred to rely on the help of the neighbourhood to ensure the protection of their children. They also confided that, in the event that the CDU arrives in their locality to remove alleged child victims, the inhabitants would mobilise to oppose this process. It should be highlighted here that the CDU intervenes only when it has been alerted on a case of violence against a



child. However, in reality, by putting any kind of hindrance in the duties of CDU officers, the inhabitants would only further jeopardise the safety of child victims of violence.

Furthermore, many inhabitants of *Résidence Anoska* also spoke out in favour of promoting children's wellbeing and keeping them safe. To achieve these objectives, they proposed that loans at preferential rates as well as subsidies could be granted to them to improve the structure of their homes. They also believed that vulnerable families must get personalised support to better meet their needs. They suggested that NGOs operating in their locality could use targeted interventions to better supervise children living in precarious families. Many residents expressed their interest to be empowered on how to better protect their children, as well as, other children of the locality.

#### 2.6.1.5. Socio-economic difficulties

The investigation by the OCO in *Résidence Anoska* also explored the socio-economic situation of the inhabitants. It was found that, out of the 169 women of working age of this locality, 90 had no occupation or source of income, and they included many single mothers. Consequently, they could not contribute to the financial needs of their families. These survey results appeared to be revealing a feminisation of poverty within families of this community, especially among single-parent families headed by women. It must be noted that financial vulnerability in families could put children at risk of abuse and neglect. That being said, among the non-working women, there were some who wanted to become entrepreneurs. However, due to a lack of money and logistical support, they were not being able to start anything. Hence, it would be important to raise these women's awareness and empower them with relevant entrepreneurial skills to enable them to start a small business.

#### Right to Protection (UNCRC, article 19)

*States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.*

## 2.6.2. Education to unlock a child's potential: educational barriers and successes at *Résidence Anoska*

This can never be stressed enough: **education is the key to a better future**. This is why the child's right to education is enshrined in the CRC (UN, 1989). Article 28 of the CRC (UN, 1989) called on States Parties to make *"primary education compulsory and available, free to all"* and to encourage *"the development of secondary education, including general and vocational"*.

The CRC (UN, 1989) also urged countries to make education open and accessible to all children and to adopt appropriate measures, such as offering free education or financial assistance when needed. In addition, article 29 of the CRC (UN, 1989) stipulated that the education of the child should be aimed at promoting *"the development of the child's personality, talents and mental and physical abilities to the fullest potential"*.

In the Republic of Mauritius, primary education has been free for several decades, while secondary education became free in January 1977. In addition, school education is compulsory until the age of 16 years. It is the duty of parents, wider family members, teachers, the authorities and other relevant stakeholders to make every effort to ensure that the child's right to education is respected. In the case of *Résidence Anoska*, it is of paramount importance that the inhabitants realise that education can open doors to better life opportunities and provide the necessary knowledge and skills to overcome social barriers.



**"EDUCATION IS THE RIGHT OF EVERY CHILD, THE DUTY OF EVERY PARENT AND THE OBLIGATION OF THE COMMUNITY."**

~ Edouard Seguin

### 2.6.2.1. Social difficulties that contributed to school absenteeism among children

Although most children under the age of 18 years of *Résidence Anoska* are enrolled in a school or technical/vocational training institution, there remain significant challenges in some families to provide quality education to their children. The OCO's Investigators noted that many children at *Résidence Anoska* were irregular at school. Their school absences appeared to be related to various possible reasons, for example:

- The financial difficulties encountered by their parents due to unemployment or intermittent jobs and related tensions at home;
- Inadequate healthy nutrition at home that made it difficult for children to concentrate on their studies;
- The lack of appropriate clothing to cope with the cold and humidity in the region of 16<sup>ème</sup> Mille, Forest Side, where *Résidence Anoska* is situated, especially during rainy periods;
- A lack of parental authority and supervision, particularly when both parents worked, whereby children remained at home, often for unnecessary reasons. This created significant gaps in their learning, which were often difficult to catch up;
- A lack of academic support from parents, a situation that appeared to decrease the motivation of children towards school. Many children of the locality were in need of tutoring support, remedial classes and help with homework after school hours;
- Negative stereotypes on *Résidence Anoska* that contributed in discouraging a few parents from sending their children to school. Some residents did not hide their embarrassment over some degrading and indecent names that were often attributed to their village. They feared that their children would be scorned at and bullied at school, thus affecting their wellbeing.

In this context, it could be inferred that the right to education of the child who lives in *Résidence Anoska* was often at risk of being compromised, or even violated, and it would be highly necessary for relevant authorities to provide considerable attention to the children of this locality in order to fulfill this fundamental right.

### 2.6.2.2. School communities that nurture students

The importance of early childhood education cannot be understated. Inhabitants of *Résidence Anoska* have shown awareness that their children must be in school as from pre-primary school age. Nathalie Edoo, a Social Worker at the NGO of SOS Children's Village, said that about 20 children of *Résidence Anoska*, aged between 2 and 5 years, attend the *Education and Learning Centre* (ELC) run by the NGO, located in Curepipe, which is dedicated to pre-school education. These children, she pointed out, are regular at the ELC and display a daily presence varying between 90 and 92 per cent. Transport facilities are made available to the children to come to the ELC and to go back home. When the weather is bad,

parents do not have to worry about their children getting drenched. The parents of these children are relieved that not only do their children receive breakfast and lunch daily at school, but they also benefit from activities that promote their cognitive, social and emotional development.

Regarding school payment, low-income parents only have to contribute a nominal amount monthly, instead of the full school fee. Nathalie Edoo highlighted: *“We make the link between families and the children's school life. Follow-ups are carried out at school and with the families. We are reaching out to strengthen family ties and encourage parents to send their children to school”*.

### Right to Education (UNCRC, article 28(1))

*“States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:*

- (a) Make primary education compulsory and available free to all;*
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;*
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;*
- (d) Make educational and vocational information and guidance available and accessible to all children;*
- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.”*

In relation to primary school education, the children of *Résidence Anoska* mainly attend Sainte-Thérèse RCA School or Midlands Government School. Nathalie Osman, Headmistress at Sainte-Thérèse RCA School, said reassuringly: *“We are aware that some of these children come from vulnerable backgrounds. We do our best to provide them with the necessary support, like psychological support. At school, all children are placed on an equal footing, they are entitled to the same respect. Thus, the children of Résidence Anoska receive the same treatment as others. To all of them, we teach values such as love and respect for others”.*

Vinaye Chutooree, the Headmaster at Midlands Government School, talked about the special attention given to vulnerable children of *Résidence Anoska*. He said that, *“support teachers offer to these children literacy and reading classes. In addition, we do our best to ensure that the children receive psychological support and we follow up with the Social Workers who take care of these families.”*

The next page illustrates the inspiring story of one of the OCO’s young interviewees in *Résidence Anoska*, Julie Ravanne, who had just recently finished her Higher School Certificate (HSC) exams. She told the OCO’s team about her school years and her hope for the future.

## The Educational Pathway of Julie Ravanne

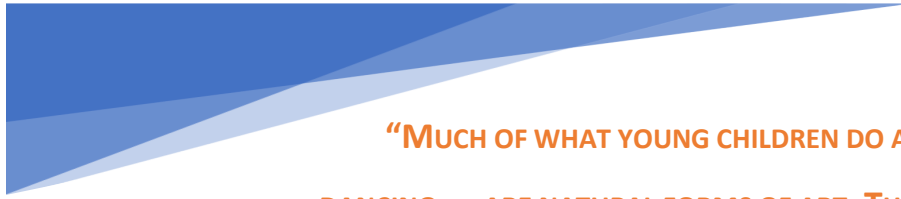
Julie Ravanne was waiting for her results of the HSC exams. This student of Loreto College Curepipe, who pursued the Arts side, confided to the OCO's team that her academic pathway had not always been easy. At the time when she attended the local pre-primary school, then Midlands Government School, she recalled having limited academic support at home. She always wondered if she would ever succeed in her educational journey.

Fortunately, as she progressed, she began to benefit from the help of NGOs working in *Résidence Anoska* such as SOS Children's Village and Lovebridge. She really appreciated this specialised support which she felt paid off in her case. She also added that support from her family was not negligible, and she knew that her parents made every effort to ensure that she succeeded in her schooling. She remembered being morally supported by her parents while doing her homework in their modest, but warm, living room at home.

For Julie, her college was not only a place where she acquired academic education, but it also was a milieu where she developed her identity and personality. It was there that she learned human values, the importance of faith, religion and living peacefully in society, among others. During her secondary school years, she also had opportunities to build her sense of commitment and responsibility. For instance, she was a member of the 'Student Council' of her college.

Passionate about travel, discovery, countries and cultures, she cherished the dream of becoming an air hostess. Nevertheless, she knew that she would never forget her roots in *Résidence Anoska*: *"If I were to leave the locality, I will always miss its spirit of sharing and solidarity"*.

### 2.6.3. Children of *Résidence Anoska* have talents



**“MUCH OF WHAT YOUNG CHILDREN DO AS PLAY — SINGING, DRAWING, DANCING — ARE NATURAL FORMS OF ART. THESE ACTIVITIES ENGAGE ALL THE SENSES AND WIRE THE BRAIN FOR SUCCESSFUL LEARNING.”**

~ David. A. Sousa, Writer of ‘How the brain works’

Article 31(1) of the CRC (UN, 1989) advanced that *“States Parties shall 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”*. The next section of this article then stated that: *“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”* (UN, 1989, article 31(2)). The Republic of Mauritius, having ratified this Convention, thus has a moral obligation to ensure that the rights of children to leisure, recreation and sports are respected, including those of the children of *Résidence Anoska*.

The survey of the OCO found that children of *Résidence Anoska* are full of talents that have remained largely untapped. Despite a notable lack of appropriate leisure, sports and artistic infrastructure in the locality, the children did not seem discouraged and found alternative ways to engage in such activities. They were observed playing football, volleyball, hide and seek, card games and even traditional games such as *“Colin-maillard”*. This demonstrated their resilience and creativity despite the odds. Additionally, the children counted on non-governmental organisations such as the *Action Catholique des Enfants* (ACE) and the *Centre d'Education et de Développement pour les Enfants Mauriciens* (CEDEM), which regularly facilitated leisure activities for young people at the Social Centre of *Résidence Anoska*. It should be noted that, before the COVID-19 pandemic, some NGOs also organised recreational outings for these children.

### 2.6.3.1. Children voicing out on their leisure needs

The OCO's team spoke to many children in *Résidence Anoska* to learn about their preferred leisure activities, passions, talents, as well as their perspectives on things that hindered the participation of children and young people in leisure and recreational activities in their locality. The table below provides a summary of some of the experiences of 5 children in *Résidence Anoska* aged 10-15 years:

<i>The voices of 5 children of Résidence Anoska</i>	
<b>Kenza Joseph, 10 years</b>	Kenza is passionate about Sega dance, singing and sports. This Grade 4 student at Sainte-Thérèse R.C.A School in Forest-Side, loves songs with deep and truthful lyrics. Every Saturday afternoon, she participates in singing and dancing activities organised by the NGO ACE. <i>"I feel very happy and proud when I indulge in the activities I love. I wish there were more concerts and that young people could have fun in the locality,"</i> she says.
<b>Yeshna Narajee, 11 years</b>	Indian dance and sports are the two passions of Yeshna. At the Social Centre of <i>Résidence Anoska</i> , this Grade 6 student at Midlands Government School gives free rein to her talent as a dancer under the supervision of a facilitator from the NGO CEDEM. In terms of sports, for two consecutive years, the young girl won silver medals in running competitions organised by the Midlands Government School. Yeshna believes that the children of <i>Résidence Anoska</i> are often misunderstood. <i>"My friends and I just need opportunities, motivation and coaching to move toward our goals,"</i> she says.
<b>Julia Ravanne, 11 years</b>	Since her early childhood, Julia has been passionate about singing and dancing the Sega. This Grade 6 student at Sainte-Thérèse R.C.A school in Forest-Side lets her talent as a dancer speak out, thanks to the support and encouragement of her teachers. Through activities organised by the Social Centre of <i>Résidence Anoska</i> , Julia does not miss any opportunity to show her skills. <i>"I feel as powerful as a movie star when I sing and dance to the applause of the audience,"</i> she remarks proudly.



**Naina Narajee, 15 years**

Naina has more than one string in her bow. Student in Grade 10 at Mauritius College, she loves sports and painting, and during the confinement period in 2020, she discovered a passion for writing. She proudly presented to the OCO's team the many medals she received during past running competitions at school. In addition, she is very comfortable in arts. In 2020, Naina won a Gold Cup in a drawing competition on the theme of the environment. The teenager voices out that: *"Many young people in my community are idle. I would have liked them to be coached and to access more free leisure activities to motivate them"*.

**Serena St. Flour, 10 years**

It is Taekwondo that passionates Serena. Student in Grade 5 at Sainte-Thérèse RCA. School, she has been practicing this Korean martial art three times a week for a year. It is with pride that she said that she has reached the rank of yellow belt and that she is working hard to reach the blue belt soon. *"I am able to defend myself in the event that I am attacked. Also, my passion can offer me the opportunity to participate in local and international competitions"*, she says.

### Right to Leisure, Recreation and Cultural Activities (African Charter on the Rights and Welfare of the Child, article 12)

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

### 2.6.3.2. Lack of sports and leisure infrastructure

Although the children of *Résidence Anoska* often found creative means to indulge in leisure and sports activities in their locality, they did not have access to adapted infrastructure and facilities that could recognise and improve their skills and talents further. Existing structures were in deplorable states. For example, due to a lack of maintenance, the children's playground was not operational. As for the Social Centre of the locality, it was poorly kept and under-utilised. The books stored at the centre were in poor condition. In addition, the football field located on the main road at 16<sup>ème</sup> Mille was in a considerably degraded state. The lack of basic equipment also hindered the young people from practising sports activities. Lastly, it is important to highlight that not all children at *Résidence Anoska* had the means to access paid leisure activities.

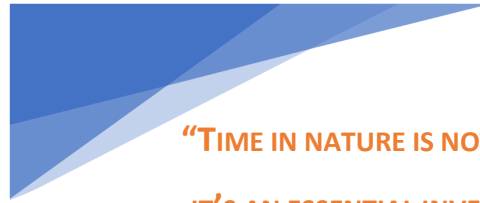
### 2.6.3.3. Social scourges among the youth

According to the information obtained during the survey, social scourges had already paved its way among the young people of *Résidence Anoska*. Indeed, it was reported that some of them were involved in drug-related activities, while others consumed alcohol and tobacco. Engaging in risky behaviours was viewed to be commonplace among this target group and some of them engaged in early sexual intercourse. As a result, some teenage girls had abruptly ended their schooling after becoming pregnant. These social problems appeared to have become a vicious cycle among the young population of this locality.

## 2.6.4. In search of a healthy environment for children

“A sound mind in a sound body”. Perhaps this expression should be added to this saying, “in a sound environment”, especially when referring to children. Every child has the right to a safe, clean, healthy and sustainable environment to grow well and enjoy all his or her rights. The environment in the context of children's rights is not limited to the physical environment. It rather refers to a whole set of

conditions that are gathered in advance in order to facilitate the realisation of the rights of the child to life and development, protection, food, health and an adequate standard of living. It can be considered as an ecosystem that allows the child to participate fully in the social, cultural, recreational and educational activities that foster his/her development.



**“TIME IN NATURE IS NOT LEISURE TIME;  
IT’S AN ESSENTIAL INVESTMENT IN OUR  
CHILDREN’S HEALTH (AND, ALSO, BY  
THE WAY, IN OUR OWN).”**

~ Richard Louv

### 2.6.4.1. Past versus Present

A lush green nature in *La Pipe*, Midlands, this is the vivid image that comes to the mind of the elders of *Résidence Anoska* when describing their previous village. For his part, Mr Eric Mangar, Director of the MAA, remembered that the inhabitants were also at that time self-sufficient in food. The latter cultivated land and engaged in the breeding of animals. The river that ran through the village was full of fish that the locals caught for food. The water in this river was so clear and clean that the locals also used it for their household chores. In addition, activities in nature such as mountain outings, hiking trips and fishing parties were an integral part of community life. Although the houses in *La Pipe* were devoid of water and electricity, they were spacious and comfortable to the contentment of its former inhabitants. The village also had its own kindergarten. As a whole, this environment had contributed to the development of social cohesion among the then residents of *La Pipe*. Nevertheless, when the OC and her team surveyed *Résidence Anoska* as from July 2020, they observed that the environmental features as well as the inhabitants’ lifestyle and relationship with the environment were different from those described above in *La Pipe*.

#### 2.6.4.2. Large families, little space

As already mentioned in earlier sections of this chapter, the 77 families who relocated from *La Pipe* to *Résidence Anoska* were each allocated a house built on a land plot of 7 “perches”. With supporting documents, Mr Eric Mangar advanced that, from the first months following the delivery of the new houses, anomalies were noted in their structures. During a door-to-door exercise in the locality, the OC and her team also noted precarious housing conditions including, poor ventilation, damp and mould problems and damaged roofs. With the notable expansion in the number of families in *Résidence Anoska* over more than two decades, it was obvious that living space within the initial houses and yards had reduced significantly, creating a less optimum environment for children’s healthy development and elevating the risks related to promiscuity and abuse.

#### 2.6.4.3. The ‘squatters’

Many residents complained about the presence of families who did not originally belong to *La Pipe* or *Résidence Anoska* and who had settled at the entrance of their village on land belonging to the State. They told the OCO’s team that the ‘squatters’ have had many conflicts with the locals of the village and these had a negative influence on the atmosphere in the locality.

#### 2.6.4.4. Insalubrity and pollution

Despite the waste disposal services provided by the District Council of Grand-Port on a weekly basis, garbage was seen to be piled up on vacant land plots. Other types of waste, such as old furniture and mattresses, scrap cars, discarded household appliances, metal or plastic remains had been left in the backyards of some residents, or on unoccupied land located on the edge of the village. These wastes not only polluted the environment but also caused the proliferation of mosquitoes that could spread diseases such as chikungunya and dengue, among others. Residents also had to deal with an increasing number of stray dogs in the locality that elevated risks of zoonoses and flea proliferation. By rummaging in waste bins and leaving garbage in the open, stray dogs worsened environmental pollution. The presence of dogs’ excrements on streets and public spaces was also causing problems with unpleasant smell in the locality and risks to people’s health, especially babies.

#### 2.6.4.5. The absence of green spaces

The children's playground at *Résidence Anoska* had not been maintained for a long time and was in a deplorable state. The grass there had not been mowed for months, while the swings, slides and benches were broken. In other words, this site no longer met basic safety standards to protect children from possible accidents. Thus, due to lack of maintenance and upgrading of this infrastructure, the children of *Résidence Anoska* were being deprived of this outdoor space that was supposed to contribute to their right to leisure.

Residents also lamented the lack of green spaces, where they could have engaged in recreational and cultural activities. It is well known that green spaces help with relaxing the mind and the body, and provide a feeling of overall well-being. In this context, the inhabitants of *Résidence Anoska* made a request to the District Council of Grand-Port to embellish the village by planting shrubs.

#### 2.6.4.6. A Social Centre hardly serving its original purpose

The Social Centre of *Résidence Anoska* was initially created to hold the various social activities of the locality and encourage inhabitants to collaborate and build peaceful relationships for the betterment of this community. Although some meetings and community activities are carried out at this centre, in reality it was inadequately managed and utilised. Given the centre's lack of maintenance, elders preferred to regroup on the entrance steps of the village's chapel for chatting. Furthermore, despite the provision for a library room within the Social Centre, the OC noted that this area was overly cluttered and was not conducive to learning for children. The OC requested to the relevant stakeholders to upgrade this room in a child-friendly manner so that it could become a dedicated leisure and reading corner for children of *Résidence Anoska*.

Moreover, the yard of the Social Centre originally was to be utilised as a playground for teenagers who practise sports or as a meeting place to allow young people to socialise. However, due to the deplorable state of the yard and the insalubrity of the place, the majority of young people preferred to meet elsewhere, for example, on the street, despite the dangers it entailed, or at friends' houses. Many of them expressed the wish to have a proper and safe meeting space for youth in the locality.

### 2.6.4.7. Issues with road infrastructure and transport services

Proper road infrastructure and a viable and safe transportation system can contribute to improving the quality of life of inhabitants of a neighbourhood. The inhabitants of *Résidence Anoska* deplored the poor condition of roads in the locality and low-quality public transport services. Some of them complained that the village was served by buses producing a lot of black smoke, and that bus times were irregular. Bus stops were also not covered, even though the village is located in a high rain area. Residents also feared for their safety as there is only one access leading to the village.

### 2.6.4.8. A cleaning campaign at *Résidence Anoska*

On 20 August 2020, the OC organised a Press Conference to present the highlights of the two-day ‘networking forum’ between community members of *Résidence Anoska* and child professionals. During her intervention, she had strongly recommended the need for a cleaning campaign by relevant stakeholders, principally the inhabitants of the village, to promote the right of children to a clean and safe environment. The OC’s appeal was heard. The “*Forces Vives*” of *Résidence Anoska* carried out a cleaning and waste collection (including metal and wood waste) campaign for three consecutive weekends in February 2021. The persons in charge of the Social Centre also carried out a major clean-up of the building with the removal of old objects that had piled up, leaving more space for leisure and community activities.

#### Right to a Healthy Environment (UNCRC, article 24(2)(e))

*2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:*

*e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, (...) hygiene and environmental sanitation and the prevention of accidents*

This community project was made possible thanks to several preparatory meetings, the financial contribution of a sponsor for the rental of a truck, and the active participation of the inhabitants of *Résidence Anoska*. However, due to a lack of garbage bins in homes and in the community, the stakeholders feared that cleanliness could be hard to maintain after this campaign. The OC recommends to the relevant authorities to provide more garbage bins to the 163 families of *Résidence Anoska* to support them in keeping their locality clean.

## 2.7. The important role of NGOs at *Résidence Anoska*

The authorities are not the only stakeholders working for the well-being and advancement of the inhabitants of *Résidence Anoska*. There are also many NGOs that contribute in these domains with various target groups of this locality. Some of them have even been active with this community for several decades. The OCO recognises the importance of working closely with NGOs to advance the cause of children and to more efficiently promote and protect their rights.

The present section of the chapter highlights the role of various NGOs (presented in alphabetical order), made up of committed men and women who daily work in the best interests of vulnerable children and their families, including those from *Résidence Anoska*, namely:

1. *Action Familiale*;
2. *Agir Tous pour la Dignité* Fourth World;
3. *Association Féminine Anoska*;
4. Caritas de Sainte-Thérèse;
5. *Centre d'Education et de Développement pour les Enfants Mauriciens*;
6. *Cuisine Solidaire*;
7. Lovebridge;
8. Monad Charity;
9. *Mouvement d'Aide à la Maternité*;
10. *Mouvement pour l'Autosuffisance Alimentaire*;
11. SOS Children's Village; and
12. T1 Diams.



### **2.7.1. Action Familiale (AF)**

AF is active in promoting the harmonious development of children and adolescents in order to prevent early pregnancies. It encourages family planning through the use of the natural method as well as modern and scientific methods, and above all it emphasises family values. AF offers training on family values and provides sex education to children and adults. The latter courses are delivered in primary schools and colleges, and also with extra-curricular groups and out-of-school young people. The NGO is always available for support and advice. Through its various activities and projects, AF promotes family harmony, a stable married life, responsible fertility among both men and women, and respect for life.

### **2.7.2. Agir Tous pour la Dignité (ATD) Fourth World**

Among the various activities organised by ATD Fourth World, each year it invites about 60 inhabitants of *Résidence Anoska* – young and old – to share their daily fight against poverty, but also to give their opinions on the subject. The NGO also annually organises a cultural and educational outing for about 40 children and young people of this locality. Last year, for example, they visited the Black River Gorges National Park where they reflected on the impact of the COVID-19 pandemic on their lives. At *Résidence Anoska*, the children learned how to make their own masks and hydro-alcoholic gel. Other young people participated in social leadership training at the ATD Fourth World centre with the aim of learning how to take charge of their future in order to make it better.

ATD Fourth World also worked with adults of *Résidence Anoska*. A dozen of them regularly participate in the programme of “*Liniversite Karmond Moris*”, a space for dialogue and reflection for families living in poverty. A theme is chosen for each meeting and a resource person is invited to allow participants to share, dialogue and reflect collectively.

The international movement ATD Fourth World, in collaboration with researchers from the University of Oxford, launched an international participatory research project in 2016. The aim was to identify the key dimensions of poverty and their relationship in order to lead countries to consider the need to take into account areas other than finance when thinking about poverty. In this context, the NGO is currently working on the dissemination of the ‘hidden dimensions of poverty’ derived from the project. Nine

adults from *Résidence Anoska* participated. This project is in line with the United Nations Sustainable Development Goal 1 that aims at ending poverty in all its forms everywhere by 2030.

### **2.7.3. Association Féminine Anoska (AFA)**

Formally registered with the Registrar of Associations since 2008, l'Association Féminine Anoska (AFA) brings together about 30 women of *Résidence Anoska*. It works towards the economic advancement of women and their families. The very first women and family empowerment project of AFA was carried out in collaboration with the *Mouvement pour l'Autosuffisance Alimentaire* (MAA), which provided laying hens and livestock feeds to 20 families at the time. Thanks to the income obtained, the beneficiaries were able to contribute financially to the well-being of their families. They also received financial support from the State and were supervised by officers of the Ministry of Agro Industry and Food Security. The latter regularly carried out on-site visits to ensure the smooth running of the project. Most recently, through AFA, the MAA provided plant growing trays to 15 families in *Résidence Anoska*. Its President, Marie Odile Azie, wants families to be able to overcome their precariousness and to improve their living conditions in the best interests of their children.

### **2.7.4. Caritas de Sainte-Thérèse**

Caritas of Sainte-Thérèse has been supporting the families of *Résidence Anoska* since 1996, three years before they left *La Pipe*. The support offered involves food, transportation and school materials for children. The targeted inhabitants also benefit from various trainings. Caritas of Sainte-Thérèse deplores the fact that the beneficiaries do not regularly attend these training sessions. One of the most successful training programmes so far was an agriculture course with 13 people of the locality, which was held at the community garden in O'Connor, Robinson Road, Curepipe.

Moreover, 5 years ago, an early learning centre for children aged 2 and 3 years has been established by the NGO at *Résidence Joachim*, Forest-Side. The children include those from *Résidence Anoska* as well. Parents are also trained to improve their parenting skills at this centre.

### **2.7.5. Centre d'Education et de Développement pour les Enfants Mauriciens (CEDEM)**

Since 1995, CEDEM has been operating different socio-educational activities and programmes with the children and parents of *Résidence Anoska*. In 1996, it even welcomed at its centre 4 children whose parents were highly struggling to meet their needs in terms of education, nutrition and health care. In 2003, the NGO started an English language programme which was delivered at the Social Centre of the locality. In the same year, every Saturday, a team of facilitators from CEDEM organised activity sessions for children, including drama, songs and games.

A competition, jointly sponsored by the South African Airways and Air Mauritius, was held in August 2003, and two children who won obtained a return flight ticket each to South Africa. International collaborators of CEDEM warmly hosted these children in South Africa. Moreover, several shows were also organised by the NGO which included the participation of children of *Résidence Anoska* who displayed their talents. Thanks to a project sponsored by the U.S. Embassy and implemented by CEDEM, several mothers had the opportunity to take part in a residential seminar at a hotel during a weekend. The same opportunity was provided to a group of young girls who were sensitised on the issue of child prostitution.

During the school holidays, CEDEM organises recreational activities with the children and it also regularly distributes cakes and gifts among them. Over several years, CEDEM Special Education Needs Schools have welcomed children with learning difficulties, including those from this locality. Transport, school materials and meals are also offered to them. Over the past 7-8 years, many children and mothers of *Résidence Anoska* have regularly benefited from therapeutic sessions under the therapy project of CEDEM held at “*Le Jardin de la Paix*” in Calodyne. Outings are also often organised by the NGO to allow young people to engage in healthy leisure activities.

### **2.7.6. Cuisine Solidaire**

*Cuisine Solidaire*, which operates under the aegis of the *Fondation Joseph Lagesse* of the IBL group, offers evening meals as well as a dessert to 30 families of *Résidence Anoska*, on a first-come-first-served basis. To this end, the NGO collects food and pre-supplied meals which are distributed to beneficiaries

from Monday to Friday. In order to improve its services, *Cuisine Solidaire* proposes to review its distribution method as the existing one causes jostling among the residents around the vehicle that transports the meals. The NGO intends, thus, to collaborate with the “*Force Vives*” of the locality to ensure the smooth running of the food delivery exercise.

### 2.7.7. Lovebridge

The NGO Lovebridge plays an active role in combatting poverty at *Résidence Anoska*. It supervises 11 families through six fundamental pillars: education, housing, health, employment, nutrition and MASCO (**M**otivation, **P**ositive **A**ttitude, **S**kills and **C**ourage). The strategies and action plans developed by the team of Lovebridge along with the active participation of beneficiaries, aim to help families progress in each of these areas.

The work with these families is carried out by a multidisciplinary team including field workers, psychologists and field coordinators. The length of support ranges on average eight to ten hours monthly per family. During weekly visits, the field workers follow up with the beneficiary families, adapt their action plans as necessary, and provide them with psychosocial support, including psychological follow-up of parents and children, active listening of their concerns and working on their self-esteem and self-confidence.

Lovebridge helps parents in their efforts to enroll their children in schools and in the search for training courses for young people. The NGO also contributes to the school fees of children admitted to the SOS Children's Village kindergarten and provides academic follow-up at the school. In addition, Lovebridge organises remedial classes for primary and secondary school children and accompanies parents during their meetings with teachers.

Furthermore, the NGO assists beneficiaries in their administrative procedures, helps them meet their medical needs and supports them in their quest for jobs. The NGO also prepares housing projects, monitors the educational/academic progress of children, ensures follow up at schools, and coordinates with its counterparts and other institutions offering specialised services. Additionally, Lovebridge conducts workshops on sexuality for young people, including those of *Résidence Anoska*.

### 2.7.8. Monad Charity

Monad Charity believes in establishing a strategy for long-term support to communities by focusing primarily on children and ensuring their empowerment through ongoing and well-informed support mechanisms. The NGO has been intervening in regions such as *Résidence Anoska* since the first lockdown in Mauritius in March 2020. Similar to many other vulnerable localities, the existing difficult living conditions in *Résidence Anoska* worsened during the pandemic. Monad Charity ensures the regular delivery of food parcels and hot meals in the area, both during and after lockdowns. The NGO also provides basic necessities such as clothing, school supplies for children, warm clothes and blankets during winter.

In 2020, Monad Charity identified families living in precarious housing conditions and provided them with building materials received from generous donors. The NGO referred cases of families whose children required special attention to the OCO for appropriate support.

Furthermore, vulnerable families at *Résidence Anoska* benefitted from two educational workshops organised by Monad Charity entitled “*Dibout lor to lipie*”. These island-wide workshops aimed at empowering people with a view to reducing poverty and improving living conditions in vulnerable areas of Mauritius. The participants received free entrepreneurial coaching, financial advice, life coaching, psychological support, legal advice and parental counselling. Workshops by professionals on the theme of “How to succeed” were also organised with the families of *Résidence Anoska* where they learnt about the “success stories” of other families who had overcome poverty.

During the school holidays, a workshop was organised for children, including those from *Résidence Anoska*. The latter participated in different activities such as educational games, colouring, painting, reading, outdoor games, crafts, dancing and singing. A Christmas lunch was also offered. The NGO organised a distribution of gifts by Santa Claus, DJ animation and a concert with popular artists on the same day.

### **2.7.9.      *Mouvement d'Aide à la Maternité (MAM)***

In its 12 years of operation at *Résidence Anoska*, the association of MAM has supervised 90 adult and teenage mothers, and their children, which totals to 200 people. MAM's interventions focus on training, support, listening, prevention of early pregnancy and home visits. To achieve its goals, the NGO also solicits the support of resource persons such as psychologists, doctors, legal representatives and relevant authorities for information and awareness-raising sessions. This team of professionals actively listens to the concerns of the mothers to better support them in finding suitable solutions.

Also, MAM accompanies teenage mothers by supporting them throughout their pregnancy. This allows them to welcome their newborn with confidence. Beneficiaries are also trained in their role as mothers so that they can know how to take proper care of their babies and ensure their good development. It should be noted that, during the training sessions, fun and educational activities are also organised by MAM for the children who accompany their mothers. It was observed that the availability of the latter facility appeared to have increased their number of mother beneficiaries.

Moreover, MAM offers literacy classes and training on health, agriculture and computers, which can enable mothers to learn skills and earn a living by getting a job. During the two national lockdowns in the years 2020 and 2021 respectively, the NGO kept in touch with the beneficiaries through the online platform 'WhatsApp'. It also assisted them through donations for children, including winter clothes, blankets, diapers, maternity packs and non-perishable food.

### **2.7.10.    *Mouvement pour l'Autosuffisance Alimentaire (MAA)***

MAA is a non-governmental organisation specialised in food security, working to facilitate empowerment and self-sufficiency among the poor population of Mauritius. It finds its origins in self-help groups that were organised with unemployed people in the early eighties when Mauritius was going through one of its worst economic crises. MAA is very active in villages and schools and raises awareness among families and children about food self-sufficiency. In particular, the association has implemented the "School Gardening Programme" in 67 primary schools. Its objective is to familiarise children with the concept of food security.

MAA was present at *La Pipe* to assist the inhabitants in the production of their own food. The organisation supported the families during their resettlement to *Résidence Anoska*. To date, it still assists the inhabitants through different food self-sufficiency programmes.

Furthermore, in order to make the families of *Résidence Anoska* more self-sufficient in food, MAA launched, in August 2020, a project encouraging organic gardening, funded by the Absa Bank. Fifteen families thus received gardening troughs, compost, seeds and equipment to start their cultivation. The MAA also provided them with training throughout the project. Another agricultural project awaiting implementation is the obtention of a leasehold land that will be made available to all families of this locality for agriculture and livestock farming.

### **2.7.11. SOS Children's Village**

Under its “Family Strengthening Programme”, the SOS Children's Village supports 50 families including 150 children from *Résidence Anoska*. The aim of this initiative is to empower and equip families in caring for and protecting their children. Several other services are also made available to beneficiaries. These include the implementation of family empowerment strategies; awareness-raising and information campaigns on various social issues; psychosocial support; remedial courses; recommendations for specialised services; employability support and training; and the contribution to early childhood protection and education.

In April 2011, SOS Children's Village opened a kindergarten in Curepipe for the children of *Résidence Anoska*, known as the ‘Education and Learning Centre’ (ELC). It welcomes about 20 children aged between 2 and 5 years. The creation of ELC, funded by the National Social Inclusion Foundation (NSIF), is the result of a philanthropic initiative. Low-income parents do not pay a monthly fee but rather make a symbolic contribution. The social measures put in place by the school are yielding encouraging results.

Nathalie Edoo, Social Worker for the region of Curepipe/Anoska at SOS Children's Village, believes that there is a gradual awareness among parents regarding the education of their children, including pre-primary education. The daily presence of children at the school varies between 90 and 92 per cent. The fact that transportation is provided to children free of charge is an important advantage for parents,

especially since *Résidence Anoska* is located in a wet region. Parents, moreover, are relieved to be able to leave their children at the ELC, where they benefit from several activities that promote cognitive, social and emotional development, and even receive breakfast and lunch.

### **2.7.12. T1 Diams**

People living with type 1 diabetes at *Résidence Anoska* have benefitted from the support provided by the NGO T1 Diams since 2010. Several services are offered to them: medical and psychosocial support, therapeutic education and training, visits to schools, distribution of special nutritional food packages and medical products (insulin and needles), and awareness program. The NGO also makes recommendations in the event of negligence and reports any cases of abuse to the police. The idea is to help people living with type 1 diabetes acquire and maintain the skills and knowledge they need to best manage their lives at home, school or work. T1 Diams also ensures that the beneficiary has the appropriate medical equipment for daily use and in sufficient quantity. In addition, the NGO offers specialised consultations with health professionals to patients and supervises the families through psychological follow-up.



## 2.8. The role of main governmental agencies at *Résidence Anoska*

### 2.8.1. National Social Inclusion Foundation (NSIF)

The NSIF is the central government agency, responsible for the funding of projects and programmes run by NGOs. It also strengthens the capacity of NGOs to achieve better results. Operating under the aegis of the Ministry of Social Integration, Social Security and National Solidarity, the NSIF provides funding to NGOs which operate at *Résidence Anoska* (except ATD Fourth World). The Foundation is called upon to play a decisive role in the fight against poverty. It works towards a more inclusive and equitable Mauritian society, and aims at contributing to Sustainable Development Goals. The NSIF also ensures that the funding provided to NGOs is adequate and well managed.

### 2.8.2. National Empowerment Foundation (NEF)

The mission of the NEF is to support and empower vulnerable groups of the society through the provision of effective and efficient services. As part of its mandate, the NEF started, in December 2020, the Integrated Community Development Project for the region of 16<sup>ème</sup> Mille, including *Résidence Anoska*. Under this program, eligible persons benefitted from medical examinations carried out by the Ministry of Health and Wellness; registration of the unemployed with the Ministry of Labour and Small and Medium Enterprises; the registration of young people with the National Skills Development Programme of the Human Resource Development Council (HRDC); distribution of compost bins to 20 households by the F.A.L.C.O.N Association; and the registration of adults at the Life Enhancement Education Programme (an initiative of the NEF).

At the end of 2020, the NEF was supervising 40 households of *Résidence Anoska* and 16<sup>ème</sup> Mille, registered on the Social Register of Mauritius (SRM). Presently, only 19 households of *Résidence Anoska* have been assessed to be still eligible for this assistance. Furthermore, the NEF also distributed school materials for the academic year 2021-2022 to the children of *Résidence Anoska*. In collaboration with the “*Forces Vives*” of the locality, a ‘Learning Corner’ and a ‘Mini Incubator for Small Entrepreneurship’ have been set up. The restoration and development of the kindergarten and embellishment work with the collaboration of the Ministry of the Environment are also on the agenda.

### **2.8.3. Child Development Unit (CDU)**

The CDU is the central government authority mandated to ensure the protection and development of children. The unit operates under the aegis of the Ministry of Gender Equality and Family Welfare. It has the legal obligation to intervene promptly where a child may be ill-treated, neglected, abandoned or destitute, or otherwise exposed to harm. If a child is a victim of abuse in the family, the CDU may, by order of a Magistrate, remove the child from his/her family unit and place him/her in a place of safety. The scope of action of this unit additionally includes services such as psychological treatment, sessions with parents, and other protection services on a 24/7 basis. The unit also operates a hotline (113).

## 2.9. Recommendations

### 2.9.1. Identifying priority areas through research

Data collection and analysis can provide an objective view of the situation of children in a locality including the problems they face in their daily lives. This information can allow State and non-state actors to identify priority areas of intervention related to children and come forward with targeted programs. Data collection and analysis also help in monitoring progress in the implementation of programmes and in assessing their effectiveness. **Hence, the OC emphasises on the importance of these processes as prerequisites to the formulation and implementation of any intervention related to children.** They provide a better understanding of the nature and degree of children's vulnerabilities and inform decision-making in the selection of priority areas of intervention, thus addressing violations of children's rights in a more effective way.

The current report thus serves as a useful tool for relevant stakeholders to facilitate the identification and implementation of appropriate projects at *Résidence Anoska* and in other similar vulnerable regions. It is deemed that projects related in particular to the health, education and protection of the children of *Résidence Anoska* must be given priority consideration by concerned parties.

### 2.9.2. Coordination and collaboration among relevant actors

Good planning of interventions and effective resources management within community-based projects are essential to increase their probability of achieving successful outcomes. At *Résidence Anoska*, the OCO's survey showed that there were many interventions by different State and non-state actors, but there seemed to be a lack coordination among them that often resulted in a duplication of interventions, sometimes with similar groups of the community's population. As a result, some very vulnerable families had been involuntarily left aside and were not receiving the necessary support.

The OC recommends that all actors, including the inhabitants of *Résidence Anoska*, must mutually collaborate in the implementation of projects. Both State and non-state actors must coordinate their actions to ensure that families, in all fairness, receive help and support following a comprehensive assessment of their needs.

### **2.9.3. Funding of projects by the NSIF and private sponsors**

The financial support of the State through the NSIF and funding from private sponsors are determinant in the implementation of projects for vulnerable communities such as that of *Résidence Anoska*. It is critical to judiciously manage these financial resources which are already very limited, especially in the current pandemic context. The OC proposes that the NSIF and private sponsors could ensure that projects presented to them for funding are based, as far as possible, on relevant qualitative and quantitative data. Multi-partnership and multidisciplinary projects involving the coordination of different governmental and non-governmental organisations as well as the beneficiaries themselves could be further encouraged. All these projects must be integrated with a continuous monitoring and evaluation plan so that difficulties in achieving the set objectives could be identified and addressed at an early stage.

### **2.9.4. Plan of action against poverty**

In light of the OCO's survey's results, it is proposed that the relevant authorities must take stock of the social inequalities at *Résidence Anoska* and adopt an action plan against poverty within this locality. For instance, they could

- (i) take initiatives to restore the means of subsistence of families living in precarious conditions in *Résidence Anoska*. The latter could be encouraged to organise themselves into cooperative societies to engage in projects such as agriculture and livestock farming;
- (ii) help families pay for their homes in order to relieve them of any housing debts, and allow them to become home owners;
- (iii) raise funds to help families repair their homes to provide a better living environment to their children in their best interests; and
- (iv) empower women to help them find a job or enter into entrepreneurship in order to be able to support their families financially.

### **2.9.5. Guarantee the holistic development of the child**

The holistic development of children cuts across several areas, including education, health and leisure, and it is important that their communities are equipped with the necessary infrastructure that support their proper growth. The OC recommends relevant State and non-state actors at *Résidence Anoska* to

- (i) continue to support and empower families both socially and financially so that their children's right to education is guaranteed. Educational support programmes, remedial lessons and specialised classes for children must also be set up as appropriate;
- (ii) address the problem of the lack of appropriate infrastructure at *Résidence Anoska* so that children and young people could engage in safe leisure and socialisation activities. It is a reality that lack of productive activities can open doors to social ills;
- (iii) renovate the children's playground of the locality at the earliest possible so that the young population of the locality could benefit from it;
- (iv) upgrade and efficiently maintain the Social Centre of *Résidence Anoska* so that young people and adults could participate more in community-based educational and social activities;
- (v) repair and maintain the football field located at Royal Road, 16<sup>ème</sup> Mille, to encourage a culture of sports among the young people of the locality; and
- (vi) organise regular artistic courses and sports coaching for children and young people in order to help them improve or even professionalise in these areas.

### **2.9.6. Positive parenting**

Parents play a decisive role in the present and future lives of their children. They are the first educators and protectors of their offsprings. However, they need continuous education and support to better undertake their roles as parents, especially those living in precarious conditions. The OC proposes the establishment of a dialogue and training platform, managed by a team of relevant resource persons, for parents of *Résidence Anoska* that could empower them on various areas relating to the rights of their children and how to better manage their needs.

### **2.9.7. A village to protect the children of *Résidence Anoska***

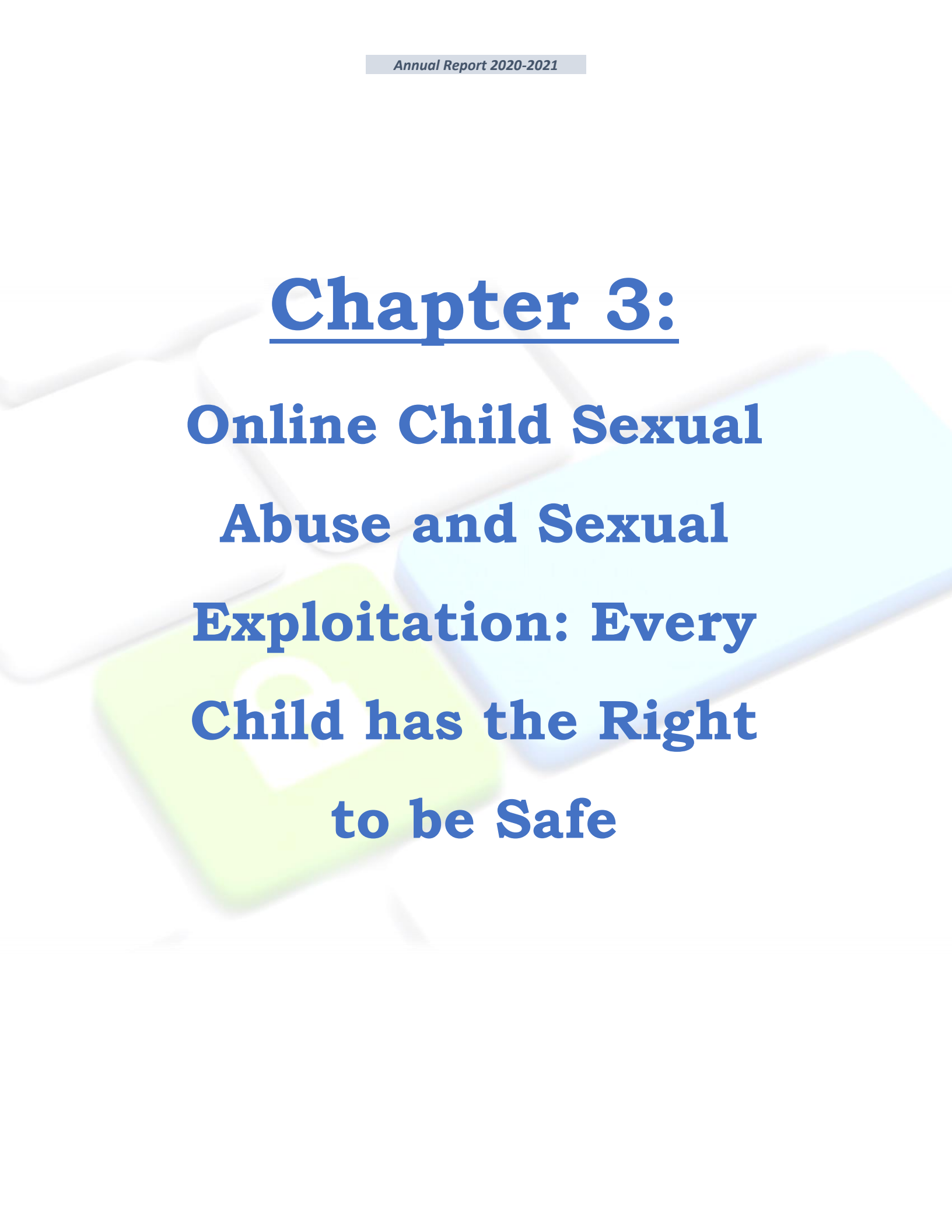
As stated by an African proverb, “*It takes a whole village to raise a child*”. **ALL** inhabitants of a region have the moral duty to ensure the safety of their children. The OC proposes the setting up of a support and supervision group by a coordinated body of relevant stakeholders in *Résidence Anoska*, including adult and child residents, in order to continuously sensitise the community on the consequences of violence and promote the protection of children against all forms of abuse.

### **2.9.8. Raising awareness among the inhabitants of *Résidence Anoska* on the importance of the environment**

The OC would like to reiterate the need of taking into account the specific vulnerabilities of children in relation to their environment. Initiatives, such as the organisation of child-friendly activities, seminars and educational programmes on the right of the child to a clean and safe environment should be undertaken by relevant stakeholders. Residents must be encouraged to be proactive and to take steps to clean and embellish the physical environment of their village. It is also important that residents are supported by the authorities in their efforts to get rid of bulky waste, manage the rise of stray dogs, and improve space issues within their home environments. The sustainable improvement of *Résidence Anoska*’s environment could contribute to a better quality of life for the whole community.

### **2.9.9. Promote the participation of children according to article 12 of the UNCRC**

The child is an integral part of the community of *Résidence Anoska* and has his/her own needs, expectations and ideas on different matters concerning him/her. Like adults, the child has rights and responsibilities that correspond to his/her age and maturity. Encouraging the participation of children is essential to ensuring relevant, coordinated and democratic interventions within this community. It is therefore important that governmental agencies and NGOs fully apply article 12 of the CRC (UN, 1989) to promote children's participation in decision-making processes regarding *Résidence Anoska*. It is essential to take cognizance of children’s opinions and experiences before implementing projects or setting up services.



# **Chapter 3:**

## **Online Child Sexual Abuse and Sexual Exploitation: Every Child has the Right to be Safe**

***“Protecting children from abuse and exploitation is everyone’s business. The sexual exploitation of children online cannot be dealt with by any one country, company or organization working in isolation; it demands a coordinated global response by governments, international organizations, technology companies and civil society.”***

(WePROTECT Global Alliance, 2016)



### 3.1. Background

In the domain of child protection worldwide, the onset of the COVID-19 pandemic has intensified many existing challenges and even created new ones. According to the United Nations International Children's Emergency Fund (UNICEF; 2021)<sup>5</sup>, children are being increasingly exposed to protection risks as an outcome of the COVID-19 crisis. For instance, children's separation from their parents can result from hospitalisation or even death of the latter due to the virus, which, in turn, can leave the children more vulnerable to violence, neglect and exploitation. Socio-economic difficulties within families, especially low-income ones and those living under poverty thresholds, and inadequate access to social support systems also accentuate during the pandemic. These contribute to stressful home environments, unstable child care, and an increased likelihood of children witnessing or being subject to intrafamilial violence.

As sanitary curfews due to the pandemic multiply across the world, face-to-face interactions among people reduce significantly. In such contexts, many adults and children considerably turn to online means to maintain contact with their families, friends, educators or colleagues, and also to entertain themselves through social media platforms and internet games, among others. With regards to children, the UN Committee on the Rights of the Child (2021, para.3)<sup>6</sup> commented that:

*The digital environment is becoming increasingly important across most aspects of children's lives, including during times of crisis, as societal functions, including education, government services and commerce, progressively come to rely upon digital technologies. It affords new opportunities for the realization of children's rights, but also poses the risks of their violation or abuse.*

Indeed, children and young people in most countries are, more than ever before, having unrestricted, and often unsupervised, access to online environments including unsafe ones. According to a UNICEF's (2017, p.80)<sup>7</sup> report, *"existing evidence indicates that the children who are most vulnerable to online*

<sup>5</sup> United Nations International Children's Emergency Fund (2021). *Child protection and COVID-19*. Retrieved on 30 March 2021 from [data.unicef.org/topic/child-protection/covid-19/#:~:text=Children's%20exposure%20to%20increased%20protection,for%20violence%2C%20neglect%20or%20exploitation.](https://data.unicef.org/topic/child-protection/covid-19/#:~:text=Children's%20exposure%20to%20increased%20protection,for%20violence%2C%20neglect%20or%20exploitation.)

<sup>6</sup> Committee on the Rights of the Child (2021). *General comment No. 25 (2021) on children's rights in relation to the digital environment*. Geneva: UN.

<sup>7</sup> UNICEF (2017). *The State of the World's Children 2017: Children in a Digital World*. USA: Author.

*harms include girls, children from poor households, children in communities with a limited understanding of different forms of sexual abuse and exploitation of children, children who are out of school, children with disabilities, children who suffer [from] depression or mental health problems and children from marginalized groups”.*

Working from home has become a new norm for many parents internationally during this pandemic. This work mode can greatly limit their availability in monitoring their children’s use of the internet. Children are vulnerable beings who lack developmental maturity and can become easy preys to malicious manipulation and attacks from online offenders, including those of sexual nature. Unfortunately, **online child sexual abuse and sexual exploitation (OCSASE)** has become astonishingly widespread and common globally. According to End Child Prostitution and Trafficking (ECPAT) International (2018)<sup>8</sup>, *“while millions of videos and images of children being sexually abused or exploited are uploaded everyday, the vast majority of both victims and offenders remain unidentified”*. Moreover, it was noted in a study by the India Child Protection Fund (2020)<sup>9</sup> that access to the pornography website, ‘Pornhub’, by internet users in India had increased by 95 per cent during the 2020 lockdown period, and website monitoring data revealed that search words such as ‘child porn’, ‘sexy child’ and ‘teen sex videos’ had spiked over that period.

This social scourge cuts across all segments of societies around the globe and the Republic of Mauritius is no exception. The local media has extensively reported on cases of OCSASE, especially on social media platforms such as Telegram. Given the seriousness of the situation, the National Computer Board (NCB) and the Computer Emergency Response Team (CERT-MU) issued a press release on 23 March 2021 to strongly condemn this heinous act and alert the population that *“private, sensitive or intimate images or content SHOULD NOT be SAVED, UPLOADED or SHARED on any platform as this could be misused for harassment and extortion purposes”* (NCB & CERT-MU, 2021, 23 March)<sup>10</sup>. In addition, at the time of

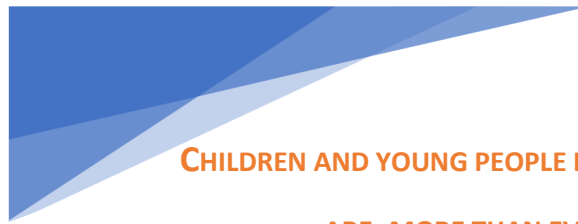
<sup>8</sup> ECPAT International (2018). Boys and very young children at greater risk of most severe online sexual exploitation says new research. Retrieved on 30 March 2021 from [www.ecpat.org/news/boys-young-children-greater-risk-severe-online-sexual-exploitation-says-new-research](http://www.ecpat.org/news/boys-young-children-greater-risk-severe-online-sexual-exploitation-says-new-research)

<sup>9</sup> India Child Protection Fund (2020). *Child sexual abuse material in India: Report on demand for child pornography & pilot deterrence using artificial intelligence*. New Delhi, India: Author.

<sup>10</sup> National Computer Board (NCB) and the Computer Emergency Response Team (2021, 23 March). Spreading of Intimate Images through the Telegram App [Press release]. Retrieved on 30 March 2021 from [gis.govmu.org/Communique/23%20march/CERT-MU%20ALERT%20-%20NCB%20-%20MITCI%20%2023.03.21%20\(1\).pdf](https://gis.govmu.org/Communique/23%20march/CERT-MU%20ALERT%20-%20NCB%20-%20MITCI%20%2023.03.21%20(1).pdf)

writing this chapter, I was apprised by the Criminal Investigation Division of the Police in Port Mathurin, Rodrigues, that they were investigating a recently discovered child pornography network that had been producing and circulating sexually explicit audio-visual material involving local minors.

It is important to point out that the Republic of Mauritius has ratified the Convention on the Rights of the Child (CRC; UN, 1989)<sup>11</sup> in 1990 and the Optional Protocol to the CRC on the sale of children, child prostitution and child pornography (UN, 2000)<sup>12</sup> in 2011. It is clearly stated in article 34 of the CRC (UN, 1989) that:



**CHILDREN AND YOUNG PEOPLE IN MOST COUNTRIES  
ARE, MORE THAN EVER BEFORE, HAVING  
UNRESTRICTED, AND OFTEN UNSUPERVISED, ACCESS TO  
ONLINE ENVIRONMENTS INCLUDING UNSAFE ONES.**

~ R. Venkatasawmy, OC

*States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:*

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;*
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;*
- (c) The exploitative use of children in pornographic performances and materials.*

In the following sections, I firstly explain the reason why I wrote a chapter on OCSASE. Secondly, I emphasise the importance of clarifying terminologies that are used in relation to OCSASE. Next, I elaborate on the particulars of an own-motion inquiry on OCSASE that was conducted this year by the Ombudsperson for Children's Office (OCO). Finally, I outline some recommendations related to fighting against OCSASE from a child rights perspective.

<sup>11</sup> United Nations (1989). *Convention on the Rights of the Child*. Geneva: Author.

<sup>12</sup> United Nations (2000). *Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*. Geneva: Author.

### 3.2. Rationale for this chapter

As the Ombudsperson for Children, I am deeply concerned with the reality that some children of our country are being manipulated online for sexually abusive and exploitative purposes. Videos portraying them engaging in sexual activities are being circulated and indecent images shared on the internet. There is no doubt that the circulation of these sexually explicit materials has caused significant harm to the minors involved and may have long-lasting traumatic effects on their mental health, education and future opportunities.

Although indecent pictures and videos of local child victims have been removed from several of these social media platforms, I consider that this is only the tip of the iceberg. The battle against OCSASE is yet to be won. As a country who cares about its children and who has adhered to international instruments, it is our responsibility - public institutions, private bodies and the civil society - to protect children from all forms of sexual abuse and sexual exploitation, both online and offline, by putting together our knowledge, resources and skills in these areas, and coordinating our efforts efficiently. Building a safer childhood is all stakeholders' responsibility and this also includes the empowerment of children to learn to identify threats to their own protection.

In the current pandemic context that led to a surge in the use of the internet by children, I deem that it is highly important to deepen our understanding of OCSASE from both international and local perspectives, and derive evidence-based interventions that can target the root causes of this expanding social ill.



**BUILDING A SAFER CHILDHOOD IS ALL STAKEHOLDERS' RESPONSIBILITY AND THIS  
ALSO INCLUDES THE EMPOWERMENT OF CHILDREN TO LEARN TO IDENTIFY THREATS  
TO THEIR OWN PROTECTION.**

~ R. Venkatasawmy, OC

As rightly said by WePROTECT Global Alliance (2016a, p.5)<sup>13</sup>,

*Protecting children from abuse and exploitation is everyone's business. The sexual exploitation of children online cannot be dealt with by any one country, company or organization working in isolation; it demands a coordinated global response by governments, international organizations, technology companies and civil society.*

My objectives through this chapter are as follows:

1. To take stock of the situation of Mauritius regarding OCSASE through an own-motion inquiry;
2. To promote an evidence-based approach to understanding OCSASE among all relevant stakeholders;
3. To make recommendations on how to prevent and combat OCSASE, and possible measures that can be taken to provide quality rehabilitation to child victims and offenders.

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<sup>13</sup> WePROTECT Global Alliance (2016a). *The WePROTECT Global Alliance: Working examples of model national response capabilities and implementation*. New York: UNICEF.

### 3.3. Understanding the terms

The impact of policies and legislation derives considerably from the clarity of their formulation. Clear terminologies and concepts play a fundamental role in understanding subject matters, differentiating across bodies of knowledge and contexts, and avoiding confusions. Not all terms have a universal definition and they are rather operationalised to adapt to accepted norms within specific geographical, cultural and linguistic contexts. Hence, one can imagine the social and economic costs to poorly defined strategies, and interventions that are disorganised and of insignificant impact. Similarly, in order to promote and protect the rights of children and enable clarity of communication among all relevant stakeholders in the domain of childhood, I strongly stress upon the fact that clear terminologies and concepts are of utmost importance.

#### 3.3.1. Child sexual abuse

##### 3.3.1.1. The WHO's definition


The World Health Organisation (WHO; 1999, pp.15-16)<sup>14</sup> referred to child sexual abuse (CSA) as

*the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violates the laws or social taboos of society. **Child sexual abuse is evidenced by this activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person.** This may include but is not limited to:*

- *the inducement or coercion of a child to engage in any unlawful sexual activity;*
- *the exploitative use of a child in prostitution or other unlawful sexual practices;*
- *the exploitative use of children in pornographic performance and materials.*

<sup>14</sup> World Health Organisation (1999). *Report on the Consultation on Child Abuse Prevention*. Geneva: Author.

CSA may include touching or non-touching activity. It does not only involve 'sexual harm', but it can also consist of other forms of harm such as physical, emotional or moral injury, neglect, or impairment of health or development.



**BECAUSE A [MINIMUM] LEGAL AGE...IS REQUIRED FOR CONSENT, ALL SEXUAL ACTS BETWEEN AN ADULT AND UNDERAGE CHILD (EVEN WITH CHILD ASSENT) ARE, BY DEFINITION, CSA.**

Murray, L. K., Nguyen, A. & Cohen, J. A. (2014) Child Sexual Abuse. *Child and Adolescent Psychiatric Clinics of North America*, 23(2), 321–337.

### 3.3.1.2. Who are the offenders?

**Child sex offenders (CSOs) are individuals, mainly adults, involved in sex-based crimes against children.** They may use several grooming tactics to silence their victims (e.g., being kind to victims and their families, providing special gifts and privileges to the victims, bullying, etc). For a definition of **grooming** (State Government of Victoria, 2020)<sup>15</sup>, refer to paragraph (a) in Fact box 1 on the next page.

CSOs are not only limited to paedophiles who sexually abuse children (refer to paragraph (b) for a definition of **paedophilia** in Fact box 1; WHO, 2020)<sup>16</sup>, but they can come from a vast range of age groups, socio-economic and professional backgrounds, as pointed out by the United Nations' (2013)<sup>17</sup> Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M'jid. It is well known that CSA is most commonly inflicted by someone in the family such as a parent or sibling, and/or someone who is trusted by the child and his/her family. Persons under the age of 18 who are held criminally responsible under their local legislation for sexual offences, and have been convicted, can be referred to as "**juvenile sex offenders**" (IWG, 2016, p.89).

<sup>15</sup> State Government of Victoria (2020). Child Sexual Exploitation and Grooming. Retrieved on 01 April 2021 from [www.education.vic.gov.au/school/teachers/health/childprotection/Pages/expolitationgrooming.aspx#link2](http://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/expolitationgrooming.aspx#link2)

<sup>16</sup> World Health Organisation (2020). *International Statistical Classification of Diseases and Related Health Problems - 11 (ICD-11)*. Retrieved on 05 April 2021 from [icd.who.int/browse11/l-m/en#/http://id.who.int/icd/entity/517058174](http://icd.who.int/browse11/l-m/en#/http://id.who.int/icd/entity/517058174)

<sup>17</sup> United Nations (2013). *Report of the Special Rapporteur on the sale of children, child prostitution and child pornography*, Najat Maalla M'jid. Geneva: Author.

## FACT BOX 1: Did you know?

(a) Grooming can be referred to as a process “when a person engages in predatory conduct to prepare a child or young person for sexual activity at a later time. [It] can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer” (State Government of Victoria, 2020). This can happen through online means, physical meetings or a combination of both.

(b) Paedophilia or paedophilic disorder is “characterised by a sustained, focused, and intense pattern of sexual arousal—as manifested by persistent sexual thoughts, fantasies, urges, or behaviours—involving pre-pubertal children. In addition, in order for paedophilic disorder to be diagnosed, the individual must have acted on these thoughts, fantasies or urges or be markedly distressed by them.” (WHO, 2020)

### 3.3.1.3. Impact of CSA on the child victim

A child often may not be able to disclose whether he/she has been sexually abused by another child or adult, largely owing to the coercive and secretive nature of the abuse, an intense feeling of shame and disbelief, his/her lack of developmental maturity to understand this traumatic situation, and at times love for the abuser. There are also a number of high-risk environments where children may be easily targeted for grooming, and sexual harassment, exploitation and abuse, for instance, in deprived and secluded regions, in violence-prone and promiscuous areas, in the tourist industry, and on social media and chat rooms on the internet.

CSA is known to have damaging short-term and long-term consequences on the physical, emotional, psychological and social functioning of a child, for example, low self-esteem, feeling worthless, mental health problems, drug and alcohol issues, teenage pregnancy, homelessness and at times continuity of abuse towards others. It is important that communities and professionals involved with children and their families are trained to identify the signs of CSA and alert the authorities as early as possible.



Figure 12 below provides some (but is not limited to) examples of potential signs that can indicate that a child might be a victim of CSA. These signs often occur in different combinations and not in an isolated manner.

Physical	Sexual	Emotional	Behavioural	Social
<ul style="list-style-type: none"> <li>• Sleep problems, nightmares</li> <li>• Recurrent pain, bleeding, soreness or bruises in the genital areas, anus or mouth</li> <li>• Urinary tract infection</li> <li>• Teenage pregnancy</li> </ul>	<ul style="list-style-type: none"> <li>• Unusual interest in or avoidance of all things of a sexual nature</li> <li>• Acting out in a sexually inappropriate manner (with toys, objects, other children or adults)</li> <li>• Using unexpected sexualised language and behaviour</li> <li>• Seductiveness</li> <li>• Sexually active at a young age</li> </ul>	<ul style="list-style-type: none"> <li>• Withdrawn or clingy</li> <li>• Depressed</li> <li>• Extreme fear and anxiety</li> <li>• Anger outbursts and mood swings</li> <li>• Unusually aggressive</li> </ul>	<ul style="list-style-type: none"> <li>• Unusually secretive</li> <li>• Bedwetting or soiling</li> <li>• Changes in eating habits</li> <li>• Self-harm</li> <li>• Absconding</li> <li>• Statements that their bodies are dirty or damaged</li> <li>• Conduct problems</li> <li>• Substance use/abuse</li> <li>• Suicidal thoughts or attempts</li> </ul>	<ul style="list-style-type: none"> <li>• Receiving unexplained money or gifts from any person</li> <li>• Not wanting to be alone with a particular person</li> <li>• Spending much more or much less time online, texting, gaming or using social media</li> <li>• Unusually secretive about their social circles and online behaviour</li> </ul>

**Figure 12. Examples of possible signs indicative of a child being sexually abused.**

### **3.3.2. Child sexual exploitation**

Child sexual exploitation (CSE) occurs when a child *“takes part in a sexual activity in exchange for something (e.g., gain or benefit, or even the promise of such) from a third party, the perpetrator, or by the child her/himself”* (IWG, 2016, p.24). These gains or benefits can be either of monetary or non-monetary nature, or a combination of both. Another commonly related term to CSE is commercial sexual exploitation of children (CSEC). CSEC differentiates from CSE in the sense that *“the focus is specifically on monetary benefit, often relating to organised criminality where the primary driver is economic gain”* (IWG, 2016, p.27).

### 3.3.3. Is there any difference between child sexual abuse and child sexual exploitation?

Article 34<sup>18</sup> of CRC (UN, 1989) and the WHO's (1999) definition<sup>19</sup> of CSA did not differentiate clearly between child sexual abuse (CSA) and child sexual exploitation (CSE). They used both notions to explain the broader concept of CSA. However, the Interagency Working Group (IWG; 2016)<sup>20</sup> of ECPAT International proposed that there could be a variation between these two terms. It advanced that *“sexual abuse of children requires **no element of exchange** and can occur for the mere purpose of the sexual gratification of the person committing the act, whereas the **sexual exploitation** of children can be distinguished by **an underlying notion of exchange**”* (IWG, 2016, p.18). Although CSA can also happen in exchange for something, such as affection, gifts, monetary gains, favours, food, accommodation, drugs, among others, it is not always the primary objective, which is the case in CSE. Nonetheless, these two concepts remain largely overlapping and may bear slight differences in definitions across legislative frameworks and geographical contexts.

### 3.3.4. Online child sexual abuse and sexual exploitation

In its terminology guidelines, the IWG (2016) provided clear explanations on the terms ‘online child sexual abuse’ (OCSA) and ‘online child sexual exploitation’ (OCSE) as follows:

- **OCSA:** It refers *“both to the sexual abuse of children that is facilitated by ICTs [Information and Communication Technologies] (e.g., online grooming) and to sexual abuse of children that is committed elsewhere and then repeated by sharing it online through, for instance, images and videos.”* (p.23)
- **OCSE:** It *“includes all acts of a sexually exploitative nature carried out against a child that have, at some stage, a connection to the online environment. It includes any use of ICT that results in sexual exploitation or causes a child to be sexually exploited or that results in or causes images*

<sup>18</sup> Refer to quote of article 34 in the section 3.1 of the current chapter.

<sup>19</sup> Refer to WHO's definition of CSA in section 3.3.1.1 of the current chapter.

<sup>20</sup> Interagency Working Group (2016). *Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse*. Luxembourg: ECPAT International.

*or other material documenting such sexual exploitation to be produced, bought, sold, possessed, distributed, or transmitted.” (p.27)*

They also explained that *“the sexual abuse images of a child can remain online long after she/he has reached adulthood, and continue to be consumed (e.g., distributed, exchanged, sold, and bought). Victimisation of children can take place in one country at a given time, but, through the dissemination of child sexual abuse material, could continue in various countries with different legislation, or at a much later moment in time”* (IWG, 2016, p.11). In this context, it is important to realise that OCSASE are not only perpetrated by local online child sex offenders (OCSOs), but can involve transnational OCSOs, which can make the identification of online child victims and OCSOs even more elusive and challenging. In addition, it is significantly concerning that the pervasive nature of sexually explicit material involving children which have circulated on online public domains can have lasting adverse effects on the health, well-being and future opportunities of child victims.

### **3.3.5. Other relevant definitions**

TERM	DEFINITION & SOURCE
<b>Child</b>	<i>“...every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier”</i> (UN, 1989, article 1)
<b>Child pornography</b>	<i>“...any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes”</i> (UN, 2000, article 2(c))
<b>Child prostitution</b>	<i>“...the use of a child in sexual activities for remuneration or any other form of consideration”</i> (UN, 2000, article 2(b))
<b>Sale of children</b>	<i>“any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration”</i> (UN, 2000, article 2(a))

TERM (ctd)	DEFINITION & SOURCE (ctd)
<b>Trafficking of children</b>	<i>“the recruitment and/or transport, transfer, harbouring, and receipt of a child by others <u>with the intent of exploiting the child through various means</u>, like prostitution, begging, child labour, etc” (IWG, 2016, p.60)</i>
<b>Harmful content</b>	<i>“...age-inappropriate sexual or violent content, or content otherwise considered harmful to [the] development [of children]” (IWG, 2016, p.44)</i>
<b>Sexual consent</b>	<i>“a voluntary, enthusiastic, and clear agreement between the participants to engage in specific sexual activity” (Healthline, 2019)<sup>21</sup></i>
<b>Age of sexual consent</b>	<i>“A child <u>at or above</u> the age of sexual consent may, with her/his consent, be engaged in sexual activities. <b>However, no child should ever, under any circumstances, be able to legally consent to her/his own exploitation or abuse.</b>” (IWG, 2016, p.8)</i>
<b>Sexting</b>	<i>“self-production of sexual images or the exchange of sexual messages or images, and the creating, sharing and forwarding of sexually suggestive nude or nearly nude images through mobile phones and/or the internet” (IWG, 2016, p.44)</i>
<b>Sexual harassment or sexual bullying</b>	<i>“any form of unwanted verbal, non-verbal, or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating, or offensive environment” (Council of Europe, 2011, article 40)<sup>22</sup></i>

<sup>21</sup> Healthline (2019). Your Guide to Sexual Consent. Retrieved on 02 April 2021 from [www.healthline.com/health/guide-to-consent](http://www.healthline.com/health/guide-to-consent)

<sup>22</sup> Council of Europe (2011). *Council of Europe Convention on preventing and combating violence against women and domestic violence*. Istanbul: Author. Retrieved on 02 April 2021 from [rm.coe.int/168008482e](http://rm.coe.int/168008482e)

## 3.4. An own-motion inquiry by the OC

### 3.4.1. A note on this inquiry

Following the local press release by the NCB and CERT-MU (2021, 23 March) and the numerous articles by the media on the circulation of sexually explicit content involving children on social media platforms, I felt it was pressing to develop an evidence-based understanding of OCSASE so as to better inform local policies and actions aimed at improving the protection of children's rights within online environments. Consequently, I decided to initiate an own-motion inquiry on OCSASE, which I am authorised to do as per section 7(1) of the OCA 2003, as quoted below:

*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**.*

I would like to emphasise that my OWN-MOTION INQUIRY on OCSASE should not be confused with a POLICE INQUIRY. This own-motion inquiry is NOT an attempt to collect evidence of OCSASE on several social media platforms or to track the online child victims or offenders, but rather to gather data that can help us achieve a better comprehension of these issues in terms of children's rights.

### 3.4.2. Methodology

Several investigation techniques were used for this own-motion inquiry on OCSASE, which included:

- Searching international and local literature on the topic; and
- Releasing a national Press Communiqué (see next page) to gather inputs from citizens, including children and young people on OCSASE and other related issues.



**REPUBLIC OF MAURITIUS**  
**OMBUDSPERSON FOR CHILDREN'S OFFICE**

**Press Communiqué:**  
**Online child sexual abuse and exploitation**

The sexual abuse and exploitation of children online have become astonishingly widespread and common globally. The Republic of Mauritius is no exception. The local media is currently extensively reporting on cases of online sexual abuse and exploitation against children, especially on social media platforms such as Telegram.

As the Ombudsperson for Children, I am deeply concerned with the reality that some children of our country are being groomed online for sexual purposes. Videos portraying them engaging in sexual activities are being live streamed and indecent images circulated on the internet.

**Your views matter!**

In this context, I would like to invite citizens, including children and young people, to provide my office with their views on these issues by one of the following ways over the whole month of April 2021:

- By phoning us on **5701 1876** from **Monday to Friday between 10am and 1pm**
- By messaging us on **5939 2533** (regular SMS or WhatsApp message)
- By emailing us on **ombudschild@govmu.org**

This will enable me to propose meaningful recommendations to the relevant authorities on these matters. I look forward to your valuable participation and I thank you in anticipation.

**Rita Venkatasawmy (Mrs), OSK**  
**Ombudsperson for Children**

### 3.4.3. Findings

#### 3.4.3.1. Some international references related to OCSASE

##### 3.4.3.1.1. *The UNCRC and its Optional Protocol on the sale of children, child prostitution and child pornography*

As already mentioned in section 3.1 of the present chapter, article 34 of the CRC (UN, 1989) clearly prescribed to State Parties to protect children from all forms of sexual exploitation and sexual abuse. The Optional Protocol to the CRC (UN, 2000) on the sale of children, child prostitution and child pornography brought the attention of relevant authorities to important responsibilities towards the protection of child victims. **Article 3 of the Optional Protocol (UN, 2000) defined the actions that could be deemed punishable under national laws in the context of sale of children, child prostitution and child pornography, including those facilitated through online means:**

***1. Each State Party shall ensure that, as a minimum, the following acts and activities are fully covered under its criminal or penal law, whether these offences are committed domestically or transnationally or on an individual or organized basis:***

*(a) In the context of **sale of children** as defined in Article 2:*

*(i) The offering, delivering or accepting, by whatever means, a child for the purpose of:*

***a. Sexual exploitation of the child;***

***b. Transfer of organs of the child for profit;***

***c. Engagement of the child in forced labour;***

***(b) Offering, obtaining, procuring or providing a child for child prostitution (...)***

***(c) Producing, distributing, disseminating, importing, exporting, offering, selling or possessing for the above purposes child pornography (...)***

***2. Subject to the provisions of a State Party's national law, the same shall apply to an attempt to commit any of these acts and to complicity or participation in any of these acts.***

***3. Each State Party shall make these offences punishable by appropriate penalties that take into account their grave nature.***

With the aim of mitigating the propagation of the offences under the Optional Protocol (UN, 2000), its article 7 advanced that:

*States Parties shall, subject to the provisions of their national law:*

*(a) Take measures to provide for **the seizure and confiscation**, as appropriate, of:*

***(i) Goods such as materials, assets and other instrumentalities used to commit or facilitate offences under the present Protocol;***

***(ii) Proceeds derived from such offences;***

*(b) Execute requests from another State Party for seizure or confiscation of goods or proceeds referred to in subparagraph (a) (i);*

*(c) Take **measures aimed at closing, on a temporary or definitive basis, premises used to commit such offences.***

The Optional Protocol (UN, 2000, article 8) also made provision for the protection and support of child victims throughout the criminal justice process, including those who might have been victimised within the digital environment:

*1. States Parties shall adopt appropriate measures to protect the rights and interests of child victims of the practices prohibited under the present Protocol at all stages of the criminal justice process, in particular by:*

*(a) Recognizing the **vulnerability of child victims** and **adapting procedures to recognize their special needs**, including their special needs as witnesses;*

*(b) **Informing child victims of their rights, their role and the scope, timing and progress of the proceedings and of the disposition of their cases;***

*(c) **Allowing the views, needs and concerns of child victims to be presented and considered in proceedings** where their personal interests are affected, in a manner consistent with the procedural rules of national law;*

*(d) Providing appropriate **support services to child victims throughout the legal process;***

*(e) **Protecting, as appropriate, the privacy and identity of child victims** and taking measures in accordance with national law to **avoid the inappropriate dissemination of information that could lead to the identification of child victims;***



(f) Providing, in appropriate cases, for the **safety of child victims, as well as that of their families and witnesses on their behalf, from intimidation and retaliation;**

(g) **Avoiding unnecessary delay** in the disposition of cases and the execution of orders or decrees granting compensation to child victims.

2. States Parties shall ensure that **uncertainty as to the actual age of the victim shall not prevent the initiation of criminal investigations**, including investigations aimed at establishing the age of the victim.

3. States Parties shall ensure that, in the treatment by the criminal justice system of children who are victims of the offences described in the present Protocol, the **best interest of the child shall be a primary consideration**.

4. States Parties shall take measures to ensure **appropriate training, in particular legal and psychological training, for the persons who work with victims** of the offences prohibited under the present Protocol.

5. States Parties shall, in appropriate cases, adopt measures in order to **protect the safety and integrity of those persons and/or organizations involved in the prevention and/or protection and rehabilitation of victims of such offences**.

6. Nothing in the present Article shall be construed as prejudicial to or inconsistent with the rights of the accused to a fair and impartial trial.

### 3.4.3.1.2. General comment No. 25 (2021) on children's rights in relation to the digital environment

On 02 March 2021, the Committee on the Rights of the Child (2021)<sup>23</sup> published a General Comment to serve as a reminder that “*the rights of every child must be respected, protected and fulfilled in the digital environment*” (paragraph 4) and a guidance on how to implement the Convention on the Rights of the Child (UN, 1989) in relation to the digital environment (paragraph 7). In terms of violence against children and child protection online, the Committee (2021, paragraphs 80-82) stressed on the following:

*80. The digital environment may open up new ways to perpetrate violence against children, by facilitating situations in which children experience violence and/or may be influenced to do harm to themselves or others. **Crises, such as pandemics, may lead to an increased risk of harm online, given that children spend more time on virtual platforms in those circumstances.***

*81. **Sexual offenders may use digital technologies to solicit children for sexual purposes and to participate in online child sexual abuse**, for example, by the live video streaming, production and distribution of child sexual abuse material and through sexual extortion. Forms of digitally facilitated violence and sexual exploitation and abuse may also be perpetrated within a child's circle of trust, by family or friends or, for adolescents, by intimate partners, and may include **cyberaggression**, including bullying and threats to reputation, the **non-consensual creation or sharing of sexualized text or images**, such as self-generated content by solicitation and/or coercion, and the **promotion of self-harming behaviours**, such as cutting, suicidal behaviour or eating disorders. Where children have carried out such actions, States parties should pursue **preventive, safeguarding and restorative justice approaches for the children** involved whenever possible.*

*82. **States parties should take legislative and administrative measures to protect children from violence in the digital environment**, including the regular review, updating and enforcement of robust legislative, regulatory and institutional frameworks that protect children from recognized*

<sup>23</sup> Committee on the Rights of the Child (2021). *General comment No. 25 (2021) on children's rights in relation to the digital environment*. Geneva: United Nations. Retrieved on 04 August 2021 from [tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f25&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f25&Lang=en)

*and emerging risks of all forms of violence in the digital environment. Such risks include physical or mental violence, injury or abuse, neglect or maltreatment, exploitation and abuse, including sexual exploitation and abuse, child trafficking, gender-based violence, cyberaggression, cyberattacks and information warfare. States parties should implement **safety and protective measures in accordance with children's evolving capacities**.*

The Committee (2021, paragraph 92) also emphasised on the vulnerability of children with disabilities with respect to the digital environment, and highlighted the need to protect them and at the same time ensuring their inclusion and access without any discrimination to online platforms:

***Children with disabilities may be more exposed to risks, including cyberaggression and sexual exploitation and abuse, in the digital environment.** States parties should identify and address the risks faced by children with disabilities, **taking steps to ensure that the digital environment is safe for them, while countering the prejudice faced by children with disabilities that might lead to overprotection or exclusion.** Safety information, protective strategies and public information, services and forums relating to the digital environment should be provided in accessible formats.*

### 3.4.3.2. Some local references related to OCSASE

#### 3.4.3.2.1. Local legislations related to OCSASE

##### 3.4.3.2.1.1. The Child Protection Act 1994 and upcoming child-related legislations

In the Republic of Mauritius, according to section 13 of the Child Protection Act 1994, “*any person who ill-treats a child or otherwise exposes a child to harm shall commit an offence*”. Regarding sexual offences, section 14 of the same Act provided that:

*(1) Any person who causes, incites or allows any child –*

*(a) to be **sexually abused by him or by another person**;*

*(b) to have access to a brothel;*

*(c) to **engage in prostitution**,*

*shall commit an offence.*

*(2) For the purposes of subsection (1)(a), a child shall be deemed to be sexually abused where he has taken part whether as a **willing or unwilling participant or observer in any act which is sexual in nature** for the purposes of –*

*(a) **another person’s gratification**;*

*(b) **any activity of pornographic, obscene or indecent nature**;*

*(c) **any other kind of exploitation by any person.***

In addition, section 15 of the CPA 1994 focused on indecent photographs of children, which can be considered as a relevant component of OCSASE, and stated that:

*(1) Any person who –*

*(a) **takes or permits to be taken or to make**, any indecent photograph or pseudo-photograph of a child;*

*(b) **distributes or shows** such indecent photograph or pseudo-photograph;*

*(c) **has in his possession** such indecent photograph or pseudo-photographs, **with a view to it being distributed or shown by himself or any other person**; or*

*(d) publishes or causes to be published any advertisement likely to be understood as conveying that the advertiser distributes or shows such indecent photograph or pseudo-photograph, or intends to do so, shall commit an offence.*

*(2) Where a person is charged with an offence under subsection (1)(b) or (c), it shall be a defence for him to prove that –*

*(a) he had reasonable grounds for distributing or showing the photograph or pseudo photograph or having them in his possession; and*

*(b) that he had not himself seen the photograph or pseudo-photograph and did not know, nor had any cause to suspect, it to be indecent.*

*(3) Where –*

*(a) the impression conveyed by the pseudo-photograph is that the person shown is a child; or*

*(b) the predominant impression conveyed is that the person shown is a child, notwithstanding that some of the physical characteristics shown are those of an adult, the pseudo-photograph shall be treated for all purposes of this Act as showing a child.*

**In terms of offences and penalties pertaining to the above-stated sections 14 and 15 respectively of the CPA 1994, the following have been provided by the same Act in its sections 18(5 & 5A):**

*(5) Any person who commits an offence under section 14 or 15 shall, on conviction, be liable–*

*(a) where the victim is mentally handicapped, to penal servitude for a term not exceeding 30 years;*

*(b) in any other case, to a fine not exceeding 100,000 rupees and to penal servitude for a term not exceeding 20 years.*

*(5A) Part X of the Criminal Procedure Act and the Probation of Offenders Act shall not apply to a person liable to be sentenced under subsection (5).*

It is important to note that a child sex offender sentenced under subsection 18(5) of the CPA 1994 would not be allowed any form of absolute or conditional discharge, or be issued a probation order instead of a sentence.

The upcoming three new child-related legislation, the Children's Act 2020, the Children's Court Act 2020 and the Child Sex Offender Register Act 2020, which have been passed in the National Assembly in December 2020 and are currently awaiting proclamation, also include more detailed provisions relevant to the protection of children against sexual abuse and sexual exploitation, which can also apply to the digital environment. Extracts from these three laws are given in Appendix C of the current report.

#### 3.4.3.2.1.2. The Criminal Code Act 1838

The following sections of the Criminal Code Act 1838 referred to sexual offences against minors:

##### **Section 249. Rape, attempt upon chastity and illegal sexual intercourse**

*(3) Any person who commits an **indecent act 'attentat à la pudeur', even without violence and with consent**, upon a child of either sex **under the age of 12** shall be liable to penal servitude for a term not exceeding 10 years.*

*(4) Any person who has **sexual intercourse** with a **minor under the age of 16** or a mentally handicapped person, even with his consent, shall be liable to penal servitude for a term not exceeding 20 years.*

##### **Section 251. Debauching youth**

*(1) Any person who offends against morality, by habitually exciting, encouraging, or facilitating **the debauchery or corruption of youth of either sex under the age of 18** shall be punished by imprisonment for a term of not exceeding 10 years.*

(2) Where such **prostitution or corruption** has been excited, encouraged or facilitated by the father, mother, guardian or other person entrusted with the care of youth so debauched, the punishment shall be imprisonment for a term not exceeding 15 years.

(3) (a) Notwithstanding section 152 of the Criminal Procedure Act, any person charged under subsection (1) or (2) shall be liable to the minimum penalties provided in that subsection.

(b) Part X of the Criminal Procedure Act and the Probation of Offenders Act shall not apply to a person liable to be sentenced under paragraph (a).

### **Section 253. Procuring, enticing and exploiting prostitute**

(1) Any person who, to gratify the passions of another and for gain -

(a) procures, entices or leads away, for purposes of prostitution, another person;

(b) exploits, or is an accomplice in, the prostitution of another person, even with the consent of that person;

(c) draws a benefit from the prostitution of some other person, shares the earnings of, or receives subsidies from, another person who habitually indulges in prostitution, shall commit an offence.

(2) Any person who commits, or is an accomplice in the commission of, any of the offences mentioned in subsection (1) shall commit an offence regardless of motives or gain where -

**(a) the person procured, enticed, led away, exploited, in relation to whose prostitution a benefit is drawn, whose earnings are shared or from whom subsidies are received is less than 18 years of age at the time of the offence;**

(b) the person is procured, enticed, led away or exploited for the purpose of being sent abroad;

(c) the person is procured, enticed, led away or exploited by the use of fraud, deceit, threat, violence or any other means of duress.

(3) No person shall be convicted of an offence under this section upon the evidence of one witness, unless such witness is corroborated in some material particular by evidence implicating the accused.

(4) Any person guilty of an offence under this section shall be liable on conviction to imprisonment for a term which, notwithstanding section 152 of the Criminal Procedure Act, shall be not more than 20 years together with a fine not exceeding 200,000 rupees.

(5) Part X of the Criminal Procedure Act and the Probation of Offenders Act shall not apply to a person liable to be sentenced under this section.

#### **Section 254. Sexual harassment**

(1) Any person who, by abuse of the authority conferred upon him by his functions, harasses another person by means of orders, threats or constraints in order to obtain favours of a sexual nature, shall commit an offence and shall, on conviction, be liable to imprisonment for a term not exceeding 10 years and to a fine not exceeding 200,000 rupees.

(2) (a) Notwithstanding section 152 of the Criminal Procedure Act, where it is averred that the **victim of the sexual harassment is a minor** or a mentally handicapped person, the person charged under subsection (1) shall, on conviction, be liable to imprisonment for a term not less than one year and to a fine not exceeding 200,000 rupees.

(b) Part X of the Criminal Procedure Act and the Probation of Offenders Act shall not apply to a person liable to be sentenced under paragraph (a).

#### 3.4.3.2.1.3. The Criminal Code (Supplementary) Act 1870

**Section 86 of this Act looked at offences that were liable to sentence when dealing in obscene matter, which might include OCSASE material:**

(1) Any person who—

(a) for the purposes of, or by way of, trade or for distribution or public exhibition, makes or produces or has in his possession any obscene matter;



*(b) for a purpose specified in paragraph (a), imports, conveys, or exports or causes to be imported, conveyed or exported any obscene matter or in any manner puts into circulation any obscene matter;*

*(c) carries on or takes part in a business, whether public or private, concerned with any obscene matter or deals in any obscene matter in any manner, or publicly distributes or exhibits or makes a business of lending any obscene matter; or*

*(d) advertises or makes known by any means that a person is engaged in any of the acts specified in paragraphs (a) to (c), or advertises or makes known how or from whom the obscene matter can be procured either directly or indirectly,*

*shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding one year and the obscene matter forming the subject matter of the offence shall be forfeited.*

**(2) (a) Any person who sells, lends, hires or distributes to a minor or exposes or allows to be exposed to the view of a minor any obscene matter shall commit an offence and, notwithstanding section 152 of the Criminal Procedure Act, shall, on conviction, be liable to imprisonment for a term not exceeding 4 years together with a fine not exceeding 100,000 rupees.**

*(b) Part X of the Criminal Procedure Act and the Probation of Offenders Act shall not apply to a person liable to be sentenced under paragraph (a).*

**(3) In this section, “obscene matter” means any obscene writing, drawing, print, painting, printed matter, picture, poster, emblem, photograph, cinematograph film, video tape, slide, data stored on a computer disc or by any other electronic means capable of conversion into a photograph, or any other obscene object.**

*(4) In addition to making an order that the obscene matter forming part of the subject matter of the offence be forfeited, the Court shall, where appropriate, order that the obscene matter be no longer stored on and made available through the computer system, or that the material be deleted.*

#### 3.4.3.2.1.4. The Information and Communication Technologies (ICT) Act 2001

**Section 46 (ga-ha) of the ICT Act 2001, as stated below, described different offences that also apply to those of a sexual nature committed against children in the digital environment, for instance, transmission of sexually explicit messages to children using an ICT equipment or service, or impersonation of another person on social media sites to groom a child, both with the aims of causing distress or nuisance to the child victim:**

*Any person who -*

*(ga) uses telecommunication equipment to send, deliver or show a message which is obscene, indecent, abusive, threatening, false or misleading, which is likely to cause or causes annoyance, humiliation, inconvenience, distress or anxiety to any person;*

*(h) uses, in any manner other than that specified in paragraph (ga), an information and communication service, including telecommunication service, -*

*(i) for the transmission or reception of a message which is grossly offensive, or of an indecent, obscene or menacing character; or*

*(ii) which is likely to cause or causes annoyance, humiliation, inconvenience, distress or anxiety to that person;*

*(iii) for the transmission of a message which is of a nature likely to endanger or compromise State defence, public safety or public order.*

*(ha) uses an information and communication service, including telecommunication service, to impersonate, or by any other means impersonates, another person which is likely to cause or causes annoyance, humiliation, inconvenience, distress or anxiety to that person;*

*shall commit an offence.*

#### 3.4.3.2.1.5. Computer Misuse and Cybercrime Act 2003

Another ICT local law, the Computer Misuse and Cybercrime Act 2003, also provided, in its section 16, a ‘deletion order’ as stated below for the protection of children online:

*A Judge in Chambers may, upon application by an investigatory authority, and being satisfied that a computer system or any other information and communication technologies medium contains an indecent photograph of a child, order that such data be-*

- (a) no longer stored on and made available through the computer system or any other medium; or*
- (b) deleted or destroyed.*

#### 3.4.3.2.1.6. The Combating of Trafficking in Persons Act 2009

It is well known that child trafficking for the purpose of sexual exploitation is being facilitated increasingly through online means. The Combating of Trafficking in Persons Act (CTPA) 2009 defined ‘trafficking’ as:

- (a) the recruitment, sale, supply, procurement, capture, removal, transportation, transfer, harbouring or receipt of a person –*
  - (i) by the use of threat, force, intimidation, coercion, abduction, fraud, deception, abuse of power or abuse of a position of vulnerability; or*
  - (ii) by the giving or receiving of payments or benefits to obtain the consent of a person having control or authority over another person; or*
- (b) the adoption of a person facilitated or secured through illegal means, for the purpose of exploitation*

The offences defined by section 11 of the CTPA 2009 for trafficking in persons, including minors, are stated as follows:

- (1) (a) Any person who trafficks another person or allows another person to be trafficked shall commit an offence.  
(b) It shall not be a defence to a charge under paragraph (a) that a person who is a victim of trafficking, **or a person having control or authority over a minor who is a victim of trafficking**, has consented to the act which was intended to constitute trafficking.
- (2) Any person who knowingly –  
(a) **leases a room, house, building or establishment or subleases or allows it to be used, for the purpose of harbouring a victim of trafficking; or**  
(b) **advertises, publishes, prints, broadcasts, distributes, or causes the advertisement, publication, broadcast or distribution of, information which suggests or alludes to trafficking by any means, including the use of the internet or other information technology,**  
shall commit an offence.
- (3) (a) **Every internet service provider operating in Mauritius shall be under a duty to report to the Police** forthwith any site on its server which contains information in contravention of subsection (2)(b).  
(b) Any internet service provider who fails to comply with paragraph (a) shall commit an offence.
- (4) **Any person who knowingly benefits, financially or otherwise, from the services of a victim of trafficking or uses, or enables another person's usage of, the services of a victim of trafficking shall commit an offence.**

### 3.4.3.2.2. *National reports on commercial sexual exploitation of children*

In the mid-1990s and early 2000s, the Republic of Mauritius had displayed international commitment in learning more about the commercial sexual exploitation of children (CSEC) and protecting children from CSEC by participating at the first two World Congresses on CSEC in Stockholm, Sweden, in 1996, and Yokohama, Japan in 2001 (as cited in University of Mauritius [UOM]; 2002)<sup>24</sup>. In March 1998<sup>25</sup> and October 2002<sup>26</sup>, two national reports on the phenomenon of commercial sexual exploitation of children (CSEC) with the aim of informing relevant national action plans were produced by the then Ministry of Women's Rights, Child Development and Family Welfare (MWRCDFW) and UOM respectively.

The former report was the first formal attempt to understand CSEC in Mauritius and Rodrigues (MWRCDFW, 1998) using a qualitative approach, that consisted mainly of interviews with a variety of individuals involved directly with child prostitution (e.g., young people engaged into prostitution, pimps and clients) or associated indirectly to it (e.g., taxi drivers, owners of hotels/guest houses and private/night clubs), as well as authorities and non-governmental organisations (NGOs) knowledgeable of this issue. At the time, the following findings were highlighted (MWRCDFW, 1998):

- Young female adolescents were more likely to be involved in child prostitution and there was no evidence of pre-pubertal victims.
- These young people entered prostitution around the age of 13 years.
- There was a strong correlation between cases of CSA or attempted CSA (especially by step-parents) and adolescents going into prostitution.
- Some factors linked to the immediate environment of the young people made them more vulnerable to entering prostitution: parental divorce or separation, poverty, family instability, alcoholism and school failures.
- There appeared to be the existence of highly structured child prostitution networks that recruited young people in street situations and functioned as institutions taking their full charge.

<sup>24</sup> University of Mauritius (2002). *Commercial sexual exploitation of children in Mauritius: A study commissioned by UNICEF and the Ministry of Women's Rights, Child Development and Family Welfare*. Government Printing Service: Mauritius.

<sup>25</sup> Ministry of Women's Rights, Child Development and Family Welfare (1998). *Etude sur l'exploitation sexuelle des enfants à Maurice et à Rodrigues: Rapport final*. Government Printing Service: Mauritius.

<sup>26</sup> University of Mauritius (2002). *Commercial sexual exploitation of children in Mauritius: A study commissioned by UNICEF and the Ministry of Women's Rights, Child Development and Family Welfare*. Government Printing Service: Mauritius.

- The client base for young people in prostitution consisted mainly of individuals of high social standing such as heads of companies, advocates and even police officers.

This report (MWRCDWF, 1998) helped in surfacing some local realities that:

- CSEC was not a new phenomenon in Mauritius and Rodrigues and had been present since nearly half a decade preceding the report.
- The client base was not predominantly tourists, but comprised mostly local people.
- Although there were certain coastal regions known to be concentration spots for prostitution, the client base and the young people involved in prostitution originated from different regions of the islands, socio-economic backgrounds and ethnic groups.

As an attempt to palliate the lack of figures in the former study (MWRCDWF, 1998), the subsequent report (UOM, 2002), commissioned by UNICEF and the MWRCDWF, was based on a quantitative approach using tailor-made survey questionnaires. Unlike the previous study (MWRCDWF, 1998), the UOM (2002) study was carried out only in Mauritius. The paper estimated that there might have been as many as 2,600 children who were victims of CSEC in Mauritius at that time (UOM, 2002). In summary, the following main findings emerged with regards to the 112 CSEC victims surveyed (UOM, 2002):

- The problem of broken families was a major characteristic for most of them.
- For those children of the study who had both biological parents living, almost half of these parents did not live together. The children lived mainly with their mothers.
- Main earners of the children's families were mostly employed in low-skill and low-income jobs with a mean monthly income of Rs 4,058.
- More than 81 per cent of the children who had reported that they have been to school (95 per cent) were not 'currently' going to school, indicating a high rate of school dropout.
- Around 63 per cent of these children had a family member or close relative already engaged in sex work and, in nearly half of these cases, this family member was their own mothers.
- Around 63 per cent of the CSEC victims had been exposed to foreign clients exclusively or along with Mauritians.

- Hotels, discos, private clubs, nightclubs and similar locations were primarily used as contact points for identification and recruitment of CSEC victims, where rarely identification documents of children were verified. Places for sex were mainly bungalows, followed by hotels, rented rooms, *pensionnats*, apartments and the clients' own rooms.
- Poverty and unemployment were not the only factors that pushed these children into CSEC. Monetary benefits, material pursuits, and the desire of sexual freedom and a certain lifestyle also motivated some CSEC victims.
- Being victim of child sexual abuse in their childhood and having experienced sexual violence in the form of rape in their childhood were associated with CSEC for 22.3 per cent and 9.8 per cent of the children respectively.
- The average age at which children had their first sexual experience was 12.6 years and about 58 per cent of them had received money or gifts on that first occasion.
- Drug use was also associated to CSEC among the children, with around 25 per cent of them reported having taken drug at some time or the other (mean age = 14.1 years), and 12.5 per cent being active drug users (every 2-3 days). It is likely that CSEC might have been a means for them to acquire drug money.

### 3.4.3.2.3. *Concluding observations of the Committee on the Rights of the Child on the Republic of Mauritius*

The Committee on the Rights of the Child made the following observations and recommendations in 2006<sup>27</sup> and 2015<sup>28</sup> respectively with respect to the fight against sexual abuse and sexual exploitation of children within the Republic of Mauritius:

Report Year & Paragraph No: 2006 (paragraphs 64 & 65)
<b>Observations</b>
<p>64. <i>The Committee welcomes the adoption of the National Plan of Action on the Protection of Children against Sexual Abuse including Commercial Sexual Exploitation of Children (2003-2004). It is also encouraged by the information that a Drop-in Centre will finally become operational on a residential basis to cater for rehabilitative needs of child victims of commercial sexual exploitation. However, the Committee remains alarmed at the high number of children involved in commercial sexual exploitation.</i></p>
<b>Recommendations</b>
<p>65. <i>In light of article 34 and other related articles of the Convention, the Committee recommends that the State party further strengthen the implementation of policies and programmes for the prevention, recovery and reintegration of child victims in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congress against Commercial Sexual Exploitation of Children.</i></p>

<sup>27</sup> Committee on the Rights of the Child (2006). *Consideration of reports submitted by States Parties under article 44 of the Convention, Concluding observations: Mauritius*. Geneva: United Nations.

<sup>28</sup> Committee on the Rights of the Child (2015). *Concluding observations on the combined third to fifth periodic reports of Mauritius*. Geneva: United Nations.



**Report Year & Paragraph No: 2015 (paragraphs 41 & 42)****Observations**

*41. The Committee is concerned at the increase in the sexual exploitation of children, especially child sex tourism, which is on the rise in some areas or neighbourhoods. The Committee is also concerned at the lack of systematic and compulsory reporting and investigation of sexual offences against children, the reported discontinuation of support to victims of sexual exploitation who have to return to their living environment, which might expose them to risks of further exploitation, and the inadequate rehabilitative services for victims. The Committee is further concerned that training on the investigation of sexual offences against children is not organized by adequately trained personnel, and that training for officers of the Child Development Unit is inadequate.*

**Recommendations**

*42. The Committee recommends that the State party:*

- (a) Ensure the regular collection of reliable data on child sexual exploitation and abuse, disaggregated by sex, age and type of violation, and undertake qualitative and quantitative evaluations regarding both the prevalence and the understanding of those phenomena;*
- (b) Establish mechanisms, procedures and guidelines to ensure mandatory reporting of all cases of child sexual exploitation and abuse, including a fast-track procedure for the effective investigation by the police and the Director of Public Prosecutions of cases of the sexual exploitation of children;*
- (c) Ensure that those who sexually abuse and exploit children are brought to justice and are punished with sanctions commensurate with the gravity of their crimes, without the possibility of persons suspected of sexual exploitation of children being released on bail;*
- (d) Ensure the development of programmes and policies for the prevention of sexual exploitation and abuse of children, and programmes that address the proliferation of sex tourism in the State party, and ensure the treatment, recovery and social reintegration of child victims;*
- (e) Conduct awareness-raising activities to address the stigmatization of victims of sexual exploitation and abuse, including incest, and provide accessible, confidential, child-friendly and effective reporting channels for such violations;*
- (f) Provide appropriate facilities, including adequate training of law enforcement officers, and establish appropriate standards of care to ensure adequate rehabilitative services.*

#### 3.4.3.2.4. *Report on Mauritius of the UN Special Rapporteur on the sale of children, child prostitution and child pornography*

In May 2011, the then Special Rapporteur of the United Nations, Najat Maalla M’jid, visited Mauritius to take stock of the issues on the sale of children, child prostitution and child pornography in light of international standards. During her visit, she met with several stakeholders and produced a report which was presented at the 19<sup>th</sup> session of the Human Rights Council (HRC)<sup>29</sup> in November 2011. In this report, she advanced that, in the Republic of Mauritius, *“the phenomenon of child prostitution mostly affects children who have been sexually, physically and emotionally abused; children from broken families, and with parents suffering from alcoholism and drug abuse; dropouts; and children living in poverty”* (HRC, 2011, paragraph 22). She took note that *“the Government adopted the National Plan of Action on the Protection of Children against Sexual Abuse, including Commercial Sexual Exploitation of Children (2003-2004); however, this has not been renewed since. The Government also adopted the Child Safety Online Action Plan (2009) and the National Sexual Health and Reproductive Plan (2009-2015)”* (HRC, 2011, paragraph 63).

Despite having appreciated the efforts of the Republic of Mauritius in improving its legislative framework, policies and actions regarding the aforementioned issues, she concluded that the country was *“struggling to have an efficient sustained impact on the lives of vulnerable children, namely due to poor inter-institutional coordination, weak policy coherence and ineffective multisectoral approaches”* (HRC, 2011, paragraph 103). Some of the concerns she highlighted are worth considering below:

#### Examples of concerns for the Republic of Mauritius of the United Nations Special Rapporteur on the sale of children, child prostitution and child pornography

- **Paragraph 18: Discrepancies in statistical recording of data on sexual exploitation of children**  
*“discrepancies in the official statistics provided, and in some cases, no data is available at all... discrepancies in assessments made by stakeholders regarding the scope of all forms of sexual exploitation of children. Such discrepancies can be explained by the nature of these practices:*

<sup>29</sup> Human Rights Council (2011). *Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M’jid, Addendum Mission to Mauritius*. Geneva: United Nations. Retrieved on 04 August 2021 from [documents-dds-ny.un.org/doc/UNDOC/GEN/G11/170/50/PDF/G1117050.pdf?OpenElement](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G11/170/50/PDF/G1117050.pdf?OpenElement)

*cases are underreported, there are difficulties in gathering information, differences in qualifying crimes, challenges in identifying victims and perpetrators, social perceptions and stigma linked to these acts, weak monitoring and reporting mechanisms, and limited knowledge of laws and rights.”*

- **Paragraph 23: Absence of effective sex education programmes**

*“Sex education has been included in the school curriculum in Mauritius. However, in the absence of truly effective sex education programmes, the proliferation of images and videos available through information and communication technologies may serve as the basis for children’s first ideas about sexuality and sexual behavior, increasing their risk of early sexualization, mimicking behavior, or becoming victims of this behaviour.”*

- **Paragraph 67: Absence of a clear mechanism for the effective protection for child victims**

*“Providing effective protection for child victims of prostitution and pornography requires an interdisciplinary and holistic approach that can follow the child from the moment of detection/identification, to care and assistance programmes which may include a shelter or work within the community and medical, legal and psychosocial care, to rehabilitation, reintegration and follow-up. The Special Rapporteur observes the absence of a clear mechanism in the country where responsibilities are delineated, and with adequately resourced and trained staff to work with child victims of sexual exploitation.”*

- **Paragraph 71: The danger of equating early sexual behaviour in children as being ‘beyond control’**

*“the Special Rapporteur is particularly alarmed that children involved in prostitution can be considered as children — “beyond control” of their parents. As such, they can be placed in probation centres upon court order, further to reports prepared by the Probation and After-care Service. During her visit to a probation centre, the Special Rapporteur was concerned that some children had been placed there due to precocious sexual behavior. Police officers admitted that one major challenge they face is how to effectively identify child victims of sexual exploitation.”*

- **Paragraph 74: Lack of clarity in roles and responsibilities**

*“the Special Rapporteur notes significant difficulties in the detection of child victims of sale, prostitution and pornography, and how victims are treated in the system. She expresses concern about overlapping duties between relevant actors, and unclear definition of roles and responsibilities.”*

- **Paragraph 82: Limited specialised placement options and services for child victims of prostitution and sexual exploitation**

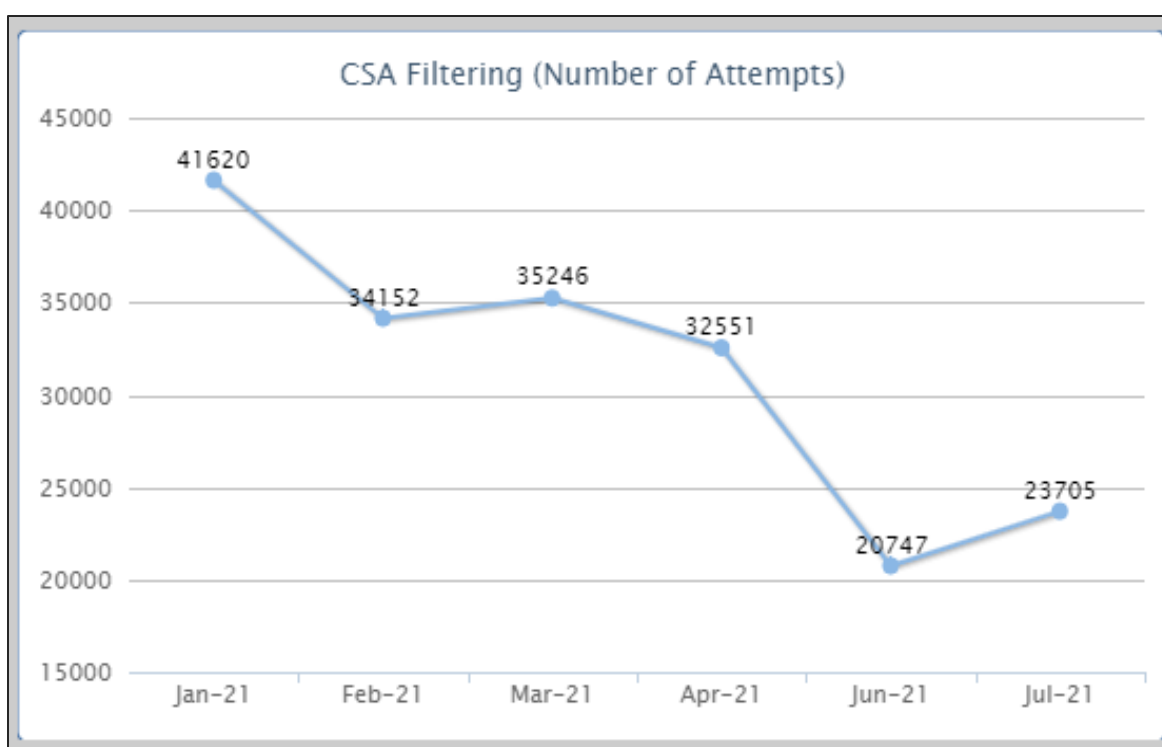
*“The Special Rapporteur is alarmed at the number of children currently placed in institutional care where adequate norms and standards for care and assistance are lacking. Existing centres or points of contact lack the specialized services necessary to receive, treat, accompany and adequately address child victims of prostitution. Rather, the authorities tend to revert to placement in institutional care due to a lack of viable and effective alternatives for care and assistance for child victims of sexual exploitation. Furthermore, virtually all stakeholders admitted that they have neither the adequate time nor the resources to undertake effective rehabilitation and reintegration programmes for children in their care. The Special Rapporteur notes that while certain services exist, they are not provided according to a multidisciplinary and holistic approach. Bearing in mind the serious physical, psychological and emotional consequences of crime and victimization for victims and witnesses, services should include financial aid, free legal assistance, counselling, health and medical care, and educational services, as well as psychosocial recovery, rehabilitation and reintegration services.”*

In her report, the Special Rapporteur proposed a list of interesting recommendations (HRC, 2011, paragraphs 105-121), derived from a **rights-based comprehensive child protection strategy framework**, that could be considered by our country in the elaboration of an effective, multidisciplinary and multisectoral approach to improving the identification, protection and rehabilitation of child victims as well as the prevention of child sexual abuse and sexual exploitation. These are noteworthy and provided in detail in Appendix D of the present report for further reading.

### 3.4.3.2.5. Statistics from the Information and Communication Technologies Authority

The Information and Communication Technologies Authority (ICTA) provides monthly statistics on its website on the filtering of child sexual abuse (CSA) online. One of the key indicators recorded by the ICTA is the number of attempts made by internet users in Mauritius to access websites containing CSA material.

It was alarming to see (refer to the figure below extracted from the ICTA's website [2021]<sup>30</sup>) that, for the period between January 2021 and July 2021 (excluding May 2021 due to system maintenance), the number of attempts by Mauritian internet users to access CSA websites ranged from 20,747 to 41,620. This represented an average of around 31,337 attempts over a period of 6 months.



<sup>30</sup> Information and Communication Technologies Authority (2021). Child sexual abuse filtering. Retrieved on 15 August 2021 from [www.icta.mu/CSA\\_charts.html](http://www.icta.mu/CSA_charts.html)

### 3.4.3.2.6. Extracts from some local press articles regarding OCSASE

The following are extracts of some local press articles published in 2021 (in French and Mauritian Creole), regarding the phenomena of online child sexual abuse and sexual exploitation. Some of these articles include contributions from Rita Venkatasawmy, Ombudsperson for Children.

**Title of article: “Des membres d’un groupe Telegram exposés pour échange de photos dénudées de mineures”**

**Date: 22 March 2021**

**Newspaper: Le Mauricien**

*Des membres d’un groupe de la messagerie Telegram ont partagé et troqué des photos dénudées – aussi appelées « nues » – de femmes et de mineures mauriciennes, et ce, contre leur consentement. L’affaire, qui a éclaté au grand jour durant le week-end, a provoqué un véritable tollé sur la toile, des internautes ayant décidé de dénoncer les quelque 1 200 membres compris dans ce groupe.*

*Ainsi, une page humoristique a lancé le « #Exposetomaniak » dans la nuit de dimanche à lundi sur Facebook. Alors que plusieurs internautes ont divulgué sur les réseaux sociaux les identités des membres de ce groupe, demandant aux autorités compétentes de prendre les sanctions qui s’imposent.*

*Ledit groupe a finalement été désactivé sur Telegram en raison des critiques émises. Parmi les derniers messages échangés sur ce groupe, certains de ces membres font part de leur crainte d’être exposés sur la toile. Toutefois, d’autres groupes ont été créés en vue de poursuivre les échanges de photos compromettantes.*

*En parallèle cependant, des femmes visées par ce groupe ont décidé de témoigner. A cet effet, des directs sur Instagram sont tenus depuis samedi soir. Plusieurs survivantes d’agressions sexuelles partagent les expériences qu’elles ont vécues.*

*Pour rappel, l’année dernière, de nombreux témoignages de survivantes avaient été recueillis à travers la page Instagram #Metoomru, la version mauricienne du mouvement planétaire, #Metoo.*

**Title of article: “Cybercriminalité : 148 cas depuis le début du confinement”**
**Date: 23 March 2021**
**Newspaper: Le Défi Quotidien**

148 cas de cybercriminalité ont été rapportés au Mauritian Cybercrime Online Reporting System (MAUCORS) opérant sous l'égide du ministère des TIC. Ils ont été rapportés depuis le début du confinement, soit entre les 10 et 22 mars 2021. Plusieurs captures d'écran à caractère pornographique de Mauriciennes ont fuité depuis sur les réseaux sociaux, notamment, les applications Telegram et WhatsApp.

Voici les détails chiffrés.

Le piratage	36
Harcèlement en ligne	51
Contenu offensant	7
Sextorsion	6
Vol d'identité (Cybercrime)	16
Cyberbullying	19
Cyberstalking	3
Online scam et fraude	9
Malware	1
<b>Total</b>	<b>148</b>

**Title of article: “Scandale Telegram : les dessous insoupçonnables”****Date: 28 March 2021****Newspaper: Le Mauricien**

*Plus de 1200 membres, et des centaines d’images et de vidéos à caractère pornographique de mineures et même d’enfants mauriciens en libre circulation sur les réseaux sociaux : c’est le résumé du « scandale Telegram » qui a éclaté durant la semaine. Une pratique cybercriminelle de plus en plus courante parmi les jeunes internautes. Selon le CERT MU, l’on compte, pour le mois de mars 2021, 148 cas de sextorsion et selon les statistiques de l’Information Communications Authority (ICTA) en 2020, il y a eu une moyenne de 41 673 tentatives d’accès à des sites pédopornographiques par mois. Des chiffres glaçants qui en disent long sur notre société actuelle, car que ce soit des images volées, données ou vendues, la diffusion de celles-ci sans le consentement d’autrui est un acte criminel, selon l’Information and Communication Technologies Act 2001 (...)*

*Ainsi, Rita Venkatasawmy, Ombudsperson for Children, n’a pas tardé à réagir dans cette affaire impliquant des victimes de moins de 18 ans. « J’ai été surprise, choquée et triste que des mineures soient abusées sexuellement sur un réseau social. Les recherches démontrent que les abus sexuels en ligne contre les enfants ont bondi durant le confinement. Des adultes sans scrupule profitent de la vulnérabilité des enfants durant le lockdown pour prendre contact avec elles via les réseaux sociaux », dit-elle.*

*Et ajoute que « ces filles, dont les images sont vendues, parfois à leur insu, sont des victimes d’exploitation et d’abus sexuels. De nombreuses personnes malheureusement les perçoivent comme des mauvaises filles qui méritent d’être sévèrement punies. C’est dommage ! Une fille mineure n’a pas la maturité pour consentir à des activités sexuelles. Si elle le fait, c’est un « uninformed consent » ! Toutes ces mineures ont besoin et ont droit à une réhabilitation. Les agences de protection de l’enfance, les organisations non-gouvernementales (ONG) et mon bureau doivent se serrer les coudes pour contrer les abuseurs et soutenir les enfants victimes. Sans une synergie entre les différentes institutions, nous ne pouvons faire avancer la cause des enfants les plus vulnérables. »*

*Elle met aussi en garde contre ceux qui font circuler des images à caractère pédopornographique. « J’aimerais attirer l’attention sur le fait que le pédophile, aussi longtemps qu’il ne passe pas à l’acte,*



*n'est pas considéré comme un criminel. L'Organisation mondiale de la santé définit la pédophilie comme « une préférence sexuelle pour les enfants ». Il peut ne jamais passer à l'acte. Il serait plus convenable donc dans le cas présent de parler de pédophiles abuseurs. » Affaire à suivre, car ce scandale n'est que le « tip of the iceberg »*

Title of article: "Tes amis ne sont pas forcément de vrais amis"

Date: 29 March 2021

Newspaper: L'Express

le Sentinelle

l'express JUNIOR

Page réalisée par Stewardson CASIMIR

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## RÉSEAUX SOCIAUX

# TES AMIS NE SONT PAS FORCÉMENT DE VRAIS AMIS

L'affaire a éclaté au cours de la semaine écoulée. Des photos dénudées de mineures ont été publiées sur un groupe de l'application Telegram. Certains hommes mal intentionnés ont vendu ces photos reçues des victimes, qui elles ignoraient qu'elles étaient piégées. Dans d'autres cas, les mineures elles-mêmes les vendaient pour se faire de l'argent facile. Comment en est-on arrivé là ? Que se passe-t-il chez la jeune génération ? Comment y remédier ? Rita Venkatasawmy, Ombudsperson for Children, en parle.



▀ Quelle a été votre réaction en apprenant ce qui s'est passé avec ce groupe sur Telegram ?

Je suis choquée, outrée par cela. C'est incroyable et inadmissible de voir qu'il y a des personnes dans ce pays qui agissent de façon malsaine et qui vendent des photos dénudées de jeunes filles. Ces dernières sont innocentes. Ce qui m'énervait encore plus, c'est quand j'entends les coupables dire que ces filles étaient d'accord pour l'envoi de ces photos. Non, mais sérieusement ? C'est n'importe quoi. C'est comme me dire, par exemple, que quand un bébé se brûle le doigt en jouant avec le feu, il était d'accord de mettre son doigt dans la flamme. Qu'en savait-il ? Rien, justement. C'est du *Uninformed consent*. Admettons que ces filles étaient d'accord mais elles ont un manque de maturité pour réaliser les répercussions pour elles. C'est aux adultes de montrer le droit et le bon chemin à ces ENFANTS et non les pousser vers le mal.

▀ Que pensez-vous des critiques, qui ont surgi à l'égard de ces mineures sur les réseaux sociaux ?

Là, je vais aussi parler aux parents et aux enfants. Il faut stopper les critiques. Quand je parle de cette affaire à certains adultes, ils me disent souvent « *Bann fay tifi sa Rita, bizin les sot dan RYC (maison de correction pour les enfants).* » Il faut cesser de dire cela. Et je demande aux enfants, qui s'entendent dire ce genre de choses, d'en informer rapidement leurs parents ou une personne en qui ils ont confiance. Critiquer ne mène à rien. Ces filles que vous critiquez pour une histoire de photos dénudées sont des filles qui ont le droit à l'éducation. Ma question à ceux qui disent que ces filles l'ont fait en toute connaissance de cause est la suivante : certaines photos ont été vendues et payées par Juice. Est-ce qu'une mineure a un compte bancaire ? Non ! Donc, il y a forcément un adulte derrière tout cela. Protégeons nos enfants. Ils ont besoin de nous. Je propose un soutien psychologique à nos enfants, de l'accompagnement et de la sensibilisation. Bien qu'il y ait le confinement et que je sois dans une zone rouge, cela ne veut pas dire que je ne suis pas là pour les enfants. Je suis là et grâce aux médias, je vous entends et vous allez m'entendre aussi.

▀ Quel est votre message par rapport à cette affaire ?

Je m'adresse avant tout aux parents, qui liront forcément *Junior*. Le monde a changé : chers papas et mamans. À notre époque, il n'y avait pas d'Internet. Ma fille maîtrise Internet mieux que moi et j'essaie de suivre pour que nous soyons sur la même longueur d'ondes. Donc, vous pouvez aussi essayer de faire un effort pour maîtriser au plus vite cette technologie, qui évolue tous les jours et pour avoir rapidement un contrôle sur cet outil. Ainsi, quand vos enfants sont enfermés dans leurs chambres, ne croyez pas qu'ils font leurs devoirs ou suivent leurs cours en ligne. Vous avez le droit d'entrer dans leur chambre et de regarder ce qu'ils font car avec un simple petit téléphone, le monde andor pe rant dan lakaz aster. Je sais qu'avec ce confinement, c'est difficile pour vous avec les enfants et surtout que ces enfants ne font que manger une journée (*rins*). Mais vous portez aussi d'autres casquettes et pas que celle de cuisinier. Vous êtes à la fois agent de sécurité, professeur, docteur, guide, autant de tâches cumulées qui tombent sur vos épaules et celles de ceux que l'on appelle PARENTS.

Mon message à vous, petits lecteurs, c'est met ser-rye. Oui, il y a des lois pour vous protéger. Oui, nous sommes là mais vous aussi, faites votre part. Il ne faut pas justifier votre utilisation d'Internet par le fait « *ki pna rob* ». Le danger est partout, il vous faut le réaliser. Quand vous dites « *dan lakaz bom, pna rob* », est-ce que vous avez lu un journal depuis le confinement ? Écoutez-vous la radio ? Prenez un moment de dialoguer avec votre maman ou votre papa ou votre sœur ou votre frère. Mettez le téléphone de côté pour un moment. L'avez-vous fait ? Non. Est-ce que votre vie se résume au téléphone ? Qui sont ces gens qui vous parlent constamment par téléphone ? Sont-ils capables de vous aider demain si vous êtes en grande difficulté ? Voilà des questions à vous poser et qui vous ramèneront à l'essentiel.



# Title of article: "Ne voilons pas l'abus sexuel des mineurs sur la toile, dénonçons ensemble ces réseaux !"

Date: 31 March 2021

Newspaper: L'Express

Article écrit par Rita Venkatasawmy, l'Ombudsperson pour les enfants :

## Ne voilons pas l'abus sexuel des mineurs sur la toile, dénonçons ensemble ces réseaux !

re n'a pas  
sentir  
elles»

Un groupe de citoyens mauriciens, que des mineurs soient abusés via les réseaux sociaux, dignes que ces filles, dont les fois à leur insu, sont des VICTIMES de l'abus sexuel. De nombreuses ont été sévèrement punies, fille mineure n'a pas la maturité sexuelle. Si elle le fait, toutes ces mineures ont éducation de qualité. Et les enfants doivent travailler en ligne. La police, la Child Development non-gouvernementale ombudsperson pour les enfants pour contre les abusateurs et es. Sans une synergie entre les us ne pouvons faire avancer la vulnérabilité.

s contre l'abus  
doivent être basées

de la protection et de la pro- nts en situation d'extrême vul- nés, des enquêtes fiables et des L'UNICEF l'agence con- ans la promotion des droits de nent des rapports de très bon enfants dans le monde, entre enfants victimes de différentes

formes de violence sexuelle. L'UNICEF applique une politique de «tolérance zéro» concernant l'abus et le harcèlement sexuels. De nombreux pays au monde s'inspirent des rapports de l'UNICEF et Maurice également s'inspirent des recherches publiées par cette instance ainsi que le Comité des experts des Nations unies.

Les programmes mis en place pour prévenir et réhabiliter des enfants victimes d'exploitation et d'abus sexuels par des prédateurs sexuels doivent être basés sur des données fiables. S'ils ne le sont pas, nous n'obtiendrons jamais les résultats escomptés. Chaque pays doit également créer un climat favorable à la recherche. Ici, chez nous, chaque année, mon bureau publie un rapport annuel sur la situation des enfants mauriciens. Normalement, nous attirons l'attention sur la situation des enfants les plus vulnérables. Nous avons déjà traité le problème d'abus sexuel sur les enfants.

Il y a aussi eu en 1998 et 2002 deux rapports commandités par le ministère de la femme, du développement de l'enfant et du bien-être de la famille d'alors. Ces rapports étaient très utiles à la compréhension de l'exploitation sexuelle commerciale des enfants, de l'abus sexuel et de la pédophilie à Maurice. Le rapport de 1998 avait recommandé, entre autres, de faire du combat contre l'exploitation sexuelle commerciale des enfants un combat national et de réviser les lois nationales concernant les violences sexuelles faites aux enfants et les sanctions à l'égard des auteurs. Aujourd'hui, le *Children's Act* a été voté à l'Assemblée et nous attendons avec impatience sa promulgation. Pour l'instant, nous nous référons toujours au *Child Protection Act*. Je pense sincèrement que, même si ces deux rapports datent d'environ 20 ans, ils peuvent toujours être lus et consultés pour mieux comprendre le phénomène d'abus sexuel des enfants et de l'exploitation sexuelle commerciale des enfants à Maurice.

■ Le rapport spécial des Nations unies sur la vente des enfants, la prostitution des enfants et la pornographie mettant en scène des enfants

Le développement des réseaux de pornographie ou l'exploitation sexuelle des enfants est une réalité mondiale sur le net et en dehors du net. En 2013, d'après la rapporteuse spéciale des Nations unies sur la vente des enfants, la prostitution des enfants et la pornographie mettant en scène des enfants, Nait Malla Mjid, d'une manière générale, l'âge des victimes a baissé et les représentations deviennent plus crues et plus violentes.

Il faut souligner que la majorité des familles mauriciennes s'occupent bien de leurs enfants. Il ne faut pas du tout conclure que tous les enfants mauriciens sont sur des réseaux sociaux pour de mauvaises raisons ! Fort heureusement, nous avons encore à Maurice des enfants qui évoluent dans des familles stables. Ceci dit, nous ne pouvons pas ignorer un nombre grandissant d'enfants vulnérables

qui sont à risques et finissent entre les mains des pédocriminateurs. Les raisons à l'origine de leur histoire d'abus sexuel peuvent être multiples : pauvreté, absence de compétences parentales, affaiblissement des familles, attirance par le gain matériel, pression du groupe de pairs, entre autres.

La rapporteuse spéciale des Nations unies a aussi attiré notre attention dans son rapport sur un fait très important. Contrairement à ce que croient de nombreuses personnes, la demande pour des relations sexuelles avec des enfants ne provient pas uniquement des pédophiles. Elle fait partie de la demande générale de relations sexuelles. Le rapport de 1998 à Maurice avait souligné que la clientèle des jeunes victimes d'exploitation sexuelle commerciale comprend une bonne partie de notables ! Le rapport de Nait Malla Mjid abonde dans le même sens : les personnes qui exploitent sexuellement des enfants sont de tous âges et proviennent de milieux socio-économiques très différents. Il ne faut pas oublier non plus que l'exploitation sexuelle des enfants est un «business» mondial très lucratif. Les recettes représentent des milliards de dollars !

■ Protégeons les enfants contre l'exploitation et l'abus sexuels en ligne

Pour lutter contre ce fléau social, il faut un cadre légal approprié. Que ce soit au niveau international ou national, nous avons des lois qui devraient permettre de lutter contre l'exploitation et l'abus sexuels de nos enfants. Au niveau international, la Convention relative aux droits de l'enfant et ses protocoles facultatifs demeurent des références importantes pour ceux qui mettent en place des programmes socio-éducatifs et thérapeutiques au niveau local. Je vous l'ai dit plus tôt, le *Children's Act* vient renforcer les actions en faveur des enfants les plus vulnérables. Mais même si la loi est importante, elle ne suffit pas à elle seule pour faire reculer les abus sexuels. Pour les actions de prévention comme pour les actions de réhabilitation, nous avons besoin d'un personnel hautement qualifié et engagé composé de membres qui collaborent entre eux ! C'est ENSEMBLE que des objectifs peuvent être atteints. Ce combat, c'est l'affaire de tous y compris des citoyens lambda.

Ensuite, il ne faut JAMAIS au grand jamais oublier l'impact des enfants eux-mêmes. Il faut impérativement leur donner la parole, les écouter attentivement, les écouter de leur jeune âge aux valeurs importantes de notre société, les associer au combat et avant tout, les valoriser ! Et leur faire prendre conscience des dangers qui les guettent dans notre société.

■ Comprendre la pertinence des termes employés dans le domaine de l'enfance et de l'exploitation sexuelle

Les mots que nous utilisons pour parler des enfants victimes d'exploitation et d'abus sexuels sont très impor-

nants. Ils vont avoir des répercussions sur notre manière de percevoir cette problématique et la conceptualisation des projets visant à promouvoir le droit des victimes. En 2016, le groupe de travail interinstitutionnel sur l'exploitation sexuelle des enfants mis en place par l'ECPAT, une ONG internationale, insiste sur le fait qu'utiliser des termes qui manquent de cohérence risque de conduire à l'adoption de lois et de politiques confuses qui, au final, ne contribuent pas à promouvoir les droits des enfants.

Par exemple, nous entendons souvent des personnes dire que les filles avaient elles-mêmes fait le choix de leur exploitation. Elles étaient consentantes. Cependant comme le souligne l'ECPAT, selon le droit international l'enfant n'est pas en mesure de consentir à sa propre exploitation sexuelle. Comme je l'ai dit déjà, l'argument d'un comportement «volontaire» n'est pas valide ! Surtout quand il s'agit de protéger les enfants de moins de 18 ans contre l'exploitation sexuelle.

Des termes comme prostitution enfantine, enfant prostitué, enfant travailler du sexe, enfant vendant du sexe portent préjudice à l'enfant et risquent de transférer la responsabilité de la faute sur l'enfant, souligne l'ECPAT dans son rapport.

■ Pour conclure...

Le combat contre l'exploitation et l'abus sexuels des enfants est difficile mais il faut de toutes nos forces le mener sans se désespérer et en affinant bien nos armes. Il faut bien cerner la problématique et adopter des stratégies réfléchies en se référant aux lois nationales et internationales et à la recherche. Il faut se rappeler que bon nombre d'abusateurs d'enfants ont été eux aussi victimes d'abus durant leur enfance. Cela ne veut pas dire qu'il faut une culture d'impunité à leur égard mais cela implique que les abusateurs ont eux aussi besoin d'un accompagnement thérapeutique. Pour promouvoir les droits des enfants dans tous les domaines, il faut investir et s'investir dans l'enfance. Une enfance heureuse et stable implique pour l'individu que ses bases sont solides et qu'il pourra affronter ce dur combat qu'est la vie.



par Rita Venkatasawmy, Ombudsperson pour les enfants

« Une fille mineure n'a pas la maturité pour consentir à des activités sexuelles. »

J'ai été, comme beaucoup de citoyens mauriciens, surprise, choquée et triste que des mineures soient abusées sexuellement sur un réseau social. Les recherches démontrent que les abus sexuels en ligne contre les enfants ont bondi durant le confinement. Des adultes sans scrupule profitent de la vulnérabilité des enfants durant le « lock down » pour prendre contact avec elles via les réseaux sociaux.

Je m'empresse de souligner que ces filles, dont les images sont vendues, parfois à leur insu, sont des VICTIMES d'exploitation et d'abus sexuels. De nombreuses personnes malheureusement les perçoivent comme des mauvaises filles qui méritent d'être sévèrement punies. C'est DOMMAGE ! Une fille mineure n'a pas la maturité pour consentir à des activités sexuelles. Si elle le fait, c'est un « uninformed consent » ! Toutes ces mineures ont besoin et ont droit à une réhabilitation de qualité.

*Et les agences de protection de l'enfance doivent travailler en étroite collaboration à ce chapitre. La police, la « Child Development Unit », les organisations non-gouvernementales (ONG) et le bureau de l'Ombudsperson pour les enfants doivent se serrer les coudes pour contrer les abuseurs et soutenir les enfants victimes. Sans une synergie entre les différentes institutions, nous ne pouvons faire avancer la cause des enfants les plus vulnérables.*

*La formation et l'engagement des personnes impliquées dans la réhabilitation des victimes d'exploitation et d'abus sexuels sont primordiaux. J'aimerais aussi attirer votre attention sur le fait que le pédophile, aussi longtemps qu'il ne passe pas à l'acte, n'est pas considéré comme un criminel. L'Organisation Mondiale de la Santé (OMS) définit la pédophilie comme « une préférence sexuelle pour les enfants ». Donc, le pédophile ressent une attirance sexuelle pour les enfants. Il peut ne jamais passer à l'acte. Il serait plus convenable donc dans le cas présent de parler de pédophiles abuseurs.*

*Je dois aussi saluer la presse qui a mené des enquêtes approfondies sur ce réseau et a énormément contribué à sensibiliser le public en général sur l'urgence de protéger les victimes et les potentielles victimes de violence sexuelle.*

***Les interventions contre l'abus sexuel des enfants doivent être basées sur la recherche.***

*De plus, quand il s'agit de la protection et de la promotion des droits des enfants en situation d'extrême vulnérabilité, il nous faut des études, des enquêtes fiables et des rapports écrits bien ficelés. L'UNICEF, l'agence onusienne qui est spécialisée dans la promotion des droits de l'enfant, publie régulièrement des rapports de très bon niveau sur la situation des enfants dans le monde, entre autres sur la situation des enfants victimes de différentes formes de violence sexuelle. L'UNICEF applique une politique de « tolérance zéro » concernant l'abus et le harcèlement sexuels. De nombreux pays au monde s'inspirent des rapports de l'UNICEF et Maurice également s'inspire des recherches publiées par cette instance ainsi que le Comité des experts des Nations Unies.*

*Les programmes mis en place pour prévenir et réhabiliter des enfants victimes d'exploitation et d'abus sexuels par des prédateurs sexuels doivent être basés sur des données fiables. S'ils ne le sont pas, nous n'obtiendrons jamais les résultats escomptés. Chaque pays doit également créer un climat*

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*Il y a aussi eu en 1998 et 2002 deux rapports commandités par le Ministère de la Femme, du Développement de l'Enfant et du Bien-Etre de la Famille d'alors. Ces rapports étaient très utiles à la compréhension de l'exploitation sexuelle commerciale des enfants, de l'abus sexuel et de la pédophilie à Maurice. Le rapport de 1998 avait recommandé, entre autres, de faire du combat contre l'exploitation sexuelle commerciale des enfants un combat national et de revisiter les lois nationales concernant les violences sexuelles faites aux enfants et les sanctions à l'égard des abuseurs. Aujourd'hui, le « Children's Act » a été voté à l'Assemblée et nous attendons avec impatience sa promulgation. Pour l'instant, nous nous référons toujours au « Child Protection Act ». Je pense sincèrement que, même si ces deux rapports datent d'environ 20 ans, ils peuvent toujours être lus et consultés pour mieux comprendre le phénomène d'abus sexuel des enfants et de l'exploitation sexuelle commerciale des enfants à Maurice.*

***Le rapport spécial des Nations Unies sur la vente des enfants, la prostitution des enfants et la pornographie mettant en scène des enfants***

*Le développement des réseaux de pornographie ou l'exploitation sexuelle des enfants est une réalité mondiale sur le net et en dehors du net. En 2013, d'après la rapporteuse spéciale des Nations Unies sur la vente des enfants, la prostitution des enfants et la pornographie mettant en scène des enfants, Najat Malla M'jid, d'une manière générale, l'âge des victimes a baissé et les représentations deviennent plus crues et plus violentes.*

*Il faut souligner que la majorité des familles mauriciennes s'occupent bien de leurs enfants. Il ne faut pas du tout conclure que tous les enfants mauriciens sont sur des réseaux sociaux pour de mauvaises raisons ! Fort heureusement, nous avons encore à Maurice des enfants qui évoluent dans des familles stables. Ceci dit, nous ne pouvons pas ignorer un nombre grandissant d'enfants vulnérables qui sont à risques et finissent entre les mains des pédo-criminels. Les raisons à l'origine de leur histoire d'abus*



*sexuel peuvent être multiples : pauvreté, absence de compétences parentales, affaiblissement des familles, attirance par le gain matériel, pression du groupe de pairs, entre autres.*

*La rapporteuse spéciale des Nations Unies a aussi attiré notre attention dans son rapport sur un fait très important. Contrairement à ce que croient de nombreuses personnes, la demande pour des relations sexuelles avec des enfants ne provient pas uniquement des pédophiles. Elle fait partie de la demande générale de relations sexuelles. Le rapport de 1998 à Maurice avait souligné que la clientèle des jeunes victimes d'exploitation sexuelle commerciale comprend une bonne partie de notables ! Le rapport de Najat Malla M'jid abonde dans le même sens : les personnes qui exploitent sexuellement des enfants sont de tous âges et proviennent de milieux socio-économiques très différents. Il ne faut pas oublier non plus que l'exploitation sexuelle des enfants est un « business » mondial très lucratif. Les recettes représentent des milliards de dollars !*

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*Pour lutter contre ce fléau social, il faut un cadre légal approprié. Que ce soit au niveau international ou national, nous avons des lois qui devraient permettre de lutter contre l'exploitation et l'abus sexuels de nos enfants. Au niveau international, la Convention relative aux droits de l'enfant et ses protocoles facultatifs demeurent des références importantes pour ceux qui mettent en place des programmes socio-éducatifs et thérapeutiques au niveau local. Je vous l'ai dit plus tôt, le « Children's Act » vient renforcer les actions en faveur des enfants les plus vulnérables. Mais même si les lois sont importantes, elles ne suffisent pas à elles seules pour faire reculer les abus sexuels. Pour les actions de prévention comme pour les actions de réhabilitation, nous avons besoin d'un personnel hautement qualifié et engagé composé de membres qui collaborent entre eux ! C'est ENSEMBLE que des objectifs peuvent être atteints. Ce combat, c'est l'affaire de tous y compris des citoyens lambda.*

*Ensuite, il ne faut JAMAIS au grand jamais oublier l'apport des enfants eux-mêmes. Il faut impérativement leur donner la parole, les écouter attentivement, les éduquer dès leur jeune âge aux valeurs importantes de notre société, les associer au combat et avant tout, les valoriser ! Et leur faire prendre conscience des dangers qui les guettent dans notre société.*

## **Comprendre la pertinence des termes employés dans le domaine de l'enfance et de l'exploitation sexuelle**

*Les mots que nous utilisons pour parler des enfants victimes d'exploitation et d'abus sexuels sont très importants. Ils vont avoir des répercussions sur notre manière de percevoir cette problématique et la conceptualisation des projets visent à promouvoir le droit des victimes. En 2016, le groupe de travail interinstitutionnel sur l'exploitation sexuelle des enfants mis en place par l'ECPAT, une ONG internationale, insiste sur le fait qu'utiliser des termes qui manquent de cohérence risque de conduire à l'adoption de lois et de politiques confuses qui, au final, ne contribuent pas à promouvoir les droits des enfants.*

*Par exemple, nous entendons souvent des personnes dire que les filles avaient elles-mêmes fait le choix de leur exploitation. Elles étaient consentantes. Cependant, comme le souligne ECPAT, selon le droit international, l'enfant n'est pas en mesure de consentir à sa propre exploitation sexuelle. Comme je l'ai dit déjà, l'argument d'un comportement « volontaire » n'est pas valide ! Surtout quand il s'agit de protéger les enfants de moins de 18 ans contre l'exploitation sexuelle.*

*Des termes comme prostitution enfantine, enfant prostitué, enfant travailleur du sexe, enfant vendant du sexe portent préjudice à l'enfant et risquent de transférer la responsabilité de la faute sur l'enfant, souligne ECPAT dans son rapport.*

### **Pour conclure...**

*Le combat contre l'exploitation et l'abus sexuels des enfants est difficile mais il faut de toutes nos forces le mener sans se désespérer et en affûtant bien nos armes. Il faut bien cerner la problématique et adopter des stratégies réfléchies en se référant aux lois nationales et internationales et à la recherche. Il faut se rappeler que bon nombre d'abuseurs d'enfants ont été eux aussi victimes d'abus durant leur enfance. Cela ne veut pas dire qu'il faut une culture d'impunité à leur égard mais cela implique que les abuseurs ont eux aussi besoin d'un encadrement thérapeutique. Pour promouvoir les droits des enfants dans tous les domaines, il faut investir et s'investir dans l'enfance. Une enfance heureuse et stable implique pour l'individu que ses bases sont solides et qu'il pourra affronter ce dur combat qu'est la vie.*

Title of article: "Réseau criminel: Rodrigues secouée par une affaire de pédopornographie"

Date: 7-8 August 2021

Newspaper: L'Express

## RÉSEAU CRIMINEL

## Rodrigues secouée par une affaire de pédopornographie

La tranquillité de Rodrigues est perturbée par une affaire de pédopornographie et des débats impliquant des adultes, dont des fonctionnaires, filmés sur téléphone portable. Une proche d'un membre du gouvernement régional serait une victime. La police, qui enquête en toute discrétion, a déjà arrêté cinq personnes.

Patrick ST PIERRE

**VIOL.** Sodomie. Mineurs. Omerta. Une équipe restreinte de la *Criminal Investigation Division* a été constituée, dit-on, avec uniquement quelques policiers afin d'éviter toute fuite sur une affaire de pédopornographie et de vidéos sexuelles d'adultes via téléphone portable. D'une part, les autorités ne veulent pas que des informations concernant des mineurs se retrouvent sur la place publique. D'autre part, une adolescente proche d'un membre du gouvernement de Rodrigues en serait une victime. Sa mère aurait eu une rencontre avec le chef de la police de Rodrigues pour que l'enquête soit menée en toute discrétion et pour qu'aucune vidéo ne fuite.

Toute l'affaire a commencé quand un cameraman de la Mauritius Broadcasting Corporation (MBC) de Rodrigues a porté plainte pour le vol de son téléphone portable au début du mois. Il a balancé le nom d'une mineure qu'il soupçonnait d'avoir pris son téléphone. Les policiers ont récupéré le portable avec cette fille. Lors de son interrogatoire, elle a affirmé qu'il y aurait des vidéos d'elle sur le téléphone. Effectivement, en analysant l'appareil, les policiers sont tombés sur des vidéos pédopornographiques ou encore des adultes en pleins ébats.

D'après certaines informations non vérifiées, une centaine de vidéos à caractère pornographique auraient été découvertes, dans lesquelles, dit-on, des fonctionnaires (hommes et femmes) et d'autres adultes

sont impliqués dans des actes sexuels, souvent avec des mineurs, ou d'autres adultes. La police soupçonne qu'il s'agit d'un réseau et que des adultes filment leurs actes pour les partager entre eux. Elle a même des soupçons de prostitution infantile. Toujours selon certaines informations, dans une des vidéos, il y aurait deux jumelles de dix ans avec un homme. La Child Development Unit a pris en charge les enfants pour comprendre ce qui s'est passé. La mère a également été entendue.

## «DANS UNE DES VIDÉOS, IL Y AURAIT DEUX JUMELLES DE DIX ANS AVEC UN HOMME.»

Dans le cas du cameraman de la MBC, une fille de 18 ans a également porté plainte contre lui pour sodomie durant la semaine. L'élève a affirmé à la police que l'acte s'est produit une première fois dans un buisson, en mai, et, la deuxième fois, à la plage de Pointe-Coton, le 24 juillet. La fille, qui habite au centre de Rodrigues, a également porté plainte pour le même délit contre un homme de 21 ans. Celui-ci l'aurait sodomisée le même jour, le 24 juillet, à Malabar. Une autre femme de 25 ans a également porté plainte contre l'employé

de la MBC pour attouchement et agression sexuelle notamment. Elle a affirmé que l'acte aurait été filmé.

La police a déjà arrêté cinq personnes. Les suspects sont accusés de viol, de sodomie, de «dealing with obscene matters» et de «causing child to be sexually abuse». D'autres arrestations sont à prévoir.

Les enquêteurs tentent de savoir s'il y a un lien entre cette affaire et une photo postée sur Facebook le mois dernier. Un chauffeur d'un membre de l'Assemblée régionale avait posté par «inadvertance» sa photo à côté d'une femme nue, sur les réseaux sociaux, pendant un court instant. Cependant, plusieurs internautes avaient eu le temps de télécharger l'image sur laquelle la femme nue dormait ou était dans un état second. Après cet incident, elle aurait déclaré à qui veut l'entendre, «*pou ena lot film, me pa mwa ki pou aktris*».

Du côté de la police, le surintendant Vijay Russeeawon, un des enquêteurs, a tenu une conférence de presse, lundi, aux côtés de Franchette Gaspard-Pierre-Louis, la commissaire de la Femme, de la famille et des droits de l'enfant (voir encadré). Ce haut gradé de la police a confirmé un réseau opérant dans l'île. «*Nous avons mis en lumière un réseau qui opère depuis quelque temps en commettant des délits sexuels dans lesquels des mineurs sont concernés. Plusieurs accusés sont impliqués et ont été arrêtés. Nous prenons cette affaire très au sérieux. Des charges provisoires ont été logées contre eux et l'enquête continue.*» Pour la police, l'enquête ne fait que commencer.



■ L'ampleur de cette affaire inquiète le gouvernement régional.

## DES PARENTS INQUIETS

Des parents ne comprennent pas pour quelle raison la police ne communique pas davantage sur cette affaire. «*Rodrigues est petite. Tout le monde fréquente tout le monde. On aurait aimé savoir si nos enfants ont côtoyé un des suspects pour qu'on puisse leur demander s'ils ont été victimes d'attouchement ou autre agression*», déclare le président d'une Parents Teacher's Association d'une institution scolaire. Il affirme qu'une mère lui a confié que sa fille fréquente une des victimes. «*Sa fille l'a rassurée qu'elle n'est pas concernée. Mais si, au moins, la police trouvait un moyen pour identifier les potentielles victimes, les parents pourraient aborder le sujet avec les enfants car, de frayeur, ils pourraient nier.*» Ce parent affirme que tout le monde en parle, mais peu d'informations sont disponibles.

## HERS APPELLE À DÉNONCER LES ACTES PÉDOPHILES

Les membres de l'association Hers Rodrigues, qui milite pour l'émancipation et les droits de la femme, tiennent une conférence de presse ce matin à Rodrigues. Stivelle Castel, la secrétaire, affirme que tout le monde sait qu'il y a un problème à Rodrigues, mais avec l'avènement de la technologie, les choses se sont empirées. «*Beaucoup de personnes disent qu'elles savaient qu'intel est intéressé par des jeunes filles ou que des jeunes filles sortent avec des hommes plus âgés, mais il faut arrêter de penser que c'est normal. Il faut les dénoncer. Si vous avez peur, contactez-nous, on fera le nécessaire.*» Elle appelle aussi la population à arrêter de blâmer les adolescentes. «*C'est un âge où les hormones sont actives. Elles n'ont pas la mentalité d'adulte encore, elles ne peuvent pas juger. Il faut arrêter de dire : zot in rodé!*» Hers Rodrigues demande aussi aux parents d'oser parler de la sexualité avec leurs enfants. Stivelle Castel affirme qu'il faudra briser ce tabou et que l'école doit continuellement mener une campagne de sensibilisation auprès des jeunes.

## L'AMPLEUR DU SCANDALE INQUIÈTE LE GOUVERNEMENT RÉGIONAL

Devant l'ampleur de cette affaire, la commissaire Franchette Gaspard-Pierre-Louis a convoqué la presse lundi pour demander la collaboration des parents. «*C'est une situation assez préoccupante, surtout par rapport à la mauvaise utilisation de l'internet et des réseaux sociaux. Des images choquantes, dégradantes et méprisantes ont circulé, mettant en avant des jeunes filles et des femmes rodriguaises dans des postures inconvenantes.*» Elle ajoute qu'il faut tout dénoncer. «*Nous avons eu des discussions avec le chef de la police. Quand nous mesurons l'impact et l'étendue de ces mauvaises pratiques, c'est ahurissant. C'est pourquoi nous invitons la population à fournir des informations qui aideront à faire progresser l'enquête policière et à dénoncer toute pratique anormale qui passe sur les réseaux sociaux.*»



### 3.4.3.3. Listening to the voices of citizens of the Republic of Mauritius on OCSASE

Over the month of April 2021, the Press Communiqué launched by the OC on the issues of OCSASE (refer to subsection 3.4.2 in the present chapter) elicited the participation of **a total of 279 individuals** who contributed their valuable experiences, observations, comments and suggestions on OCSASE and other related matters. Their responses were received through multiple means, for instance, phone calls, text messages, online messaging, video conferencing, letters and emails. These participants have been categorised in Table 8 below:

**Table 8. Participants who contributed to the OC's Press Communiqué on OCSASE.**

SN	Category	Number of participants
1	Children and young people	56
2	Anonymous young online sex offenders (male)	10
3	Parents, caregivers and adults in general	155
4	Professionals and representatives of non-governmental organisations working with children	52
5	Members of Parliament of the Republic of Mauritius	6
<b>TOTAL</b>		<b>279</b>

Subsections 3.4.3.3.1 to 3.4.3.3.5 provide an overview of the inputs collected within each of the 5 categories of participants. Please note that contributors from the **first 3 categories** have been kept **anonymous**, while contributors from the **latter two categories** were **named when quoted** in the present report (due to being known to the public). For reporting purposes, only the **most salient ideas** of participants within each category were outlined, supported by relevant quotes, because it would not have been possible to include all the responses received. Please also note that **the quotes used in this section are verbatim and presented in the original languages that they were written or spoken**, including *Kreol morisien*, French and English.



### 3.4.3.3.1. Children and young people

The OC was pleased to note the participation of some children and young people, especially aged between 11 and 17 years old, who contributed their valuable views on the issues of OCSASE through phone calls, text messages and emails. Subsections 3.4.3.3.1.1 and 3.4.3.3.1.2 capture the main ideas brought forward by these young participants.

#### 3.4.3.3.1.1. What was their understanding of OCSASE and related concerns?

Many of the young people talked on the easy access to all sorts of social media platforms and adult sites nowadays without the necessity to disclose their ages. While some of them said that they came across sexually explicit material accidentally during browsing, a few others intentionally searched for such material out of curiosity and as a means of sexual initiation. A 15-year-old girl enthusiastically said, *“C’est plus simple d’aller sur les réseaux sociaux pour se défouler. Je trouve extraordinaire qu’on peut s’initier à la sexualité ‘online’ !”* Some young people were frustrated about the fact that adults did not freely talk on sexuality with them, as messaged by another 15-year-old boy: *“Gran dimounn pa koze sex ar nou! Ki ou le, nou al fer nou prop resers.”*

Some young participants told the OCO that, due to a lack of leisure activities, they used their phones to spend their time and relax on their own. One participant even described her phone as a “refuge” from unwanted social interactions. For most of them, their use of social media was mainly to keep in touch with their friends, especially when they had been away from one another over long periods such as during the national lockdowns. A few of them had also been seeking romantic relationships online, including from strangers.

Furthermore, a 16-year-old girl said that she gave in to peer pressure and started sending nude pictures to seek popularity among her friends on social media. She testified, *“C’est mon amie qui m’a poussé à me prendre en photo toute nue pour les mettre ensuite sur des réseaux sociaux”*. Another 16-year-old boy, who declared that he posted his nude pictures online for selling, confided that he was less interested with the money he made, but more with the sense of ‘feeling adult’ and seeking validation from girls. He said, *“Ce n’est pas l’argent qui m’intéresse. Je me sens tellement adulte quand les filles flattent mon corps d’homme.”* Some participants showed awareness on the fact that age-inappropriate

online sexual behaviours could put young people at risk of more severe problems such as online sexual harassment, abuse or exploitation.

#### 3.4.3.3.1.2. What can be done according to these young participants?

Some of the young people contributed possible solutions to tackling the issues of OCSASE. For instance:

- A 13-year-old girl advanced the need to **implement sex education in a youth-sensitive way**: *“If we had proper sexual education and moral values at school with a deeper explanation by young adults or by those who were victims of abuse, teenagers would not be so curious to go on illegal sites to learn in a bad way about things that they should have learnt in a proper way”*.
- In terms of **protection of young people online**, a 16-year-old girl appealed to her peers to be responsible on the internet, disclose any form of OCSASE to the relevant authorities and never to trust strangers online. She said: *“Si ariv enn sitiasion koumsa ar mwa, mo ti pou fer lapolis kone...Mo pou dir bann zenes ki dan sa sitiasion la, inform enn dimounn pros ek lapolis. Fodre zame anvway bann foto a enn inkoni. Bann zenn bizin ena enn ledikasyon lor kouma servi internet dan enn fason responsab.”*
- A few of the young people emphasised **the need for cybercrime authorities to block sites and social media groups that allow the circulation of sexually explicit and exploitative content and to track online child sex offenders**. A 15-year-old boy proposed: *“Lapolis bizin rant lor internet, gete ki sa bann dimounn la ki pe partaz sa bann foto la e atrap zot.”*
- A 17-year-old young person highlighted the importance of providing the **necessary psychological support and rehabilitation to child victims of OCSASE** and **preventing their relapse** into these social ills.

### 3.4.3.3.2. *An anonymous local group of young online male sex offenders (including minors)*

During the period of collecting inputs from the public on the issues of OCSASE in April 2021, the Ombudsperson for Children (OC) received an anonymous letter addressed to her from a local group of 10 young online sex offenders, which also included minors. These individuals explained that they operated a group on 'Telegram' where they bought, sold, exchanged and circulated pictures and videos of pornographic nature, and their network also involved children under 16 years old. The following is an outline of some of the statements that constituted the letter, which could help the public better understand potential underlying motivations of some young people to engage in OCSASE:

- **Hiding one's vulnerability and seeking relationship stability:**

**Statement 1:**

*"Mo al lor Telegram parski mo anvi marye. Personn pa get momem zame. Okenn tifi oule vinn ar mwa. Mo extra anvi marye. Mo enn andikape, mo met enn laparey dan mo lipie gos. Mo'nn al lekol, mo travay, mo kapav marye...Selma pena enn tifi ki oule marye mwa. Enn andikape pa dimounn sa ? Lor telegram ou peye ou gagn tifi. Personn pa kone mo andikape."*

(26-year-old man)

Statement 1 above portrays the distress of this young 26-year-old man, who, due to his physical disability and the way he thought society perceived his impairment, felt marginalised, unwanted and unattractive among women. It was clear that he was longing for a stable long-term relationship and to get married. Meanwhile, he seemed to be compensating his need for attracting female attention through this group on 'Telegram' without having to disclose his disability.

Another 15-year-old boy testified, as shown by Statement 2 below, that he was using this group on 'Telegram' to arouse his sexual attraction towards girls because he was being abused by others for considering himself as gay:

**Statement 2:**

*"Mwa mo ge. Mo'nn gagn boukou bate lakoz mo ge. Mo al lor Telegram pou mo geri. Mo 'try' vinn normal. Mo pe 'try' kontan tifi."*

(15-year-old boy)

Furthermore, one 31-year-old group member related his difficult past of having been sodomised multiple times as a child. He said that he suffers from depression for which he follows mental health treatment. He himself noted the impact of his active use of this 'Telegram' group for sexual gratification on his relationship with his girlfriend (refer to Statement 3):

**Statement 3:**

*"Kan mo ti ena dizan, mo ti'nn viole/sodomize. Boukou boukou bouku fwa...Personn pa'nn fer nanye pou mwa. Mo papa so frer sa ki finn dormi ar mwa. Depi sa mo gagn boukou depresion. Zordi mo ena 31 an. Mo fer tretman (...) mo gagn pansion. Mo viv korek selma. Mo ena lakaz manze bwar. Me mo ti anvi kapav marye gagn zanfana. Mo kopinn inn kit mwa depi 3 mwa. Li'nn kone mo pa tro normal depi mo rant lor Telegram."*

(31-year-old man)

- **Easy access to the internet and money from parents, and lack of parental supervision:**

Some of the members under 18 years old wrote on how easy it was for them to access the internet and sexually-explicit social media groups like those found on ‘Telegram’ for sexual pleasure and making money. Three members wrote on the fact that their parents had given them mobile phones and laptops as gifts for educational purposes. However, since the latter were not supervising their use of technology devices and the internet, they accessed adult sites very easily during specific hours of the night and used their pocket money to buy pornographic pictures and videos, as illustrated by Statements 4 and 5 below:

**Statement 4:**

*“...mo al lor Telegram. Mo defoule mari defoule. Mo kas gato fini dan asha video.”*

(16-year-old boy)

**Statement 5:**

*“Mo kas lekol al ladan. Mil rouni par mwa pou enn tifi... Zafer la se ant onzer diswar ziska dezer dimatin. Koumsa mo ti ale par kiryozi. Aster mo pa kapav reste san sex lor internet.”*

(15-year-old boy)

A 13-year-old group member who shared a room with his elder brother used to observe him access ‘Telegram’ on his laptop on the condition that he would keep this secret from his parents. He eventually himself copied his brother and accessed these same sites using his own phone, as illustrated by Statement 6 on the right.

**Statement 6:**

*“Mo frer lor Telegram toule zour. Mo dan mem lasam ki li. Mwa ousi mo gete. Mo zis bizin pa dir mama. Mo mama kwar li pe fer dewar. Aster mo pa bizin mo frer pou al lor Telegram.”*

(13-year-old boy)

- **A lack of proper sex education:**

One of the group members presented himself as a college student and he highlighted his concerns about educators' resistance to talk openly with their students on various aspects of sexuality, which apparently led him to becoming an active user of sexually explicit groups on 'Telegram'. He wrote the following to the OC (refer to Statement 7 below):

**Statement 7:**

*"Madam Rita, mwa wi, mo al lor tou rezo. Mais, je suis éduqué, intelligent et je fréquente un grand collège. Il faut que des éducateurs bien formés viennent à l'école to discuss about sex, love, sexual abuse, homosexuality, relationships between girls and boys, spending money on sexual videos, etc, etc. At school, we do not have qualified educators to talk to us, to have meaningful discussions with us young people. The school, Madam Rita, is not a real school. It is just to get certificates. The school does not train us to become good citizens of Mauritius."*

(A college student and a 'Telegram' user)

### 3.4.3.3.3. *Parents, caregivers and adults in general*

Parents, caregivers and adults in general who contributed their views to the OC's Press Communiqué expressed a variety of ideas related to their understanding of OCSASE, their concerns as adults and potential solutions to combatting these phenomena, as categorised below:

#### 3.4.3.3.3.1. What was their understanding of OCSASE and related concerns?

Some of these participants spoke on the proliferation of all kinds of social media sites of abusive and pornographic nature that are easily accessed by children and young people due to no filtering of ages. Children are being sexually abused and sexually exploited through these sites, and at times, their pictures and videos are being circulated without them even knowing. They also brought attention to the children's risk of becoming part of child prostitution networks.

More than half of the participants contributed ideas on possible reasons that could influence children and young people to use these social media sites for sexual purposes:

- an easy way of obtaining money through selling nude pictures and videos to online buyers;
- pressures from friends to look sexy or trendy;
- grooming from strangers on the web;
- the search for popularity within their social networks;
- the desire to resemble media idols;
- the search for sexual pleasure and thrill;
- feeling 'independent' or 'adult' while using these sites; or
- feeling bored due to a lack of leisure alternatives and spending long hours on the internet.

This group also evoked some parental factors that, according to them, could increase risky online behaviour among children and young people:

- lack of parental control over their children's use of the internet, which usually happened behind closed doors in their rooms;
- lack of parental knowledge on the use of technology;

- parents' inability or limited ability to verify the social contacts of their children on their children's online profiles;
- lack of quality time or guidance from parents to inculcate values to their children;
- parents' own excessive use of social media sites and technology; or even
- denial from some parents that their children are displaying age-inappropriate sexual behaviours online.

The following quote from a mother illustrated how distressed she was when discovering that her 15-year-old daughter had shared nude pictures of herself on the internet:

*Mo kamarad finn inform mwa ki foto mo tifi 15 an ni pe sirkile lor internet. Mo pa ti kwar ditou ditou. Mo pa konn servi internet. Lerla mo kamarad inn fer moi vinn kot li. Mo get pa enn me dis foto mo tifi san linz ! Mo'nn extra plore. Mo travay bien dir pou donn mo tifi tou seki li bizin. Mo misie oussi kontan tou so zanfana. Mo pas finn dir mo misie nanye. Li pou touy zanfana la si li trouv sa. Kan mo'nn koz sa ar mo tifi li dir mwa "Be mama dan ki lemond to viv ? Tou mo kamarad ena kopin e montre zot lekor ar kopin. To an retar." De semenn apre, mo kamarad finn montre mwa enn video mo tifi pe dezabiye. Li pe tir so linz peti a peti...ziska li vinn konpletman ni. Mo tifi dir mwa ki so bann kamarad ousi fer mem zafer ki li.*

A few adults also complained on a lack of concrete measures from schools to report cases of OCSASE to the authorities. One adult wrote:

*Once, a little girl told me that she was being touched inappropriately by a man just outside the school premises. I went to inform the headmaster who told me that this does not concern him and the school. I was shocked that those responsible for children assert that child welfare is not their problem. Even teachers who want to report such things cannot do so as no action is taken.*



### 3.4.3.3.2. What can be done to prevent or mitigate the effects of OCSASE?

One of the adult participants rightly said that *“modern problem requires modern solutions”*. Most of the parents, caregivers and adults who contributed to the communiqué proposed at least one possible solution to prevent or mitigate the effects of OCSASE. A summary of these inputs is provided below:

- **Mass sensitisation campaigns on OCSASE and its effects:**

A large proportion of participants advanced the importance of conducting mass and intensive sensitisation campaigns on the issues of OCSASE, sexuality and gender equality, among others, as a preventive measure. They emphasised that the sex taboo should be addressed in our culture and open dialogues between parents and children around sexuality must be encouraged. Some of them specified the need to inculcate values to young people around sexuality including respect of boundaries, personal space and consent, empathy and the rights of individuals to privacy and choice. One of the adults also suggested that dangers to privacy on the internet must be disseminated among young people so that they can realise that *“nothing online is private and what is kept online is forever”*.

One participant advanced the idea of the creation of short movies to inform the public on the negative effects of OCSASE on children and their families. Another one suggested the setting up of social media groups to counter other malicious and abusive social media platforms regarding OCSASE, while some others stressed upon encouraging young people to learn to whistle-blow on online abusers.

- **Sex education programmes:**

Many parents advanced that sex education must be adapted and started at a younger age at school to decrease the likelihood of them using the internet as the source of their education around sexuality during adolescence.

- **Parental education and parental controls on children's use of technology:**

Most of the participants proposed the need to reinforce the capacity of parents to understand the use of the internet and technological devices. Some of them proposed a few control measures that could enable parents to manage their children's use of technology, for instance:

- using alarm notification systems that alert parents on children's access to adult or unauthorised sites on their technology devices;
- verifying interactions of children with strangers, including potential online sex offenders, on social media sites;
- not giving mobile phones before a certain age; and
- filtering the ages of children and young people on sites using documentary evidence.

One parent boldly said, *"Bizin enn kod ki fode ou ena kart idantite ki montre ki ou mazer kouma dan labank lerla ou gagn akse bann rezo sosio. Enn fwa ou ena dizwit-an, ou ena ou kart idantite, ou pran ou responsabilite."*

- **Support mechanisms for child victims, parents and teachers:**

A few participants promoted the need for providing quality psychological support and rehabilitation to children victims of OCSASE. They suggested that their parents must also receive the necessary psychological support to be able to manage their own emotions and better help their children overcome their trauma. At school level, it was proposed by some adults that teachers must also be supported psychologically and educated with new skills to understand the impact of technology on young people and identify self-destructive behaviours related to technology among their students such as suicidal thoughts. Two participants also mentioned on peer mentoring schemes at school whereby older and mature students could help younger ones in the safe use of technology.

- **Institutional measures:**

Many parents called for local authorities to increase the availability of healthy and safe leisure activities outside home to discourage young people from spending most of their time on their phones. Reference to stronger legislations with harsher sentences for offenders were also made by some participants. One adult pushed for the need to educate and train policy makers on the issues of OCSASE so that sound decisions could be taken on how to tackle them efficiently. Another adult insisted on the requirement to check the backgrounds, mental status, and training of people working in the cybercrime sector, before recruitment and upon renewal of contracts, to ensure that they are credible and not involved in any sort of online offending.

#### 3.4.3.3.4. *Professionals and representatives of NGOs working with children*

In addition to the adult participants mentioned in subsection 3.4.3.3.3 of the current chapter, the present subsection regroups inputs received from some local professionals and representatives of NGOs working with children regarding the phenomena of OCSASE and ideas on how to better protect children online.

##### 3.4.3.3.4.1. What was their understanding on OCSASE and related concerns?

The professionals and NGOs' representatives mainly spoke about the impact of inappropriate online sexual behaviours among young people and the risks of the digital world in entrapping children and young people into sexually exploitative networks. For instance, K. Bagan, Psychologist at the Mauritius Family Planning and Welfare Association, advanced that:

*Adolescents are more vulnerable to online sexual abuse and exploitation nowadays since they have to find their path through various pertinent influences such as curiosity, increased interest in sexual issues, sexual attraction, substance abuse/alcoholism and familial dysfunction among others. Thus, they compete and compare themselves with their peers and others to gain more attention through social media making them prone to higher risks of online sexual abuse and exploitation.*

A lawyer, R. Mooroongapillay, mentioned the existence of the 'dark web' whereby private social media groups exploit people sexually, where children are also involved. He stated that:

*Ce type d'échange se fait en réseau, entre personnes qui y sont habituées. Par exemple, sur les group[es] de 'chat' [sur] Telegram, il fallait être invité pour être ajouté au groupe. Selon mes sources, il existe dans le pays des réseaux de pédophilie sur le 'dark web', où des enfants sont exposés.*

Similarly, M. Pertaub, Director of the NGO 'Pedostop', highlighted how the internet has facilitated sexual abuse and sexual exploitation against children:

*The Internet has progressively become a favourable and favourite 'hunting' ground for paedophiles and sexual predators who take advantage of the anonymity that the internet offers to search, groom and attract potential victims for their own illegal and immoral pleasure.*

Furthermore, M. Vigier de Latour-Bérenger, Psychosociologist, provided an overview of some of the common psychosocial impact of OCSASE on victims, including children and young people:

*De nombreuses conséquences s'observent chez les personnes victimes. Sur le plan psychologique, social et légal. Elles peuvent se sentir humiliées, embarrassées, trahies, peuvent avoir honte, peur et manquer de confiance en elles ou en l'autre. Il y a aussi des risques de repli, de blessures sur soi, de pensées suicidaires, etc. Un sentiment de colère peut aussi s'installer face à l'utilisation de son image sans son consentement pour l'utiliser à mauvais escient et la transmettre. De la colère aussi que son visage ait pu être utilisé sur un autre corps, nu et que cette image ait été faite, puis circulée dans les cas où ces personnes n'ont pas envoyé elles-mêmes ces photos. Il y a des risques aussi dans la relation aux autres : risques de moqueries, de réputation entachée, ce qui importe beaucoup à l'adolescence, des risques de bullying et cyberbullying, risques d'exclusion, etc.*

Some of the professionals talked on the lack of parental knowledge on the use of the internet and technology devices, and the increased tendency of parents giving smartphones at a young age to their children. Others brought attention on the reality that some parents discourage their children from disclosing online sexual abuse perpetrated against them due to fear of disrepute. J. Sabapathee, Legal Assistant, said the following:

*Une autre lacune est que beaucoup de parents n'encouragent pas leurs enfants à dénoncer mais plutôt [à] étouffer l'affaire lorsqu'ils savent que les photos de leurs filles sont en circulation. Ils ont honte de ce que la société va dire malgré que ce sont eux les victimes. Mais entretemps, les pervers sont toujours en liberté et continue [d']exploiter d'autres victimes.*

#### 3.4.3.3.4.2. What can be done according to them to combat OCSASE and its related issues?

The professionals and NGO representatives proposed multiple solutions that, according to them, could help mitigate the effects of OCSASE and prevent such social issues. Some of their main ideas are presented below:

- **A fundamental shift in mentality and children's education:**

Some of these participants emphasised fundamental changes that are required in the mentality of people and the education of children, as a basis to tackling matters such as OCSASE. For example, the Secretary-General of Halley Movement in Mauritius, M. Busgopaul, called on understanding the perspective of the young generation in fighting the battle against OCSASE by saying that: *“Pour mieux lutter contre ce phénomène grandissant, il faut changer de mentalité et voir les choses avec les yeux de la génération future”*. In addition, a member of the Council of Religions, R. Ragoo, and the President of the Youth Wing of the Arya Sabha, B. Chummun, viewed that spiritual and value-based education necessitated more attention as an integral part of the holistic education of children and young people.

- **Sensitisation on the issues of OCSASE:**

Most of the professionals and NGOs' representatives spoke on the need for sensitisation campaigns on OCSASE, its effects on child victims and the importance of reducing stigmatisation around disclosure of internet-based abuse against children. Many of them emphasised the role of different media such as the television, radio and social media in disseminating information on these issues and educating the wider public. It was interesting to hear from the President and Founder of the NGO 'Raise Brave Girls', P. Motee, that her NGO created a social media group online aimed at sensitising young people against cyberbullying, which had already gathered more than 20,000 followers. Additionally, some participants promoted the use of pedagogical approaches during sensitisation campaigns that can be adapted to different age groups. For instance, colourful and interactive story books could be used with younger children to help them understand the dangers of the internet.

- **School-level initiatives:**

Different professionals and NGO representatives mentioned some school-level initiatives that can help prevent or mitigate the effect of OCSASE. For example, S. Aumeeruddy-Cziffra, former Ombudsperson for Children, pushed for a more holistic approach to sexuality education:

*L'éducation sexuelle ne peut être moraliste ou scientifique mais doit être une éducation humaine qui n'aborde pas que le sexe mais aussi les émotions et la charge psychologique pour chacun.*

Moreover, M. Gopaul, Consultant in Child Rights, underlined the role of schools to listen actively to their students' concerns, given the decline in quality parent-child dialogues at home:

*Il faut avoir des cellules d'écoute au niveau de l'école parce qu'on voit dans les familles, que les parents ne prennent pas le temps de parler aux enfants. Les enfants doivent savoir à qui se tourner et poser des questions car ils ont beaucoup d'interrogation et ils ont besoin d'avoir des réponses.*

In addition, P. Motee, President of the NGO 'Raise Brave Girls' suggested the idea of creating anti-cyberbullying advisory committees at school level, where students could learn skills on how to protect themselves and their peers from abuse in the digital environment.

- **Networking and training of professionals to combat OCSASE:**

Several contributors in this group urged for the setting up of a multi-disciplinary and multi-agency task force that could involve representatives of public, private and civil society sectors who could coordinate actions in preventing OCSASE and efficiently handling cases of child victims. This group could include different professionals from multiple sectors such as education, psychology, ICT and child protection, specialised NGOs, victim groups, parents and children themselves, among others. The training of educators, child protection professionals and the police on the issues of OCSASE, sexual and reproductive health and child psychology were also underscored by some participants.

- **Rehabilitation and support of child victims:**

Some participants referred to the idea of the creation of a child-friendly centre, equipped with a multi-disciplinary team of relevant professionals, that could be specialised in identifying and handling cases of OCSASE, supporting child victims and their families through the judicial process, rehabilitating child victims through regular psychosocial support, and enabling social reintegration as far as possible. J. Sabapathee, Legal Assistant, also suggested the setting up of supportive social media groups for survivors of OCSASE.

- **Parental controls and helplines:**

Some professionals promoted the necessity for parents to apply control systems on their children's use of internet and social media. For instance, J. Sabapathee, Legal Assistant, proposed the use of an application called "Family Link" that could be downloaded by parents on their phones to monitor the internet activity of their children. According to some participants, a helpline could also be created to provide guidance and support to child victims and their families regarding OCSASE.

- **Reinforced policies and legislation:**

Different professionals commented on the need to reinforce current legislation and policies, with stricter enforcement and sentences for offenders, in order to counter the occurrence of OCSASE and better protect child victims. Some of them hoped for the prompt proclamation of the new child laws that have already been voted in Parliament, in particular, the Child Sex Offender Register Act 2020.



### 3.4.3.3.5. *Members of Parliament of the Republic of Mauritius*

The OC's Press Communiqué on the matter of OCSASE also elicited the valuable participation of five Honourable Members of Parliament (MPs) of the Mauritius National Assembly and one from the Rodrigues Regional Assembly, as listed below:

Names	Initials*
<b>Mauritius National Assembly</b>	
1. Honourable Marie Genevieve Stéphanie ANQUETIL	MGSA
2. Honourable Marie Joanna BERENGER	MJB
3. Honourable Soobersingh DHUNOO	SD
4. Honourable Subhasnee LUCHMUN ROY	SLR
5. Honourable Marie Sandra Monia MAYOTTE	MSMM
<b>Rodrigues Regional Assembly</b>	
6. Honourable Rose Marie Franchette GASPARD PIERRE LOUIS	RMFGPL
<i>*In the following subsections, the above-named MPs are quoted as necessary using their initials for ease of reference.</i>	

#### 3.4.3.3.5.1. What was their understanding on OCSASE and related concerns?

Various elements that could increase the likelihood of children engaging in unsafe and sexually inappropriate behaviours in the digital environment were mentioned by some of the Honourable MPs in an attempt to build a more comprehensive picture of the current local context of OCSASE in the Republic of Mauritius. For instance, Hon. MSMM talked about the significant place that the use of social media occupies in the identity building of the young generation:

*A travers ces réseaux sociaux, les jeunes veulent dégager une certaine image d'eux afin de se valoriser. Ils créent également un sentiment d'appartenance à une communauté de personnes en partageant des points communs. Pour les jeunes, leurs profils sur internet sont en quelque sorte la preuve de leur identité.*

Nevertheless, she also mentioned, in the following quote, on how the use of social media by young people could weaken their privacy, whereby unwanted people might have access to their private pictures and videos that were initially intended for their friends:

*Les réseaux sociaux sont des outils formidables, mais à doubles tranchants, car ils fragilisent la frontière entre vie privée et vie publique. Par l'intermédiaire de ces plateformes, les adolescents ont tendance à partager avec leurs amis des photos ou des vidéos de nature personnelle impliquant d'autres personnes.*

Furthermore, Hon. MJB brought attention to the fact that children and young people are nowadays having easy access to various sites on the internet, which can increase their likelihood to be exposed to pornographic material online. She stated the following:

*Les enfants sont éveillés de plus en plus tôt à la sexualité...Tous les enfants en grandissant, qu'on le veuille ou non, tomberont, par hasard ou en recherchant, sur des images pornographiques. Il y a une banalisation de la sexualité. C'est un viol de l'imaginaire. L'accès aux images est tellement facile. Les images intrusives, choquantes et violentes nous guettent en permanence. Les enfants verront de la pornographie volontairement ou involontairement d'où l'importance d'en parler très tôt. Il faut parler de sexualité aux enfants et aussi aborder l'existence de la pornographie.*

Moreover, Hons. SD, MSMM and RMFGPL all similarly pointed out the issues of lack of parental supervision on the internet and technology usage of their children. They also mentioned the fact that mobile phones are being given too early to children without a proper evaluation of the risks involved. Besides, Hon. SD observed in his field work with families of a deprived region that some parents at times remained silent despite knowing that their children had been victims of sexual exploitation. As for Hon. SLR, she advanced that there was no verification of ages of children when they created their profiles on social media platforms such as 'Facebook' and she noted that there was a lack of follow-up from the police on this matter: *"Il y a aussi les jeunes qui n'ont l'âge requis pour être sur Facebook. Ici aussi, il n'y a pas de suivi et d'actions de la part de la police"*. On her part, Hon. MGSA was concerned on the efficiency of current local information filtering systems to identify and report cases of online child sexual abuse, given the increasing capacity of online child sex offenders to outwit these systems.

She said, “on est tous conscient que les prédateurs aujourd’hui sont très innovateurs et malheureusement certains d’entre eux savent comment contourner le système pour ne pas se faire prendre”.

In the following words, Hon. RMFGPL highlighted her perception on the effects of confinement situations due to the COVID-19 pandemic and resulting school closures in accentuating the use of the internet by children and young people, which also involved an increase in at-risk online behaviours:

*Je constate que l'abus sexuel et l'exploitation des enfants sont en hausse sur internet mais que cela a bondi durant le confinement. Il faut dire que les confinements liés au COVID-19 ont créé un cocktail explosif propice à une hausse de l'exploitation sexuelle des enfants en ligne et que Maurice malheureusement n'est pas épargné...Les barrières sanitaires imposées et la fermeture des écoles augmentent le temps que les enfants passent en ligne à des fins éducatives, de divertissement et sociales. Pendant la COVID-19, les enfants cherchent d'autres moyens de socialiser par le biais de jeux, 'chats', médias sociaux, etc, tout en n'étant pas nécessairement conscients des risques associés. Il me semble aussi qu'il y a des moments où les gens ne savent pas comment passer leur temps libre et cela peut les pousser à se livrer à des comportements à risque. Comme on dit très souvent, "l'oisiveté est la mère de tous les vices".*

#### 3.4.3.3.5.2. What can be done to prevent/tackle OCSASE according to them?

The Honourable MPs proposed a variety of solutions that could help in preventing and dealing with cases of OCSASE in our country. The following is a summary of their ideas grouped under the themes which emerged:

- **Mass and targeted sensitisation campaigns on the issue of OCSASE:**

All of them mentioned on the importance of conducting sensitisation campaigns both at a general public level and also at a more specialised level targeting specific groups of people including parents, educators, health professionals, legal professionals and children and young people. They all agreed on the need for sensitisation campaigns to cut across multiple sectors, agencies and disciplines. As part of sensitising people on the need to protect children online and

offline, Hon. SD emphasised the need for community-based approaches such as the “Neighbourhood Watch” to identify and whistle-blow on suspected cases of CSA, CSE and OCSASE. Hon. SLR called for youth-sensitive approaches to educate a wider range of young people on OCSASE as follows:

*On doit aussi revoir notre approche pour sensibiliser les jeunes. Il faut cesser avec les causeries. Il faut avoir des clips audio visuels avec un personnage, une mascotte, pour faire passer le message. Il faut se servir de la télé et des réseaux sociaux pour atteindre plus de jeunes.*

Moreover, Hon. RMFGPL stated her intention to mobilise the young people of Rodrigues in driving solutions as active change agents in the fight against OCSASE, in the following words:

*J’ai l’intention de rencontrer de jeunes adolescents et de les engager pour lutter contre l’abus sexuel et l’exploitation des enfants en ligne. Je pense qu’en ayant un dialogue ouvert avec les jeunes, nous sensibilisons davantage les enfants et adultes aux effets et aux conséquences de l’abus sexuel et de l’exploitation des enfants en ligne. Nous allons engager les jeunes à devenir des alliés, des ambassadeurs et des agents de changement. Nous allons les engager à faire partie de la solution.*

- **Comprehensive sexuality education:**

All the Hon. MPs talked on the pertinence of sexuality education in their responses. While Hon. MJB highlighted the need to help young people distinguish between fiction and reality with regards to sexuality, Hon. SLR emphasised on starting sexuality education in an adapted manner as from a young age. Hon. MSMM added, as shown in the quote below, on the primary role of parents in being the first educators for their children on sexuality, for which parents need to be trained beforehand:

*Je pense qu’il faut tout d’abord sensibiliser les parents à éduquer sexuellement leurs enfants. Si un enfant ne peut parler de sexualité avec ses parents, c’est normal que cette enfant va aller s’éduquer sexuellement ailleurs et pas nécessairement de la bonne façon.*

Hon. RMFGPL spoke about the need for sexuality education for youth to be comprehensive and to include not only the biological aspects, but also the social, emotional and moral implications of sexuality. She has already implemented this approach in Rodrigues, as described in her own words below:

*À Rodrigues, nous avons mis en œuvre l'éducation à la sexualité complète, qui est plus large que l'éducation sexuelle [qui ne] se résume des fois [qu']à la connaissance génitale. L'éducation à la sexualité complète vise à doter les enfants et les jeunes de connaissances, de compétences, d'attitudes et de valeurs qui leur permettront de réaliser leur santé, leur bien-être et leur dignité ; développer des relations sociales et sexuelles respectueuses ; examiner comment leurs choix affectent leur propre bien-être et celui des autres ; et comprendre et assurer la protection de leurs droits tout au long de leur vie. Cela prépare aussi l'enfant [à un] avenir où il/elle pourra s'engager dans une relation saine avec son/sa conjoint(e), et aider aussi à combattre la problématique de violence domestique.*

- **Actions at the level of local authorities:**

Hon. MGSA urged the Cybercrime Unit to do a massive screening of sites to identify and handle cases of OCSASE and to promptly block any sexually explicit pictures or videos of children without the need to await instructions from concerned authorities:

*L'équipe de l'Unité de la Cybercriminalité qui travaille sur les sites d'internet concernant l'abus sexuels des enfants doit faire un grand travail [afin] de repérer des prédateurs en ligne, de les arrêter et aussi de les poursuivre en justice...je pense que l'Unité de la Cybercriminalité doit bloquer les vidéos et les photos des enfants à caractère sexuel immédiatement et sans attendre l'aval des autorités.*

Moreover, Hon. SLR advanced that child protective mechanisms in our country must be reviewed so that they are better prepared to handle cases of OCSASE:

*La 'CDU' n'est pas équipée pour traiter de tels cas. Il faut revoir le mécanisme de protection de l'enfant car à mon humble avis, il est obsolète. Il faut former les officiers (.)*

- **Policy-level reforms:**

Most of the Hon. MPs discussed on the need to review existing relevant laws to ensure a better protection of children in the digital environment, including firming up sentences for sexual offences committed against children online. The proclamation of the 3 child-related local laws, that are, the Children's Act 2020, the Children's Court Act 2020 and the Child Sex Offender Register Act 2020, is also being awaited. Hon. SLR added on the need for introducing policies that can empower parents to control the use of the internet and social media by their children. For example, in her opinion, access to social media sites such as 'Facebook' by individuals under 18 years old must only be allowed under parental supervision.

Besides, Hon. RMFGPL has already announced in Rodrigues the implementation of the project of *"Permis Internet pour les Enfants Rodriguais"* (PIER) that can sensitise both children and their parents on the responsible use of the internet and technological tools. Hon. MJB also brought attention on the need for authorities to establish controls on the extent that social media platforms could infiltrate our local context: *"Il faut un contrôle de l'État concernant ces plateformes. À quel niveau peuvent-elles s'incruster dans notre société ?"* On her part, Hon. MGSA called for stronger collaboration between local authorities and international partners to better understand the phenomena of OCSASE and combat them more efficiently:

*(...) je crois que l'île Maurice, étant un petit pays avec des ressources limitées en ce qui concerne la matière scientifique, doit collaborer avec les organismes internationaux pour combattre l'abus et l'exploitation sexuels des enfants en ligne...Et finalement, je pense que les autorités doivent travailler en partenariat et même solliciter l'avis des experts internationaux pour faciliter des recherches pour bien comprendre cette problématique.*

## 3.5. Key messages and recommendations

### 3.5.1. Key messages of this chapter

Before looking at the recommendations, the current subsection provides a summary of key messages from this chapter so far on online child sexual abuse and sexual exploitation (OCSASE):

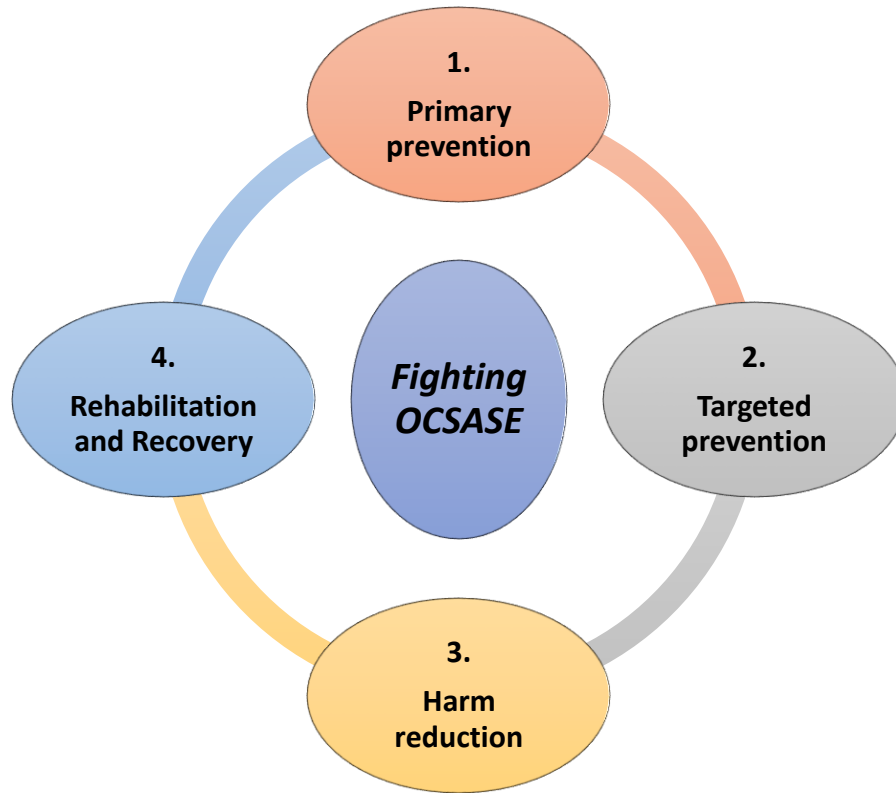
- OCSASE are global issues. The Republic of Mauritius is no exception and, it is having to increasingly deal with various cases of OCSASE, which appear to have exacerbated during the lockdown periods due to the COVID-19 pandemic.
- Using the right terminology to understand and differentiate between terms related to OCSASE is significant in the formulation of appropriate legislation, policies and protocols.
- To build a more comprehensive picture on the phenomena of OCSASE, reference must be made to international documents and guidance such as the Convention on the Rights of the Child (UN, 1989) and its Optional Protocol on the sale of children, child prostitution and child pornography (UN, 2000), as well as the General Comment No.25 on children's rights in relation to the digital environment (Committee on the Rights of the Child, 2021).
- Different laws of the Republic of Mauritius such as the Child Protection Act 1994, the Information and Communication Technologies Act 2001 and the Computer Misuse and Cybercrime Act 2003, among others, point either directly or indirectly to issues related to child sexual abuse and sexual exploitation in the digital environment.
- The national reports published in 1998 and 2002 in Mauritius on commercial sexual exploitation of children revealed that, even at the time, this was not a new issue in our country.
- The Concluding observations of 2006 and 2015 on the Republic of Mauritius published by the UN Committee on the Rights of the Child called for strengthening of legislation and policies to ensure a better protection of children from all forms of sexual abuse and sexual exploitation.

- In 2011, the Special Rapporteur of the United Nations, Najat Maalla M'jid, highlighted some areas of improvement in our country's management of the issues of the sale of children, child prostitution and child pornography and proposed relevant insightful recommendations (refer to Appendix D).
- Statistics from the Information and Communication Technologies Authority revealed an alarming number of attempts by Mauritian Internet users to access child sexual abuse websites.
- The participation of multiple groups of people (i.e., children and young people; an anonymous local group of young online sex offenders; parents, caregivers and adults in general; professionals and representatives of NGOs; and members of Parliament of the Republic of Mauritius) to the communiqué of the OC on OCSASE showed their significant interest in contributing their understanding and experiences of OCSASE and proposing relevant solutions.
- The most common concerns that emerged across participant groups are outlined below:
  - the unrestricted and easy access to different internet sites by children and young people without any age filters, including those involving sexually explicit and harmful content;
  - the lack of parental supervision or controls on children's use of the internet and their technology devices;
  - the lack of proper sexuality education from a young age for children; and
  - the adverse effects of OCSASE on the child's psychosocial development.
- The most recurrent solutions underlined by participants are summarised as follows:
  - conducting sensitisation campaigns on the issues of OCSASE;
  - using a holistic approach to sexuality education with children and young people;
  - implementing stricter internet-based controls such as systematic blocking of child pornography websites;
  - improving the rehabilitation of child victims of OCSASE; and
  - reinforcing local legislation and policies on OCSASE.



### 3.5.2. Recommendations regarding OCSASE

The current subsection will be presented using a simple framework based on four broad aspects, as illustrated below:



The recommendations provided are categorised within these four areas as follows:

1. Firstly, **primary prevention** will look at possible actions that can be implemented on a national scale for the general public before the occurrence of OCSASE.
2. Secondly, **targeted prevention** will consider solutions that are more specific and adapted to selected groups of people in order to avert the occurrence of OCSASE.
3. Thirdly, actions pertaining to **harm reduction** will aim at decreasing the negative consequences of OCSASE on children and their families after their occurrence.
4. Fourthly, **rehabilitation and recovery** measures will focus on support services that can improve outcomes for child victims and their families and promote their social reintegration.

It is important to note that the recommendations provided below are not exhaustive and can be adapted and expanded by relevant stakeholders.

### 3.5.2.1. Primary prevention

#### 3.5.2.1.1. *Reviewing the legislative framework*

Although some laws in the country refer to aspects of child sexual abuse and sexual exploitation, they do not always systematically make reference to the online environment. A review and consolidation of these laws in line with the provisions of the CRC (UN, 1989) and its Optional Protocols could help provide better protection to child victims from all forms of sexual abuse occurring in the digital environment. It is important to note that the UN Committee on the Rights of the Child (2021, paragraph 23) encouraged State Parties to *“review, adopt and update national legislation in line with international human rights standards, to ensure that the digital environment is compatible with the rights set out in the Convention and the Optional Protocols thereto”*.

#### 3.5.2.1.2. *Public sensitisation on OCSASE by a multi-stakeholder coordinating body*

Similar to the feedback received by most participants of the OC’s Communiqué on OCSASE, mass sensitisation campaigns remain an important tool to improve the awareness of the general public on OCSASE and other related matters, their implications and their damaging effects on children and their families. It is essential that such sensitisation is delivered in a highly organised and coordinated manner involving multi-stakeholder collaboration of the authorities, child professionals, ICT consultants, student groups, representatives of the Parents Teachers Association, religious or socio-cultural organisations, NGOs specialised in the fields working with vulnerable groups of children and online child protection, and media agencies, among others. Such a coordinating body in the fight against OCSASE could be formalised through the signature of a memorandum of understanding among all public, private and civil society partners.

Moreover, different sensitisation methods such as talks, capacity-building workshops, brochures, social media groups, audio-visual programmes, dedicated websites or mobile applications, among others, could be used. The public could be educated on the responsible use of the internet and on the legal consequences of all forms of online-based abuse, particularly those against children. These initiatives could also become opportunities to break the ‘sex’ taboo in our country and encourage open dialogues among different stakeholders in promoting age-appropriate, healthy and responsible sexuality.

#### 3.5.2.1.3. *The role of mass media*

The role of mass media cannot be understated in the fight against OCSASE. Through written, broadcast or spoken communication, mass media can have the ability to disseminate important information and messages regarding the prevention of OCSASE quickly to large numbers of people. Media agencies could work towards producing content that can sensitise the public against OCSASE. They could also censure the broadcast or publication of sexually explicit or harmful material, especially to prevent the exposure of children to such content. Media agencies must also maintain a high level of ethics when reporting, for instance, on cases of OCSASE victims, to avoid sensationalism or breach to victims' confidentiality and privacy.

#### 3.5.2.1.4. *The role of ICT companies in protecting children online*

ICT companies have the technological expertise in developing software, alert systems, or mobile applications that can help ensure a better protection of children online. Local ICT companies could be encouraged to come up with products that are adapted to the Mauritian context and that can enable parents to have a better control over their children's use of technology devices, the internet and social media platforms.

### 3.5.2.2. Targeted prevention

#### 3.5.2.2.1 *Make Comprehensive Sexuality Education compulsory for children in Mauritius*

As recommended last year in her Annual Report 2019-2020 (OC, 2020, section 2.4)<sup>31</sup>, the OC reiterates that Comprehensive Sexuality Education<sup>32</sup>, a rights-based model of youth sexuality education, which was initiated by UNESCO (2009<sup>33</sup>, 2018<sup>34</sup>), could be contextualised and implemented on a compulsory basis with students from Grades 1 to 13 of the Republic of Mauritius. This form of sexuality education could also include components of online-facilitated sexual abuse and sexual exploitation to improve the awareness of students on these social ills and on how to keep safe from child sex offenders online. Along with educators, parents and other relevant stakeholders such as health professionals could become active partners in the execution of this curriculum. This multi-stakeholder collaboration in youth sexuality education can improve the frequency and quality of parent-child dialogues on this topic and challenge myths and taboos around sexuality.

#### 3.5.2.2.2 *Parental education on OCSASE*

Parents have the primary responsibility in ensuring the safety of their children and this also applies to their protection from all forms of abuse in the digital environment. It is a popular belief that parents often feel helpless and unskilled to deal with problems that arise regarding their children's use of the internet or technological devices. It is important that authorities collaborate with the private and civil society sectors to design educational programmes adapted and accessible to parents from a wide variety of backgrounds on the issues of OCSASE. These could take the form of short courses and tutorials delivered in Citizens Advice Bureaus, community centres, social welfare centres, municipalities or village halls across Mauritius, or even on online platforms, to empower parents on digital literacy and

<sup>31</sup> Ombudsperson for Children. *Annual Report 2019-2020*. Mauritius: Author. Retrieved on 01 August 2021 from [oco.govmu.org/Documents/Annual%20Reports/Annual%20Report%202019-2020%20-%20OC.pdf](https://oco.govmu.org/Documents/Annual%20Reports/Annual%20Report%202019-2020%20-%20OC.pdf)

<sup>32</sup> By definition, Comprehensive Sexuality Education is a “*curriculum-based process of teaching and learning about the cognitive, emotional, physical and social aspects of sexuality. It aims to equip children and young people with knowledge, skills, attitudes and values that will empower them to: realize their health, well-being and dignity; develop respectful social and sexual relationships; consider how their choices affect their own well-being and that of others; and, understand and ensure the protection of their rights throughout their lives*” (UNESCO, 2018, p.16).

<sup>33</sup> UNESCO (2009). *International technical guidance on sexuality education: An evidence-informed approach for schools, teachers and health educators*. France: Author.

<sup>34</sup> UNESCO (Rev. edn.) (2018). *International technical guidance on sexuality education: An evidence-informed approach*. France: Author.

children's online safety. This could be an opportunity for them to understand the impact of irresponsible use of the internet on their children and the triggers that can influence their children into developing unsafe or sexually inappropriate online behaviours. They could also learn skills on how to better supervise their children in the digital environment and ensure as far as possible that the latter are not exposed to sexually explicit and harmful content.

#### 3.5.2.2.3. *Regular training for professionals working with and for children*

Child sexual abuse and sexual exploitation have evolved from being perpetrated only within home, school and community settings to occurring within complex digital environments. As a preventive measure, it is important that all relevant stakeholders working with and for children get trained and regularly update their knowledge and skills in the understanding of OCSASE, on how to identify potential cases online and on how best to intervene with online child victims and sex offenders. These stakeholders may include policy makers, child professionals, the police, lawyers, educators, NGO workers, among others.

#### 3.5.2.2.4. *Targeted sensitisation for vulnerable groups of children on online harms*

As advanced by UNICEF (2017, p.80)<sup>35</sup>, some groups of children present higher risks of being harmed in the digital environment and these can include *“girls, children from poor households, children in communities with a limited understanding of different forms of sexual abuse and exploitation of children, children who are out of school, children with disabilities, children who suffer [from] depression or mental health problems and children from marginalized groups”*. It is crucial that all relevant stakeholders collaborate in identifying these vulnerable groups of children locally and sensitise the latter and their families through adapted and accessible community-based initiatives on how to protect themselves from online harms.

<sup>35</sup> UNICEF (2017). *The State of the World's Children 2017: Children in a Digital World*. USA: Author.

#### 3.5.2.2.5. *Youth-driven prevention in schools*

The OC believes that children and young people have a lot to offer in the protection of their peers in the digital environment. Given that they often use similar social media platforms as their friends, they could be the first to realise when the latter start displaying unusual or suspicious online behaviours such as circulation of sexually explicit photos or videos. The OC thinks that peer mentoring schemes or peer support systems could be created and led at school level by groups of mature students to sensitise their fellow schoolmates on the responsible use of the internet, and help them avoid online dangers, for instance, by sharing names of known harmful sites or fake profile accounts.

#### 3.5.2.2.6. *Local statistics and research on targeted issues related to OCSASE*

A famous management theorist, Peter Drucker, rightly said, “*what gets measured gets managed*”. In addition to the statistics provided by the ICTA on online child sexual abuse filtering (refer to 3.4.3.2.5), more child-related indicators, including disaggregated data, should be regularly developed, measured and published by the relevant authorities, so as to build a more comprehensive picture of OCSASE locally. Furthermore, without scientifically robust quantitative and qualitative research on OCSASE, it would be difficult to adequately map the extent of its effects on our local child population and propose evidence-based interventions to child victims and their families, as well as child sex offenders. Local research is therefore warranted on specific issues related to OCSASE, for example, understanding the individual, parental and systemic factors that influence irresponsible use of technology and engagement in risky online behaviours among local children and young people, or even exploring the subjective understanding of local online child sex offenders on the rationale behind their illegal actions.

### 3.5.2.3. Harm reduction

#### 3.5.2.3.1. *Whistle-blowing on OCSASE*

One way of minimising potential harms caused by OCSASE is to flag it as early as possible. It is important to understand that anyone can be a whistle-blower of OCSASE. People involved in the care of children, such as parents, wider family relatives, caregivers, neighbours and any community member, can act as important whistle-blowers to provide first-hand information on actual or potential child abuse happening in the digital environment. Furthermore, school staff as well as any professional working with children (e.g., doctors, nurses, psychologists, therapists, social workers, etc.), who notice potential signs of OCSASE or obtain a disclosure of OCSASE from a child, have the duty to report same to the authorities. Another category of whistle-blowers is civil society organisations, including non-governmental and community-based organisations. They are often in close contact with members of the community, including children, and can play an important role in flagging up potential cases of OCSASE to the authorities.

To facilitate whistle-blowing on OCSASE, the Child Development Unit of the Ministry of Gender Equality and Family Welfare could carry out more intensive sensitisation on encouraging people to use its hotline number 113 for the reporting of suspected or actual cases of child abuse. The campaign should emphasise that this service is confidential, anonymous, accessible, free of charge and available on a 24/7 basis.

#### 3.5.2.3.2. *Enhancing online child protection and safeguarding*

Paragraph 26 of the General comment No. 25 on children's rights in relation to the digital environment (Committee on the Rights of the Child, 2021) stipulated that:

*States parties should ensure the operation of effective child protection mechanisms online and safeguarding policies, while also respecting children's other rights, in all settings where children access the digital environment, which includes the home, educational settings, cybercafés, youth centres, libraries and health and alternative care settings.*

In this context, the OC recommends that local child protection and safeguarding policies are enhanced in order to provide clear protocols for

- the identification of online child victims of OCSASE, cyberbullying or grooming, among others;
- the referral of cases to the authorities; and
- the coordination of multi-stakeholder assessment and decision-making on interventions.

In this process, it is necessary to set out clear roles and responsibilities to all relevant professionals and agencies. In addition, support and guidance from international organisations such as ECPAT International and the United Nations, and international social media companies such as ‘Facebook’ or ‘Twitter’ could be solicited for OCSASE identification and reporting. The ‘Model National Response’ on preventing and tackling child sexual exploitation and abuse, advanced by WePROTECT Global Alliance (2016b)<sup>36</sup>, could also be used as a relevant reference.

#### 3.5.2.3.3. *A child-friendly justice system for victims of OCSASE*

Similar to child victims of sexual abuse and sexual exploitation, it is highly necessary to ensure that children who have been victims of OCSASE are ensured a child-friendly judiciary process, including child-friendly environments at police stations and Court rooms, as well as child-sensitive approaches during interactions with police officers and lawyers, and Court proceedings, among others. The upcoming enforcement of the Children’s Court Act 2020 by relevant authorities will undoubtedly help with improving the child-friendliness of the justice system and avoid any form of re-victimisation of OCSASE victims within the judiciary process.

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<sup>36</sup> WePROTECT Global Alliance (2016b). *Preventing and Tackling Child Sexual Exploitation and Abuse (CSEA): A Model National Response*. Abu-Dhabi: Author. Retrieved on 01 August 2021 from [www.weprotect.org/wp-content/uploads/WePROTECT-Model-National-Response.pdf](http://www.weprotect.org/wp-content/uploads/WePROTECT-Model-National-Response.pdf)



#### 3.5.2.3.4. *The role of NCB and CERT-MU in collaboration with national human rights institutions*

The OC emphasises the need for the NCB and the CERT-MU to work in close collaboration with national human rights institutions such as the Ombudsperson for Children's Office to be able to investigate cases of violations of children's rights in relation to the digital environment. This measure has been proposed in the General Comment No. 25 of the UN Committee on the Rights of the Child (2021) in its paragraph 31, as stated below:

*States parties should ensure that the mandates of national human rights institutions and other appropriate independent institutions cover children's rights in the digital environment and that they are able to receive, investigate and address complaints from children and their representatives. Where independent oversight bodies exist to monitor activities in relation to the digital environment, national human rights institutions should work closely with such bodies on effectively discharging their mandate regarding children's rights.*

### 3.5.2.4. Rehabilitation and recovery

#### *3.5.2.4.1. Rehabilitation and recovery of OCSASE victims*

The impact of OCSASE can be varied and complex on its victims, but it would often include a combination of short to long term adverse effects on their psychological wellbeing, education, social reintegration and future opportunities. As part of their rehabilitation and recovery, the child victim must be protected from stigmatisation and all forms of discrimination. Relevant stakeholders must promote a culture of respect for the rights of the child, and ensure that the child victim continues to grow in environments that are free from abuse and violence. A holistic and multidisciplinary approach must be applied to properly assess and evaluate the needs of child victims so that the appropriate medical care and psychosocial support can be provided to them. Individualised psychological therapy must be proposed to child victims to help them overcome the trauma engendered by OCSASE and to mitigate any deterioration of their mental health. The reintegration of the child victims to age-appropriate activities such as continuing their education or participating in safe leisure activities can greatly support their healthy development and recovery.

#### *3.5.2.4.2. Sanctioning and rehabilitation of online child and juvenile sex offenders*

Abusing a child sexually either offline or online must indisputably be considered an offence, as it is already the case in our local legislation. Online child sex offenders, be they adults or juveniles, must be sanctioned for their illegal behaviours by any Court of law. Sentences must be harsh enough and proportionate to the gravity of the sexual offence in order to act as a deterrent to any emerging sex offenders. Nevertheless, it is also important to think on ways of rehabilitating these offenders, given that they often themselves might have suffered difficult pasts and childhoods, including being sexually abused. In reference to subsection 3.4.3.3.2 of the present chapter, some of the young online sex offenders testified on their experiences of having unstable relationships with others as well as having been sodomised, stigmatised due to their disability and bullied. While serving their sentence, child sex offenders must also be provided with the necessary psychological support, so as to help them get a better understanding of their difficulties, evaluate the consequences of their past illegal actions and decrease their probability of relapsing into committing sexual offences. In the case of juvenile sex offenders, restorative justice measures must be privileged as far as possible.

### **3.6. A brochure to sensitise the public against OCSASE**

As a way of spreading awareness on the issues of OCSASE to the general public, the Ombudsperson for Children in collaboration with the European Union took the initiative to disseminate a brochure with the aim of explaining in simple French language these phenomena and what people can do if they suspect that a child is being victimised online (please see the brochure on the next four pages). A total of 60,000 copies of the brochure were printed and enclosed within the newspaper issue of Sunday 13 June 2021 of 'Le Week End'. An additional 1,000 copies were printed for distribution to relevant stakeholders. The brochure was also advertised free of cost in another local newspaper, 'Le Mauricien', on four consecutive Saturdays, notably 19 June 2021, 26 June 2021, 03 July 2021 and 17 July 2021.



*Le Bureau de l'Ombudsperson pour les enfants et La Délégation de l'Union européenne*

**vous invitent à dire**

**NON**

*À l'Abus et l'Exploitation Sexuels  
Des Enfants en Ligne*

*Agissons dès maintenant pour protéger nos enfants  
dans le monde virtuel !*




## Qu'est-ce que l'abus et l'exploitation sexuels des enfants en ligne ?



- On parle d'abus et d'exploitation sexuels des enfants en ligne lorsqu'une personne manipule un enfant à des fins sexuelles en ligne.
- Cette personne peut forcer un enfant à envoyer des photos ou des vidéos à caractère sexuel de lui-même.
- Elle peut aussi l'inciter à accomplir des actes sexuels devant une webcam.
- Certains délinquants pédosexuels font chanter les enfants jusqu'à ce qu'ils cèdent à leurs demandes.



A stylized illustration of a person sitting at a laptop, with their head buried in their hands, suggesting distress or despair. A thought bubble originates from the person's head, containing the title of the section. The background is a solid blue color with a yellow wavy line separating the top section from the bottom text area.

## La problématique de l'abus et de l'exploitation sexuels des enfants en ligne

- Nous vivons dans un monde où les technologies de l'information et de la communication (TIC) et l'Internet sont incontournables dans la promotion de l'éducation des enfants. Malheureusement, ces mêmes outils sont souvent détournés de leur usage premier et mettent les enfants à risque en ce qui concerne l'abus et l'exploitation sexuels.

- À Maurice, nous constatons que la création et la distribution de matériels d'abus sexuels des enfants ont considérablement augmenté.

- **L'ECPAT International (2016) stipule que :**

*"Les délinquants pédosexuels peuvent être particulièrement manipulateurs, convaincants et persistants dans leurs efforts pour exploiter des enfants. Ils peuvent tirer profit d'Internet et des outils en ligne pour contacter et attirer des victimes potentielles, générer des matériels d'abus sexuel d'enfants en ligne, les télécharger et les distribuer."*

Votre enfant est victime  
d'abus et d'exploitation  
sexuels en ligne.  
Que faire ?



- Il faut aller au poste de police le plus proche de votre domicile et rapporter le cas.
- La police va référer le dossier à la Cybercrime Unit, une unité spécialisée dans la cybercriminalité.
- Vous devez encourager votre enfant à donner le maximum de détails à la police afin qu'elle puisse retracer les prédateurs sexuels coupables.
- L'enfant victime d'abus ou d'exploitation sexuelle en ligne a droit à une réhabilitation et un soutien psychologique.

### Numéros utiles

#### Le Cybercrime Unit

☎ 210 4653/210 3684

#### La Police (24/7)

☎ 999

### Le Bureau de l'Ombudsperson pour les enfants

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### 3.7. A pledge against OCSASE

The Ombudsperson for Children invites all citizens of the Republic of Mauritius to pledge to the following message of ‘E-SAFE’ in the best interests of all children:

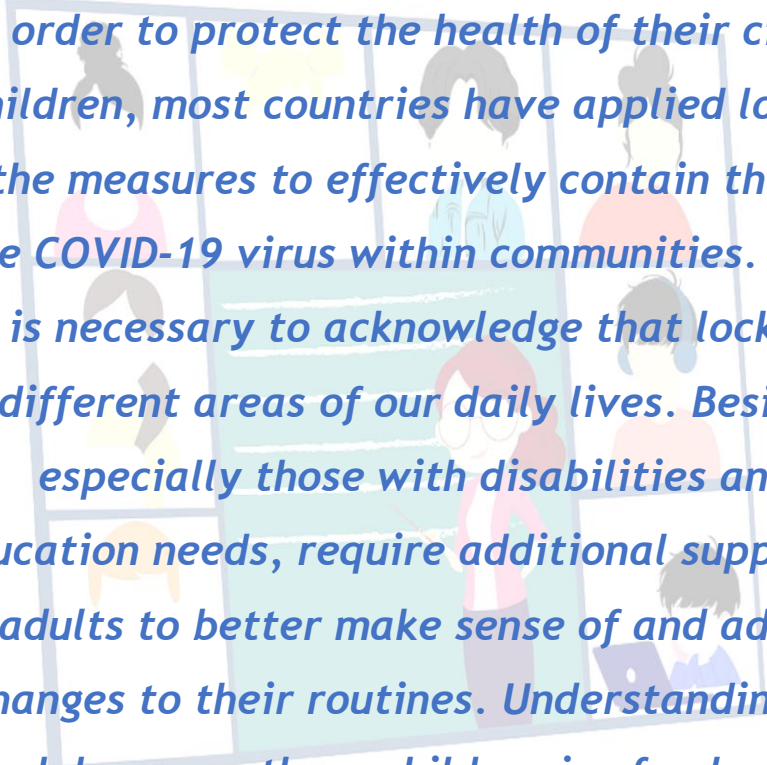
**E**VERY CITIZEN HAS THE RESPONSIBILITY TO ENSURE THE  
**S**AFETY AND PROTECTION OF ALL CHILDREN FROM  
**A**LL FORMS OF ONLINE SEXUAL ABUSE AND SEXUAL  
EXPLOITATION AS A  
**F**UNDAMENTAL RIGHT OF  
**E**VERY CHILD.



An illustration of a classroom scene. A teacher with red hair and glasses stands in the center, holding a book. Several students are seated at desks around her. The desks are arranged in a grid-like pattern. The background is a light blue wall with a yellow sun-like shape. The overall style is simple and colorful.

## **Chapter 4:**

# **Appraising the Impact of Lockdowns During the COVID-19 Pandemic on the Rights of Children with Disabilities and those with Special Education Needs**



*“In order to protect the health of their citizens, including children, most countries have applied lockdowns as one of the measures to effectively contain the transmission of the COVID-19 virus within communities. Nevertheless, it is necessary to acknowledge that lockdowns affect different areas of our daily lives. Besides, children, especially those with disabilities and/or special education needs, require additional support from trusted adults to better make sense of and adapt to sudden changes to their routines. Understanding the impact of lockdowns on these children is of value because it can enable decision makers to take preventive actions in upholding the latter’s well-being and rights during crisis periods.”*

(R. Venkatasawmy, OC)

## 4.1. Background

As recognised by the international community, children with disabilities and those with special education needs (SEN) are among the world's most vulnerable populations. According to the Convention on the Rights of Persons with Disabilities (CRPD; United Nations, 2006, Preamble)<sup>37</sup>, *“disability is an evolving concept and (...) results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others”*. Besides, there is no universal definition of ‘special education needs’ and it varies across countries and legislative frameworks. In the context of the Republic of Mauritius, the Special Education Needs Authority (SENA) Act 2018 defined ‘disability’ and ‘special education needs’ as follows:

*“disability” means a long-term physical, intellectual or sensory impairment of a person which substantially hinders his ability to carry out normal day to day activities*

*“special education needs” means the needs of a person with disability which makes learning harder for him than another person of the same age*

There is no doubt that radical changes brought by the COVID-19 pandemic disrupt ways of life across the globe, and they can particularly affect children, especially those with disabilities and with SEN. Lockdown situations also create new hardships for the parents and caregivers in properly catering for the nutritional, educational, health and leisure needs of children. For instance, while social distancing is widely promoted as one of the best strategies to curb the transmission of the virus, this sanitary measure is challenging for individuals who have to care for children and young people with disabilities requiring assistance with daily tasks. Furthermore, the exclusive use of online/remote education<sup>38</sup> during a lockdown is often not adapted to the specific learning needs of children with disabilities and

<sup>37</sup> United Nations (2006). *Convention on the Rights of Persons with Disabilities and Optional Protocol*. Geneva: Author. Retrieved on 02 August 2021 from [www.un.org/disabilities/documents/convention/convoptprot-e.pdf](http://www.un.org/disabilities/documents/convention/convoptprot-e.pdf)

<sup>38</sup> Online/remote education is when teaching and learning occur remotely (or away from face-to-face classroom environments) and on digital platforms through information and communication technologies (including the radio, television, personal computers, laptops, smart phones and tablets among others).

those with SEN (refer to Fact box 2 below; UNESCO Bangkok, 2020<sup>39</sup>). This situation, therefore, calls for additional efforts by all relevant stakeholders to guarantee that the needs of children with disabilities and those with SEN are met in the best possible ways during times of crisis such as the COVID-19 pandemic.

## FACT BOX 2: Some key points highlighted by UNESCO Bangkok (2020)

- ❖ *Approximately 15% of the world's population, representing more than 1 billion people, live with disabilities. Amidst, 2% to 4% find day-to-day life challenging without assistance.*
- ❖ *Disability is more prevalent in low-income and middle-income countries than in the high-income countries.*
- ❖ *Disability, gender, nationality, ethnicity, poverty and many other factors affect internet access. An online-based, high-tech approach is not always ideal for creating an inclusive learning environment.*
- ❖ *Currently, because of a lack of disaggregated data and information, it is unclear how many students with disabilities are receiving inadequate educational support as a result of the COVID-19 pandemic.*

The objectives of the present chapter are to

- understand some of the barriers faced by children with different types of impairments with regards to online/remote education and how these could be overcome through relevant accessibility features;
- have an insight into the experiences of some children with disabilities and those with SEN and their parents/caregivers in the context of the national lockdowns in Mauritius; and
- propose general recommendations on the protection of the rights of children with disabilities and those with SEN during lockdown situations.

<sup>39</sup> UNESCO Bangkok (2020). *Empowering students with disabilities during the COVID-19 crisis*. Retrieved on 02 August 2021 from [bangkok.unesco.org/content/empowering-students-disabilities-during-covid-19-crisis](https://bangkok.unesco.org/content/empowering-students-disabilities-during-covid-19-crisis)

## 4.2. Online/remote education and children with disabilities

At a webinar organised by the International Peace Institute (2020)<sup>40</sup>, Stefania Giannini, Assistant Director-General for Education at the UNESCO, called the COVID-19 pandemic the “*largest disruption in education since the creation of the UN system, and we can say, in history*”. In the context of school closures during lockdowns due to the COVID-19 pandemic, remote access to education has become the ‘new normal’ for most students across the world. During Mauritius’s lockdowns in 2020 and 2021 respectively, online/remote education was being provided to students through the television, the radio and internet-based platforms such as Zoom and Microsoft Teams. However, it soon became obvious that this sudden transition to online/remote education was not equitably accessible to children with disabilities and those with SEN. Being far from the specialised support and facilities available within these children’s schools, many parents/caregivers felt at a loss. They did not all have the necessary knowledge, skills or resources (e.g., assistive equipment) to ensure the educational continuity of their children during the lockdown.

It is important to note that, according to article 24 of the CRPD (UN, 2006), every person with disabilities, including children, have the right to inclusive education. This must also apply to any form of education including online/remote education. Relevant authorities have the primary responsibility to ensure that accessibility features are made available to children with disabilities so that they can access educational content online on an equal basis to their peers during a lockdown. On the next page, Fact box 3 provides more information on the term ‘accessibility’ and its importance. Accessibility features may vary from one type of disability to the other. For example, accessibility features for the online/remote education of children with visual impairment (who have hearing ability) cannot be the same as those for children with hearing impairment (who are sighted).

Additionally, the type of medium being used for delivering online/remote education, such as the television, radio or digital media, also affects the kind of accessibility features that are required. For instance, during the national lockdown periods, students of Grades 1 to 9 followed their classes on television, whereas students of higher grades used online-based platforms such as Zoom and Microsoft

<sup>40</sup>International Peace Institute (2020). *Learning Interrupted: Education, COVID-19, and the Culture of Peace*. Retrieved on 20 July 2021 from [www.ipinst.org/2020/09/learning-interrupted-education-covid-19-and-the-culture-of-peace#1](http://www.ipinst.org/2020/09/learning-interrupted-education-covid-19-and-the-culture-of-peace#1)

Teams. A Grade 4 student with hearing impairment may require an on-screen sign language interpreter while watching his lessons on television, while a Grade 12 student with visual impairment may need a text-to-speech software on her computer that can read back to her the notes uploaded by her teacher on Microsoft Teams.

### FACT BOX 3: Definition and importance of ‘accessibility’

*‘Accessibility’ generally refers to making products and services usable by everyone without distinction, including persons with disabilities. This is in line with the concept of “Universal design” promoted by the CRPD (UN, 2006), which means “the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design”. Nevertheless, it points out that this “shall not exclude assistive devices for particular groups of persons with disabilities where this is needed” (UN, 2006). In addition, article 9(2)(g) of the CRPD (UN, 2006) encourages the “access for persons with disabilities to new information and communications technologies and systems, including the Internet”. This can be made possible with the use of accessible and assistive technology, where necessary, to create for persons with disabilities an equivalent user experience to those without disabilities.*

The following sub-sections provide an overview of some of the barriers faced by children with different types of impairments, as listed below, in accessing online/remote education, and potential accessibility features that can help overcome these difficulties:

1. Children with visual impairment;
2. Children with hearing impairment;
3. Children with intellectual impairment; and
4. Children with multiple impairments.

## 4.2.1. Online/remote education for children with visual impairment

### 4.2.1.1. Barriers

In the absence of accessibility features, children with visual impairment can only access the audio content of online/remote learning. If visual materials are not being described orally during online/remote lessons, this information will be completely missed out by students with visual impairment. In addition, the educational content of these lessons is mainly derived from the syllabus of respective grades that can be followed using school textbooks. During the lockdown periods, children with visual impairment did not necessarily have access to school textbooks in accessible format such as in Braille or large print. This added an important layer of difficulty for many of these students who rely on explanations provided in accessible school textbooks to check their understanding and revise their lessons.

### 4.2.1.2. Accessibility features

Examples of accessibility features which can be included in online/remote education to make its content accessible to children with visual impairment are as follows:

- (1) Audio description in videos;
- (2) Read aloud functions for notes written by teachers or any other relevant notes shared by students on digital platforms during online/remote classes;
- (3) Handouts and educational material used in online/remote lessons to be provided in Braille and large print; and
- (4) Internet-based teaching content to
  - a) be designed on basic html;
  - b) have an option that can increase font size;
  - c) enable colour contrast options; and

- d) be accessible with popular computer screen readers (e.g., software like Jaws<sup>41</sup> and NVDA<sup>42</sup>) and mobile screen readers (e.g., Talkback<sup>43</sup> and VoiceOver<sup>44</sup>).

#### 4.2.1.3. Important notes

Children with visual impairment can access online/remote education only when they are provided with the required assistive technology. These children must also be trained on the use of accessible features that are best adapted to their age and severity of impairment so that they could have the necessary skills and equipment to follow online/remote lessons similar to their peers.

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<sup>41</sup> JAWS (Job Access With Speech) is a popular screen reader, developed for computer users whose vision loss prevents them from seeing screen content or navigating with a mouse. JAWS provides speech and braille output for the most personal computer's applications (Source: [www.freedomscientific.com/products/software/jaws/](http://www.freedomscientific.com/products/software/jaws/))

<sup>42</sup> NVDA allows blind and people with visual impairment to access and interact with the Windows operating system and many third party applications (Source: [www.nvaccess.org/about-nvda/](http://www.nvaccess.org/about-nvda/))

<sup>43</sup> The TalkBack screen reader speaks text and image content on the screen of Android mobile devices (Source: [support.google.com/accessibility/android/answer/6007100?hl=en](https://support.google.com/accessibility/android/answer/6007100?hl=en))

<sup>44</sup> VoiceOver is a screen reader program that comes on new Mac computers, iPhones, iPads, and iPod touches. (Source: [webaim.org/articles/voiceover/](http://webaim.org/articles/voiceover/))



## 4.2.2. Online/remote education for children with hearing impairment

### 4.2.2.1. Barriers

The most significant barrier for children with hearing impairment with regards to online/remote education is their inability or limited ability to hear the audio content. This can also apply to children with hearing impairment who use hearing aids because pre-recorded or live videos on television or the internet might not always be compatible to the hearing devices without the use of assistive technology.

### 4.2.2.2. Accessibility features

Examples of accessibility features which can make online/remote education accessible for children with hearing impairment are as follows:

- (1) Use of caption (which is different from subtitles);
- (2) Sign language interpretation;
- (3) Speakers facing the screen properly (for children with hearing impairment who do lip-reading);
- (4) Enough screen brightness (or light) during online/remote classes (for children with hearing impairment who do lip-reading and rely on sign language interpretation),
- (5) Use of clear sound without background noise interference during online/remote lessons for children with hearing impairment who wear hearing aids; and
- (6) Use of software compatible with hearing aid devices.

### 4.2.2.3. Important notes

It is important to consult children with hearing impairment on their preferred accessibility feature. For example, some children with hearing impairment prefer using caption to sign language interpretation, while it might be vice versa for another group of these children. Furthermore, it is necessary for children who have cochlear implants to continue their speech therapy through online mode during times of home-based schooling.

### 4.2.3. Online/remote education for children with intellectual impairment

#### 4.2.3.1. Barriers

Online/remote education in our country is currently based on the core curriculum and syllabus of mainstream education. As of yet, it has not made provision on television broadcasts or internet-based platforms for specialised educational content for children with intellectual impairments such as Down syndrome<sup>45</sup> and dyslexia<sup>46</sup>, among others. Often, these children attend SEN schools which are not necessarily equipped to deliver online/remote education to their students. Additionally, students with intellectual impairments are not a homogenous group of children. They may have varying strengths and difficulties which require individualised adaptation by SEN educators to support the latter's learning. Most SEN schools currently lack the human and logistical resources necessary to allow for the effective design and delivery of individualised and adapted online teaching material for students with intellectual impairments.

#### 4.2.3.2. Accessibility features

Examples of accessibility features which can help in improving the access of children with intellectual impairment to online/remote education are proposed as follows:

- (1) Children with intellectual impairments who are already integrated in mainstream education must be able to access online/remote education as a matter of right in the same way as their peers without impairments. Provision for separate individual online sessions by educators must also be arranged for mainstream students with intellectual impairments as necessary.
- (2) Students with intellectual impairments attending SEN schools must be able to access individualised or small group support from their educators because generic educational online content might not be suitable to their individual profiles. The assistance of parents of these

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<sup>45</sup> Down syndrome (sometimes called Down's syndrome) is a condition in which a child is born with an extra copy of their 21st chromosome — hence its other name, trisomy 21. This causes physical and mental developmental delays and disabilities. (Source: [www.healthline.com/health/down-syndrome](http://www.healthline.com/health/down-syndrome))

<sup>46</sup> Dyslexia is a specific learning difficulty that can cause problems with certain abilities such as reading, writing and spelling. (Source: [www.nhs.uk/conditions/dyslexia/](http://www.nhs.uk/conditions/dyslexia/))

children must also be planned and integrated in the delivery of online material to these students.

- (3) SEN schools must be encouraged to conceptualise and design online teaching material tailor-made to the needs and profiles of their students with intellectual impairments, while retaining aspects of the school culture that students are familiar with. Best practices or guidelines on online/remote education for children with disabilities or those with SEN, advanced by international organisations such as UNESCO and the International Disability Alliance<sup>47</sup>, could also be consulted in this process.
- (4) The Special Education Needs Authority (SENA) and the Special Education Needs Unit of the Ministry of Education, Tertiary Education, Science and Technology (METEST) could provide logistical and technical support to SEN schools to develop and deliver their online material.
- (5) SEN schools which are already providing online/remote education to their students with intellectual impairments could be encouraged to share their experience with other SEN schools, which could in turn adapt the techniques being used to their group of students.

#### 4.2.3.3. Important notes

Whether in mainstream or special education, all children with intellectual impairments must be able to access online/remote education in a format adapted to their individual needs so that they are not left behind in their educational progress, especially during crisis times. Mainstream schools must provide for additional individualised sessions for their students who have intellectual impairments. Finally, SEN schools would require the support of the relevant educational authorities to improve the accessibility to online/remote education for all their students.

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<sup>47</sup> The website of the International Disability Alliance can be accessed at [www.internationaldisabilityalliance.org/](http://www.internationaldisabilityalliance.org/)

#### **4.2.4. Online/remote education for children with multiple impairments**

##### **4.2.4.1. Barriers**

Having taken stock of some of the barriers that affect the online/remote education of children with visual, hearing and intellectual impairments respectively in subsections 4.2.1.1, 4.2.2.1 and 4.2.3.1, there is no doubt that children with multiple impairments (i.e., those having simultaneously two or more types of impairments with varying severity levels) face even more challenges in accessing this form of education. For instance, a girl with both profound hearing loss and Down syndrome will not only have to deal with her inaccessibility to audio content during online/remote learning, but also struggle academically in understanding the concept being presented.

##### **4.2.4.2. Accessibility features**

Nationally, the vast majority of students with multiple impairments find themselves in SEN schools under the care of SEN educators and allied health professionals such as Occupational Therapists, Physiotherapists, Speech Therapists and Psychologists. Online/remote education for these children will involve several adaptations specific to the types, nature and severity of their impairments. Accessibility features mentioned in subsections 4.2.1.2, 4.2.2.2 and 4.2.3.2 could be applied as necessary to students with multiple impairments if they have visual, hearing or intellectual impairments respectively.

The educational needs of these students should be identified and evaluated on a case-by-case basis by SEN educators and other relevant professionals. The online/remote education plan must be prepared by multidisciplinary teams taking into consideration the specific individual needs of the students. The design and implementation of this form of learning must be done in collaboration with parents and/or caregivers who can be trained to support the education of their children at home.

##### **4.2.4.3. Important notes**

Children with multiple impairments are a highly vulnerable group. Their educational continuity through online/remote means depends on a significant level of support and commitment from all relevant stakeholders including parents/caregivers, educators and the authorities. In the spirit of the CRC (UN,

1989) and the CRPD (UN, 2006), the authorities must harness all possible efforts in terms of human resources and assistive technology to ensure that children, irrespective of their types, combination and severity of impairments, can fulfil their right to inclusive education, despite crisis times.

#### **4.2.5. To conclude**

Developing the preparedness of both SEN schools and parents/caregivers to administer online/remote education during lockdowns with all the relevant accessibility features can help mitigate the educational discontinuity of children with disabilities or those with SEN. At both school and national levels, it must be ensured that educators receive the appropriate training and support to enable them to deliver this form of education to their students. Families of children with disabilities requiring material assistance such as technology devices and access to the internet must be continuously identified, assessed and supported by authorities as necessary to improve the children's access to education and promote their inclusion.

### 4.3. Experiences of some children with disabilities and parents/caregivers during the national lockdowns

The following subsections describe the stories of five children with different types of disabilities as experienced during the national lockdowns in Mauritius. **It is important to point out that pseudonyms have been used to protect the identities of the children and their families. Identifiable information such as the names of their localities or their schools have also been anonymised.**

#### 4.3.1. The stories of Shakira and Kunal

##### 4.3.1.1. The children's backgrounds

Shakira is an 8-year-old girl who is visually impaired. She lives with her parents and her elder sister in a rural area of the island. During the last two years, Shakira has been attending a Special Education Needs (SEN) school for the rehabilitation of blind and partially sighted people run by a non-governmental organisation (NGO). According to Shakira's parents, Bryan and Wenda, they were very satisfied with the work being done by the school with their daughter. For instance, they noted considerable improvement in Shakira's mobility and her ability to do her personal chores without support from another person. They emphasised that the school had been monumental in enhancing their child's learning, development and autonomy. However, with the school's closure during the national lockdown periods, Shakira's progress became harder to sustain by her parents.

Kunal is a 15-year-old boy who suffers from microcephaly<sup>48</sup> and epilepsy<sup>49</sup>. He also lives in a suburban area of the country with his mother and younger brother. Since the last 8 years, the adolescent has been attending an SEN school. The school closure due to the COVID-19 lockdown also halted Kunal's regular therapeutic follow-up with the school's Occupational Therapist and Psychologist. Kunal's mother, Sushila, was aware that her son was accustomed to his SEN school's routine. She was

<sup>48</sup> Microcephaly is a condition where a baby is born with a small head or the head stops growing after birth. (Source: [www.who.int/news-room/fact-sheets/detail/microcephaly](http://www.who.int/news-room/fact-sheets/detail/microcephaly))

<sup>49</sup> Epilepsy is characterized by recurrent seizures, which are brief episodes of involuntary movement that may involve a part of the body (partial) or the entire body (generalized) and are sometimes accompanied by loss of consciousness and control of bowel or bladder function. (Source: [www.who.int/news-room/fact-sheets/detail/epilepsy](http://www.who.int/news-room/fact-sheets/detail/epilepsy))

concerned that this sudden change would be challenging for Kunal and that she might have to handle alone his acute epileptic seizures if they occurred.

#### 4.3.1.2. How did the lockdown situations affect Shakira and Kunal, and their parents?

##### *4.3.1.2.1. Disrupted daily routines*

**During the pandemic, school closures have been an important measure to contain the transmission of the COVID-19 virus among student populations.** Mauritius also adopted this method across educational institutions and promoted online/remote education as the ‘new normal’ for educational continuity. As discussed in section 4.2 of the current chapter, students with disabilities like Shakira and Kunal faced important challenges in adapting to this novel form of education. On top of all, their daily school routines were suddenly stopped and this caused them emotional distress.

Wenda and Bryan noted that Shakira kept insisting to go to school because she wanted to meet her SEN educators and play with her friends. As days went by, it became more challenging for them to make their daughter understand that it was not safe to leave the home and that they did not know when her school would reopen. Out of frustration, Shakira at times refused to leave bed in the morning or eat her meals. Similarly, Kunal was getting more agitated at home in the absence of his usual school routine. His mother, Sushila, said that *“with the lockdown, his routine has been disrupted and it is increasingly difficult for me to keep him at home. He throws tantrums and does not understand why he cannot go to school and meet his friends.”*

##### *4.3.1.2.2. Regression in acquired skills and autonomy*

At school, children with disabilities or those with SEN receive a host of services related to their needs including occupational therapy, physiotherapy, speech therapy and psychotherapy, among others. For instance, Speech Therapists help them articulate and pronounce words better. Occupational Therapists provide assistance with handwriting and sensory issues. Moreover, Physiotherapists help to improve their movements and autonomy in daily activities. Both Shakira and Kunal did not have access to their usual therapeutic interventions during school closures and both their parents felt unequipped to continue their progress at home. Over the lockdown periods, Wenda noted with concern that Shakira

was becoming more and more dependent on her support to complete personal chores, which she had already mastered prior to the COVID-19 outbreak. The Occupational Therapist of Kunal's SEN school regretted that *"due to the confinement, children like Kunal regressed on the progress and milestones that had taken months and even years for them to achieve at school"*.

#### 4.3.1.2.3. Challenges with online/remote education

When Wenda and Bryan heard that online/remote classes for different grades would be available on television and through online platforms, they were reassured that they had a television, a laptop and unlimited internet access at home to support Shakira's learning. However, they soon realised that, without the school textbooks in accessible format and assistive technology that Shakira used at her SEN school, their daughter could neither follow nor understand the educational material being presented. At different times, Wenda and Bryan noted that Shakira resisted listening to lessons being broadcasted on the television and appeared frustrated when she could not follow the explanations.

Wenda contacted the SEN school for help, but due to lack of human resources and logistics to create specialised online material, the Manager could not offer much at the time except for a few phone contacts between Shakira and her SEN educator over the lockdown periods. A local disability activist named Aarthi Burtony, who also has a visual impairment, has brought attention to the fact that *"there is a lack of substitutes or interpreters with regards to lessons taught on the national television for children with visual impairments. Notwithstanding that these children barely have audio and descriptive books to read or cartoons to watch"* (personal communication, 23 April 2021).

In the case of Kunal, his mother, Sushila, did not have a smartphone, a computer or any internet access. This was the case for many other parents and children of Kunal's SEN school as explained by the School Manager, *"most of the children attending my school come from lower middle-class backgrounds whereby they do not have access to the necessary information technology tools. Under these circumstances, online teaching becomes nearly impossible for these children"*. Additionally, Sushila declared that *"as parents we have to adapt to our new roles as teachers. Even though we get guidance from the teachers, it is not always easy to deliver and adapt to this new role."*



#### 4.3.1.2.4. Mental health difficulties

Both Shakira and Kunal felt isolated from their wider family and peers during the lockdown periods. According to the observations of their respective parents during that time, the children appeared more anxious and emotionally distressed. Along with juggling other day-to-day responsibilities, economic pressures and restrictions imposed by the pandemic situation, it was not always easy for the parents to calm down their vulnerable children. Shakira's father, Bryan, who is a self-employed entrepreneur, was himself very stressed by his lack of revenue and had to rely on the 'Government Wage Assistance Scheme' to cater for his family's needs. As for Kunal's mother, Sushila, she confided that *"in the absence of community support networks and my son's inability to socialise with his peers, the latter is constantly having fits and anger outbursts at home. My younger son also breaks down in tears when Kunal throws temper tantrums in front of him. This is very hard on me as a single mother."*

Moreover, different research studies have shown how crisis situations such as pandemics can affect the mental health of children with disabilities. For example, a population-based study in Iceland demonstrated that the risk of experiencing mental health issues had aggravated during a pandemic crisis among preschool children with cerebral palsy (Sigurdardottir *et al.*, 2010)<sup>50</sup>. Another study carried out by Cacioppo and his colleagues (2020)<sup>51</sup> in France showed that a lack of social interaction induced by the COVID-19 confinement for a large group of children with physical disabilities affected both their morale and regressed their communication ability. Moreover, it was found that the increase or deterioration of behavioural disorders among these children during confinement had a considerable impact on their wellbeing and intensified their parents' sense of vulnerability and helplessness (Cacioppo *et al.*, 2020). The study also underlined that, compared to other children in the sample surveyed, children with physical disabilities had a higher risk of sedentarism and its adverse impact (Cacioppo *et al.*, 2020).

<sup>50</sup> Sigurdardottir, S., Indredavik, M.S., Eiriksdottir, A., Einarsdottir, K., Gudmundsson, H.S. & Vik, T. (2010). Behavioural and emotional symptoms of preschool children with cerebral palsy: A population-based study. *Dev Med Child Neurol* 52(11), 1056-1061. Retrieved on 20 July 2021 from [onlinelibrary.wiley.com/doi/10.1111/j.1469-8749.2010.03698.x](https://onlinelibrary.wiley.com/doi/10.1111/j.1469-8749.2010.03698.x)

<sup>51</sup> Cacioppo, M., Bouvier, S., Bailly, R., Houx, L., Lempereur, M., Mensah-Gourmel, J. *et al.* (2020). Emerging health challenges for children with physical disabilities and their parents during the COVID-19 pandemic: the ECHO French survey. *Annals of Physical and Rehabilitation Medicine*, 101429, 1-8. Retrieved on 20 July 2021 from [www.sciencedirect.com/science/article/pii/S1877065720301573?dgcid=rss\\_sd\\_all](https://www.sciencedirect.com/science/article/pii/S1877065720301573?dgcid=rss_sd_all)

#### 4.3.1.2.5. *Difficulties with sanitary measures*

Children with disabilities like Shakira and Kunal have difficulties to understand the implications of sanitary measures such as social distancing, mask wearing and hand sanitisation, and abide by their proper use. In the case of children with visual impairment, local disability activist, Aarthi Burtony advanced that *“it is harder to get them to follow the sanitary measures as they rely a lot on touch to get around. Sanitary measures also set new challenges for them in getting accustomed to alternative ways to carry out their daily tasks”* (personal communication, 23 April 2021).

### 4.3.2. The story of Jean

#### 4.3.2.1. The child's background

Jean is a 7-year-old boy who was diagnosed four years ago with severe autism. His mother left the family home when he was only 4 years old. When he was nearly turning 5 years, Jean's father, Tom, enrolled him in an SEN school of his region. Tom remarried in Jean's first year at the school, and since the couple has been taking care of the child together.

Prior to the lockdown period of March 2021, Tom and his wife had set up a routine for Jean. For instance, the latter would eat cereals for breakfast and set out to school where he would benefit from the assistance of a full-time caregiver owing to the nature of his condition. Jean cannot communicate verbally, but he can express himself non-verbally through sounds, signs and gestures. At school, he also benefitted from the assistance of an Occupational Therapist and a Physiotherapist thrice and twice weekly respectively. Jean engaged in multiple activities during school time such as writing, painting, creative arts, drawing, music, games and sports. After school hours, he was looked after by a babysitter until Tom and his wife would come to take him home at a specific time.

Routines are especially important for children diagnosed with autism since many of them are used to rigid and repeated patterns of behaviour. Similarly, Jean would be very meticulous about the need of getting the same activities carried out in an orderly manner. He was however not picky about food and would consume rice and curry, pasta, or bread. Jean spent most of his school day time with his caregiver, with whom he had built a bond of trust. The lockdown due to the COVID-19 pandemic instantly affected his routine. Jean does not cope well with changes and transitions and things became very hard for Tom and his wife. Substantial efforts had to be put in by the couple to relieve Jean's anxiety on a daily basis.

#### 4.3.2.2. How did the lockdown situation affect Jean and his parents?

##### *4.3.2.2.1. Adapting to a sudden change in routine*

Tom and his wife confessed that they struggled to maintain Jean's routine and consistency during the lockdown period. Initially, they had to deal nearly every single day with Jean's temper tantrums. He

would lash out at his father and step-mother, scream, and throw objects and toys around the house. Moreover, the fact that Jean could not get access to his school caregiver contributed to a rise in his challenging behaviours. The home atmosphere remained very tensed in the first few weeks.

After some time into the lockdown period, Tom received his 'Work Access Permit' and was required to often report to work, leaving Jean under the supervision of his step-mother. The step-mother decided to be creative to make the situation better for Jean and more manageable for her and Tom. She tried to ease Jean's stress by putting music in the house during the day. In response, Jean would pick the beats of the songs and even dance like he did at school. Tom's wife also engaged Jean with his favourite musical instrument – the bongo drums – as well as drawing and painting activities.

Noting Jean's progress, his step-mother continued to build on other activities to relieve the anxiety of the little boy. She brought Jean daily in the house yard for a walk and to breathe in fresh air. Jean enjoys a good health and is not on any medication. While the child used to wear disposal diapers at all times, the step-mother used the free time during the lockdown period to toilet train him. Tom and his wife tried to spend maximum time with Jean, and shower him with love and care. They also often prepared his favourite snacks to please him, and ensured that his needs were being met as far as possible during the lockdown.

#### *4.3.2.2.2. Impact on some of the rights of Jean*

During a pandemic situation, it is inevitable that the health of citizens, including children, would be given priority over their other fundamental rights. From a rights-based perspective, it could be observed that some of Jean's rights were affected in the following ways during the lockdown period:

##### 4.3.2.2.2.1. Right to education

It was clear that Jean's home was not equipped as his school was with adapted pedagogical materials, a stimulation room and the services of a full-time caregiver. During the lockdown period, it would not have been possible for Tom and his wife to recreate the school's atmosphere and activities at home, given the absence of appropriate assistive equipment for Jean and their lack of knowledge and skills on catering for his special education needs. In addition, due to his severe autism, Jean would not have

engaged with online/remote education as he was used to the individualised attention of his school caregiver to meet his educational goals. The confinement situation thus affected Jean's right to education as per the CRC (UN, 1989, articles 28-29).

#### 4.3.2.2.2.2. Right to play, recreation and leisure

As per article 31 of the CRC (UN, 1989), children have *“the right to rest and leisure, to engage in a wide range of play and recreational activities appropriate to the age of the child”*. Similar to all children during the lockdown, Jean was not allowed to do leisure activities outside his home premises. This highly frustrated him as he missed playing at school and in a children's park near to his home. While Jean used to play and relax in a dedicated play area at school containing recreational equipment such as swings and slides specifically designed for children with disabilities, at home, the boy, was limited to mainly indoor leisure activities. It is noteworthy that, following the advocacy of an NGO specialised in autism in Mauritius, **“Autisme Maurice”, children suffering from autism were allowed by local authorities to go for a walk with a parent/guardian within a 500 metres radius around their residences for one hour daily to ease their anxiety of staying indoors** (World Health Organisation Country Office Mauritius & Government of Mauritius, 2020)<sup>52</sup>.

#### 4.3.2.2.2.3. Right to health

Article 24 of the CRC (UN, 1989) promotes the right of the child to *“the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health”*. Although the lockdown was a measure for protecting everyone's physical health, including Jean's, from being affected by the coronavirus, the confinement also created other conditions that could alternatively affect Jean's overall health. For instance, Jean was not having regular occupational therapy and physiotherapy as it would have been the case during school days, and these professional interventions were central to his mental and physical wellbeing. Moreover, his playtime outdoors was considerably limited with the sanitary situation. This decreased his level of physical activity and

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<sup>52</sup> World Health Organisation Country Office Mauritius and Government of Mauritius (2020). *Best practices and experience of Mauritius' preparedness and response to COVID-19 pandemic: Inter-Action Review 1 – January to August 2020*. Mauritius: Author. Retrieved on 04 August 2021 from [cdn.who.int/media/docs/default-source/health-security-preparedness/cer/iar/mauritius-inter-action-review-1-covid-19-report.pdf?sfvrsn=8b12b921\\_3&download=true](https://cdn.who.int/media/docs/default-source/health-security-preparedness/cer/iar/mauritius-inter-action-review-1-covid-19-report.pdf?sfvrsn=8b12b921_3&download=true)

increased sedentary behaviours inside the home. His parents also noted that Jean's sleep patterns were getting disturbed and he often woke up in a distressed state at night and would become agitated.

During the lockdown, Jean also became very demanding on food and unhealthy snacks. To avoid his temper tantrums, Tom and his wife would often give in to his demands and provide him with his favourite cakes and crisps. These snacks often contain additives and artificial colours which, according to a study, could increase attention and deficit hyperactivity disorders in children (Boris & Mandel, 1994)<sup>53</sup>.

#### 4.3.2.2.2.4. Right to expression and to be heard

Article 12 of the CRC (UN, 1989) stipulates that every child has the right to express himself and to be heard. As described in sub-section 4.3.2.1, Jean only expressed himself through sounds, signs and gestures. Owing to his severe autism, it was often hard for Tom and his wife to understand Jean's emotional responses to the lockdown situation. Fortunately, the Manager of the SEN school maintained regular contact with them to enquire about their concerns on Jean and to offer advice as necessary.

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<sup>53</sup> Boris, M. & Mandel, F.S. (1994). Foods and additives are common causes of the attention deficit hyperactive disorder in children. *Annals of Allergy*, 72(5), 462-8.

### **4.3.3. The story of Oliver**

#### **4.3.3.1. The child's background**

Oliver is an adolescent boy aged 17 years old. He suffers from epilepsy and a mild intellectual disability. He lives in a family comprising of four members: himself, his mother, his twin sister and a younger sister. His father passed away two years ago. Oliver experienced developmental delays since he was a baby and he could not walk until the age of 2 years. At the age of 3 years, his parents admitted him to the Early Childhood Development section of an NGO, where he was diagnosed with epilepsy and mild intellectual disability.

At the age of 6 years, his parents moved him to a mainstream primary school of his region, but he could not adapt there for long. During his short stay at this school, the Head Teacher noticed Oliver's struggles at the academic level and suggested that he might need one more year of pre-primary schooling before being considered for admission in Grade 1. Oliver's mother did not agree to this. One day, when she took her son to the hospital for treatment, she was advised by a Nurse to admit the latter to an SEN school where his needs would be catered for. The mother went along with her advice and admitted Oliver to the SEN school at the age of 7 years.

Owing to the care and support provided by the SEN educators, therapists and the management at school, the boy showed tremendous progress in his educational development. He was both working well in his academic subjects and participating actively in several activities such as music, dance and sports. He also benefited from a food program which provides well-balanced meals for breakfast and lunch including rice, noodles, breads, fruits, vegetables and yoghurts. He finally sat for the Primary School Achievement Certificate (PSAC) examinations at the age of 14 years old and obtained satisfactory results. He was then admitted to a mainstream college found in his region.

Nonetheless, one month later, Oliver decided to revert to the SEN school. He could not cope with the competitiveness and academic pressures at the college. He was not receiving enough individualised attention from his educators and his classmates sometimes laughed at him as he was older than them. Back to the SEN school, he integrated a section for older students and showed interest in developing new manual skills. He learnt embroidery, handicraft and jewellery making using beads. He also did

gardening at school and planted vegetables such as lettuce and egg plants. Oliver also participated in various activities such as yoga, football, painting and so on. Furthermore, he also benefited from the services of the Occupational Therapist, Physiotherapist and Speech Therapist at school.

Oliver reached puberty at 15 years old and his father passed away in the same year. Following his loss, he started to manifest challenging behaviours including aggressive ones towards his classmates. The SEN school provided him with the necessary psychological support and he was gradually able to channel his excessive energy to some extent, and further develop his autonomy. The two national lockdowns due to the COVID-19 pandemic, however, had a considerable impact on Oliver and his family, as described in subsection 4.3.3.2 below.

#### 4.3.3.2. How did the lockdown situation affect Oliver and his family?

##### *4.3.3.2.1. A stressful situation for Oliver's family*

Oliver's mother confided that she struggled a lot to look after her three children following the passing away of her husband. Being unemployed, she could only meet her family's needs through the social aids that her children and she receive, that are, the children's allowances and her widow's pension. The loss of their father not only affected Oliver, but also his sisters. The mother revealed that her two daughters developed depression and suicidal thoughts after the demise of her husband, and were seeing a psychiatrist at the regional hospital. The lockdown resulted in an abrupt pause to their treatment and she observed a deterioration in the emotional states of the girls.

As for Oliver, he was very attached to his father and the latter's death increased his aggressivity in the home as well as risk-taking behaviours. For instance, out of boredom, he left the home one day during the lockdown period without informing his mother, and transgressed sanitary restrictions to meet his school friends living in the neighbourhood. The school management and staff of Oliver's SEN school were aware of his family's situation and they maintained phone contact with his mother to encourage her to do what it takes for her children during this crisis period. She felt reassured that the school was there to support her and her children emotionally through these difficult times.



#### 4.3.3.2.2. *Interrupted education and rehabilitation*

The sudden closure of his SEN school due to the lockdown deprived Oliver of his usual routine. The school environment was not only where he developed his academic and non-academic skills, but it was also his socialisation space where he could play and have fun with his classmates. Oliver's mother noted that her son had stopped helping her with household chores during the lockdown and was spending most of his time in front of the television. Owing to lack of logistical support, his SEN school was not being able to facilitate online/remote education. Despite his mother trying to persuade him during lockdown to practise some of the handicrafts and yoga exercises he learnt at school, Oliver was not motivated to initiate these in the absence of his SEN educator. Additionally, Oliver could not meet the school's Occupational Therapist, Physiotherapist and Speech Therapist over lockdown and the lack of follow-up affected his growth and wellbeing. According to his mother, Oliver's skills had considerably regressed over lockdown.

#### 4.3.3.2.3. *Poor nutrition*

At school, Oliver would enjoy daily free nutritional meals. During lockdown, his mother struggled to provide him with well-balanced meals and the social aids the family received were sometimes not enough to feed the family for a whole month. Without adequate nutrition, Oliver usually felt low in energy and he slept for long hours over the lockdown period. He, at times, also showed anger towards his mother on the lack of food in the house.

### 4.3.4. The story of Shaun

#### 4.3.4.1. The child's background

Shaun is a young boy aged 8 years old. He was removed from his family when he was a baby of 15 months old because his biological parents were drug addicts. The relevant authority placed him in a foster care home, whereby the foster carers were a couple who had a child of their own. Since his placement, he had not had any contact with his biological parents or other relatives. Recently, his foster parents got separated and the foster father migrated to another country. This separation brought a lot of suffering to Shaun.

Since the age of 4 years, Shaun had been diagnosed with Attention-Deficit Hyperactivity Disorder (ADHD) and had been quite challenging to manage by his foster parents. According to the American Psychiatric Association (2017)<sup>54</sup>, ADHD is *“one of the most common mental disorders affecting children... Symptoms of ADHD include inattention (not being able to keep focus), hyperactivity (excess movement that is not fitting to the setting) and impulsivity (hasty acts that occur in the moment without thought)”*. Shaun was attending an SEN school of his region. His psychiatric condition significantly interfered with his ability to perform at school, to follow rules and to develop and maintain peer relationships.

Furthermore, at the age of 6 years, it was also identified that Shaun had severe learning disability. He experienced notable cognitive impairments in recognising and retaining simple words and information. He was unable to read, spell, write and count unlike peers of his age. The ADHD also limited his ability to concentrate on his education. At school, he would show defiance and aggressiveness by, for instance, refusing to follow instructions from his teachers, leaving his seat and moving around in the class, having emotional outbursts when asked to do things that represent a challenge for him, refusing to play, to stop playing or to sit down and eat, and interrupting the class regularly. There also had been an incident where Shaun got into a fight with another boy and physically hurt him.

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<sup>54</sup> American Psychiatric Association (2017). *What is ADHD?* Retrieved on 25 July 2021 from [www.psychiatry.org/patients-families/adhd/what-is-adhd](http://www.psychiatry.org/patients-families/adhd/what-is-adhd)

The foster mother of Shaun had been resisting to bring him to a Psychiatrist for treatment but, seeing his condition and behaviours worsen as well as encouraged by the School Counsellor, she finally gave in to starting Shaun on ADHD medication at the beginning of the year 2020. At Shaun's SEN school, the staff practised positive reinforcement strategies and anger management approaches with him. The child had also been initiated to relaxation techniques, received individualised support from a caregiver and benefited from family counselling. The national lockdowns brought to a standstill the host of support services that were being provided to Shaun. The little boy showed high levels of frustration and aggressivity at home, failing to understand, due to his severe learning disability, the reason for staying at home and not going to school.

#### 4.3.4.2. How did the lockdown situation affect Shaun and his foster mother?

##### *4.3.4.2.1. Break in Shaun's treatment*

As a single parent with limited support from the school during lockdown, Shaun's foster mother undoubtedly faced a challenging, and at times traumatic, experience of handling a child with ADHD and severe learning disability. Shaun's needs to move around, run outside to channel his excessive energy and seeking exclusive attention were hard to maintain by the foster mother during confinement. This resulted in him having frequent temper tantrums, showing physical and verbal aggressivity towards the foster mother and her child, and damaging objects in the house. Shaun even smashed the television at home following a fight with the other child over watching a cartoon. Since he had just recently been started on ADHD medication, he was still in a phase of adjusting to the latter. According to Shaun's foster mother, the medication did not seem to be able to calm him down yet.

##### *4.3.4.2.2. Disruption in Shaun's educational progress and rehabilitation*

The SEN school had assessed that online/remote education would not have been suitable for Shaun given his inability to remain focused and the impossibility of sending his school caregiver to him. However, the staff maintained regular phone contact with the foster mother to explain to her potential techniques and exercises that she could use to engage Shaun. However, although she was grateful for the guidance, she found these very hard to follow, given her own emotional turmoil in handling Shaun's challenging behaviours as well as the distress of her own biological child.

#### *4.3.4.2.3. Access to support systems affected during lockdown*

Shaun's foster mother had recently separated from her husband who had already migrated to another country. This greatly limited the hands-on support that she used to get from the latter to deal with Shaun's behaviours. She also could not call on the support of other family members or neighbours due to the movement restrictions during the lockdown. The foster mother was aware that both Shaun and her own child were disturbed by the separation of the father. She did contact the relevant authorities for additional psychological, social and financial support, but access to such help had also been limited due to movement restrictions during the lockdown.

## 4.4. General recommendations on better protecting the rights of children with disabilities during lockdowns

### 4.4.1. A need for disability-inclusive data collection

In a report published by the United Nations Children’s Fund (UNICEF) in December 2020<sup>55</sup>, they called for disability-inclusive data collection procedures to evaluate the extent of disruptions to services experienced by children with disabilities during pandemic situations. The report (UNICEF, 2020, p.7) also highlighted that:

*Safely managed water and sanitation services are fundamental to coping with infectious disease outbreaks such as the COVID-19 pandemic. Children with disabilities are less likely to have access to such services. This disadvantage not only aggravates their risk of being exposed to the virus; it also reinforces their experience of social isolation, loss of dignity, and exclusion from basic human rights.*

Measuring the consequences of the pandemic on children with disabilities can enable countries to be better prepared in upholding their rights and access to various types of educational, health and social support services during a lockdown. In relation to education, all stories of children in section 4.3 of the present chapter portrayed the difficulties they encountered in benefitting from online/remote education during the lockdowns. This was also found in a Kosovan study which reported that the inclusion of students with disabilities in distance (online) learning was reported to be low (Duraku & Nagavci, 2020)<sup>56</sup>. To explain this finding, Duraku and Nagavci (2020, p.110) advanced the following:

*The inadequacy of online learning for the individual needs of children with disabilities, lack of recommendations and guidelines to support teachers and parents in helping children with lessons*

<sup>55</sup> United Nations Children’s Fund (2020). *Children with disabilities: Ensuring their inclusion in COVID-19 response strategies and evidence generation*. New York: Author. Retrieved on 29 July 2021 from [data.unicef.org/resources/children-with-disabilities-ensuring-inclusion-in-covid-19-response/](https://data.unicef.org/resources/children-with-disabilities-ensuring-inclusion-in-covid-19-response/)

<sup>56</sup> Duraku, Z.H. & Nagavci, M. (2020) The impact of the COVID-19 pandemic on the education of students with disabilities in pre-university education. Retrieved on 29 July 2021 from [www.researchgate.net/publication/342282642\\_The\\_impact\\_of\\_the\\_COVID-19\\_pandemic\\_on\\_the\\_education\\_of\\_students\\_with\\_disabilities\\_in\\_pre-university\\_education](https://www.researchgate.net/publication/342282642_The_impact_of_the_COVID-19_pandemic_on_the_education_of_students_with_disabilities_in_pre-university_education)

*and tasks, not implementing individualized educational plans, lack of teachers and assistants, and lack of parental awareness about the importance of their children's inclusion in online learning, were considered to be factors that influence the low inclusion level of children with disabilities in online learning.*

Consequently, it is important for authorities to conduct a national survey in the Republic of Mauritius and understand the impact of COVID-19 on children with disabilities and those with SEN through research and data collection. This could enable the establishment of a disability-inclusive protocol with appropriate response strategies that would enable all children with disabilities in our country to have access to adapted interventions and services for their education and overall wellbeing.

#### **4.4.2. Better coordination among stakeholders in the disability sector**

It is imperative that relevant stakeholders from the public, private and civil society sectors, who are directly or indirectly involved in the care and support of children with disabilities and those with SEN, work in close collaboration to ensure that the rights of these children are upheld during pandemics. This coordination should be multi-disciplinary and should cut across sectors including education, health care, leisure and social welfare. Strategies elaborated should be concerted with all stakeholders including children with disabilities and those with SEN. Roles and responsibilities should be clearly defined to avoid duplication of work. Proposed interventions should also be tailor-made to the individual needs of the concerned children and their families.

#### **4.4.3. Community-based support for children with disabilities**

Families of children with disabilities had considerable difficulties to seek support for their children's needs outside the home, including from SEN schools, therapy centres or regional hospitals, during the lockdowns. It is important that more community-based policies and support services are designed for children with disabilities so that actions such as home visits could be carried out by designated medical professionals/psychologists/therapists/carers/educators within respect of all sanitary precautions during the pandemic to provide crucial support to parents and caregivers.

#### **4.4.4. Logistical support and training to SEN schools**

Local education authorities could carry out a survey with all registered SEN schools of the country to

- evaluate the educational needs of children with disabilities and those with SEN enrolled at their schools;
- identify the list of students who lack technological means (e.g., tablet and internet), assistive equipment such Braille readers and school materials/textbooks in accessible format at their homes;
- determine the SEN schools' strengths and areas of development in delivering online/remote education;
- identify the equipment and resources that SEN schools require to create personalised educational material and deliver same on online/remote platforms to their students; and
- assess the training requirements of staff working in SEN schools so that they could learn to efficiently sustain online/remote educational programmes for their students during a lockdown.

Such a survey could help these SEN schools and their students receive the required logistical support and training to ensure the educational continuity and inclusion of children with disabilities during crisis times.

#### **4.4.5. Advanced assistive technology for students with visual impairment**

The recurrent shortage of Braille textbooks is known to affect the education of many students with visual impairment attending secondary schools. The Minister of Finance, Economic Planning and Development has announced in the National Budget's speech of 2021-2022 that 'BrailleNote' will be provided to secondary school students with severe visual impairment. The OC views this measure as a step forward to improving the accessibility of children with visual impairment to education.

Upon consultation with students with visual impairment and their educators, the OC understood that the 'BrailleNote Touch Plus', designed by a company named 'Humanware', is a better assistive technology device for educational purposes as it combines both the features of a Braille note taker and those of a tablet. The 'BrailleNote Touch Plus' can allow students with visual impairment to write down their notes without the mechanical noise of a Braille typewriter. It also allows educators who are not Braille-literate to read the content being written by the students directly on the tablet screen. This device can also instantly convert content on printed documents, thus avoiding the delayed waiting time of traditional paper Braille transcription. In this context, the OC recommends education authorities to consider providing secondary school students with visual impairment with the advanced version of the 'BrailleNote', that is, the 'BrailleNote Touch Plus', given its above-mentioned multiple advantages for both the students and their educators.

#### **4.4.6. Guidance for parents of children with disabilities during a lockdown**

In collaboration with field experts from private and civil society organisations, the authorities could establish clearly defined child support guidelines for parents of children with disabilities on how to handle them during a lockdown. This could take the form of a general support kit (in both paper and electronic formats) that may include components such as:

- Evidence-based information on different types of disabilities;
- Best practices on how to handle the different needs (e.g., educational, nutritional, health, leisure and social needs) of children with specific disabilities;
- Tips and demonstration exercises for parents/caregivers on how to overcome an emotional breakdown of a child with disability; and
- Important numbers or hotlines that parents/caregivers could call in emergency cases related to their children with disabilities.

Owing to the individualised needs of every child with a disability, a section of the kit could also allow for the collaborative preparation of a care plan between the parents/caregivers and the SEN school on how to ensure the educational continuity of their children with disabilities during lockdown situations.



#### **4.4.7. Opportunities for children with disabilities to express themselves during lockdown**

During the COVID-19 national lockdowns in 2020 and 2021, the Mauritius Broadcasting Corporation (MBC) had shown on its news channel several images and videos of children depicting their fight against the COVID-19 on a daily basis. The MBC could consider to provide more media coverage to children with disabilities and those with SEN to encourage them to express themselves in their own creative ways on the impact of the pandemic on their rights and everyday lives. This could enable the public to better value these children's views, as well as appreciate their experiences and those of their families during a lockdown.

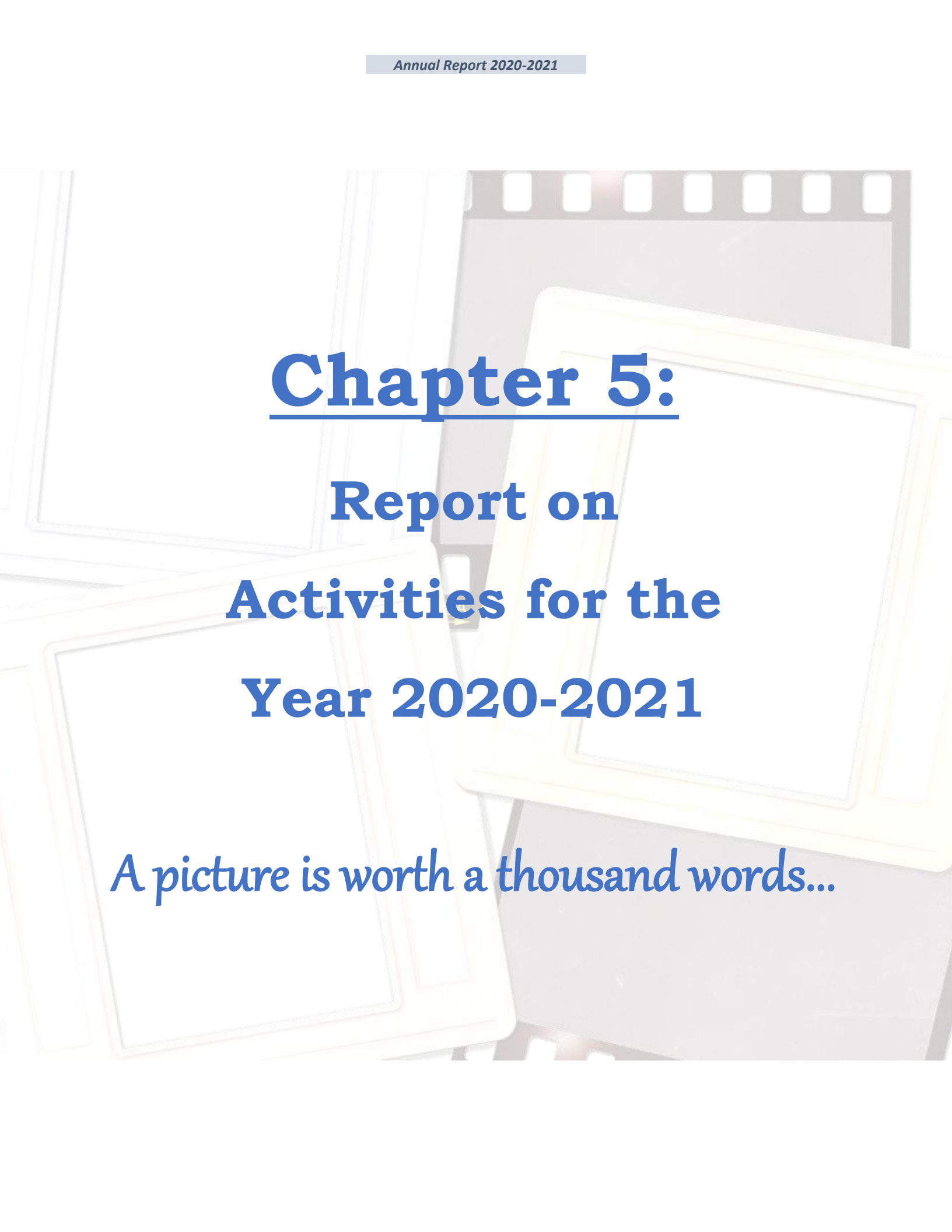
#### **4.4.8. Domestication of international conventions in the Disability Bill**

To ensure better protection of children with disabilities against all forms of discrimination within the Republic of Mauritius, the forthcoming Disability Bill must incorporate provisions of the CRC (UN, 1989) and the CRPD (UN, 2006).

#### **4.4.9. Rigorous advocacy and awareness campaigns**

Relevant authorities and civil society organisations could carry out rigorous advocacy and awareness campaigns on a regular basis to ensure the full inclusion of children with disabilities within society. Targeted campaigns could also be tailored for Heads of educational institutions, educators and parents/caregivers. In times of recurrent waves of the pandemic, it is important to shed attitudinal barriers towards people with disabilities, the most vulnerable being children with disabilities, and build empathy and solidarity to safeguard their rights at all levels.

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# **Chapter 5:**

## **Report on**

### **Activities for the**

### **Year 2020-2021**

*A picture is worth a thousand words...*

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# **REPORTING YEAR 2020-2021 IN FIGURES**

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**Rs 24 million Budget**  
(July 2020 - June 2021)



**1 Secretary**

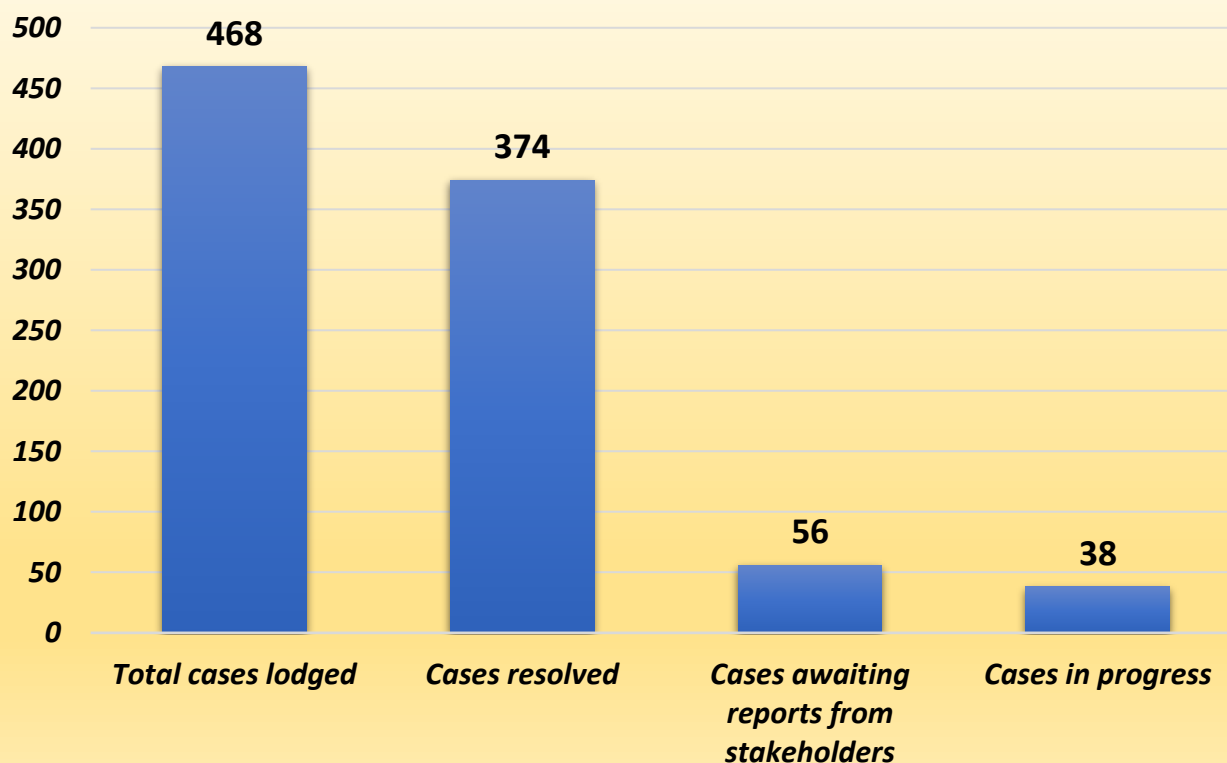


**5 Investigators**



**14 Support Staff**

### Caseload and case status at the OCO for the reporting period from July 2020 to August 2021

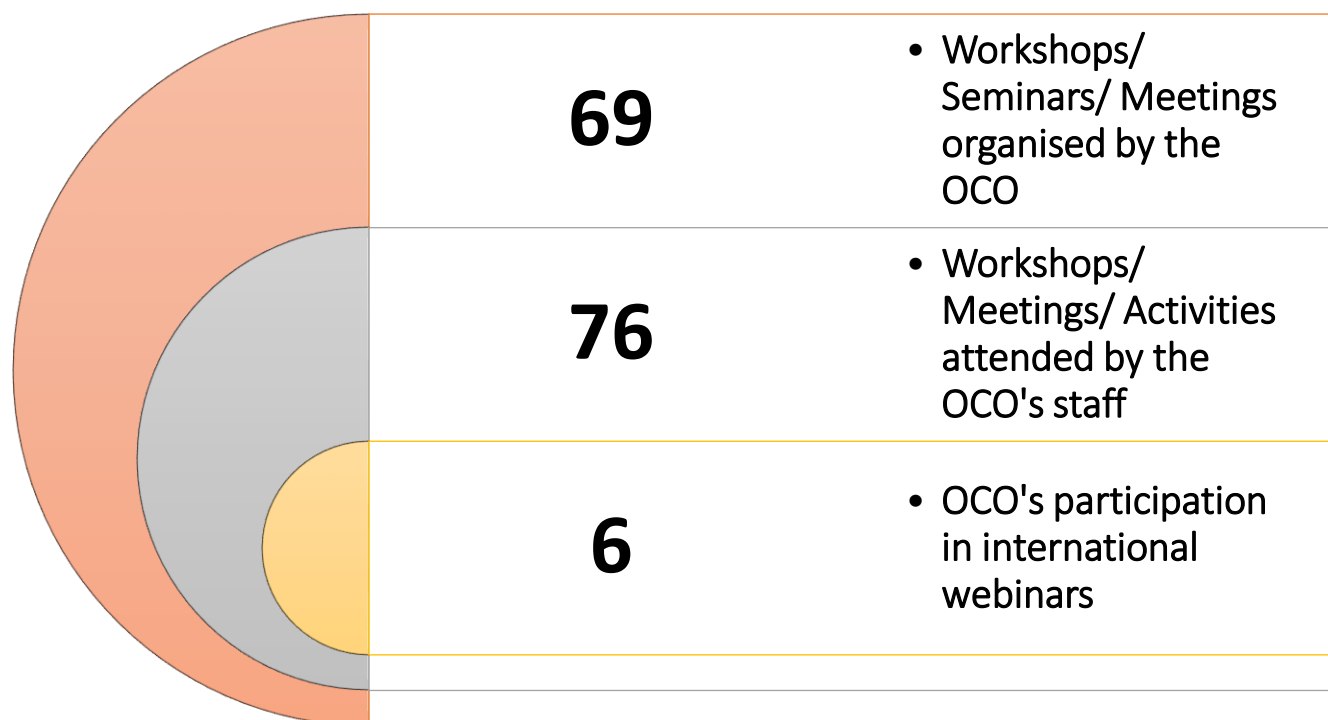


**109**Number of child  
abuse cases**90**Number of cases  
regarding school  
problems**More than  
100**

Media interviews

**Around  
8,000**

Phone calls





## Sensitisation on the promotion of children's rights

More than 6,500 children reached

More than 6,000 adults attained

## Visits / Missions

83 field visits

24 visits to Residential Care Institutions

1 mission to Rodrigues

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# PROMOTION OF CHILDREN'S RIGHTS IN MAURITIUS

*A selection of activities*



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## ***Pedagogical Activities for Grade 6 Students***

***Coeur Sacré de Jésus RCA,  
Port Louis  
03 September 2020***

*Following a reported case of regular behavioural issues in a Grade 6 class at Coeur Sacré de Jésus RCA school, the OC carried out a field visit on 03 September 2020. By means of a story, the OC explained to the young children the importance of adopting positive values and being respectful towards their classmates. The OC believes that storytelling can be a significant tool in promoting positive behaviours and in fostering a sense of responsibility amongst children.*



*The children were visibly fascinated by the Russian dolls. They listened attentively to the story of “Gro Fille and Ti Fille” narrated by the OC and enjoyed it thoroughly. The themes evoked through this story were those of sharing, tolerance, forgiveness and respect for their peers. Stories carry meaningful messages on values that children can learn and adapt to their daily lives.*

## Sensitisation session on “The Rights of Children in Conflict with the Law”

***Sensitisation session:  
“The Rights of  
Children in Conflict  
with the Law”***

**Prison Training School,  
Beau Bassin  
09 September 2020**

*The child’s right to non-discrimination is one of the underpinning principles of the United Nations Convention on the Rights of the Child. This right can be challenging to implement with vulnerable groups of children, particularly children in conflict with the law. In this context, the OCO organised a sensitisation session with Prison Officers with the aim of empowering them on strategies to adopt in order to safeguard the dignity and respect of children in conflict with the law.*



*The OC specified that children’s rights were meant to be defended in all circumstances. She also underlined that children in conflict with the law were particularly vulnerable and they required special interventions that could enhance their coping and life skills. They needed to work with adults with whom they could establish a bond, and who cared about who they were and how they felt. Some officers expressed a concern to the OC: the fact that they could be transferred at any required time between departments or prisons was an obstacle to building strong and continuous rapport with the children they worked. The OC listened to them attentively and encouraged them to highlight this issue to their management in the best interests of children. The Prison Officers appreciated the importance of regular training to be able to effectively do their work.*



## ***One-day workshop on "Empowering Media Professionals to Promote and Protect the Rights of Children"***

**Media Trust, River Court,  
Port-Louis  
21 September 2020**

*The OCO in collaboration with the Media Trust organised a one-day workshop entitled "Empowering Media Professionals to Promote and Protect the Rights of Children", which was attended by 20 media professionals. This workshop aimed at sensitising them on the provisions of the United Nations Convention on the Rights of the Child. Its purpose was to encourage participants to consider the best interests of children when interviewing and reporting on them, and to pay special attention to each child's right to privacy and confidentiality.*

*The media have an important influence in the formulation of public discourse. Promotion of the human rights agenda, including children's rights, by the media can have the power of drawing people's attention to fundamental human rights and subsequently defend them. Hence, as media professionals, they need to regularly raise awareness on children's rights and avoid any form of sensationalism that can put at stake the privacy and wellbeing of children. The OC apprised the media on the consequences of misreporting and on how it impacted the work carried out by the OCO.*



**"STATE PARTIES RECOGNISE THE  
IMPORTANT FUNCTION PERFORMED  
BY THE MASS MEDIA AND SHALL  
ENSURE THAT THE CHILD HAS ACCESS  
TO INFORMATION AND MATERIAL  
FROM A DIVERSITY OF NATIONAL AND  
INTERNATIONAL SOURCES,  
ESPECIALLY THOSE AIMED AT THE  
PROMOTION OF HIS/HER SOCIAL,  
SPIRITUAL AND MORAL WELL-BEING  
AND PHYSICAL AND MENTAL  
HEALTH."**

~ UNCRC, article 17

Workshop on “The Rights of Vulnerable Children to Quality Education”

**Workshop on “The Rights of Vulnerable Children to Quality Education”**

**Labourdonnais Waterfront Hotel,  
Port Louis  
26 September 2020**

The OCO in collaboration with the delegation of the European Union (EU) to the Republic of Mauritius organised a workshop, funded by the EU under the project entitled “Protecting and Promoting the Rights of Children in the Republic of Mauritius.” The workshop was attended by 70 tutors. The aim of this session was to sensitise the participants on the importance of providing quality education to vulnerable children.



The opening ceremony was graced by the presence of eminent personalities, namely, Honourable Mrs. Leela Devi Dookun-Luchoomun, Vice Prime Minister and Minister of Education, Tertiary Education, Science and Technology (middle in picture), and His Excellency Mr. Vincent Degert, Ambassador and Head of Delegation of the European Union to the Republic of Mauritius (far right in picture).

**GOAL 4 AIMS TO ENSURE INCLUSIVE AND EQUITABLE QUALITY EDUCATION AND PROMOTE LIFELONG LEARNING OPPORTUNITIES FOR ALL. IT RECOGNIZES THE NEED TO PROVIDE QUALITY EDUCATION FOR ALL, AND MOST ESPECIALLY VULNERABLE POPULATIONS, INCLUDING POOR CHILDREN, CHILDREN LIVING IN RURAL AREAS, PERSONS WITH DISABILITIES, INDIGENOUS PEOPLE AND REFUGEE CHILDREN.**

~ The UN Sustainable Development Goal (SDG) 4 on Quality Education



Workshop on “The Rights of Vulnerable Children to Quality Education”



*During her intervention with the participants, the OC underlined the need to adapt educational interventions to the needs of children with learning difficulties. With the right attention and individualised care from dedicated educators, vulnerable children can end their school years well and acquire the necessary competencies for future life prospects.*



**“BY 2030, ENSURE THAT  
ALL GIRLS AND BOYS  
COMPLETE FREE,  
EQUITABLE AND QUALITY  
PRIMARY AND  
SECONDARY EDUCATION  
LEADING TO RELEVANT  
AND EFFECTIVE LEARNING  
OUTCOMES.”**

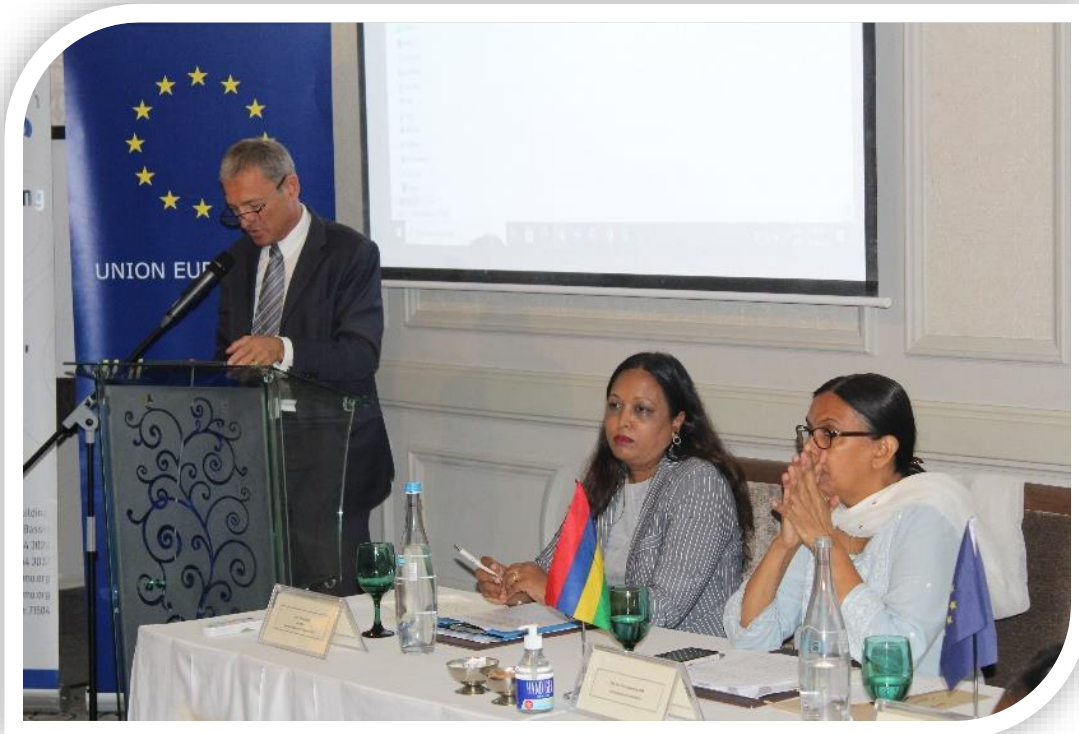
~ Target 4.1 of SDG 4

## Workshop entitled “Stop violans dan lekol”

## Workshop entitled “Stop violans dan lekol”

**Labourdonnais Waterfront  
Hotel, Port Louis  
30 September 2020**

The OCO in collaboration with the delegation of the European Union to the Republic of Mauritius held a full-day workshop on the theme “Stop violans dan lekol” at the Labourdonnais Waterfront Hotel in Port Louis. Eighty-six participants (70 students and 16 educators) from MEDCO Cassis Secondary School attended the workshop, whose aim was to sensitise students on the impact of school violence and the right of the child to be free from all forms of violence and maltreatment.



In his address, His Excellency, Mr Vincent Degert, EU Ambassador (on the far left in the picture above), highlighted that quality education is more than just about literacy and numeracy, but also about promoting respect for one another. In addition, Mrs. Rita Venkatasawmy (far right in the picture above), the OC, spoke on the importance of promoting a culture of peace at school through non-violent resolutions. She also emphasised the practice of self-control, non-violent behaviour and respect for others.

## Workshop entitled “Stop violans dan lekol”

During this workshop, the OC and Mr. I. A. Bawamia, Investigator at the OCO, held a discussion with the young students. The children participated actively in expressing themselves on the serious matter of school violence and its impact on the educational achievement and psychological wellbeing of students. The OC believes that listening to children’s views is the best way to understand their perspectives on violence and what they can do to keep themselves and others safe.

*“Children will listen  
to you after they feel  
listened to.”*

~Jane Nelsen



Furthermore, Mr. I. A. Bawamia (far right in the picture) animated an open debate on “How to combat violence at school”, which allowed the students to freely express their views on how to promote a conducive and peaceful school environment.



*Submission of the OC's Annual Report 2019-2020 to the President of the Republic of Mauritius*

***Submission of the  
OC's Annual Report  
2019-2020 to the  
President of the  
Republic of Mauritius***

**State House,  
Réduit  
29 September 2020**

Every year, the submission of the Annual Report of the Ombudsperson for Children to the President of the Republic of Mauritius is both a statutory requirement and a significant moment for the OCO. Section 11(1) of the Ombudsperson for Children Act 2003 states that “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 of the Republic” This serves as an important opportunity to disseminate the OCO's recommendations with policy makers.



(From left to right in the picture) Mr Ismail A. Bawamia, Investigator at the OCO; Mrs Rita Venkatasawmy O.S.K, Ombudsperson for Children; His Excellency, Mr Prithvirajsing Roopun G.C.S.K, President of the Republic of Mauritius; Mrs. Lata Jhugroo, Secretary at the OCO; and Mrs Sandhya Johaheer, Investigator at the OCO.

## ***Launching of the Ombudsperson for Children's Annual Report 2019-2020***

**Palms Hotel,  
Quatre Bornes  
06 October 2020**

*The Ombudsperson for Children's Annual Report for the period 2019-2020 was launched on 06 October 2020 at Palms Hotel, Quatre Bornes. A total of 215 guests attended this event, consisting of representatives of various ministries as well as public and civil society organisations working with children. The aims of this launching ceremony were to disseminate the content of the report and to encourage relevant stakeholders to put into practice the OC's proposed recommendations.*



*The event was attended by eminent personalities such as the Honourable Mr. Steven Obeegadoo, Deputy Prime Minister, Minister of Housing and Land Use Planning, and Minister of Tourism, and Mrs. Rose Marie Franchette Gaspard Pierre Louis, C.S.K, Commissioner for Child Development and Others. In her speech, the OC highlighted that her recommendations were formulated after in-depth investigations and in reference to international research.*





*In his address, Honourable Mr. Steven Obeegadoo, Deputy Prime Minister, Minister of Housing and Land Use Planning, and Minister of Tourism, stated that the main priority of the Government remains the protection of the most vulnerable citizens, especially children. He pointed out that the OC's recommendations of the Annual Report 2019-2020 would be taken into account for the well-being of children.*

***“Protecting vulnerable children has been at the heart of the government’s plans for the future and the recommendations set forth in the OC’s Annual Report will be given due consideration in the decision-making process, which will undeniably promote the cause of children.”***

***~Honourable Mr. Steven Obeegadoo***

## Launching of the OC's Annual Report 2019-2020



*Ms. B. Jogarah (in the photo on the left), Investigator at the OCO, elaborated on some of the best local practices in the implementation of children's rights that were published in the Annual Report 2019-2020. She also explained the OC's important role as a watchdog in the promotion and protection of children's rights, and the guiding principles that underlie the OCO's investigations.*

*Mrs. S. Johaheer (in the photo on the right), Investigator at the OCO, elaborated on the OCO's mission to Rodrigues as well as on the commitment of Rodriguan authorities to protect children's rights. On behalf of the OCO, she expressed her appreciation to Mrs Gaspard Pierre Louis, for her unflinching support and collaboration in promoting the rights of children of the Republic of Mauritius.*



***“I believe that these recommendations have the potential to help both State and non-State actors working in the field of children's rights improve the quality of their services.”***

**~R. Venkatasawmy, OC**

Two-day workshop on “Building the resilience of families with children through human and child rights education”

***Two-day workshop  
on “Building the  
resilience of families  
with children  
through human and  
child rights  
education”***

**Le Domaine des Aubineaux,  
Forest Side  
19 & 20 October 2020**

All human beings are born free and equal in dignity and rights. Hence, it is important that relevant stakeholders protect vulnerable populations, such as homeless people, from all forms of discrimination. In this context, the OCO organised a 2-day workshop, entitled “Building the resilience of families with children through human and child rights education”, with 47 participants living in squatter camps at Pointe aux Sables and Riambel. The main aims were to empower squatter families on how to better protect the rights of their children, to learn about the importance of human rights and self-advocacy, and to discuss on how to improve their family situation in a peaceful way.



The workshop started with an ice-breaker activity whereby OCO’s Investigators introduced the participants by saying one positive thing about each person. The participants felt listened to and valued by this activity.

**From left to right in the photo on the left:**

Mrs. Y. Runghapen-Veeramootoo; Mr. I. A. Bawamia; Ms. B. Jogarah; and Mrs. S. Johaheer, Investigators at the OCO



Two-day workshop on “Building the resilience of families with children through human and child rights education”



The OC (standing left in the picture on the left) and Mrs S. Johaheer, Investigator at the OCO (standing right in picture on the left) elaborated on the importance of human rights and the requirement to respect the dignity and rights of everyone. Human dignity can be considered as the foundation of human rights.

Mr. I. A. Bawamia (standing on the left in picture on the right) and Ms. S. Johaheer (standing on the right in picture on the right), Investigators at the OCO, emphasised the fact that certain prejudices against people living in squatter camps could trigger human rights’ violations, which also could affect the rights of children living in squatter families.



## Two-day workshop on “Building the resilience of families with children through human and child rights education”



Mr. I. A. Bawamia and Mrs. Y. Rhungapen-Veeramootoo, Investigators at the OCO, did a presentation featuring Dr. Martin Luther King to promote the notion of peace in the fight against discrimination. Dr. King rightly said, “In spite of temporary victories, violence never brings permanent peace.” He ardently advocated for compassion and human kindness. Despite the odds, he felt safe using non-violent strategies to promote human rights. The lessons from Dr. King’s story appeared to have inspired the participants to adopt peaceful strategies to advocate for their rights.

This workshop also encouraged the participants to reflect on how their housing difficulties affected both their rights and those of their children. Some participants talked on reasons, such as financial problems, unsafe houses and threats from neighbours, which prevented their families from leaving the lands that they were unlawfully occupying. The workshop ended with a dynamic role play exercise entitled “I am a militant for human rights.”





## Sensitisation workshop with children and educators of SAFIRE

## Sensitisation workshop with children and educators of SAFIRE

**SAFIRE**  
Pedagogical Farm,  
Verdun  
03 November 2020

Established in 2006, the 'Service d'Accompagnement, de Formation, d'Intégration et de Réhabilitation de l'Enfant' (SAFIRE) is one of the few NGOs in Mauritius that is specifically dedicated to working with street children. SAFIRE planned to open a new integration centre, named "Break Away Home/Nou Lakaz", for street children. Their preparation work involved the training of parents, educators and children. In this context, the OC and two Investigators of the OCO, Ms B. Jogarah and Mrs S. Johaheer, carried out a sensitisation session with children and educators of SAFIRE on 03 November 2020 at Verdun. They listened to the concerns of the participants and improved their awareness on their rights and responsibilities according to the UNCRC.



*“Children are not  
things to be  
molded, but are  
people to be  
unfolded.”*

~ Jess Lair, Author

## *Universal Children's Day Celebrations 2020*

*The Universal Children's Day is celebrated globally on 20 November to mark the day on which the General Assembly of the United Nations adopted the Declaration of the Rights of the Child, in 1959, and the Convention on the Rights of the Child (CRC), in 1989. Every year, it is a marking event for the world and an opportunity for the international community to renew their commitment to protect and promote the rights of children. The theme chosen by the UN for the year 2020 was "Investing in our future means investing in our children".*

*The UNCRC is the most widely ratified international human rights treaty and noteworthy progress in the children's agenda has been achieved in the past thirty-one years. However, important challenges remain, particularly in relation to children in disadvantaged and vulnerable circumstances and children with disabilities.*

*For the Universal Children's Day celebrations of the year 2020, the Ombudsperson for Children's Office focused on the role of mass media in ensuring the right to information of children (UNCRC, article 17). In this regard, a series of activities including workshops and visits were organised.*



## Visit at the MBC and Radio Plus

**Moka & Port  
Louis  
11 November 2020**

The media has an influential role in the production and dissemination of information to the public. The OC believes that children must be given the opportunity to explore local media settings so as to increase their awareness on the work mechanisms and ethics in the media's world. In this context, the OCO organised 2 visits namely at the Mauritius Broadcasting Corporation (MBC) at Moka, and Radio Plus (Défi Media Group), Port Louis, with two separate groups of students of Quatre Bornes SSS. The young people had the unique opportunity to meet journalists and other staff, and to visit the newsrooms, production rooms, studios, editing booths and other departments.

### Visit at the MBC



The students had meaningful dialogues with various media professionals at the MBC. They were apprised on the importance of good interpersonal skills as, for instance, TV news anchors needed to work in close collaboration with co-anchors and other newsroom staff in order to develop daily programmes. They also had the opportunity to meet graphic designers who cut, framed and edited the visual elements, and to see how studio technicians worked busily outside the camera's range. These interactions allowed the students to get a whole new perspective on the media world that existed behind the cameras.



*For children who spend so much time in the classroom, discovery of the different departments at the MBC was like finding a real treasure trove!*





## Visit at Radio Plus

The students from Quatre Bornes SSS shadowed journalists from local newspapers and radios so as to learn basic journalism principles and techniques to eventually report on the Universal Children's Day's activities. The Defi Media Group welcomed a group of 10 students accompanied by representatives of the OCO. A special programme was planned with them at Radio Plus as well.



The students met Jean Luc Emile, Tia Chenney, Ton Simon and all the other media professionals at Radio Plus. They visited the newsroom where they saw how bulletins and scripts were prepared, and videos edited. The children also learnt about media coverage for an event. For instance, when reporters got a scoop, such as a call about a road accident, they could not, under any circumstances, move immediately to the accident spot. The information needed to be verified first by getting in touch with the police. It was only after verification and counter verification that the reporters could move to the location to cover the event.

***Half-day seminar on  
“Empowering children on  
collaborating with the media for  
the advocacy of their rights”***

**Media Trust River Court,  
Port Louis  
12 November 2020**

The OCO organised a half-day seminar for a group of 22 students and educators from Quatre Bornes SSS at a knowledge-sharing session with journalists at the seat of the Media Trust on 12 November 2020. The event started with the welcome remarks and opening statements of the OC, and the Chairperson of the Media Trust, Mr. Chayman Surajbali.

(In the picture on the right) The OC briefing the children on the objectives of the session and on the tasks that they would be given to undertake. The OC emphasised that children had the right to be actively involved in matters that concern them.



**THE CHILD SHALL HAVE THE RIGHT TO FREEDOM OF EXPRESSION; THIS RIGHT SHALL INCLUDE FREEDOM TO SEEK, RECEIVE AND IMPART INFORMATION AND IDEAS OF ALL KINDS, REGARDLESS OF FRONTIERS, EITHER ORALLY, IN WRITING OR IN PRINT, IN THE FORM OF ART, OR THROUGH ANY OTHER MEDIA OF THE CHILD'S CHOICE.**

~UNCRC, article 13





*The children from Quatre Bornes SSS expressed their appreciation for having been given the opportunity to experience the different aspects of journalism from media professionals.*

**“A WIDESPREAD PRACTICE HAS EMERGED IN RECENT YEARS, WHICH HAS BEEN BROADLY CONCEPTUALIZED AS “PARTICIPATION”, ALTHOUGH THIS TERM ITSELF DOES NOT APPEAR IN THE TEXT OF ARTICLE 12. THIS TERM HAS EVOLVED AND IS NOW WIDELY USED TO DESCRIBE ONGOING PROCESSES, WHICH INCLUDE INFORMATION-SHARING AND DIALOGUE BETWEEN CHILDREN AND ADULTS BASED ON MUTUAL RESPECT, AND IN WHICH CHILDREN CAN LEARN HOW THEIR VIEWS AND THOSE OF ADULTS ARE TAKEN INTO ACCOUNT AND SHAPE THE OUTCOME OF SUCH PROCESSES.”**

~ UN Committee on the Rights of the Child,  
General comment No. 12 (2009) on the right of the child to be heard

## ***Celebration of the Universal Children's Day 2020***

**St Benoit RCA School,  
Tamarin  
25 November 2020**

The OCO organised a celebration at St Benoit RCA School to mark the Universal Children's Day 2020. More than 500 participants were present at this event, including Mr. Grenade, Head of Primary Education of SEDEC, Ms. Nosib, Project Manager at the Delegation of the European Union to the Republic of Mauritius, and Ms. Blanc, Pedagogical Advisor of the school. On that day, creative workshops were animated by the OC and Investigators of the OCO for the students.







*The talented and brilliant children of St Benoit RCA School beautifully sang the song entitled “Il faudra leur dire” by Francis Cabrel. The lyrics of the song conveyed the importance of treating all children as equals and with dignity and respect.*



*The children also moved everyone with their graceful and synchronous dance moves on the popular song entitled “Jerusalem”!*

***Prize Giving Ceremony to the Winners of the OCO's Writing Contest entitled "Ma plus belle expérience de partage durant la période de confinement liée à la COVID-19"***

**St Benoit RCA School,  
Tamarin  
25 November 2020**

The Universal Children's Day also means celebrating the achievements of children. In this context, the OCO organised a prize giving ceremony at St Benoit RCA School, Tamarin on 25 November 2020 for the winners of the OCO's writing competition entitled "Ma plus belle expérience de partage durant la période de confinement liée à la COVID-19". Ten amazing young writers were rewarded on that day.



***"Children must be taught how to think, not what to think."***

**~ Margaret Mead**



*The creativity of the young writers was remarkable. One child wrote on how she took care of stray dogs during the confinement, while another narrated on her love and care for her dear grandmother. All the awardees affirmed that they were thrilled to have participated in this competition and would love to repeat this experience.*

*Nadiya Soogun, who participated in the French category, stated that "I do not usually participate in contests, but I decided to start with this one and I must say that I do not regret it!" As for Yuv Jhugroo, who took part in the English category, he confided that "It is only when I started writing that I felt motivated to do even better."*



**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.**

~ UNCRC, article 12

*List of our Proud Winners!*

RANK	NAME OF AWARDEES
<b>Winners of the French Writing Contest</b>	
1	Shirine Valli Subban
2	Jessica Louis
3	Nadiya Shania Soogun
<b>Winners of the English Writing Contest</b>	
1	Nismah AlQuasmee
2	Lena Dinaram
3	Yuv Jhugroo
<b>Winners of the Kreol Writing Contest</b>	
1	Eléa Augustin
2	Tessa Ceffué
3	Shanaëlle Duverger and Camélia Trapu



***Children have a say on matters that concern them: Interactive sessions by Investigators of the OCO***

**St Benoit RCA School,  
Tamarin  
25 November 2020**

The OCO's Investigators also carried out interactive classroom sessions at the St Benoit RCA School on 25 November 2020. These sessions allowed the children to learn about the mission of the OCO, to openly ask questions about its functions, and to discuss on their rights and responsibilities, as well as themes such as different forms of violence. These were done in a child-friendly and relaxed manner by using painting, colourful cards, games and quiz sessions. The children were also sensitised on how they could contact the OCO directly to share their concerns about their rights.





## *Sensitisation of Social Workers on the Rights of the Child*

**TIPA,  
Curepipe  
24 November 2020**

On 24 November 2020, Mr. I. A. Bawamia, Investigator at the OCO, was invited by the NGO 'TIPA' as a resource person to sensitise their Social Workers on the rights of the child and the necessity to promote and protect the rights of all children.



Mr. I. A. Bawamia (in the far left of the picture above), Investigator at the OCO, elaborated on the importance and guiding principles of the UN Convention on the Rights of the Child. He emphasised that children and young people have the same human rights as adults, as well as specific rights that recognise their vulnerability. He explained that the UNCRC has 54 articles in all and it sets out the rights that must be realised for children to help them develop to their full potential.



### ***Workshop with Inmates of the Rehabilitation Youth Centre on the theme “Ki Ete Children’s Bill”***

**Voila Hotel, Bagatelle,  
Moka  
01 December 2020**

On 01 December 2020, the OCO organised a workshop entitled “Ki Ete Children’s Bill” with inmates of the Rehabilitation Youth Centres (Boys and Girls). The activity aimed at sensitising them on the provisions of the Children’s Bill and to promote a dialogue on different matters pertaining to their rights.



**From left to right in the picture:** Mrs. M.A. Nelson, Woman Assistant Commissioner of Prisons; Mrs. Rita Venkatasawmy, Ombudsperson for Children; and Mr. Vijay Ramanjooloo, Psychologist

The OC recognised that the children of RYC Boys and Girls had been through painful situations in their lives and that they were prone to expressing difficult emotions such as hate and anger. It was important that they found healthy outlets to channel these emotions, such as through sports and games. She also said that it was essential that they were given the opportunity to deeply reflect on their past experiences with conflict and violence, and understand the importance of responding peacefully to challenging situations.

*Investigators explaining the Children’s Bill and relevant matters to participants*

Mr. I. A. Bawamia and Mrs. S. Johaheer, Investigators at the OCO, explained to the young participants the meaning of ‘children in conflict with the law’. They also outlined some new provisions of the Children’s Bill such as the age of criminal responsibility being as from 14 years and the legal age for marriage being as from 18 years. They also informed the children on some of the elements of the Children’s Court Bill.

Mrs. Y. Rhungapen-Veeramootoo and Ms. B. Jogarah, Investigators at the OCO, discussed with participants on the definition, causes, consequences and health risks of teenage pregnancy. They underlined how teenage pregnancy could potentially impact on different areas of their life and that it was often linked to high school dropout rates and low



***“As kids reach adolescence, they need more than ever for us to watch over them. Adolescence is not about letting go. It’s about hanging on during a very bumpy ride.”***

***~ Ron Taffel***

*Special Award to participants of the Writing Contest*

*Special Award to the  
participants of the OCO's  
Writing Contest*

**Conference Room of OCO,  
Beau Bassin  
03 December 2020**

On 03 December 2020, the OC invited 31 participants, who ranked just after the first 10 winners of the OCO's Writing Contest "Ma plus belle experience de partage durant le confinement liée à la COVID-19", to a prize giving ceremony in order to congratulate them on their brilliant efforts in writing their respective stories. The OC and her staff warmly welcomed the children along with their parents at the OCO.



At the start of the event, Investigators at the OCO gave a brief presentation on the role and mandate of the OC. The parents and the young children were also apprised on investigation procedures carried out at the OCO pertaining to the violation of the rights of children.

***“Show kids in every way possible that reward follows work.”***

**~Angela Watson**



*Special Award to participants of the Writing Contest*

*The OC then met the children in her office and congratulated them personally on their creativity in writing. She told them that “writing is an art that will always help them move forward in life”. The children were delighted to see their efforts being appreciated.*



*The OC highlighted the importance of efforts and hard work, and she urged them to never give up on their writing skills. She encouraged them to continue to write on their feelings and experiences of the COVID-19 pandemic, which could help them deal better with their emotions on this situation. Although some children related that they did have some challenging times during the lockdowns, others were enthusiastic about the opportunity they got to spend more time with their parents or the fact that they had ‘longer school holidays’! The children listened very attentively to the OC and felt motivated by her insightful words.*

*The 31 participants who ranked after the 10 winners in the Writing Contest*

PARTICIPATORY PRIZES	
S/N	NAMES
<b>French Writing Contest</b>	
1	Helena Jean-Pierre
2	Fathwimah Hossenbux
3	Akbar Sanaa Bibi Faatimah Zoya
4	Azie Marie Christiana
5	Laksh Raudhay
6	Nirvan Moorghen
7	Maxime Viney
8	Myles Ah Von
9	Richelle Hong-lin Hu Hoi Chuen
10	Sungsaar Chetnavi
11	Shania Colony
12	Shrevan Kistnen
13	Mathieu Emi-Jane
14	Louis Jean Adriano Zigi Zephirin
<b>English Writing Contest</b>	
1	Dharmishta Dusoye
2	Aliya Kurmally
3	Anjeeka Nivriti Bahadoor
4	Hamuth Ameenah Shaffick
5	Mayuri Seebaruth
6	Muhammad Armaan Sardar
7	Alexander Tin Powe Hoo
8	Adam Ayoob-Cassim
9	Matthew Kyle Chung Kim Yuen
10	Mandary Amiirah Bibi
11	Mehdiyah Kaudeer
12	Ummehaani Rohimbux
13	Seerputtee Sarvaneebye
14	Lakshanabye Rawajee Charvee
<b>Kreol Writing Contest</b>	
1	Abhigaelle Berry
2	Alyssa Baptiste
3	Shania Goondlah



The picture above shows the OC with all the children who attended the prize giving event. The OC reminded them that, along with rights, they had responsibilities. She also wholeheartedly thanked the parents for their support and encouragement to their children. She underscored that more than 300 stories were received for this Writing Contest.



### *Meeting with the President and Board Members of Foyer Père Laval*

**Polyvalent Room of Foyer  
Père Laval, Port Louis  
11 January 2021**

On 11 January 2021, the OC, along with Mrs. S. Johaheer, Investigator at the OCO, met with Père Jean Maurice Labour, President of the FPL Board; Sharone Yeung, Social Worker; Jacques Lafitte, Gabriel Yagapen and Père Maurizio, all FPL Board Members; and the Manager of FPL, Edwige Yagapen. The objective of the meeting was to ensure that the rights, welfare and best interests of children at FPL were being given due consideration by the management.



Following the monitoring visit at the FPL Shelter and after having taken stock of the problems related to the inadequate training of carers, the OC proposed to conduct a 2-day sensitisation session on the rights of the child with the staff of FLP. Additional recommendations made by the OC were the improvement of the physical setting by discarding unnecessary materials that were of no use to children, and the transformation of the polyvalent room into a more spacious room. These suggestions were unanimously welcomed by the Board members of the FPL.



## *Preparatory meeting with activists and professionals in the disability sector*

**Conference Room, OCO,  
Beau Bassin  
16 February 2021**

The OC along with Ms. B. Jogarah and Mrs. S. Johaheer, Investigators at the OCO, met with disability activists, Ms. A. Burtony, Mr. A. Jookhun and Mr. J.F. Favory, and the Occupational Therapist of the Southern Handicapped Association (SHA), Mr. A. Beeharry, in preparation of a one-day seminar on “Reflecting on the importance of a child rights-based approach in the delivery of special education” to be held on 23 February 2021. The OC requested the above-named people to act as session animators, and also to share on their personal journeys and their work in the disability field with the audience.



Ms. A. Burtony was requested to talk about the assistive devices she used at the upcoming seminar, so that the audience could become aware of available learning aids that could improve the quality of education of children with visual impairments.



The OC and the session animators agreed that the seminar would be conducted in an interactive and experiential manner. Different activities were planned for this purpose and the expected outcomes of the seminar were reflected upon.

*Participation at a ceremony in honour of Mrs J. Leblanc of Action Familiale*

***Participation at a ceremony in honour of Mrs. J. Leblanc, Action Familiale***

**Lecture Theatre,  
University of Mauritius,  
Réduit  
19 February 2021**

Mrs. L. Jhugroo, Secretary of the OCO, attended a ceremony organised by Action Familiale (AF) in the honour of Mrs. Jacqueline Leblanc for her boundless dedication to the organisation over the last 58 years. AF presented on their activities in several regions to sensitise couples on family values, respect of one another and the importance of dialogues, and to impart sexual education to children and young people. The OCO highly appreciated the contribution of Mrs Leblanc and AF in promoting through their work safer, loving and respectful family environments for children.



*The unveiling of a commemorative plaque by Cardinal Maurice E. Piat to celebrate the contribution and dedication of Mrs J. Leblanc, AF*

***“All children are born to grow, to develop, to live, to love and to articulate their needs and feelings for their self-protection.”***

***~ Alice Miller***

One-day seminar on “Reflecting on the importance of a child rights-based approach in the delivery of special education”

**One-day seminar:  
“Reflecting on  
the importance of  
a child rights-  
based approach  
in the delivery of  
special  
education”**

**Asso Villa,  
Belle Mare  
23 February 2021**

The OCO organised a seminar on the importance of a child rights-based approach in the delivery of special education with School Managers and Educators of Special Education Needs (SEN) Schools of Zones 2 and 3. The activity was held on 23 February 2021 at Asso Villa, Belle Mare. The seminar involved was facilitated by the OC as well as other resource persons such as local disability activists, including Mr. A. Jookhun, Ms. A. Burtony and Mr. J.F. Favory, and Mr. A. Beeharry, Occupational Therapist at the Southern Handicapped Association. Different topics such as the UNCRPD, the rights of children with SEN, and the medical and social models of disability were discussed. A one-day seminar for School Managers and Educators of SEN Schools of Zones 1 and 4 was also planned, but could not be conducted due to the national lockdown due to COVID-19 in March 2021.



Compelling activities were carried out during the seminar. As shown in the above two pictures, an empathy-building exercise was conducted whereby selected participants were blindfolded or had their hands tied with the aim of experiencing what it was like to be in the shoes of people with visual or physical impairments. These participants then had the opportunity to openly share their feelings and mental states on having temporarily experienced disability. The OC highlighted that a practical understanding of disability could help improve the quality of education that is delivered to children with special education needs.



*One-day seminar on “Reflecting on the importance of a child rights-based approach in the delivery of special education”*



*One blindfolded participant (holding the microphone in the picture above) expressed how scared and confused she felt when she was handed a white stick and requested to walk towards the stage, which she could not have achieved without assistance.*



*The comment of Mr. Roshan from Centre Lois Lagesse School for the Blind (holding the microphone in the picture above) who is himself visually impaired touched the audience deeply with his comment: “For the 5-10 minutes you were blindfolded, you felt lost and sad. Think about the child who is in that condition all his life”.*



*Another empathy-building exercise was carried out where two volunteers were set the task of using wheelchairs to move around the seminar room. They soon realised that it was not an easy undertaking. This activity helped all participants understand the challenges that a child with physical impairment could face at school and appreciated the importance of adapting their teaching environments to better suit these students’ mobility needs.*

*Field visits  
carried out by  
the OC and her  
team of  
Investigators*

Sections 6(d & e) of the Ombudsperson for Children Act 2003 provide that the OC shall ensure that children under the care, or supervision of, a public body are treated fairly, properly and adequately; that the legal rights of children in care are protected; and that child placement facilities conform to norms and guidelines. In this regard, regular visits are carried out every year by the OC and her team of Investigators at schools, Residential Care Institutions, NGOs, among others. Selected field visits in the year 2021 are illustrated as follows:

*RCEA SEN Integrated Unit, Queen Victoria RCA School, Flacq*

**20 January 2021**



The OC met with the staff of RCEA SEN Integrated Unit, Queen Victoria RCA School. They had the opportunity to discuss on strategies to adopt at the school to better promote the holistic learning of students.





Field visits carried out by the OC's team

### *SEN Integrated Unit of S. Ramudhin Government School, Camp de Masque*

20 January 2021



The OC accompanied by an Investigator of the OCO, Mrs. S. Johaheer, met with staff of the SEN Integrated Unit of S. Ramudhin Government School at Camp de Masque, and took note of some of the challenges they encountered in implementing the rights of children with special education needs.

### *Visit to Laventure Technical School for Disabled, Laventure*

27 January 2021

In a visit to Laventure Technical School for the Disabled, the OC had the opportunity to observe the children during some of their daily activities, including class workshops that supported the creativity and freedom of expression of students.



Field visits carried out by the OC's team

***Association des Malades et Handicapés de L'Est - Centre Joie de Vivre, Poste de Flacq***  
**27 January 2021**



On 27 January 2021, the OC carried out a field visit at the 'Association des Malades et Handicapés de L'Est - Centre Joie de Vivre', along with an Investigator of the OCO, Mrs. S. Johaheer. They satisfactorily observed the specialised services offered to the student beneficiaries of this centre.

***Moka Special Education Needs Resource and Development Centre (SENKDC), Moka***  
**04 February 2021**

At the MOKA SENKDC, the OC noted beautifully painted classroom walls that provided a vibrant and conducive learning atmosphere to students with special education needs. The OC also had an interesting conversation with the teachers and the School Manager on the role of staff engagement in improving the learning of students.





***Busy Bees SEN School, Coromandel*****08 February 2021**

Ms. B. Jogarah and Mrs. S. Johaheer, Investigators at the OCO, visited the Busy Bees SEN School and learnt about the good practices adopted by the school to cater for the children's educational needs. They discussed with the educators on the importance of ensuring that children were provided with adequate means to allow them to reach their full potential.

***Southern Handicapped Association (SHA) SEN School, Riambel*****08 February 2021**

Field visits to schools are an important part of the OC's commitment to uphold section 5(a) of the OCA 2003 that is to "ensure that the rights, needs and interests of children are given full consideration by public bodies, private authorities, individuals and association of individuals". A satisfactory visit to the SHA SEN School in Riambel was carried out by the OC.

Field visits carried out by the OC's team

### ***Maingard SEN Integrated Unit (Notre Dame de Lourdes RCA), Beau Bassin***

**09 February 2021**



Two Investigators of the OCO, Mrs S. Johaheer and Ms B. Jogarah, had meaningful conversations with the staff of Maingard SEN Integrated Unit during their visit on 09 February 2021 on the need to maintain quality services to meet the special education needs of their students. They also interacted with the children present.

### ***Fondation Georges Charles, Pointe aux Sables***

**01 March 2021**



Mr. I. A. Bawamia and Mrs S. Johaheer, Investigators at the OCO, visited the 'Fondation Georges Charles' on 01 March 2021. They openly interacted with the students on how they were coping with their school's activities. For instance, in an IT class, the students were very excited to be learning on how to use computers.



***Children's Foundation - Centre d'Education Spécialisée, Vacoas*****02 March 2021**

Mr. I. A. Bawamia and Mrs. S. Johaheer, Investigators at the OCO, conducted a visit at the Children's Foundation which catered for children with special education needs, aged 6-20 years old. A better understanding of the Foundation's services was gained during this visit and good practices that promote the rights of children with disabilities were identified.

***SEN Integrated Unit of S. H. Chooroomoney Government School, Quatre Bornes*****04 March 2021**

Mrs. S. Johaheer and Mrs. I. Polixene, Investigator and Officer of the OCO respectively, visited the SEN Integrated Unit of S. H. Chooroomoney Govt School to evaluate whether the rights of the children with SEN were being given full consideration and to take note of the challenges that the school management and staff faced. Good practices in the empowerment of their beneficiaries were also identified and discussed.



## Activities carried out by the OCO during and post lockdown in the year 2021

During the national lockdown due to the COVID-19 pandemic from 10 to 31 March 2021 and the subsequent partial reopening phases as from 01 April 2021, the OC and her team spared no efforts to find different ways of maintaining the promotion and protection of children's rights.

***“Children may be confined, but their rights are not!”***

***~ Council of Europe***

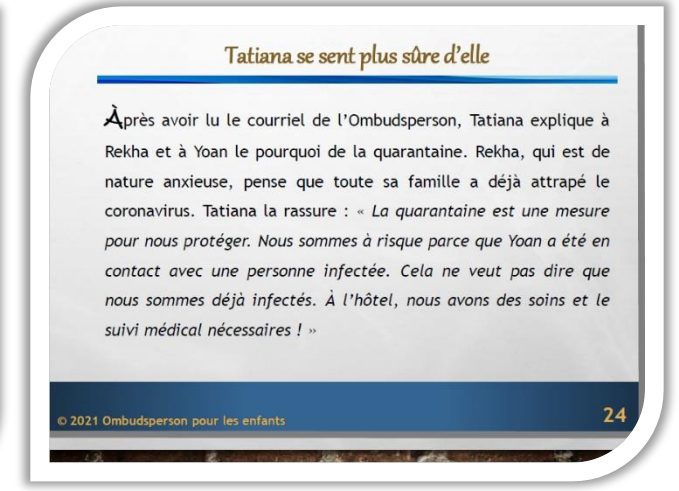
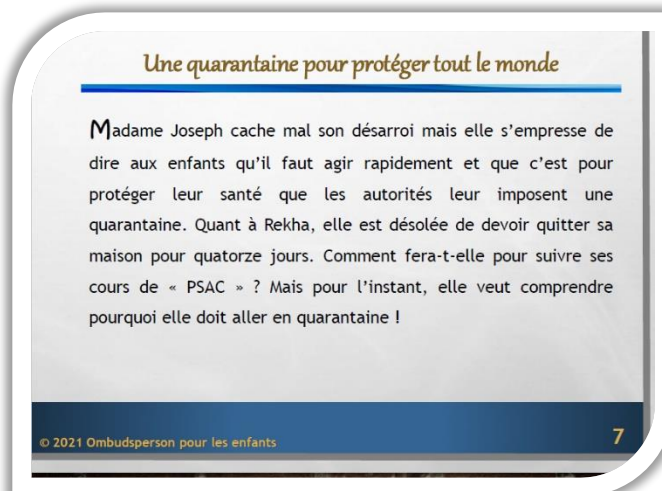
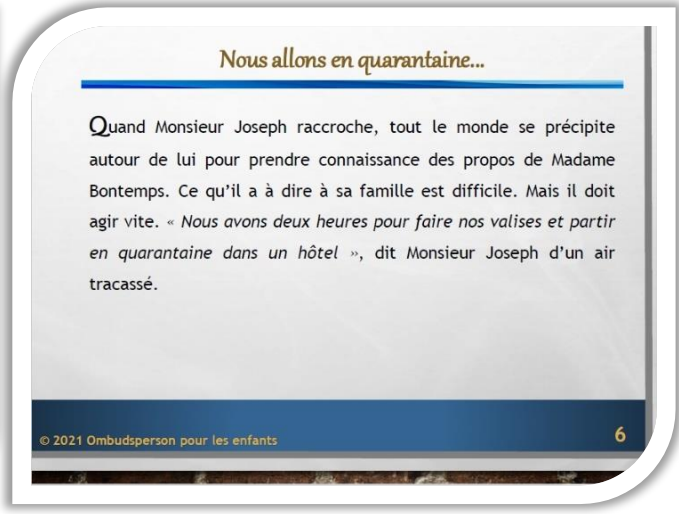
Despite the confinement and consequent changes in work routines due to sanitary restrictions, the OCO carried out the following activities, amongst others:

- Regular meetings on digital platforms such as WhatsApp with the staff of the OCO and handling of cases via WhatsApp and emails
- Sensitisation campaigns from 18-31 March 2021 in collaboration with the Mauritius Broadcasting Corporation entitled *“Les messages de soutien et de solidarité de nos enfants”*
- Publication in various newspapers of a Press Communiqué on “Online Child Sexual Abuse and Exploitation” to invite inputs from the public on these matters (“Le Défi Quotidien” [01 April 2021]; “Le Mauricien” [08 April 2021]; “Le Weekend” [11 April 2021]; “L’Express” [10 April 2021] & “5-Plus” [11 April 2021])
- Interviewing of some Members of Parliament and representatives of civil society organisations and other sectors on the topics of online child sexual abuse and exploitation
- Conceptualisation and online publication of a storybook entitled *“L’histoire de Tatiana: Une quarantaine vécue par une jeune militante des droits des enfants”* on 02 April 2021
- Publication on 07 April 2021 of a joint Press Communiqué by Mr Vincent Degert, Ambassador and Head of the Delegation of the European Union to the Republic of Mauritius, and Mrs Rita Venkatasawmy, O.S.K, Ombudsperson for Children, on the occasion of the World Health Day, entitled *“Accordons une attention particulière à la santé mentale des enfants en période de pandémie”*

## Illustrations of some of the above-mentioned activities:

### *The Story of Tatiana written by Mrs Rita Venkatasawmy, Ombudsperson for Children Published online on 02 April 2021*

The children's story book written by Mrs Rita Venkatasawmy, OC, entitled "L'histoire de Tatiana: Une quarantaine vécue par une jeune militante des droits des enfants" depicted the experience of a young child rights activist, Tatiana, when she and her family found themselves in quarantine during confinement. "This book can also be used as an educational support for parents to help their children make better sense of the pandemic situation and their feelings in a child-friendly manner", said the OC. The story book was published online on 02 April 2021 and widely circulated through WhatsApp, and printed in the newspaper "Le Défi Quotidien" on 26 April 2021. This book can be freely downloaded from the website of the Ombudsperson for Children's Office at the link: [oco.govmu.org/Pages/Downloads.aspx](http://oco.govmu.org/Pages/Downloads.aspx). Some extracts from the book are provided below.



**Joint Press Communiqué of the OCO and the European Union****Released on 07 April 2021**

*On the occasion of the World Health Day, celebrated globally on 07 April, Mrs. Rita Venkatasawmy, Ombudsperson for Children, partnered with Mr. Vincent Degert, Ambassador of the Delegation of the European Union to the Republic of Mauritius, to address a message to parents and children of the Republic of Mauritius, which emphasised the importance of safeguarding children's mental health during a pandemic crisis. The joint Press Communiqué appeared in "Le Défi Media" online newspaper on 08 April 2021. The text in French of the Communiqué is provided as follows:*

### Joint Press Communiqué of the OCO and the EU

*Chers parents, chers enfants, chers citoyens de l'Ile Maurice et de Rodrigues,*

*Une deuxième vague d'infections à la COVID-19 frappe Maurice. Une fois encore, comme en 2020, nous nous retrouvons dans un confinement national. Bien que cette situation de confinement ne soit pas une expérience nouvelle, elle reste néanmoins une épreuve difficile. Les services essentiels, notamment les frontliners de la santé, les forces de l'ordre, et beaucoup d'autres, sont de nouveau à pied d'œuvre pour protéger la population.*

*Or cette année on constate beaucoup plus d'infections à la COVID-19 chez les jeunes. En plus de la maladie elle-même, nous savons que les enfants subissent de manière disproportionnée les conséquences invisibles de la pandémie et les effets néfastes de la rupture des relations sociales et conviviales. Le confinement affecte la scolarité et les conditions de vie même des enfants. Ils sont séparés de leur proches et de leurs amis. Une récente étude de l'UNICEF réalisée auprès des jeunes en Amérique latine et dans les Caraïbes révèle que 15% d'entre eux souffrent d'anxiété et de dépression en situation de confinement.*



## Joint Press Communiqué of the OCO and the EU (ctd)

*Le confinement oblige également les enfants victimes de violence, de négligence ou de maltraitance à rester enfermés dans leur foyer avec leurs agresseurs. Les besoins de ces enfants, et de tous les enfants, en termes de santé mentale ne doivent pas être négligés.*

*Avec le confinement, les enfants passent également plus de temps sur les réseaux sociaux et sur internet. Avec les fermetures des écoles et le confinement, plus de jeunes comptent sur la technologie et le numérique pour continuer à apprendre et se divertir. Toutefois, passer plus de temps sur internet peut exposer les enfants et les jeunes à des risques d'abus ou de harcèlement, voire à l'exploitation sexuelle en ligne, avec les conséquences graves que l'on connaît. Nous l'avons malheureusement constaté récemment à Maurice.*

*L'Union européenne et le bureau de l'Ombudsperson pour les enfants à Maurice travaillent étroitement pour la protection des droits des enfants dans la République de Maurice. A travers notre projet commun, nous nous attelons à travailler avec tous les acteurs de la société à Maurice pour soutenir les enfants, que ce soit pour lutter contre la violence et tous ses effets physiques et psychologiques, ou pour les écouter, tout simplement.*

*A travers ce message, à l'occasion de la journée internationale de la santé, nous faisons un appel pour que les parents, les autorités et la société civile en général accordent une attention toute particulière à la santé mentale des enfants et des jeunes en période de pandémie.*

**Rita Venkatasawmy**

**Vincent Degert**



## Meeting with the staff of ICTA

**The Celicourt  
Tower,  
Port Louis  
22 April 2021**

The OC, and Ms. B. Jogarah, Investigator at the OCO, had a meeting on 22 April 2021 with Mr Dick Ng Sui Wa, Chairman of the Information and Communication Technologies Authority (ICTA), and his staff, in the context of the OC's own-motion investigation related to online child abuse and sexual exploitation. The OC outlined the purpose of her investigation and queried as to why it was difficult to track sex offenders on social media. She informed the officers present about her discussions with some young victims of the recent 'Telegram' scandal. The officers told the OC that the matter could not be pursued further by the police due to the fact that it was challenging to trace the online perpetrators.



The Chairman of ICTA (in the centre of the picture above) pointed out that the implementation of a regulatory and operational framework, which not only could provide a legal solution to the problem of harmful and illegal online content but also include robust enforcement measures, was required to handle this issue in a fair, expeditious and independent manner. The OC informed him that a consultation meeting targeting adolescent boys and girls would be organised by her Office in the future, and that ICTA's officers would be invited to sensitise the young people on the role and function of their institution.

## Two-day training to mark the International Day of the African Child

***Two-Day Training on: “The History of the Right of the Child in Mauritius, the UNCRC and International Organisations working for Children”***

**Conference room, OCO,  
Beau Bassin  
16 & 17 June 2021**

To mark the International Day of the African Child celebrated on 16 June every year, the OCO organised a two-day training for its officers to reflect on the UNCRC and improve their awareness on international organisations working for children. The training was delivered by Mrs. Mariam Gopaul, Former Representative of UNICEF (Mauritius). The sessions covered different topics, including the history of the UNCRC and the day of the African Child; and the achievements of international bodies, namely the UNICEF and the “Observatoire des Droits des Enfants de l’Océan Indien” (ODEROI), in pushing forward the children’s agenda.



Mrs. M. Gopaul highlighted that article 3 of the UNCRC, which is the best interests of the child, encompasses the whole spirit of this Convention. Campaigns such as ‘Say Yes for Children’ and ‘Malheur à celui qui blesse un enfant’ were organised by UNICEF (Mauritius) to promote children’s rights, to sensitise adults on putting children first and caring for them, and to advocate for investing in children and creating a society where no child was left behind. When the UNICEF left Mauritius in 2003, the setting up of the Ombudsperson for Children’s Office was proposed to monitor the application of children’s rights.

Courtesy call with Mrs. S. Aumeeruddy-Cziffra

***Courtesy call with Mrs.  
Shirin Aumeeruddy-  
Cziffra, Former  
Ombudsperson for  
Children (2004-2011)***

**OC's Office,  
Beau Bassin  
28 June 2021**

The OC invited Mrs. S. Aumeeruddy-Cziffra, Former Ombudsperson for Children (2004-2011), to the OCO on 28 June 2021. Mrs. Aumeeruddy-Cziffra stated that “the OC’s post is one which holds immense importance and can significantly promote the rights of children”. She commended the OC for giving her this honour and remembered fondly about how the OC, along with an Investigator of the OCO, Mr. I. A. Bawamia, came to visit her in Port Louis on 10 December 2018 to thank her for her service to the OCO.



During this courtesy call, Mrs. S. Aumeeruddy-Cziffra (left in the picture above) spoke on some of her achievements as a former OC and expressed her appreciation for the work that Mrs R. Venkatasawmy (right in the picture above), current OC, was doing to push forward the children’s agenda!



## ***Sensitisation Workshop on “Gender-Based Violence”***

**Prison Training School  
Gymnasium,  
Beau Bassin  
05 August 2021**

The OCO organised a one-day sensitisation workshop with 13 young boys of the Correctional Youth Centre (CYC) and 5 male officers of the CYC on the theme of ‘Gender-Based Violence’ on 05 August 2021 at the Prison Training School at Beau Bassin. The aim of this activity was to help participants understand how gender roles and gender inequality created social conditions for violence. The OC also underlined that gender-based violence was a serious violation of human rights. She and her team of Investigators encouraged the CYC boys to become agents of change and stand up against violence.



***Sensitisation  
campaigns by the  
OCO in Citizens  
Advice Bureaus in  
the reporting year  
2020-2021***

The OC is mandated to promote the rights and best interests of children and this includes conducting regular awareness and sensitisation activities. Over the past years, the OCO, in collaboration with the Prime Minister's Office, has been organising sensitisation activities on the rights of the child and child-related issues in the 35 Citizens Advice Bureaus (CABs) across the island. During the reporting year 2020-2021, only a limited number of sensitisation talks in CABs was possible, owing to the prevailing COVID-19 situation and sanitary restrictions in place.



In the picture above, Ms. B. Jogarah (far left), Investigator at the OCO, was explaining to citizens at the CAB of Grand Baie on 11 February 2021 on how cases were handled at the OCO, and on the 4 guiding principles of the UNCRC that underlay the OCO's actions with regards to promoting and protecting children's rights.



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# **PROMOTION OF CHILDREN'S RIGHTS IN RODRIGUES**

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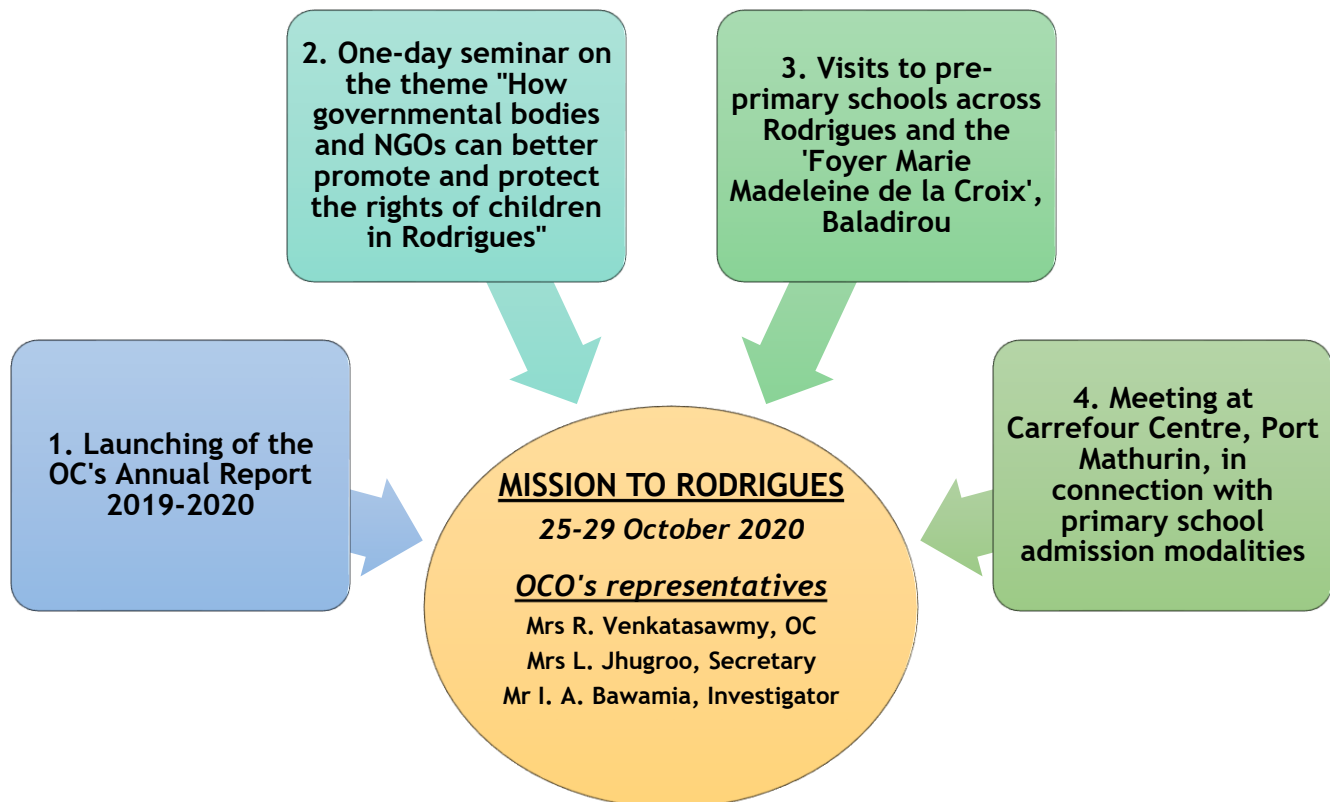
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## Promotion of Children's Rights in Rodrigues

**Rodrigues**  
**25-29 October 2020**

As an integral part of the Republic of Mauritius, the requirements of the UNCRC also apply to Rodrigues. Each year, funds are earmarked in the Budget to allow the OC to fulfil her mandate in Rodrigues, that is, the promotion and protection of children's rights. During the year 2020/2021, the OC and her team could only carry out one mission to Rodrigues from 25 to 29 October 2020, due to the COVID-19 pandemic situation. This mission comprised 4 main initiatives, as illustrated in the diagram below. Nevertheless, online and phone consultations by the OC were regularly maintained with the relevant authorities in Rodrigues to handle child rights-related matters.





## ***Launching of the Ombudsperson for Children's Annual Report 2019-2020 in Rodrigues***

**Conference Room of  
Cotton Bay Resort and  
Spa,  
Rodrigues  
26 October 2020**

The Ombudsperson for Children's Annual Report 2019-2020 was launched in Rodrigues in the presence of Mr. Louis Serge Clair, G.C.S.K., Chief Commissioner; Mrs. Rose Marie Franchette Gaspard Pierre Louis, C.S.K., Commissioner for Child Development and Others; Mr. Louis Daniel Baptiste, Commissioner for Social Security and Others; Mrs. Marie Pricie Anjela Speville, Chairperson, Rodrigues Regional Assembly; Mr. Jean Francisco Francois, Private Parliamentary Secretary; Mrs. M. T Agathe, PMSM, 3<sup>rd</sup> Island Region Member; Rectors of Colleges; Head Masters of Schools; and various stakeholders working with children. A total of 42 guests attended the launching ceremony.

## ***Programme for the Launching Ceremony of the Ombudsperson for Children's Office's Annual Report 2019-2020***

 <p>Commission for Child Development and Others and Ombudsperson for Children's Office</p> <p><b>LAUNCHING OF ANNUAL REPORT 2019/2020</b></p> <p><b>OF THE</b></p> <p><b>OMBUDSPERSON FOR CHILDREN</b></p> <p><i>Date: 26 October 2020</i> <i>Time: 09 30 hours</i> <i>Venue: Cotton Bay Resort and Spa</i></p>	<p><b>~PROGRAMME~</b></p> <p>09h30 - Welcome Address by Mrs. M. C. GRANDCOURT Acting Departmental Head</p> <p>- Address by Mrs. R.M.F. GASPARD PIERRE LOUIS, CSK Commissioner for Child Development and Others</p> <p>- Address by Mr. L. S. CLAIR, GCSK Chief Commissioner</p> <p>- Presentation of the Annual Report 2019/2020 by Mrs. R. VENKATASAWMY, OSK Ombudsperson for Children</p> <p>- Closing note</p> <p>- Finger Lunch</p> 
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## Launching of the OC's Annual Report 2019-2020 in Rodrigues



*In her opening speech, Mrs. Rose Marie Franchette Gaspard Pierre Louis, C.S.K., Commissioner for Child Development and Others, expressed her appreciation for the consolidated work carried out by the OC and her Office. She added that the Commission worked in close collaboration with the OCO and implemented several recommendations made by the OC in her Annual Reports.*



*In his address, Mr. Louis Serge Clair, G.C.S.K., Chief Commissioner, emphasised the importance of making a difference in the lives of children and fostering their happiness and hope for a better future. He pointed out that a family, education and good nutrition were imperative in the proper development of a child. The Chief Commissioner announced that he would have a meeting with relevant stakeholders to discuss the contents of the OC's Annual Report 2019-2020. He also stated that this report was an important working tool and gave a clear indication on areas which necessitated improvement in the promotion and protection of child rights.*

### Launching of the OC's Annual Report 2019-2020 in Rodrigues

During her presentation of the Annual Report 2019-2020, the OC rememored the active participation of a delegation from Rodrigues in November 2019 to celebrate the 30<sup>th</sup> Anniversary of the United Nations Convention on the Rights of the Child (UNCRC) and the Universal Children's Day. She also outlined her experiences of visits to pre-primary schools during her mission to Rodrigues in January 2020. She particularly appreciated that music and dance were an integral part of the education of children from an early age in Rodrigues, which promoted their social, cultural, emotional and intellectual development. She also appealed that a concerted effort must be made to continuously improve the physical infrastructure of pre-primary schools as it has a significant impact on children's learning.



The OC also gave a brief overview on the preparation of her Annual Reports. She highlighted that the recommendations proposed in these reports were evidence-based. Qualitative and quantitative data were collected during the OCO's investigations and in-depth analyses were conducted in order to reflect the most accurate situation of children. She also encouraged policy makers to base policy decisions on evidence and research in the best interests of children.





Moreover, the OC elaborated on children's right to a peaceful environment. She said that it was important to ensure that children were evolving in safe and supportive communities for the realisation of their fundamental rights. Additionally, the OC expressed concern on the increasing number of teenage pregnancy cases. She invited the stakeholders present to refer to the full chapter in her Annual Report 2019-2020 dedicated to understanding potential barriers in the prevention of teenage pregnancy and possible strategies that could reduce and mitigate its adverse consequences on young people and their families. The OC suggested that 'Comprehensive Sexuality Education', a rights-based UNESCO model on sexuality education, could be adapted and applied in the education system for students aged 5-18 years, including those with special educational needs and disabilities.



*Launching of the OC's Annual Report 2019-2020 in Rodrigues*

*Parental alienation was another topic discussed in the OC's Annual Report 2019-2020. She stressed on the importance of the active involvement of both parental figures in the development of a child. Parental alienation could often deprive the latter of his/her fundamental rights. For instance, there were cases of some divorced parents who did not always respect Court Orders that allowed the non-custodial parent to meet his/her child. This deprivation could be considered as a violation of the right of the child to engage with both his/her parents.*



*The launching ceremony for the OC's Annual Report 2019-2020 offered opportunities for reflective discussions among stakeholders working with children in Rodrigues.*

**“IN ALL ACTIONS CONCERNING THE CHILD UNDERTAKEN BY ANY  
PERSON OR AUTHORITY, THE BEST INTERESTS OF THE CHILD SHALL BE  
THE PRIMARY CONSIDERATION.”**

~ African Charter on the Rights and Welfare of the Child, article 4(1)



*A one-day seminar with child professionals in Rodrigues****A one-day seminar on  
“How governmental  
bodies and NGOs can  
better promote and  
protect the rights of  
children in Rodrigues”***

**Conference Room,  
Cotton Bay Resort and Spa,  
Rodrigues  
27 October 2020**

A one-day seminar on “How governmental bodies and NGOs can better promote and protect the rights of children in Rodrigues” was held on 27 October 2020 in the Conference Room of the Cotton Bay Resort and Spa in Rodrigues. The seminar was funded by the European Union under the OCO’s project on “Promoting the rights of vulnerable children in the Republic of Mauritius”. The event was attended by 30 participants comprising representatives of the Commission for Education, Commission for Child Development and Others, ‘Brigade pour la Protection des Mineurs’, Managers of Colleges, key NGOs, and other organisations working with children, namely, ‘Action Catholique des Enfants’, ‘Dis-Moi’ of Rodrigues, RCEA Rodrigues and Rodrigues Council of Social Services (RCSS).



The opening ceremony was graced by Mrs. Rose Marie Franchette Gaspard Pierre Louis, CSK, Commissioner for Child Development and Others. In her speech, she particularly expressed her concern on the rising number of cases of teenage pregnancy reported in Rodrigues. She added that there were various NGOs in Rodrigues working with pregnant teenagers. It was thus important to ensure that this group of young people were well cared for so that they could be empowered to recognise and claim their rights. The Commissioner appealed to governmental bodies and NGOs to work together in the best interests of all children.



*A one-day seminar with child professionals in Rodrigues*

*During her address, the OC stressed on the need for the adoption of the right strategy to be able to promote and protect the rights of the child. She informed the audience that, every 5 years, Mauritius presents a report on the situation of children in the Republic of Mauritius to the United Nations. She explained that, to come up with a comprehensive report, it was important to adopt a scientific approach. Data collection and evidence gathering were of utmost importance in order to advocate for systemic and macro-level changes. These could be achieved through consultative workshops, administering research questionnaires to various stakeholders and having meetings with children to listen to their voices on matters that concerned them. The OC reiterated that it was imperative to listen to children, instead of dismissing their views as immature. Animation techniques such as role play, drama and creative storytelling could also be used to engage children in formulating their views on different topics.*










*At the seminar, Mr. I. A. Bawamia (standing in the picture above), Investigator at the OCO, gave a brief overview on the role and functions of the OCO. He stated that the OC would initiate an investigation as soon as she became aware of a violation of the rights of a child, either through a complaint or on her own motion. During mediations, she would provide a confidential environment to all concerned parties, including adults and minors, to listen to their perspectives on the matter in question. She would then analyse her findings in an objective manner and devise appropriate recommendations in the best interests of the child.*



*The last part of the seminar was dedicated to the development of strategies on how to better promote children's right to education in one of the villages of Rodrigues.*

### ***Strategies proposed by participants to better promote the right to education of children in a village in Rodrigues***

-  *Arrange meetings with the residents of the village to get their views and involve them as active participants in the implementation of an educational strategy for the children.*
-  *Understand the history and background of the village.*
-  *Explain the importance of education to parents in dynamic ways to help them understand that the right to education of their child can neither be shunned nor cast aside.*
-  *Collaborate with known senior/trustful figures in the village to build rapport with the residents and engage the latter in reflecting on the importance of education for the child's overall development and future opportunities.*
-  *Organise a variety of educational games and entertaining activities with both children and adults of the village.*
-  *Invite role models to the village to push forward the cause of children's right to education.*
-  *Offer interesting incentives to parents so that they could value sending their children regularly to school and thus respecting their right to education.*

*A one-day seminar with child professionals in Rodrigues*

*“Children are the future of this country. By investing in children’s basic education, we are contributing to the country’s development and creating a literate and self-sufficient society.”*

*-Rick Corsino*



*The enthusiastic participants highly appreciated this initiative, which helped them better understand ways of advocating for the fundamental rights of every child in Rodrigues.*



## *Visits to Pre-Primary Schools in Rodrigues*

**Rodrigues**  
**28 October 2020**

*On 28 October 2020, the OC and her delegation carried out visits to different Pre-Primary Schools (PPS) in Rodrigues with the aim of promoting a culture of peace among young children and to ensure that they had access to quality school infrastructure that were conducive to learning. During these visits, the OC discussed with school staff on articles 28 and 29 of the UNCRC, and the General Comment No.1 (2001) of the UN Committee on the Rights of the Child on the aims of education. The latter Committee is a body of experts who monitors the implementation of the Convention in all Member States.*

**“EDUCATION MUST BE CHILD-CENTRED AND EMPOWERING. THIS APPLIES TO THE CURRICULUM AS WELL AS THE EDUCATIONAL PROCESSES, THE PEDAGOGICAL METHODS AND THE ENVIRONMENT WHERE EDUCATION TAKES PLACE.”**

**“EDUCATION MUST BE PROVIDED IN A WAY THAT RESPECTS THE INHERENT DIGNITY OF THE CHILD AND ENABLES THE CHILD TO EXPRESS HIS OR HER VIEWS IN ACCORDANCE WITH ARTICLE 12(1) AND TO PARTICIPATE IN SCHOOL LIFE.”**

**“EDUCATION MUST RESPECT THE STRICT LIMITS ON DISCIPLINE REFLECTED IN ARTICLE 28 AND PROMOTE NON-VIOLENCE IN SCHOOL.”**

**“EDUCATION MUST INCLUDE NOT ONLY LITERACY AND NUMERACY BUT ALSO LIFE SKILLS SUCH AS THE ABILITY TO MAKE WELL-BALANCED DECISIONS; TO RESOLVE CONFLICTS IN A NON-VIOLENT MANNER; AND TO GOOD SOCIAL RELATIONSHIPS AND RESPONSIBILITY, CRITICAL THINKING, CREATIVE TALENTS, AND OTHER ABILITIES WHICH GIVE CHILDREN THE TOOLS NEEDED TO PURSUE THEIR OPTIONS IN LIFE.**

~ Committee on the Rights of the Child,  
Extracts from the General Comment No.1 (2001) on the aims of education



## Visits to Pre-Primary Schools in Rodrigues



Visits were carried out at Rossignol PPS, Château d'Eau; Champignons PPS, Mt. Malgache; and Butterfly PPS, Port Mathurin. During these visits, the OC and her delegation took note of the environmental aspects and facilities available at the schools which could stimulate and develop the children's interests, aptitudes and self-confidence.



The OC also had interactive sessions with the teachers and encouraged them to regularly conduct active pedagogical activities, such as plays, storytelling, indoor and outdoor games, to enhance the quality of education of their students. The children also enthusiastically engaged with the OC on what they liked about their schools. As an area of improvement, the OC highlighted the need for the recruitment of helpers who could assist the teachers in handling the students, thus improving the efficiency of the learning process.



## *Meeting in connection with primary school admission modalities*

**Carrefour Centre,  
Port Mathurin  
28 October 2020**

During this mission to Rodrigues, the OC was invited to attend a meeting with a group of parents and teachers of pre-primary schools regarding the primary school admission modalities for the year 2021. The meeting was held in the afternoon on 28 October 2020 at the Carrefour Centre, Port Mathurin, in the presence of Mrs. Rose Marie Franchette Gaspard Pierre Louis, Commissioner for Child Development and Others and Mr. Joseph Buisson Léopold (2<sup>nd</sup> Member for Constituency No.21 Rodrigues).



*“At the end of the day, the most overwhelming key to a child’s success is the positive involvement of parents.”*

~Jane D. Hull

A variety of issues were raised by the parents and teachers present regarding, for instance, the readiness of students aged 5 years old to adapt to a primary school environment; the level of preparedness of teachers to have a mix of 5/6-year-olds in the same class; overcrowded classrooms; and school infrastructure. The OC listened attentively to the teachers and parents, and encouraged them to have an open dialogue on these matters with the relevant authorities. On behalf of a group of parents and teachers of pre-primary schools, one participant presented a reflection paper outlining their concerns to the OC for further consideration.



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# **INTERNATIONAL WEBINARS ON CHILDREN'S RIGHTS**

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## International Webinars Attended by the OCO's Staff

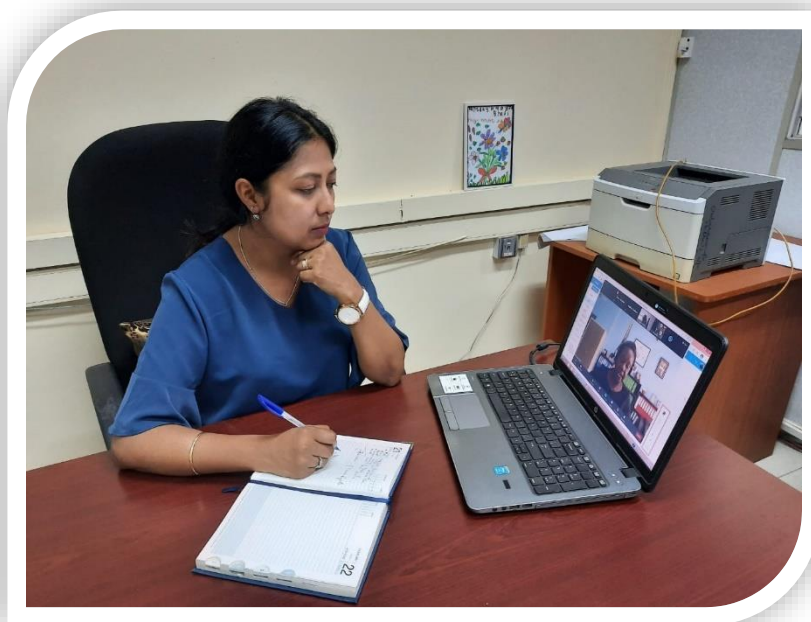
OCO

The OCO is a member of the African Ombudsman and Mediators Association (AOMA), 'Association des Ombudsmans et Médiateurs de la Francophonie' (AOMF) and the International Ombudsman Institute (IOI). Over the years, the OCO has reinforced its collaboration with these international organisations through joint projects. Over the reporting year 2020-2021, Investigators at the OCO regularly attended webinars organised by these organisations to keep abreast of the latest international child rights trends. Examples of international webinars attended are illustrated as follows.

### AORC Facilitated Discussion: "COVID-19 Challenges"

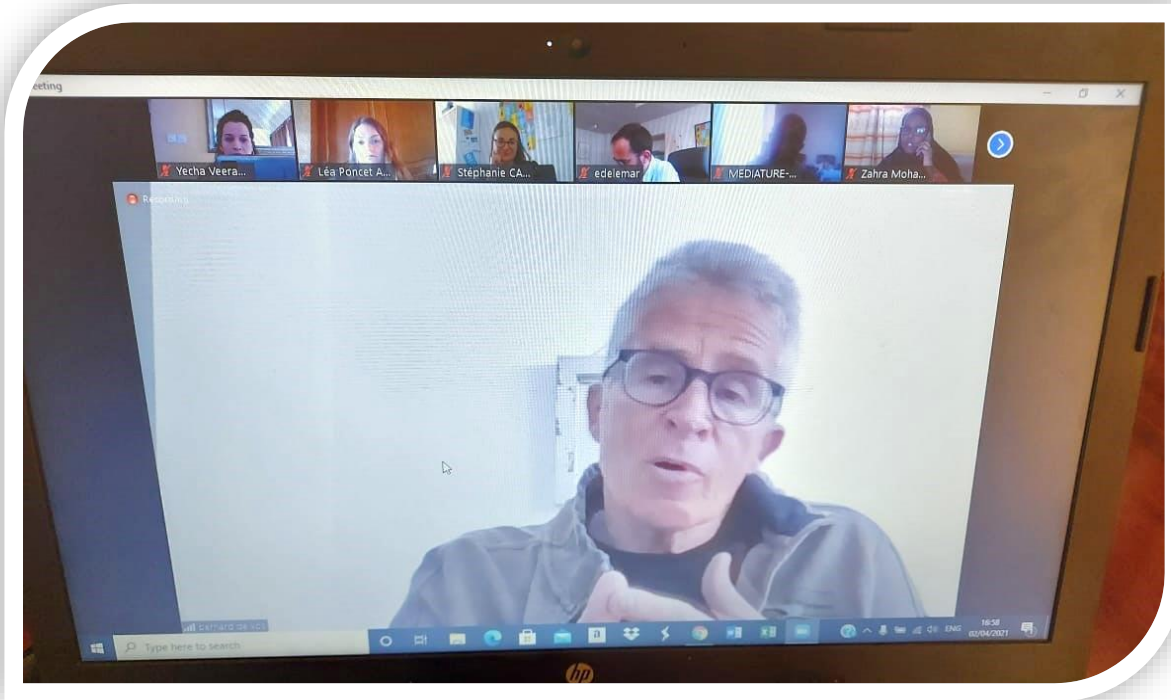
19 January 2021

On 19 January 2021, Mrs. S. Johaheer, Investigator at the OCO participated in a webinar via the online platform 'Zoom' which was a facilitated discussion on "COVID-19 Challenges" organised by the University of Kwazulu-Natal and the African Ombudsman Research Centre (AORC), a research and training arm of the African Ombudsman and Mediators' Association (AOMA). Guest speakers at the webinar were Adv. Tšeliso Mokoko (Ombudsman of Lesotho), Commissioner Elasto Hilarious Mugwadi (Chairperson of the Zimbabwe Human Rights Commission, and Mr. Tanon Daouda (Executive director of the "Médiateur de la République" of Côte d'Ivoire). Challenges faced by Ombudsmen during the COVID-19 pandemic were debated, specifically on how to remain accessible to the most vulnerable citizens and how to protect their rights in a timely and efficient manner.



## Webinar of the “Comité des droits de l’enfant” of the AOMF on “The impact of COVID-19 on the rights of children”

02 April 2021

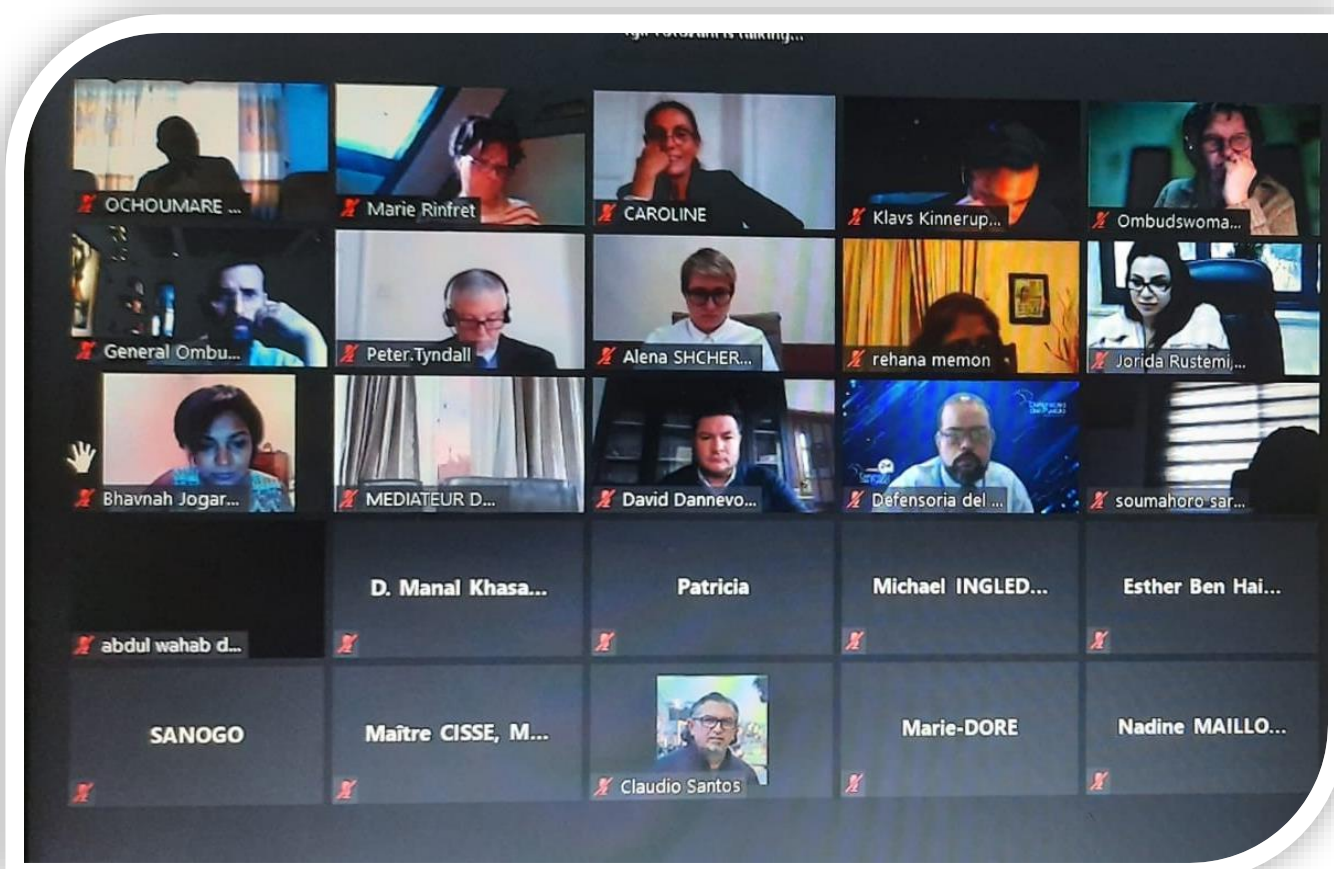


The “Comité des droits de l’enfant” of the AOMF organised a webinar on “The impact of COVID-19 on the rights of children”. Guest speakers were Mr Bernard De Vos, “Délégué général aux droits de l’enfant” (Communauté française de Belgique), Wahib and Ibtissam, young people from a project entitled “Parlons jeunes”, and Mr Thibault Coeckelberghs, Founder of the project “Comme un lundi”. Mrs. Y. R. Veeramootoo, Investigator at OCO, attended the webinar.

Mr Devos presented his report entitled “Les effets du COVID-19 sur les droits de l’enfant” and he strongly highlighted the need to have the best interests of children taken in all decision-making processes and measures implemented during the COVID-19 public health crisis. He made recommendations in his report on several areas relevant to children, including education, youth support, disability, mental health, children in conflict with the law and incarcerated parents, poverty, amongst others. A short film entitled “Parlons Jeunes, Parlons (dé)confinement: Le déconfinement à Beekant” was also shown to all webinar participants to listen to the experiences of youngsters of the project “Parlons Jeunes” during the COVID-19 confinements.

***International Webinar on the United Nations Resolution "The role of ombudsman and mediator institutions in the promotion and protection of human rights, good governance and the rule of law" and the Council of Europe standards***

07 April 2021



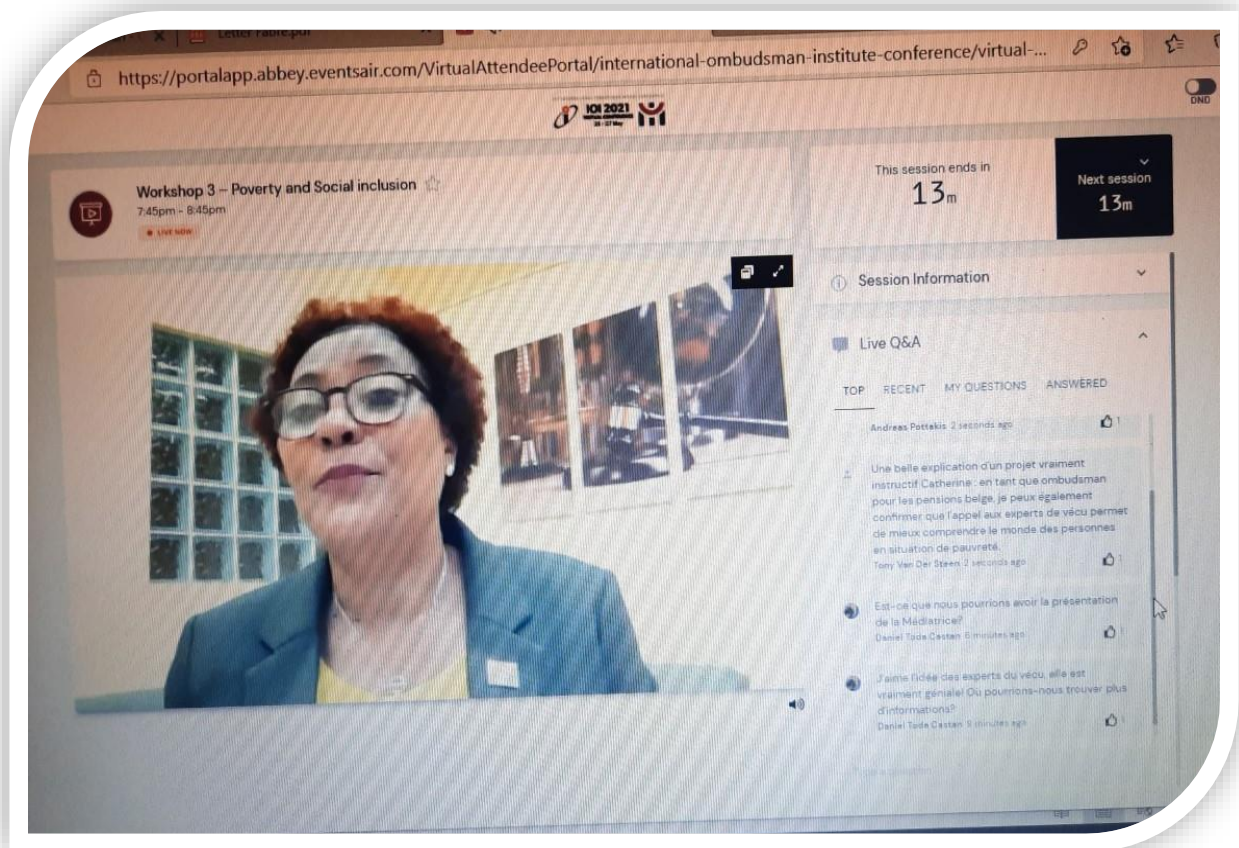
*In cooperation with the Venice Commission, the Ombudsman of the Kingdom of Morocco organised an international webinar on the United Nations Resolution of 16 December 2020 on "the role of ombudsman and mediator institutions in the promotion and protection of human rights, good governance and the rule of law" and the standards of the Council of Europe. Two Investigators, Ms B. Jogarah and Mr I. A. Bawamia, and the Secretary of the OCO, Mrs L. Jhugroo, attended this webinar. This was an interesting platform for the exchange of views and experiences among key actors responsible for the protection of human rights of the region.*



## 12<sup>th</sup> International Ombudsman World Conference and General Assembly 25-27 May 2021

The International Ombudsman Institute (IOI) is the only global organisation regrouping more than 200 independent Ombudsman institutions from over 100 countries worldwide. Almost 500 delegates across the world attended the 12<sup>th</sup> International Ombudsman World Conference and General Assembly, which was held online from 25-27 May 2021. The theme of this year's conference was 'Giving Voice to the Voiceless'.

Mr I. A. Bawamia and Ms. B. Jogarah, Investigators at the OCO, attended this event. The IOI World Conference was a significant platform for Ombudsman Offices globally to interact and share their experiences, expertise, knowledge and best practices.







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# **GLOBAL LIST OF OCO'S ACTIVITIES 2020-2021**

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## WORKSHOPS/ SEMINARS/ MEETINGS ORGANISED BY THE OCO

SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
1.	01.09.20	Meeting in connection with the situation of children at <i>Résidence Anoska</i>	OCO	Hon. Mr G. Bablee, Parliamentary Private Secretary
2.	02.09.20	Video call in connection with the situation of squatters	OCO	Mrs D. Ahnee, Representative of 'Drwa a Enn Lakaz: Platform Sitwayen'
3.	17.09.20	Preparatory meeting in connection with the workshop entitled " <i>Stop violans dan lekol</i> "	OCO	Mrs S. Warsallee, Rector, MEDCO Cassis
4.	18.09.20	Meeting in connection with the situation of squatters at Pointe aux Sables and discussions on administering a survey questionnaire to assess the rights of children living in squatter camps in accordance with the UNCRC	OCO	Mr E. Maurer, Safire  <u>From Jean Blaize, Pointe aux Sables:</u> Mrs M. S. Larose; Mrs M. F. Nadal; Mrs M. Sylvianne; Mrs Y. Begue; Mr R. Stephano; Mrs F. Pierre; Mrs C. Ross; Mrs J. Jabeemissar; Mrs M. R. Raboude; Mrs M. D. M. Lucile; Mrs R. Bulloram
5.	21.09.20	One-day workshop entitled "Empowering media professionals to promote and protect the rights of the child"	Media Trust, River Court, Port Louis	Journalists/members of the Media Trust

SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
6.	22.09.20	Monitoring Committee meeting in the context of the <b>OCO's EU-funded project</b>	OCO	<u>European Union Delegation:</u> Mrs L. Nosib, Project Manager; Mr S. Maudarbocus; Mrs V. Lucia Salomon; Mr M. Leung
7.	25.09.20	Meeting in connection with the situation of squatters at Riambel and discussions on administering a survey questionnaire to assess the rights of children living in squatter camps in accordance with the UNCRC	OCO	Mr S. Ross, Representative of squatters living at Pointe aux Sables  <u>From Riambel:</u> Mrs M. M. Botte; Mrs J. Laviollette; Mrs M. G. S. Putteeah; Mrs S. M. D. Banzigou; Mrs M. Lejuste; Mrs S. Philibert; Mrs C. Philogène
8.	26.09.20	Workshop on “The Rights of Vulnerable Children to Quality Education” <b>funded by the European Union</b> to support the national project of ‘Fortified Learning Environment Unit’	Labourdonnais Waterfront Hotel, Port Louis	Representatives from NGOs
9.	30.09.20	Workshop entitled “Stop violans dan lekol” <b>funded by the European Union</b>	Labourdonnais Waterfront Hotel, Port Louis	Students and Educators of MEDCO Cassis
10.	06.10.20	Launching of the OC's Annual Report 2019-2020	Palms Hotel, Quatre Bornes	Relevant stakeholders from the public and civil society sectors

SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
11.	12.10.20	Meeting in connection with the OC's Annual Report 2019-2020	OCO	Mrs P. Bignoux, Action Familiale
12.	12.10.20	Meeting in connection with the OC's Annual Report 2019-2020	OCO	Mr E. Maurer, Safire
13.	13.10.20	Meeting in connection with the OC's Annual Report 2019-2020	OCO	<u>Representatives from Passerelle Women Centre:</u> Mrs M. Valère-Cicéron, Chairperson; Mr P. Mormite; Mrs L. Moutou; Mrs D. Ghoorbin; Mrs F. Ramjaun; Mr V. D'Arifat; Ms A. Paul
14.	15.10.20	Meeting in connection with the OC's Annual Report 2019-2020	OCO	Mrs S. Bappoo, former Minister, and Hon. M.G.S. Anquetil, Member of Parliament
15.	19.10.20 & 20.10.20	Two-day workshop entitled "Building the resilience of families with children through human and child rights education"	Le Domaine des Aubineaux, Forest Side	NGOs and families with children in situation of squatting
16.	21.10.20	Preparatory meeting in connection with the celebration of the Universal Children's Day 2020	OCO	Mrs K. Naga, Art Teacher, Belle Rose SSS
17.	22.10.20	Meeting in connection with the situation of children living in the locality known as "Ti Rodrigues"	OCO	Ms M. Valère-Cicéron, Passerelle Women Centre, and Mr B. Laurette, Social Activist

SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
18.	23.10.20, 29.10.20, 30.10.20, 04.11.20 & 16.11.20	Selection Exercise with the jury of the OCO's Writing Contest for children entitled <i>"Ma plus belle expérience de partage durant la période de confinement liée à la COVID-19"</i>	OCO	Mrs M. Boolell, Chairperson of the Jury, and Mrs S. Edoo, Jury
19.	03.11.20	Meeting in connection with the situation of squatters	OCO	Mr S. Ross, Representative of squatters living at Pointe aux Sables
20.	04.11.20	Meeting in connection with how the OCO and the National Social Inclusion Foundation (NSIF) can collaborate to sensitise teachers who are recruited under the national project of 'Fortified Learning Environment Unit'	OCO	Mr A. Sowdagur, Secretary General, NSIF, and Ms P. Ravaton, Programme Manager, NSIF
21.	05.11.20	Meeting in connection with admission criteria to Grade 1	OCO	Mrs C. Arekion, Director, Early Childhood Care and Education Authority
22.	05.11.20	Meeting in connection with the issue of parental alienation	OCO	Dr. S. Seegobin, Consultant in Geriatric and Internal Medicine
23.	10.11.20	Media interview in connection with the Children's Bill	OCO	Journalists from the Mauritius Broadcasting Corporation



SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
24.	11.11.20	<p>Celebrations of the Universal Children's Day 2020 in collaboration with the Media Trust</p> <p><u>Preparatory activities:</u></p> <p>(i) One-day workshop on the theme entitled "Empowering children on collaborating with the media for the advocacy of their rights"</p> <p>(ii) Shadowing by students of journalists from local newspapers and radio agencies to learn basic journalism principles and techniques for reporting on the Universal Children's Day's celebrations of the OCO</p>	Mauritius Broadcasting Corporation, Moka & Radio Plus, Le Défi Media Group, Port Louis	Two separate groups of students of Quatre Bornes SSS
25.	12.11.20	Half-day seminar on the theme entitled "Empowering children on collaborating with the media for the advocacy of their rights"	Media Trust, River Court, Port Louis	Students of Quatre Bornes SSS
26.	16.11.20	Follow-up meeting in connection with the situation of squatters living at Pointe aux Sables	OCO	Mrs. N. Florise, resident at Pointe aux Sables
27.	16.11.20	Media interview of the OC in connection with matters related to the rights of the child	OCO	Journalist from the newspaper "Le Mauricien"

SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
28.	17.11.20	Meeting with representatives of the 'Union of Private Secondary Education Employees' (UPSEE)	OCO	Mr M. Kurrimbaccus, Secretary General, and Mr A. Bhojun, Secretary, UPSEE
29.	17.11.20	Meeting in connection with admission criteria to Grade 1	OCO	Mr J. Nursimulu, President, Pre-Primary School Association
30.	25.11.20	<p>Celebration of the Universal Children's Day - A half-day activity on the UN theme of "Investing in our future means investing in our children"</p> <p><u>Activities carried out by the OCO:</u>            Storytelling, creative games, painting and a Prize Giving Ceremony to winners of the OCO's Writing Contest entitled <i>"Ma plus belle expérience de partage durant la période de confinement liée à la COVID-19"</i></p>	St Benoit RCA School, Tamarin	Students and teachers of St Benoit RCA School and winners of the OCO's Writing Contest and their parents
31.	01.12.20	Workshop on the theme entitled <i>"Ki Ete Children's Bill"</i>	Le Voila Hotel, Bagatelle, Moka	Inmates and Officers of Rehabilitation Youth Centre (Boys and Girls)

SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
32.	02.12.20	Meeting in connection with admission criteria to Grade 1	OCO	<p>Mrs C. Arekion, Director ECCEA;</p> <p>Mrs K. Tour, Assistant Coordinator, ECCEA;</p> <p>Mrs S.P Davy, Director, Bethleem School;</p> <p>Mrs Claudette, Bethleem School;</p> <p>Mrs. A. Cuive, Communication Officer, SEDEC;</p> <p>Ms N. Hilaire, La Vie Catholique;</p> <p>Mr J. Nursimulu, President and Managing Director of Royal Rock School and the Association Private Pre-Primary School;</p> <p>Mr R. Nursimulu, Chairman of Dukesbridge;</p> <p>Mr H. Dekurun, Senior Educational Psychologist, Ministry of Education and Human Resources;</p> <p>Dr C. Boodhoo, Lecturer Mauritius Institute of Education (MIE)</p> <p><u>OCO's representatives:</u></p> <p>Mrs R. Venkatasawmy, OC;</p> <p>Mr I. A. Bawamia, Investigator;</p> <p>Ms B. Jogarah, Investigator</p>

SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
33.	03.12.20	Prize Giving Ceremony for the 31 participants who ranked after the 10 winners of the OCO's Writing Contest entitled <i>"Ma plus belle expérience de partage durant la période de confinement liée à la Covid-19"</i>	OCO	31 participatory prize winners and their parents
34.	09.12.20	Meeting in connection with the United States (US) Child Labour Report 2020 with representatives of the US Embassy in Mauritius and Seychelles	OCO	Ms. C. Bergesen, Political and Economic Officer; Ms. N. Busawon, ESTH Assistant; Ms. A. Khemraz-Chikhuri, Economic and Commercial Assistant
35.	10.12.20	Media interview with the OC in connection with matters related to the rights of the child	OCO	Journalist from the newspaper "Le Mauricien"
36.	15.12.20	Follow-up meeting in connection with the workshop held with inmates of RYC (Boys)	OCO	Inmates and Officers of RYC (Boys)
37.	16.12.20	Media interview with the OC in connection with matters related to the rights of the child	OCO	Journalist from the newspaper "Le Mauricien"
38.	22.12.20	Meeting regarding residents of the shelter 'Foyer Père Laval'	OCO	Mrs S. Yeung, Representative of 'Le Diocèse de Port Louis'

SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
39.	22.12.20	Meeting in connection with the sensitisation campaign on the rights of children with disabilities	OCO	Mr J.F Favory, Project Manager, Dis-Moi; Mr A. Jookhun, Officer-in-Charge of U-Link and Down Syndrome Association (DSA); Ms A. Burtony, Representative of the Federation of Disabled People Organisation (DPO), Mauritius
40.	14.01.21	Meeting in connection with the sensitisation campaign on the rights of children with disabilities	OCO	Mr A. Jookhun, Officer-in-Charge of U-Link and DSA; Ms A. Burtony, Representative of Federation of DPO, Mauritius; Mr J. F Favory, Project Manager, Dis-Moi  <u>OCO's representatives:</u> Mrs R. Venkatasawmy, OC; Mrs S. Johaheer, Investigator; Mrs Y. Rhungapen-Veeramootoo, Investigator; Ms M. Kaudeer, STM Intern
41.	18.01.21	Interview/video recording on the role of the Ombudsperson for Children	OCO	Mr S. Koonjul, Photographer

SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
42.	05.02.21	Video recording in the context of an online platform set up by AOMF entitled <i>“Faire vivre les droits de l’enfant : des clés pour l’action”</i>	OCO	Mrs R. Venkatasawmy, OC; Mrs Y. Rhungapen-Veeramootoo, Investigator; Mrs S. Johaheer, Investigator
43.	11.02.21	Preparatory meeting in connection with the OCO’s upcoming workshop entitled “Reflecting on the importance of a child rights-based approach in the delivery of special education”	OCO	Mr A. Jookhun, Officer-in Charge of U-Link and DSA; Ms A. Burtony, Representative of the Federation of DPO, Mauritius; Mr J. F. Favory, Project Manager, Dis-Moi  <u>OCO’s representatives:</u> Mrs R. Venkatasawmy, OC; Mrs S. Johaheer, Investigator; Ms M. Kaudeer, STM Intern
44.	15.02.21	Meeting with representatives from Special Education Needs (SEN) Schools	OCO	Mrs R. Venakatasawmy, OC;  <u>From SEN Schools:</u> Mrs S. Seesurrin & Mrs T. Narrainen



SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
45.	16.02.21	Preparatory meeting in connection with the OCO's upcoming workshop entitled "Reflecting on the importance of a child rights-based approach in the delivery of special education"	OCO	<p>Mr J. F. Favory, Dis-Moi; Mr A. Jookhun, Officer-in-Charge of U-Link and DSA; Ms A. Burtony, Representative of the Federation of DPO, Mauritius; Mr A. Beeharry, Occupational Therapist, Southern Handicapped Association (SHA);</p> <p><u>OCO's representatives:</u> Mrs R. Venkatasawmy, OC; Mrs S. Johaheer, Investigator; Ms B. Jogarah, Investigator; Ms M. Kaudeer, STM Intern</p>
46.	19.02.21	Meeting in connection with the research project on "The multi-dimensional aspects of poverty in Mauritius"	OCO	<p>Ms M. Victoire, ATD Quart Monde</p> <p><u>OCO's representatives:</u> Mrs R. Venkatasawmy, OC; Ms B. Jogarah, Investigator</p>
47.	19.02.21	Meeting in connection with the upcoming publication of a report on the rights of children residing at <i>Résidence Anoska</i>	OCO	<p>Mr C. Arlanda, SOS Children's Village</p> <p><u>OCO's representatives:</u> Mrs R. Venkatasawmy, OC; Ms B. Jogarah, Investigator</p>

SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
48.	23.02.21	One-day seminar entitled “Reflecting on the importance of a child rights-based approach in the delivery of special education”	Asso Villa, Belle Mare	School Managers and Educators of Special Education Needs Schools of Zones 2 and 3
49.	25.02.21 & 26.02.21	Sensitisation session on the rights of the child	OCO	Staff of ‘Foyer Père Laval’
50.	30.03.21	Monitoring Committee meeting through the online platform of ‘Zoom’ in the context of the <b>OCO’s EU-funded project</b>	Remote working	<p><u>Representatives of the EU Delegation:</u>  Mrs L. Nosib, Project Manager;  Mrs V. Lucia Salomon;  Mrs B. Guness-Carpen</p> <p><u>OCO’s representatives:</u>  Mrs L. Jhugroo, Secretary;  Ms B. Jogarah, Investigator;  Mrs L. Ramloul, Finance Officer/Senior Finance Officer</p>
51.	19.04.21	Meeting with a representative of the NGO Dis-Moi	OCO	Mr L. Couronne, Founder and Director General, Dis-Moi & Mrs R. Venkatasawmy, OC
52.	26.04.21	Media interview with the OC in connection with matters related to the rights of the child	OCO	Journalist from the newspaper “Le Week-End”

SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
53.	27.04.21	Meeting in connection with the issues of online child sexual abuse and sexual exploitation	OCO	<p><u>Representatives from the Cybercrime Unit, Mauritius Police Force:</u></p> <p>Mr V. Dawonauth, Assistant Superintendent of Police, Officer-in-Charge, Cybercrime Unit; Mr P. Budhoo, Assistant Commissioner of Police; Mr A. M Cader, Police Constable</p> <p><u>OCO's representatives:</u></p> <p>Mrs R. Venkatasawmy, OC; Mrs L. Jhugroo, Secretary; Mrs A. Swamber, Confidential Secretary</p>
54.	05.05.21	Meeting in connection with the OC's own-motion investigation on the issues of online child sexual abuse and sexual exploitation	OCO	<p>Mrs M. Gopaul, Former UNICEF Programme Officer; Mr N. Sewduth, Child Rights Activist; Mr R. Nookadee, President of Development Practitioners in Network; Ms P. Motee, President, 'Raise Brave Girls' Association; Dr T. Boodhoo, Clinical Psychologist</p> <p><u>OCO's representatives:</u></p> <p>Mrs R. Venkatasawmy, OC; Ms B. Jogarah, Investigator; Mrs M. Jawaheer, MSO; Ms M. Kaudeer, STM Intern</p>

SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
55.	06.05.21	Media interview with the OC in connection with the COVID-19 Pandemic and the rights of children	OCO	Journalist from the Mauritius Broadcasting Corporation
56.	11.05.21	Meeting with the OC in connection with children's rights in secondary schools	OCO	<u>Representatives from UPSEE:</u> Mr M. Kurrimbacus, Secretary General; Mr B. Jagdambi, President
57.	11.05.21	Meeting in connection with the issue of child sexual abuse	OCO	Ms M. Peertaub, Director of the NGO 'Pedostop'  <u>OCO's representatives:</u> Mrs R. Venkatasawmy, OC; Ms B. Jogarah, Investigator
58.	27.05.21	Meeting in connection with the history of <i>Résidence Anoska</i>	OCO	Mr E. Mangar, President of <i>Mouvement pour l'Autosuffisance Alimentaire</i>  <u>OCO's representatives:</u> Mrs R. Venkatasawmy, OC; Mrs L. Jhugroo, Secretary; Mr I. A. Bawamia, Investigator; Mrs Y. Rhungapen-Veeramootoo, Investigator; Mrs S. Johaheer, Investigator

<b>SN</b>	<b>DATE</b>	<b>WORKSHOPS/ SEMINARS/ MEETINGS</b>	<b>VENUE(S)</b>	<b>ATTENDEE(S)</b>
<b>59.</b>	31.05.21	Meeting with the OC in connection with the 'Special Youth Outreach Programme' of the Ministry of Youth Empowerment, Sports and Recreation (MYESR)	OCO	Mr D. Anacooa, Senior Youth Officer, MYESR
<b>60.</b>	16.06.21 & 17.06.21	Training by Mrs M. Gopaul on the topic of the "The History of the Rights of the Child in Mauritius, the UNCRC and International Organisations Working for Children"	OCO	Mrs L. Jhugroo, Secretary; Mr I. A. Bawamia, Investigator; Mrs Y. Rhungapen-Veeramootoo, Investigator; Ms B. Jogarah, Investigator; Mrs L. Ramloul, Finance Officer/Senior Finance Officer; Mrs A. Swamber, Confidential Secretary; Mr S. Mungralee, MSO; Mrs I. Polixene, MSO; Mrs I. Jhugroo, Word Processing Officer; Ms M. Kaudeer, STM Intern
<b>61.</b>	17.06.21	Meeting with the OC in connection with a child rights matter	OCO	Mr. R. Payen, Vice Consul of the Consulate General of the Kingdom of the Netherlands and Secretary of Belgian and Spanish Consulates in Mauritius

SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
62.	28.06.21	Courtesy call with Mrs S. Aumeeruddy-Cziffra, Former Ombudsperson for Children, and Chairperson of the Public Bodies Appeal Tribunal	OCO	Mrs S. Aumeeruddy-Cziffra, Former OC  <u>OCO's representatives:</u> Mrs R. Venkatasawmy, OC; Mrs L. Jhugroo, Secretary; Mr I. A. Bawamia, Mrs Y. Rhungapen-Veeramootoo, Mrs S. Johaheer, Ms B. Jogarah, Investigators; Mrs. A. Swamber, Confidential Secretary
63.	05.07.21	Meeting with the OC and her team in connection with the drafting of the report's section on the intervention of NGOs at <i>Résidence Anoska</i>	OCO	Mrs P. Ravaton, Programme Manager, NSIF; Soeur Solange Perreau Coordinator, Mouvement d'Aide à la Maternité (MAM); Mrs P. Bignoux, Responsible Person for the Couple and Family Department, Action Familiale; Mrs N. Edoo, Outreach Officer, SOS Children's Village Mauritius; Mrs Y. Yone Shin, District Coordinator, Lovebridge
64.	08.07.21	Meeting with an inmate of RYC (Girls) in connection with an investigation	OCO	Inmate of RYC (Girls); Mrs S. Johaheer, Investigator, OCO



SN	DATE	WORKSHOPS/ SEMINARS/ MEETINGS	VENUE(S)	ATTENDEE(S)
65.	08.07.21	Meeting of the OC with a representative from the NGO 'Dis Moi'	OCO	Mr L. Couronne, Founder and Director-General, Dis-Moi
66.	19.07.21	Media interview with the OC on matters related to the rights of the child	OCO	Journalist from the Mauritius Broadcasting Corporation
67.	27.07.21	Preparatory meeting in connection with the OCO's upcoming workshop on 'Gender-Based Violence'	OCO	Mr V. Bhukhooreea & Mr A. Heeramun, Prison Welfare Officers
68.	29.07.21	OCO's first workshop on 'Gender-Based Violence'	OCO	<u>Inmates and representatives from:</u> RYC (Boys); RYC (Girls); Probation Home for Boys; Probation Home for Girls; Oasis Residential Care Institution
69.	05.08.21	OCO's second workshop on 'Gender-Based Violence'	Prison Training School Gymnasium, Beau Bassin	Inmates and Officers of CYC (Boys)

## ***WORKSHOPS/ MEETINGS/ ACTIVITIES ATTENDED BY STAFF OF THE OCO***

<b>SN</b>	<b>DATE</b>	<b>WORKSHOPS/ MEETINGS/ ACTIVITIES</b>	<b>ORGANISER(S)/ VENUE(S)</b>	<b>OCO'S STAFF WHO ATTENDED</b>
1.	03.09.20	Pedagogical activities for students of Grade 6	Coeur Sacré de Jésus RCA School	Mrs R. Venkatasawmy, OC; Mrs S. Johaheer, Investigator
2.	07.09.20	Media interview in connection with matters related to the rights of the child	Radio One	Mrs R. Venkatasawmy, OC
3.	08.09.20	Survey on the situation of children at <i>Résidence Anoska</i>	<i>Résidence Anoska</i>	Mrs L. Jhugroo, Secretary; Mr I. A. Bawamia, Investigator
4.	09.09.20	A talk on the theme entitled "The rights of children in conflict with law"	Mauritius Prison Service, Prison Training School, Beau Bassin	Mrs R. Venkatasawmy, OC; Mr I. A. Bawamia, Investigator
5.	10.09.20	Case conference in connection with a case of challenging behaviour of a child at school	Ramnarain Roy Government School, Bel Air Rivière Sèche	Mrs Y. Rhungapen-Veeramootoo, Investigator
6.	11.09.20	Meeting in connection with the submission of the 6 <sup>th</sup> and 7 <sup>th</sup> combined periodic reports of Mauritius on the implementation of the UNCRC to the UN Committee on the Rights of the Child	Ministry of Foreign Affairs, Regional Integration and International Trade, Port Louis	Mrs R. Venkatasawmy, OC; Mrs S. Johaheer, Investigator
7.	12.09.20	Guest lecture by the OC on children's rights in the context of the "Human Rights Education Course" of Dis-Moi	Dis-Moi, Head Office, Quatre Bornes	Mrs R. Venkatasawmy, OC

<b>SN</b>	<b>DATE</b>	<b>WORKSHOPS/ MEETINGS/ ACTIVITIES</b>	<b>ORGANISER(S)/ VENUE(S)</b>	<b>OCO'S STAFF WHO ATTENDED</b>
<b>8.</b>	18.09.20	Media interview in connection with matters related to the rights of the child	Kool FM (MBC), Moka	Mrs R. Venkatasawmy, OC
<b>9.</b>	24.09.20	Meeting with the President of National Housing Development Co. Ltd in connection with the situation of squatters	National Housing Development Co. Ltd, Rose Hill	Mrs R. Venkatasawmy, OC; Mrs L. Jhugroo, Secretary; Mr I. A. Bawamia, Investigator
<b>10.</b>	29.09.20	Submission of the OC's Annual Report 2019-2020 to His Excellency, Mr Prithvirajsing Roopun, G.C.S.K., President of the Republic of Mauritius	Office of the President, State House, Réduit	Mrs R. Venkatasawmy, OC; Mrs L. Jhugroo, Secretary; Mr I. A. Bawamia, Investigator; Mrs S. Johaheer, Investigator
<b>11.</b>	01.10.20	Welcome Reception in the honour of Her Excellency, Dr Kate O'Shaughnessy, Australian High Commissioner in Mauritius	Australian High Commission of Mauritius, Floreal	Mrs R. Venkatasawmy, OC
<b>12.</b>	05.10.20	Half-day talk on the theme entitled "Constructive dialogue to reflect on how teachers will face the challenges of children of the 21 <sup>st</sup> Century"	Early Childhood Care and Education Authority at the Town Hall of the Municipal Council of Vacoas-Phoenix	Mrs R. Venkatasawmy, OC
<b>13.</b>	06.10.20	Media interview in connection with matters related to the rights of the child	Radio Plus (Le Défi Media Group), Port Louis	Mrs R. Venkatasawmy, OC

<b>SN</b>	<b>DATE</b>	<b>WORKSHOPS/ MEETINGS/ ACTIVITIES</b>	<b>ORGANISER(S)/ VENUE(S)</b>	<b>OCO'S STAFF WHO ATTENDED</b>
<b>14.</b>	08.10.20	Video conference via the online platform 'Zoom' with 50 participants for a 'round table' event in the context of the International Day of the Girl Child	Department of French Studies, Faculty of Social Studies and Humanities, University of Mauritius, Réduit	Mrs R. Venkatasawmy, OC
<b>15.</b>	09.10.20	Case conference in connection with a case of challenging behaviour of a child in hospital	Souillac Hospital, Souillac	Mrs S. Johaheer, Investigator
<b>16.</b>	14.10.20	Half-day workshop on the validation of a detailed action plan in alignment with the National Strategy of the High-Level Committee on the Elimination of Gender-Based Violence in the Republic of Mauritius	Prime Minister's Office, Port Louis	Ms B. Jogarah, Investigator
<b>17.</b>	15.10.20	Meeting with Hon. Mrs Kalpana Devi Koonjoo-Shah, Minister of Gender Equality and Family Welfare in connection with the Children's Bill	Ministry of Gender Equality and Family Welfare, Port Louis	Mrs R. Venkatasawmy, OC; Mrs Y. Rhungapen-Veeramootoo, Investigator
<b>18.</b>	16.10.20	Meeting with staff members of St Esprit College in connection with the Universal Children's Day 2020	St Esprit College, Quatre Bornes	Mrs R. Venkatasawmy, OC; Ms B. Jogarah, Investigator
<b>19.</b>	16.10.20	Media interview in connection with the Children's Bill	Kool FM (MBC), Moka	Mr I. A. Bawamia, Investigator

<b>SN</b>	<b>DATE</b>	<b>WORKSHOPS/ MEETINGS/ ACTIVITIES</b>	<b>ORGANISER(S)/ VENUE(S)</b>	<b>OCO'S STAFF WHO ATTENDED</b>
<b>20.</b>	16.10.20	Case conference in connection with a case of challenging behaviour of a child in a school	Ministry of Education, Tertiary Education, Science and Technology, MITD House, Phoenix	Mrs S. Johaheer, Investigator
<b>21.</b>	16.10.20	Meeting with the Head Mistress of St Benoit RCA School in connection with the Universal Children's Day 2020	St Benoit RCA School, Tamarin	Mrs R. Venkatasawmy, OC; Ms B. Jogarah, Investigator
<b>22.</b>	17.10.20	A non-residential two-day workshop for 40 young beneficiaries (above 12 years old) including ex-inmates at the RYC and CYC, children of detainees, and ex-detainees	Association Kinouété at 'The Veranda Hotel', Tamarin	Mrs R. Venkatasawmy, OC
<b>23.</b>	17.10.20	Meeting with Mr R.C. Reedha, President of "Le Comité du 17 Octobre" hosted by ATD Quart Monde in connection with the celebration of the International Day for the Eradication of Poverty 2020	Centre Social de Case Noyale	Mrs R. Venkatasawmy, OC
<b>24.</b>	22.10.20	Launching event of "Integration of ICT in Early Childhood Education"	Early Childhood Care and Education Authority at the 'Paul Octave Wiéhe' Auditorium, Réduit	Mrs R. Venkatasawmy, OC; Mrs L. Jhugroo, Secretary

<b>SN</b>	<b>DATE</b>	<b>WORKSHOPS/ MEETINGS/ ACTIVITIES</b>	<b>ORGANISER(S)/ VENUE(S)</b>	<b>OCO'S STAFF WHO ATTENDED</b>
<b>25.</b>	28.10.20	Meeting of the Coordination and Monitoring Committee with Disability Focal Points	Ministry of Social Integration, Social Security and National Solidarity at the City Hall of the City Council of Port Louis	Mrs Y. Rhungapen-Veeramootoo, Investigator
<b>26.</b>	03.11.20	Sensitisation workshop with children	Safire Pedagogical Farm, Verdun	Mrs R. Venkatasawmy, OC; Mrs S. Johaheer, Investigator; Ms B. Jogarah, Investigator
<b>27.</b>	04.11.20	Case conference in connection with a case of challenging behaviour of a child at school	Ministry of Education, Tertiary Education, Science and Technology, Zone 4, Ebène	Mrs S. Johaheer, Investigator
<b>28.</b>	06.11.20	Meeting with Mrs K. Naga, Art Teacher, and student Peace Ambassadors in connection with the Universal Children's Day 2020	Quatre Bornes SSS	Mrs S. Johaheer, Investigator; Ms B. Jogarah, Investigator
<b>29.</b>	11.11.20	Celebrations of the Universal Children's Day 2020 organised by the OCO in collaboration with Media Trust, the MBC and 'Le Défi Media' Group	MBC, Réduit, Moka, and Radio Plus, Port Louis	Mrs R. Venkatasawmy, OC; Mrs S. Johaheer, Investigator
<b>30.</b>	17.11.20	Media interview in connection with the Children's Bill	Mauritius Broadcasting Corporation, Moka	Mrs Y. Rhungapen-Veeramootoo, Investigator



<b>SN</b>	<b>DATE</b>	<b>WORKSHOPS/ MEETINGS/ ACTIVITIES</b>	<b>ORGANISER(S)/ VENUE(S)</b>	<b>OCO'S STAFF WHO ATTENDED</b>
<b>31.</b>	18.11.20	Meeting with teachers of St Benoit RCA School in connection with the Universal Children's Day 2020	St Benoit RCA School, Tamarin	Mrs R. Venkatasawmy, OC
<b>32.</b>	19.11.20	Media interview regarding the Children's Bill	Radio Plus, Port Louis	Mr I. A Bawamia, Investigator
<b>33.</b>	20.11.20	Commemoration of UN75, the 30 <sup>th</sup> Anniversary of the adoption of the UN Convention on the Rights of the Child and the Universal Children's Day: Interactive workshop on the theme of basic child rights	United Nations Association of Mauritius, Plaza, Rose Hill	Mrs R. Venkatasawmy, OC
<b>34.</b>	23.11.20	Meeting in connection with the Children's Bill	Ministry of Gender Equality and Family Welfare, Port Louis	Mrs R. Venkatasawmy, OC; Mrs Y. Rhungapen-Veeramootoo, Investigator
<b>35.</b>	24.11.20	Meeting in connection with the 25 <sup>th</sup> Anniversary of MAM	MAM, Salle Bonâme, MSIRI, Réduit	Mrs Y. Rhungapen-Veeramootoo, Investigator
<b>36.</b>	24.11.20	Sensitisation session with Social Workers on the rights of the child	TIPA, Curepipe	Mr I. A. Bawamia, Investigator
<b>37.</b>	24.11.20	Award of grants to selected NGOs under the EU-funded civil society organisation thematic programme	Hosted by H.E Mr Vincent Degert, Ambassador and Head of the EU Delegation, St James Court, Port Louis	Mrs R. Venkatasawmy, OC

<b>SN</b>	<b>DATE</b>	<b>WORKSHOPS/ MEETINGS/ ACTIVITIES</b>	<b>ORGANISER(S)/ VENUE(S)</b>	<b>OCO'S STAFF WHO ATTENDED</b>
<b>38.</b>	25.11.20	Meeting with Mr C. Uteem, Former President of the Republic of Mauritius, in connection with the situation of squatters	Mare Gravier, Beau Bassin	Mrs R. Venkatasawmy, OC
<b>39.</b>	27.11.20	Brainstorming session on a halfway home project for young adults	Dis-Moi, Quatre Bornes	Mrs R. Venkatasawmy, OC
<b>40.</b>	27.11.20	Inauguration of a residential centre by the NGO Safire and celebration of the Universal Children's Day	Safire, La Ferme, Verdun	Ms B. Jogarah, Investigator
<b>41.</b>	29.11.20	Youth Leadership Award Ceremony	Plateau Toast Masters Club, Rabita Hall, Port Louis	Mrs R. Venkatasawmy, OC
<b>42.</b>	03.12.20	Media interview in connection with the Children's Bill	Wazaa FM, Ebène	Mr I. A. Bawamia, Investigator
<b>43.</b>	04.12.20	Handing over of certificates to participants of the "Human Rights Education Course" by Dis-Moi and celebration of the National Disabled Persons Day	Dis-Moi at the Hall of the Municipal Council of Beau Bassin / Rose Hill, Plaza, Rose-Hill	Mrs R. Venkatasawmy, OC
<b>44.</b>	06.12.20	Gathering in the context of the " <i>Journée de la Convention relative aux droits de l'Enfant</i> "	L'Action Catholique des Enfants et des Adolescents at the Lorette de Quatre Bornes College	Mrs R. Venkatasawmy, OC

SN	DATE	WORKSHOPS/ MEETINGS/ ACTIVITIES	ORGANISER(S)/ VENUE(S)	OCO'S STAFF WHO ATTENDED
45.	07.12.20	Meeting with Mr William Mario Ayeloo, Registrar of Civil Status, in connection with the right to identity of a child	Civil Status Division, Port Louis	Mrs R. Venkatasawmy, OC
46.	08.12.20	Case conference in relation to a case on challenging behaviour of a child at school	St François d'Assise RCA School, Baie du Cap	Mrs R. Venkatasawmy, OC; Mrs S. Johaheer, Investigator
47.	10.12.20	Half-day symposium on the theme entitled "Build back better by putting human rights at the core of the recovery"	Ministry of Foreign Affairs, Regional Integration and International Trade (Human Rights Division) and the United Nations, Hennessy Park Hotel, Ebene	Ms. B. Jogarah, Investigator
48.	16.12.20	Interactive session on the themes related to shaping the future together and coming to a better understanding of children's rights in Mauritius	UN Resident Coordinators Office, Hennessy Park Hotel, Ebene	Mrs R. Venkatasawmy, OC
49.	17.12.20	Meeting and engagement activities with children of <i>Résidence Anoska</i>	<i>Résidence Anoska</i>	Mrs R. Venkatasawmy, OC
50.	11.01.21	Meeting with Père Labour regarding an investigation at Foyer Père Laval	Foyer Père Laval, St Croix	Mrs R. Venkatasawmy, OC; Mrs. S. Johaheer, Investigator

SN	DATE	WORKSHOPS/ MEETINGS/ ACTIVITIES	ORGANISER(S)/ VENUE(S)	OCO'S STAFF WHO ATTENDED
51.	20.01.21	High Level Committee in connection with the issue of Gender-Based Violence	Ministry of Gender Equality and Family Welfare, Port Louis	Mrs. Y. Rhungapen-Veeramootoo, Investigator
52.	22.01.21	Meeting in connection with the report on <i>Résidence Anoska</i>	Social Centre, <i>Résidence Anoska</i>	Mrs R. Venkatasawmy, OC; Mr. I. A. Bawamia, Investigator
53.	02.02.21	Study tour in connection with the perusal of the debates on the Children's Bill since 1981 as cited in the Hansard	National Assembly Library, Port Louis	Mrs R. Venkatasawmy, OC;  <u>Investigators:</u> Mr I. A. Bawamia; Mrs Y. Rhungapen-Veeramootoo; Mrs S. Johaheer; Mrs B. Jogarah
54.	04.02.21	Meeting in connection with <b>OCO's EU-funded project</b>	Delegation of the EU to the Republic of Mauritius, St James Court, Port Louis	Mrs L. Jhugroo, Secretary; Ms. B. Jogarah, Investigator
55.	06.02.21	Meeting with Mrs Yagapen, Association des Parents de Déficients Auditifs (APDA)	Eau Coulée, Curepipe	Mrs R. Venkatasawmy, OC
56.	10.02.21	Follow-up meeting in connection with the UNCRC	Ministry of Foreign Affairs, Regional, Integration and International Trade (Human Rights Division)	Mrs S. Johaheer, Investigator

SN	DATE	WORKSHOPS/ MEETINGS/ ACTIVITIES	ORGANISER(S)/ VENUE(S)	OCO'S STAFF WHO ATTENDED
57.	19.02.21	Ceremony in the honour of Mrs J. Leblanc for her boundless dedication to the NGO Action Familiale over the last 58 years	University of Mauritius, Réduit	Mrs L. Jhugroo, Secretary
58.	27.02.21	Half-day activity in connection with the International Mother Language Day's theme entitled <i>"Promouvwar lang maternel pour inklizyon dan ledikasyon ek sosiete repiblik moris"</i>	Creole Speaking Union at the University of Mauritius, Réduit	Mrs R. Venkatasawmy, OC
59.	05.03.21	Media interview in connection with matters related to the rights of the child	Mauritius Broadcasting Corporation, Moka	Mrs R. Venkatasawmy, OC
60.	14.04.21	First Technical Committee to study the phenomenon of child/revue pornography	Ministry of Gender Equality and Family Welfare, Port Louis	Ms B. Jogarah, Investigator
61.	22.04.21	Meeting in connection with the OC's own-motion investigation on online child sexual abuse and sexual exploitation	Information and Communication Technologies Authority, Port Louis	Mrs R. Venkatasawmy, OC; Ms B. Jogarah, Investigator

SN	DATE	WORKSHOPS/ MEETINGS/ ACTIVITIES	ORGANISER(S)/ VENUE(S)	OCO'S STAFF WHO ATTENDED
62.	10.05.21	Interview with parents and children of <i>Résidence Anoska</i> in connection with the drafting of the report on <i>Résidence Anoska</i>	<i>Résidence Anoska</i>	Mrs R. Venkatasawmy, OC;  <u>Investigators:</u> Mr I. A. Bawamia; Mrs Y. Rhungapen-Veeramootoo; Mrs S. Johaheer; Ms B. Jogarah;  Ms M. Kaudeer, STM Intern
63.	12.05.21	Video conference in relation to the theme of parental alienation	NGO in Ireland named 'Alienated Children First', conference accessed online from the OCO	Mrs R. Venkatasawmy, OC
64.	17.05.21	2 <sup>nd</sup> Technical Committee to study the phenomenon of child/revenge pornography via the online platform of 'Zoom'	Ministry of Gender Equality and Family Welfare, Port Louis, meeting accessed online from the OCO	Ms B. Jogarah, Investigator
65.	26.05.21 - 01.06.21	Field survey on the situation of children at <i>Résidence Anoska</i>	<i>Résidence Anoska</i>	Mrs L. Jhugroo, Secretary; Mr I. A. Bawamia, Investigator; Ms B. Jogarah, Investigator; Ms M Kaudeer, STM Intern
66.	02.06.21	Online meeting on the platform of 'Zoom' regarding the COVID-19 pandemic	Master and Registrar, accessed online from OCO	Mrs R. Venkatasawmy, OC



<b>SN</b>	<b>DATE</b>	<b>WORKSHOPS/ MEETINGS/ ACTIVITIES</b>	<b>ORGANISER(S)/ VENUE(S)</b>	<b>OCO'S STAFF WHO ATTENDED</b>
<b>67.</b>	14.06.21	Meeting on the topic of 'Cyber violence in the Republic of Mauritius'	Dis-Moi and the Mauritius Research and Innovation Council, Ebène	Mrs R. Venkatasawmy, OC
<b>68.</b>	18.06.21	Meeting in connection with the participatory research project entitled 'The Multi-dimensional aspects of poverty'	ATD Quart Monde, Beau Bassin	Ms B. Jogarah, Investigator
<b>69.</b>	22.06.21	Meeting with Professor Armoogum Parsuramen, G.O.S.K., President of the Global Rainbow Foundation (GRF) in connection with the facilities offered by the GRF to children with disabilities	GRF, Petit Raffray	Mrs R. Venkatasawmy, OC; Mr I. A. Bawamia, Investigator; Ms M Kaudeer, STM Intern
<b>70.</b>	01.07.21	Meeting with His Excellency, Mr Marie Cyril Eddy Boissézon, G.O.S.K, Vice President of the Republic of Mauritius	Office of the Vice President, Quatre Bornes	Mrs R. Venkatasawmy, OC
<b>71.</b>	09.07.21	Meeting with an Academics and Specialists Working Group in connection with the participatory research project entitled 'The Multi-dimensional aspects of poverty'	ATD Quart Monde, Montmartre Church, Rose Hill	Ms B. Jogarah, Investigator

SN	DATE	WORKSHOPS/ MEETINGS/ ACTIVITIES	ORGANISER(S)/ VENUE(S)	OCO'S STAFF WHO ATTENDED
72.	23.07.21	Meeting in relation to the rate of child birth, breastfeeding and support to mothers-to-be and a talk by a Paediatrician and Midwife from Belgium	MAM at Labourdonnais Waterfront Hotel, Port Louis	Mrs Y. Rhungapen-Veeramootoo, Investigator
73.	04.08.21	Launching of 9 short videos in relation to human rights by the Hon. Mr A. Ganoo, Minister of Foreign Affairs, Regional Integration and International Trade	Ministry of Foreign Affairs, Regional Integration and International Trade (Human Rights Division) at the Labourdonnais Waterfront Hotel, Port Louis	Mrs L. Jhugroo, Secretary
74.	04.08.21	Meeting in connection with the National Campaign on Gender-Based Violence	Centre des Dames Mourides, Mesnil	Mrs S. Johaheer, Investigator
75.	06.08.21	Meeting on the topics of law and order chaired by the Mayor of Beau Bassin/Rose Hill	Town Hall, Municipal Council of Beau Bassin/Rose Hill	Mrs I. Polixene, MSO
76.	17.08.21	Media interview on the Radio Plus programme entitled " <i>Au Coeur de l'Info : Sommes-nous devenus une nation de pervers et de voyeurs ?</i> "	Radio Plus, Port Louis	Mrs R. Venkatasawmy, OC

**FIELD VISITS CONDUCTED BY THE OCO**

<b>SN</b>	<b>DATE</b>	<b>VENUE(S)</b>
1.	03.09.20	MEDCO, Cassis
2.	03.09.20	Correctional Youth Centre (Boys), Beau Bassin
3.	15.09.20	Jean Blaize, Pointe aux Sables in connection with the situation of squatters
4.	20.09.20	Jean Blaize, Pointe aux Sables in connection with the situation of squatters
5.	21.09.20	L'Oasis Residential Care Centre, GRNW, Port Louis
6.	21.09.20	Correctional Youth Centre (Boys), Beau Bassin
7.	23.09.20	Riambel in connection with the situation of squatters
8.	29.09.20	Riambel in connection with the situation of squatters
9.	26.10.20	Rehabilitation Youth Centre (Girls), Beau Bassin
10.	27.10.20	Phoenix SSS, Phoenix
11.	21.12.20	Rehabilitation Youth Centre (Boys), Beau Bassin
12.	23.12.20	<i>Résidence Anoska, 16<sup>ème</sup> Mille, Forest Side</i>
13.	11.01.21	Foyer Père Laval, Port Louis
14.	18.01.21	<i>Résidence Anoska, 16<sup>ème</sup> Mille, Forest Side</i>
15.	19.01.21	SOS Children's Village Pre-Primary School, Curepipe
16.	22.01.21	<i>Résidence Anoska, 16<sup>ème</sup> Mille, Forest Side</i>
17.	26.01.21	Cluny Government School, Cluny
18.	02.05.21	<i>Résidence Anoska, 16<sup>ème</sup> Mille, Forest Side</i>
19.	31.05.21	Association pour les Handicapés de Malherbes, Forest Side, Curepipe
20.	03.06.21	Etoile du Berger, Albion

***FIELD VISITS CONDUCTED BY THE OCO AT SEN SCHOOLS  
REGISTERED WITH THE SEN UNIT, RESOURCE CENTRES, SEDEC,  
NGOs AND INTEGRATED CLASSES***

<b>SN</b>	<b>DATE</b>	<b>SEN SCHOOL</b>	<b>ADDRESS</b>	<b>ZONE</b>
1.	20.01.21	SEN Integrated Unit of S. Ramudhin Govt School	Médine, Camp de Masque	2
2.	20.01.21	(Ex-APEIM) RCEA SEN Integrated Unit, Queen Victoria RCA School	Rue des Amis, Bonne Mère	2
3.	20.01.21	Flacq Disabled Centre	Hibiscus Res. No. 2, Central Flacq	2
4.	20.01.21	Centre d'Education et de Progrès des Enfants Handicapés (CEPEH)	Royal Road, Argy, Centre de Flacq	2
5.	20.01.21	Rajkumar Gujadhur SENRDC	Royal Road, Flacq	2
6.	26.01.21	Rehabilitation Youth Centre (Girls)	Sir F. Herchenroder Street, Beau Bassin	2
7.	27.01.21	Laventure Technical School for Disabled	Shivala Road, Laventure, Flacq	2
8.	27.01.21	Eastern Welfare Association for Disabled (EWAD)	Royal Road, Beau Champs	2
9.	27.01.21	Association des Malades et Handicapés de L'Est - Centre Joie de Vivre	Rue St Maurice, Poste de Flacq	2
10.	03.02.21	Association Jeunes Inadaptés de Curepipe	Vitry Street, Curepipe	3

<b>SN</b>	<b>DATE</b>	<b>SEN SCHOOL</b>	<b>ADDRESS</b>	<b>ZONE</b>
<b>11.</b>	03.02.21	Association de Parents d'Enfants aux Besoins Spéciaux (APEBS)	9 Remono Street, Curepipe	3
<b>12.</b>	03.02.21	Shelter for Women and Children in Distress	Icery Road, Forest Side	3
<b>13.</b>	03.02.21	The Gemstones SEN School, under the aegis of the 'Association pour les Handicapés de Malherbes' (AHM)	Plot 18, Swift Lane, Morcellement Carbonel, Forest Side	3
<b>14.</b>	04.02.21	RCEA SEN Integrated Unit (SEDEC)	Royal Road, Mount Ory	2
<b>15.</b>	04.02.21	Centre de l'Education et de Progrès des Enfants Handicapés (CEPEH)	Bechard Road, Quartier Militaire	2
<b>16.</b>	04.02.21	Moka Special Education Needs Resource and Development Centre in collaboration with CEPEH	Bois Chéri Road, Moka	2
<b>17.</b>	06.02.21	Ruth SENS English Medium School	Charles Lees Street, Rose Hill	2
<b>18.</b>	08.02.21	Central Prison Female	Beau Bassin/Rose Hill	2
<b>19.</b>	08.02.21	Central Prison Male	Beau Bassin/Rose Hill	2
<b>20.</b>	08.02.21	Busy Bees	45, Saranvilla Street, Coromandel	2
<b>21.</b>	08.02.21	I CAN	12 Rue Fadeulle, Beau Bassin	2
<b>22.</b>	08.02.21	Correctional Youth Centre (Boys)	Sir F. Herchenroder Street, Beau Bassin	2
<b>23.</b>	08.02.21	Rehabilitation Youth Centre (Girls)	Sir F. Herchenroder Street, Beau Bassin	2

<b>SN</b>	<b>DATE</b>	<b>SEN SCHOOL</b>	<b>ADDRESS</b>	<b>ZONE</b>
<b>24.</b>	08.02.21	Rehabilitation Youth Centre (Boys)	Sir F. Herchenroder Street, Beau Bassin	2
<b>25.</b>	08.02.21	SENRC Maingard	Colonel Maingard Street, Beau Bassin	2
<b>26.</b>	08.02.21	(Ex-APEIM) SENS Unit Mahebourg RCA (SEDEC)	Royal Road, Mahebourg	3
<b>27.</b>	08.02.21	Southern Handicapped Association	Mon Desir, Plaine Magnien	3
<b>28.</b>	08.02.21	Smt PL Govindramen Aryan Vedic SEN School	Royal Road, Union Vale, Trois Boutiques	3
<b>29.</b>	08.02.21	Ferney SENDRC	Royal Road, Ferney	3
<b>30.</b>	08.02.21	Riche en Eau Government School Integrated SEN Unit in partnership with Arya Sabha	Riche en Eau	3
<b>31.</b>	09.02.21	Maingard SEN Integrated Unit attached to Notre Dame de Lourdes RCA School	Colonel Maingard Street, Beau Bassin	2
<b>32.</b>	09.02.21	Southern Handicapped Association	Coastal Road, Riambel, Surinam	3
<b>33.</b>	09.02.21	Nouvelle France Government School in partnership with APDA	Seegoolam Lane, Nouvelle France	3
<b>34.</b>	09.02.21	Rivière des Anguilles SENRC	Barrack Road, Rivière des Anguilles	3
<b>35.</b>	09.02.21	Notre Dame de Lourdes RCA (SEDEC)	Colonel Maingard Street, Beau Bassin	2



<b>SN</b>	<b>DATE</b>	<b>SEN SCHOOL</b>	<b>ADDRESS</b>	<b>ZONE</b>
<b>36.</b>	25.02.21	Society for the Welfare of the Deaf - School for the Deaf	Pope Hennessy Street, Beau Bassin	2
<b>37.</b>	26.02.21	Trochetia Special Needs School	92, Nubee Street, Camp Levieux, Rose Hill	2
<b>38.</b>	26.02.21	Mauritius Mental Health Association	Ligne Berthaud, Trèfles, Stanley, Rose-Hill	2
<b>39.</b>	26.02.21	Centre Lois Lagesse – School for the Blind	Colonel Maingard, Beau Bassin	2
<b>40.</b>	01.03.21	RCA SEDEC SEN Integrated Unit Signal Mountain	Rue Victor Hugo, Bell Village	1
<b>41.</b>	01.03.21	Fondation Georges Charles	Royal Road Terrasson, Pointe aux Sables	1
<b>42.</b>	01.03.21	Association Anou Grandi	Royal Road, Mont Loisir, L'Amitié	1
<b>43.</b>	01.03.21	Mille Soleil Association for the Welfare of Disabled Persons	Mahatma Gandhi Road, Roche Terre	1
<b>44.</b>	01.03.21	Northern Association for Disabled People SEN School	Royal Road, Roche-Noires	1
<b>45.</b>	01.03.21	Terre de Paix – Fondation pour l'Enfance	Camp Creole, Albion	4
<b>46.</b>	01.03.21	Rêve et Espoir	Royal Road, Black River	4
<b>47.</b>	02.03.21	Allée Brilliant SENRDC	Disha Lane, Allée Brilliant	4
<b>48.</b>	02.03.21	Centre d'Education et de Développement pour les Enfants Mauriciens (CEDEM)	La Caverne No 2, Vacoas	4

<b>SN</b>	<b>DATE</b>	<b>SEN SCHOOL</b>	<b>ADDRESS</b>	<b>ZONE</b>
<b>49.</b>	02.03.21	Children's Foundation –Centre d'Education Spécialisée	9, Britannia Park, Gymkhana, Vacoas	4
<b>50.</b>	02.03.21	Autisme Maurice	24, Ave Bertrand, Quatre Bornes	4
<b>51.</b>	02.03.21	Joie de Vivre Universelle SEN School	Ave Hirondelles, Sodnac, Quatre Bornes	4
<b>52.</b>	03.03.21	Century Welfare Association	4, Kleber Street, Port Louis	1
<b>53.</b>	03.03.21	RCEA SEN Integrated Unit Bon Secours	Edith Cavell Street, Port Louis	1
<b>54.</b>	03.03.21	EDYCS – Help to Grow Educational and Rehabilitation Centre	4, Boulevard Rivalentz, Port Louis	1
<b>55.</b>	03.03.21	Islamic Centre for Disabled Children	1 Military Road, Cité Martial	1
<b>56.</b>	03.03.21	Jean Lebrun Government School - SEN Integrated Unit	Gorah Issac, Port Louis	1
<b>57.</b>	03.03.21	J.T. Ramsoondur Govt School	Solferino No.3, Vacoas	4
<b>58.</b>	03.03.21	SEN Integrated Unit RCEA Visitation (Ex-APEIM)	Visitation Lane, Vacoas	4
<b>59.</b>	03.03.21	Quinze Cantons SEN Unit	15 Cantons Road, Vacoas	4
<b>60.</b>	03.03.21	RCA SEN Integrated Unit St Paul (SEDEC)	39, Route St Paul, Phoenix	4
<b>61.</b>	03.03.21	The Ranger Foundation Centre	Wooton, Phoenix	4
<b>62.</b>	04.03.21	Remy Ollier Government School Integrated SEN Unit	Murray Avenue, Rose Hill	4
<b>63.</b>	04.03.21	S. H. Chooromoney Government School in partnership with APDA	Jackson Road, Bassin, Quatres Bornes	4

## ***AWARENESS CAMPAIGNS AT CITIZENS ADVICE BUREAUS CONDUCTED BY INVESTIGATORS OF THE OCO***

<b><i>SN</i></b>	<b><i>DATE</i></b>	<b><i>CITIZENS ADVICE BUREAUS</i></b>	<b><i>INVESTIGATOR</i></b>
<b>1.</b>	04.02.21	Goodlands	Mr. I. A. Bawamia
<b>2.</b>	11.02.21	Grand Baie	Ms. B. Jogarah
<b>3.</b>	18.02.21	Rivière des Anguilles	Mrs Y. Rhungapen-Veeramootoo
<b>4.</b>	25.02.21	Pointe aux Sables	Mr I. A. Bawamia
<b>5.</b>	04.03.21	Beau Bassin	Mrs Y. Rhungapen-Veeramootoo

## *OCO'S VISITS TO RESIDENTIAL CARE INSTITUTIONS (RCIs)*

SN	NAME OF RCI	NO. OF UNITS
<b><u>Government-owned RCIs managed by the Children's Foundation:</u></b>		
1.	La Marguerite, Belle Rose	1
2.	La Cigogne, Floreal	1
<b><u>Government-owned RCI managed by Association for Population and Development (APD):</u></b>		
3.	L'Oasis Residential Care Centre, GRNW, Port Louis	1
<b><u>Government-owned RCI managed by the National Children's Council (NCC):</u></b>		
4.	L'Oiseau du Paradis, Cap Malheureux	1
<b><u>RCIs owned and managed by NGOs:</u></b>		
5.	SOS Children's Village, Beau Bassin	6
6.	SOS House In Community, Vacoas	6
7.	SOS Children's Village, Bambous	9
8.	Association des Amis de Don Bosco, Baie du Tombeau	2
9.	Foyer Monseigneur Leen, Rose Hill	1
10.	Crèche Coeur Immaculé de Marie, Quatre Bornes	1
11.	Shelter for Women and Children in Distress Trust Fund, Forest Side	1
12.	CEDEM, Vacoas	1
13.	CEDEM, Floreal	1

<b>SN</b>	<b>NAME OF RCI</b>	<b>NO. OF UNITS</b>
<b><u>RCIs owned and managed by NGOs (continued):</u></b>		
<b>14.</b>	Etoile du Berger, Albion	2
	Etoile du Berger, Roche Brune	1
<b>15.</b>	Fondation pour L'Enfance Terre De Paix, Albion	3
	Fondation pour L'Enfance Terre De Paix, Rose Hill	1
	Fondation pour L'Enfance Terre De Paix, Quatre Bornes	2
<b>16.</b>	Gayasing Ashram, Port Louis	1
<b>17.</b>	Havre d'Avenir, Beau Bassin	1
<b>18.</b>	Foyer Père Laval, Port Louis	1
<b>19.</b>	Association pour les Handicapés de Malherbes, Forest Side, Curepipe	1
<b>20.</b>	Worldlight, Roche Brunes	1
<b>21.</b>	Association pour l'Accueil des Femmes et des Enfants en Difficulté (AFED), Rose Hill	1
<b>22.</b>	Pure Mind Haven, Vacoas	1
<b>23.</b>	Association pour l'Accompagnement, la Réhabilitation et l'Insertion Sociale des Enfants (ARISE), Pointe aux Sables	1
<b>24.</b>	Centre for Counseling and Mindfulness, Port Louis	1

## ***PARTICIPATION IN INTERNATIONAL WEBINARS BY STAFF OF THE OCO***

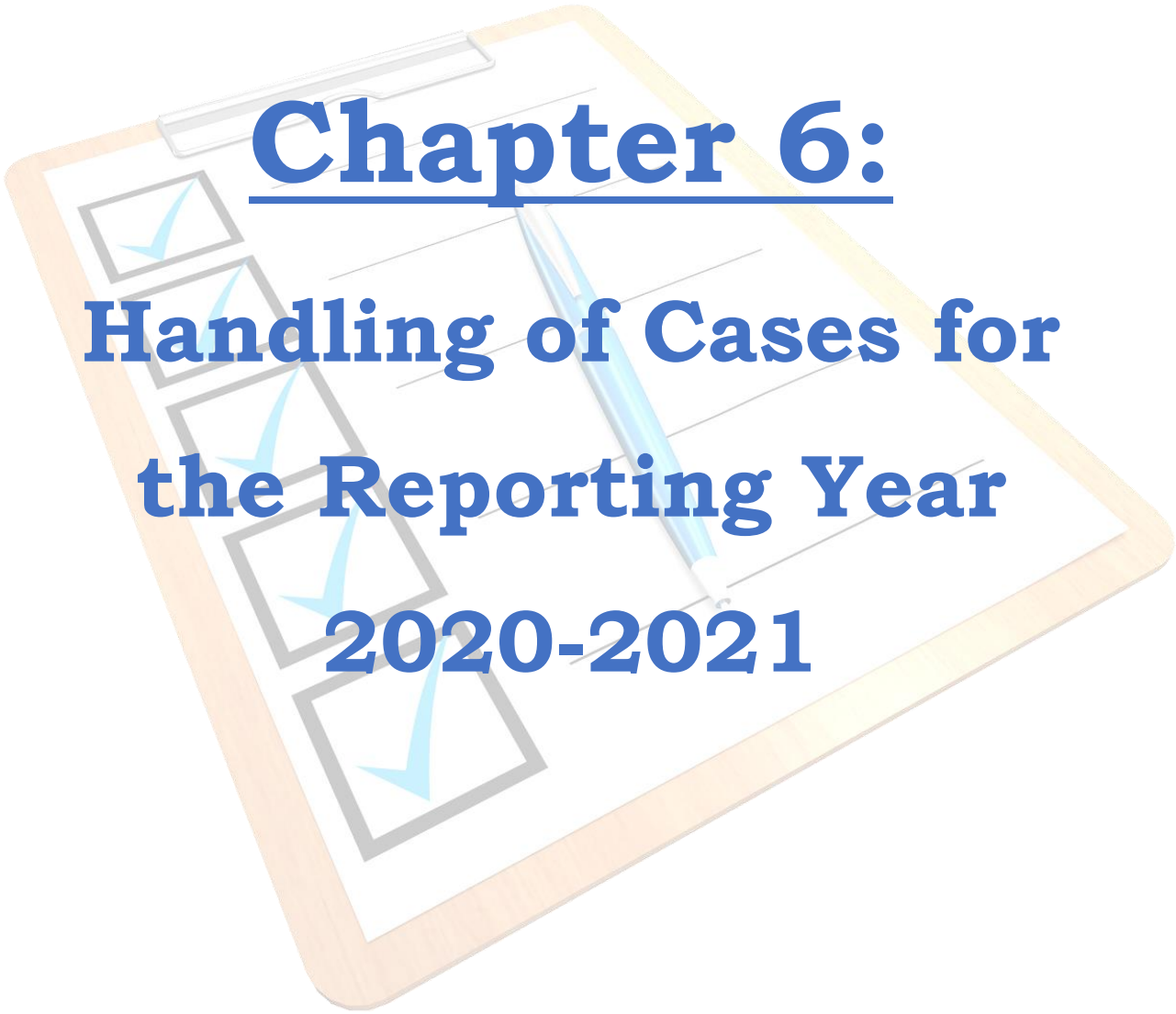
<b>SN</b>	<b>DATE</b>	<b>THEME</b>	<b>ORGANISER(S)</b>	<b>OCO'S STAFF</b>
<b>1.</b>	19.01.21	COVID-19 Challenges	University of Kwazulu-Natal and the African Ombudsman Research Centre (AORC), a research and training arm of the AOMA	Mrs S. Johaheer, Investigator
<b>2.</b>	21.01.21	<p><i>“Appel aux professionnels travaillant dans la participation des enfants à : ‘Ecouter – Agir - Changer’</i></p> <p><i>Suivre la bonne voie : orientations pratiques pour les professionnels dans le but d’impliquer les enfants de manière significative et sécurisée”</i></p>	Council of Europe	Mrs Y. Rhungapen-Veeramootoo, Investigator
<b>3.</b>	02.04.21	The impact of COVID-19 on the rights of the child	AOMF	Mrs Y. Rhungapen-Veeramootoo, Investigator
<b>4.</b>	07.04.21	The UN Resolutions of 16 December 2020: “The Role of the Institutions of Ombudsman and Mediators in the Promotion and Protection of Human Rights, Good Governance and Rule of Law”	The Venice Commission in cooperation with the Ombudsman of the Kingdom of Morocco	Mrs L. Jhugroo, Secretary; Mr I. A. Bawamia, Investigator; Ms B. Jogarah, Investigator



<i><b>SN</b></i>	<i><b>DATE</b></i>	<i><b>THEME</b></i>	<i><b>ORGANISER(S)</b></i>	<i><b>OCO'S STAFF</b></i>
<b>5.</b>	20.04.21	Visiting Places of Detention	The African Ombudsman Research Centre (AORC) in collaboration with the International Ombudsman Institute (IOI)	Mrs S. Johaheer, Investigator
<b>6.</b>	25.05.21 - 27.05.21	12 <sup>th</sup> International Ombudsman World Conference and General Assembly	IOI	Mr I. A. Bawamia, Investigator; Ms B. Jogarah, Investigator

**OCO'S MISSION TO RODRIGUES FROM 25 TO 29 OCTOBER 2020**

SN	DATE	AGENDA	PARTICIPANTS	VENUE(S)
1.	26.10.20	Launching of the OC's Annual Report 2019-2020	Commissioners; Members of the Rodrigues Regional Assembly; and Different stakeholders working with children	Cotton Bay Resort and Spa, Rodrigues
2.	27.10.20	One-day seminar <b>funded by the European Union</b> on the theme entitled "How governmental bodies and NGOs can better promote and protect the rights of children in Rodrigues"	Representatives of governmental bodies and NGOs working with children	Cotton Bay Resort and Spa, Rodrigues
3.	28.10.20	Interactive sessions during visits to Rossignol, Champignons and Butterfly Pre-Primary Schools (PPS) in Rodrigues	Students and teachers of the PPSs	Rossignol PPS, Chateau d'Eau; Champignons PPS, Mt. Malgache; Butterfly PPS, Port Mathurin
4.	28.10.20	Meeting in connection with primary school admission modalities	Commissioner for Child Development and Others; some members of the Rodrigues Regional Assembly; a group of teachers of PPSs and parents	Carrefour Centre, Port Mathurin

A light-colored wooden clipboard with a silver clip at the top. It holds a white sheet of paper with a checklist. The checklist has five items, each in a grey rectangular box. The first, third, and fifth items are checked with a blue checkmark. A blue pen lies diagonally across the paper. The text 'Chapter 6: Handling of Cases for the Reporting Year 2020-2021' is overlaid in a large, bold, blue font.

# **Chapter 6:**

## **Handling of Cases for the Reporting Year 2020-2021**

## Investigation Flowchart of the OCO

Complaint received at the OCO OR initiation of an own-motion inquiry by the OCO on an alleged violation of child rights



**Is the case pending before Court?**

If **yes**, refer to relevant authorities. If **no**, proceed with preliminary assessment.



**Preliminary assessment**

Have all the options (e.g. contacting relevant authorities) been exhausted in finding a solution to this case?

If **yes**, proceed with full investigation. If **no**, refer to the relevant authorities.



**Full investigation**

(This stage consists of calls for files, summons and examinations on oath, individual and group interviews, field visits, mediation, case conferences and consultations, among others.)



**Reporting and Recommendations**

(This may include written correspondences, case reports, or Special or Annual Reports that are submitted to the President of the Republic of Mauritius and rendered public, all including recommendations to relevant stakeholders on the concerned child-related matters.)



**Monitoring and Evaluation**

(This may include visits to different organisations or institutions to follow-up on proposed remedial actions or recommendations, surprise checks and requests for feedback from concerned parties within a timeframe of one week to three months, among others.)

## 6.1. Introduction

The Ombudsperson for Children (OC) represents and defends the rights of all children living in Mauritius, Rodrigues and Agalega, children of Mauritian origin who are abroad, and children of other nationalities who reside within the Republic of Mauritius. Based on the Ombudsperson for Children Act (OCA) 2003 (refer to Appendix A), the overarching mandate of the OC relates to the following main areas:

- monitoring compliance with the Convention on the Rights of the Child (UN, 1989) among all relevant local stakeholders;
- promoting the rights of children in the Republic of Mauritius including their rights to health, education, leisure and freedom of expression among others, as well as their best interests; and
- collaborating with public bodies, private organisations, individuals and associations of individuals in the promotion and protection of child rights.

In order to achieve its mandate, one of the core functions of the OCO is to carry out investigations on any alleged case of child rights violations, either on its own motion or driven by a complaint made by any party. This is clearly set out in sections 6 and 7 of the OCA 2003. The OCO receives complaints on various types of cases, for instance,

- a child with disabilities being denied of the carer's allowance with her basic invalidity pension benefits;
- a child victim of corporal punishment perpetrated by his teacher;
- children living in deplorable conditions at a residential care institution (RCI) and not attending school; or
- a case of parental alienation where a father is being denied the right to meet his child.

**The present chapter gives information on the 8 principles that guide the actions of the OCO. An overview of the number and types of cases handled at the OCO in the period from 01 July 2020 to 31 August 2021 is then provided. Examples of 100 selected anonymised cases handled at the OCO over the reporting period 2020-2021 have also been provided for reference in a simplified format.**

## 6.2. The 8 guiding principles of OCO's investigations

The OCO gives high importance to good governance which is translated into **eight guiding principles** that underlie its actions with regards to promoting and protecting children's rights:

### 1) Jurisdiction

The OC has a clear mandate through the OCA 2003 which specifies her role, powers and functions. Her decisions and actions are formulated and executed within the parameters of the OCA 2003.

### 2) Independence

As long as she is operating within the limits of the OCA 2003, the OC performs her functions independently and does not take directives from any public or private authority.

### 3) Impartiality and fairness

The OC remains a neutral party during dispute resolution and does not take sides. At the OCO, each complaint is received and reviewed in an objective and fair manner, free from bias. All parties are treated without favour or prejudice. The views of the child are also given due consideration based on his/her age and level of maturity.

### 4) Best interests of the child

The OC has a mandate to protect the best interests of the child in all circumstances. Being the primary local advocate of the principles and rights enshrined in the UNCRC, the OC's interventions are always motivated by the best interests of the child.

### 5) Confidentiality

The OC has the privilege and discretion to keep confidential or release information related to a complaint or investigation as appropriate. The OC does not disclose confidential information about individual cases or visits and cannot be compelled to testify about concerns brought to her attention. Confidentiality is very important to build the credibility of the OCO mainly because people who complain to the OC and who respond to the OC's investigations may fear retaliation. Therefore, protecting the identities of witnesses and safeguarding the information communicated to the OC enable her to effectively and efficiently advocate for the rights of children.

## 6) Transparency

In line with the OCA 2003, proper referral, assessment, intervention and review mechanisms have been created at the OCO to deal with every single complaint. Transparency is considered fundamental to accountability. In this regard, the OC submits to the President of the Republic of Mauritius an annual report showcasing the activities carried out by the OCO during the preceding year that is subsequently rendered public.

## 7) Responsiveness

The OCO provides a free and responsive complaint procedure for anyone who requires it. There are several ways through which a complaint can be made by or on behalf of children as follows:

- coming in person or phoning the office to speak with an Investigator or the OC;
- downloading a complaint sheet from the OCO's website, filling it in and send it back to the OCO;
- writing a letter to the OC about the complaint; or
- sending an email about the complaint to the OC.

## 8) Public awareness

In order to make the general public aware of her role and the functions of her office, as well as the rights and responsibilities of children as promoted by the UNCRC, the OC works in close collaboration with the media, and also regularly organises awareness campaigns throughout the Republic of Mauritius



### 6.3. Summary of cases handled at the OCO in 2020-2021

For the reporting period from July 2020 to August 2021, the OCO registered a total of **468 cases**, which was more than the number of cases recorded in 2019-2020 (i.e., 403), despite a national lockdown from 10 to 31 March 2021. It is believed that the main explanation for this rise is that people are becoming increasingly aware of the role and functions of the Ombudsperson for Children's Office owing to the different public sensitisation campaigns led by the OCO during this reporting year.

Tables 9-12 below provide an overview of the case statuses of complaints registered for the period from July 2020 to August 2021; the different categories of complaints received; the profile of complainants; and the gender distribution of complainants, respectively.

**Table 9. Cases handled by the OCO from 01 July 2020 to 31 August 2021.**

Case status	Number of cases	Percentage (%)
Cases resolved	374	80
Cases awaiting reports	56	12
Cases in progress	38	8
<b>TOTAL</b>	<b>468</b>	<b>100</b>

As shown in Table 9 above, out of the 468 new complaints registered and investigated from 01 July 2020 to 31 August 2021, the OCO successfully resolved and closed nearly **80 per cent** of its caseload (i.e., **374 cases**). As at 31 August 2021, 56 case reports were still being awaited from various governmental and non-governmental stakeholders, and the remaining 38 cases were in progress of investigation.

The categories of complaints vary from basic school problems to complex societal issues, including family conflicts, domestic violence, abuse, neglect and poverty, as given in Table 10 below. The main category of complaint investigated during this reporting year was that related to family conflicts (i.e., **106 cases**), which mainly arose due to non-respect of Court orders on parental custody and visitation rights. The next most frequent category was that related to corporal punishment/ harassment/ abuse by school personnel/ bullying at school (i.e., **60 cases**), followed by school problems (i.e., **45 cases**)

related to admission, transport and infrastructure. It must be noted that the category indicated as 'Others' in Table 2 represents those cases that involve compounding difficulties, in other words, cases constituting of two or more categories of complaints (e.g., family conflict, child behavioural problems and sexual abuse).

**Table 10. Categories of complaints registered at the OCO from 01 July 2020 to 31 August 2021.**

Category of complaints	Number of cases
• Family conflict/ Custody/ Right of access	106
• Corporal punishment/ Harassment/ Verbal abuse by school personnel/ Bullying/ Violence/ Assault at school	60
• School problems / Transfer / Admission/ Transport/ Infrastructure	45
• Child neglect	43
• Institutional abuse and neglect/ Police brutality	40
• Sexual abuse and harassment	39
• Physical violence in family/ Domestic Violence	37
• Poverty/ Lack of means/ Social aid/ Lack of school materials	27
• Child behavioural problems	16
• School absenteeism/ Dropout	6
• Prostitution/ Child trafficking	4
• Tardy Declaration	2
• Suicidal tendencies	1
• Child abduction	1
• Others	41
<b>TOTAL</b>	<b>468</b>

The OCO registers complaints from people and organisations from a vast range of backgrounds. It also pursues own-motion investigations based on identified areas of concern. Table 11 below provides a breakdown of these profiles for the reporting period from July 2020 to August 2021.

**Table 11. Profile of complainants recorded from 01 July 2020 to 31 August 2021.**

Complainant	Number
• Mother	183
• Father	110
• Grandparents	38
• Anonymous complainants	35
• Education professionals	21
• Medical Social Workers	18
• NGOs	17
• Ministries/ Departments	15
• Relatives/ Friends	11
• Group of students	7
• Media	5
• Neighbours	4
• Children	2
• Foster parents	1
• Own-motion inquiries	1
<b>TOTAL</b>	<b>468</b>

Moreover, as shown in Table 12 below, the proportion of female complainants was higher (i.e., **60 per cent**) than that of male complainants (i.e., **40 per cent**) for the period from July 2020 to August 2021.

**Table 12. Gender distribution of complainants for the period from 01 July 2020 to 31 August 2021.**

Gender of complainants	Number
Female	281
Male	187
<b>TOTAL</b>	<b>468</b>

Over the course of the reporting year 2020/2021, the OCO carried out a total of **107 field visits** including visits to residential care institutions and Special Education Needs (SEN) schools for investigation purposes. These enabled investigators to:

- interact with children in their residential care and/or educational setting;
- quickly obtain information from children and relevant people;
- give advice, as necessary; and
- establish contact with headteachers, rectors, parents, carers and other professionals working with children and/or students, thereby sensitising them on the role and functions of the OCO.

## 6.4. A selection of 100 cases to exemplify the investigation work of the OCO

Case No.: 1	File No.: 4453	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>Teachers and Headmaster of a school complained about a minor who displayed challenging behaviours at school. The mother complained that the Headmaster allegedly asked her not to send the minor to school until appropriate treatment was provided to him. The School Psychologist informed them that it remained to be determined whether the child should attend a mainstream or a Special Education Needs (SEN) School.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The child and his parents were convened at the OCO and the child was referred to an NGO providing therapy services. A letter was addressed to the Ministry of Education, Tertiary Education, Science and Technology (METEST) to request the report of the Educational Psychologist. A case conference was organised. The parents were referred to an SEN school so that the minor could progress at his own pace.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>Minor was followed regularly by the NGO providing therapy services and was reported to be faring well. Following a positive report from the Educational Psychologist, it was recommended that the minor could pursue his education in a mainstream school. Meanwhile, the minor coped well at the SEN school. He was subsequently enrolled at another mainstream school.</p>		
Case No.: 2	File No.: 4658	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A Headmistress lodged a complaint of 'child beyond control' on one of her school's students whereby the intervention of the police had to be sought on several occasions.</p>		

Action(s) taken by the OCO:

The OC and an Investigator visited the minor at school. A case conference was organised. The real issue emerged as the minor growing up in a violent home environment. The case was referred to the Ministry of Gender Equality and Family Welfare (MGEFW) for appropriate action and report. Minor was referred to an SEN school for therapeutic and individualised academic support.

Outcome/Follow-up:

Minor got admitted to the SEN School and fared well.

<b>Case No.: 3</b>	<b>File No.: 4705</b>	<b>Case status: Resolved</b>
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Nature of complaint:

A mother stated that her son was judicially acknowledged as being the biological child of late father. Under the Statutory Bodies Family Protection Fund (SBFPF) Scheme, the mother advanced that the minor was entitled to pension benefits. Minor had not been allocated back payment of the pension benefits he was entitled to from the time he was born to date.

Action(s) taken by the OCO:

A letter was addressed to the SBFPF.

Outcome/Follow-up:

Minor received full back payment of the pension benefits he was entitled to.

<b>Case No.: 4</b>	<b>File No.: 4712</b>	<b>Case status: Resolved</b>
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Nature of complaint:

A father complained that his daughter, a minor, had been victim of 'attempt upon chastity' and that the investigation was being delayed by the Police.

Action(s) taken by the OCO:

A letter was addressed to the Commissioner of Police to look into this matter.

Outcome/Follow-up:

The perpetrator was arrested and the matter was brought before Court. Complainant was informed that the OCO could not intervene in cases pending before Court as per the Ombudsperson for Children Act 2003.

**Case No.: 5****File No.: 4830****Case status: Resolved**Nature of complaint:

A Social Worker complained that a family in Rodrigues was living without electricity and water.

Action(s) taken by the OCO:

The documents submitted by the complainant were examined.

Outcome/Follow-up:

It was found out that the matter was already being dealt by the Office of the Ombudsman.

**Case No.: 6****File No.: 4861****Case status: Resolved**Nature of complaint:

A mother complained that she had been granted immediate care and control of her child by the Supreme Court. According to the Court's order, the police was required to give her the necessary assistance in its implementation.

Action(s) taken by the OCO:

A letter was addressed to the Commissioner of Police for necessary intervention at his end.

Outcome/Follow-up:

Case is in Court for dispute over custody. The OCO could not intervene further as case was pending before Court.



Case No.: 7	File No.: 4945	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A private media agency reported that a minor was allegedly physically assaulted by her mother.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The case was referred to the MGEFW for enquiry and appropriate action.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The necessary support was provided to both the minor and the mother by the Child Development Unit (CDU).</p>		
Case No.: 8	File No.: 4949	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father complained that his children were allegedly being neglected by the mother. He also informed the OCO that issues of divorce and child custody were being heard before Court.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The case was referred to the CDU. An enquiry was conducted at the level of the CDU and no sign of neglect was detected.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The case for child custody was pending before Court, therefore the OCO could not further intervene.</p>		
Case No.: 9	File No.: 4961	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A divorced mother residing in a town in the district of Plaines Wilhems requested her child's file to be transferred from a hospital in the north to a hospital in Plaines Wilhems to enable her to provide better care to her child with disability.</p>		

Action(s) taken by the OCO:

The case was referred to the Ministry of Health and Wellness (MHW) to consider transfer of the child's file to a hospital in the region of Plaines Wilhems in the best interests of the child.

Outcome/Follow-up:

According to the report received from the MHW, mother has been transferred to the hospital of her region.

<b>Case No.: 10</b>	<b>File No.: 4967</b>	<b>Case status: Resolved</b>
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Nature of complaint:

The Assistant Manager of a rehabilitation centre for battered women stated that an inmate and her children were admitted to the centre. Owing to significant psychiatric problems, the mother had to be admitted to a mental health hospital. The centre had given temporary refuge to the children who needed to be transferred to a more appropriate placement.

Action(s) taken by the OCO:

The case was referred to MGEFW for appropriate action.

Outcome/Follow-up:

According to the MGEFW, no relatives were identified to take the responsibility of the mother's children. Minors were placed in a residential care institution (RCI).

<b>Case No.: 11</b>	<b>File No.: 4972</b>	<b>Case status: Resolved</b>
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Nature of complaint:

The father stated that he was separated from his wife and that his child stayed with the mother. He reported that the child was at risk with his mother and that the latter was not allowing him to have any contact with his child. He had filed a case in Court for child custody.

Action(s) taken by the OCO:

The complainant was informed that, given there was a case in Court, the OCO could not intervene further. The case was referred to MGEFW for intervention.

Outcome/Follow-up:

Report from the MGEFW stated that minor was under the responsibility of the mother who was financially supported by her parents and aunt. No neglect per se had been identified.

<b>Case No.: 12</b>	<b>File No.: 4961</b>	<b>Case status: Resolved</b>
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Nature of complaint:

An anonymous complainant stated that a minor's mother was a prostitute and often left the minor under the care of her friend. According to the complainant, the child was physically assaulted by the friend.

Action(s) taken by the OCO:

The OCO's Investigator referred the case to the CDU, MGEFW, to look into the matter for necessary action and follow up.

Outcome/Follow-up:

According to the CDU, the minor informed them that she did not get food at her mother's place. The MGEFW informed the OCO that the minor has been placed in an RCI. Follow up is being done by the Child Rehabilitative Services, MGEFW.

<b>Case No.: 13</b>	<b>File No.: 5000</b>	<b>Case status: Resolved</b>
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Nature of complaint:

A divorced father who lived abroad for 6 years requested the intervention of the Ombudsperson for Children (OC) to help him establish regular contact with his daughter who lived in Mauritius. All father-daughter contacts had stopped when his ex-wife remarried.

Action(s) taken by the OCO:

The case was referred to the CDU. After enquiry, the CDU reported that the child fared well. An Investigator counselled the mother and advised her to allow the father to have regular contact with the minor.

Outcome/Follow-up:

The father was informed that if contact with his daughter was not re-established, he could enter a case in Court. The mother was requested by the CDU to bring the minor for a follow-up appointment.

<b>Case No.: 14</b>	<b>File No.: 5002</b>	<b>Case status: Resolved</b>
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Nature of complaint:

A paternal grandfather reported that a minor's parents were divorced and that the father had "droit d'hébergement". He stated that the minor was at risk when visiting his father as the latter had no fixed place of abode and made use of illicit substance.

Action(s) taken by the OCO:

The case was referred to the MGEFW for intervention and follow-up.

Outcome/Follow-up:

A report to the OCO from the MGEFW stated that the minor was no longer visiting his father. The minor's mother applied for a variation of the Court order at the Supreme Court.

<b>Case No.: 15</b>	<b>File No.: Pro/Sch/42/235/1</b>	<b>Case status: Resolved</b>
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Nature of complaint:

The President of a Parents Teachers Association (PTA) complained about the broken fencing of the football playground, which was hazardous for the students. The parents also complained about the poor conditions of the toilet facilities.

Action(s) taken by the OCO:

The OCO wrote to the METEST for a report on the actions taken at this particular school.

Outcome/Follow-up:

The Head teacher informed the OCO that the fencing was being repaired and that the necessary was being done for the maintenance and repair of the toilet facilities.

<b>Case No.: 16</b>	<b>File No.: Pro/Sch/38/40</b>	<b>Case status: In progress</b>
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Nature of complaint:

A group of parents complained that they received threats that their children would be expelled from the school, following a disagreement with the school management pertaining to an administrative decision.

Action(s) taken by the OCO:

The OCO wrote to the METEST for a report on actions taken at their level regarding this issue.

Outcome/Follow-up:

The METEST informed the OCO that the Directorate was looking into the matter. They would send an official report once the enquiry was concluded.

<b>Case No.: 17</b>	<b>File No.: 5018</b>	<b>Case status: Resolved</b>
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Nature of complaint:

A paternal grandmother stated that a minor was being ill-treated by the mother and she wanted to have the child's custody.

Action(s) taken by the OCO:

A letter was sent to the MGEFW for appropriate action and follow-up.

Outcome/Follow-up:

The OCO could not intervene further as there was a case for the custody of the minor in Court.

Case No.: 18	File No.: 5019	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A lawyer complained that minors in a centre had been physically brutalised and abused by the officers.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator carried out a visit at the centre. The OC wrote to the Prime Minister's Office (PMO) and recommended that officers posted at the centre be trained on how to deal with children in conflict with the law and deprived of their liberty.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>A meeting was held by the OCO with the officers and a training session was organised on the theme of 'Stop Violence against Children'.</p>		
Case No.: 19	File No.: 5020	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father complained that his child was being allegedly harassed by a teacher and that the minor was not attending school and even intended to commit suicide.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The teacher was convened at the OCO. The OC recommended that, in his best interests, the minor should be supported to pursue his education at the school.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The complainant informed the OCO that the minor had reintegrated school and that he fared well.</p>		
Case No.: 20	File No.: 5021	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A group of parents complained that very high dosages of medication were being prescribed to children with autism, which in turn worsened their behaviours.</p>		

Action(s) taken by the OCO:

The case was referred to the MHW for inquiry and urgent action at their end.

Outcome/Follow-up:

The OCO received a report from the MHW which stated that every medication has side effects and 'Depakin' was prescribed because children with autism often developed epilepsy. It also stated that with the upcoming setting up of a Child Psychiatric Unit, the protocol for the treatment of autism would be reviewed and updated.

<b>Case No.: 21</b>	<b>File No.: 5022</b>	<b>Case status: Resolved</b>
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Nature of complaint:

A maternal grandmother stated that some minors had been abandoned by their parents. The children's uncle made a request to the CDU to have the children back, and was thus designated as their responsible party. Nevertheless, he needed assistance because he was unemployed.

Action(s) taken by the OCO:

An OCO's Investigator referred the case to a Social Worker for any possible social support to the uncle and the children in their best interests.

Outcome/Follow-up:

According to the Social Worker, an NGO was regularly providing support to the uncle and the grandmother.

<b>Case No.: 22</b>	<b>File No.: 5023</b>	<b>Case status: In progress</b>
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Nature of complaint:

A mother complained that her baby was removed by the CDU shortly after birth. She would like to get custody of the minor since she was married and well settled.

Action(s) taken by the OCO:

The case was referred to the MGEFW for enquiry and follow-up.



Outcome/Follow-up:

A report from the MGEFW is being awaited.

**Case No.: 23**

**File No.: 5024**

**Case status: Resolved**

Nature of complaint:

Some families with children residing in a sub-urban region complained about the asbestos materials used in the construction of their houses. They requested that measures be taken for the replacement of the materials for the health and safety of all family members.

Action(s) taken by the OCO:

The OCO wrote to the representative of the inhabitants of this region, informing him of the detailed analysis that the OC made in her Annual Report 2017-2018 with regard to the issue of asbestos in construction.

Outcome/Follow-up:

The complainants were apprised that the OC had the mandate to make recommendations in order to remedy or prevent any violation of the rights of the child, but the onus of implementing them rested on the relevant authorities.

**Case No.: 24**

**File No.: 5025**

**Case status: Resolved**

Nature of complaint:

A Social Worker reported that that a minor recently delivered a baby and that the teenage mother and her family did not want the baby to be placed in an RCI.

Action(s) taken by the OCO:

An OCO's Investigator spoke to a CDU Officer and was apprised that for the safety of both the teenage mother and the baby, they would need to be placed in an RCI. The CDU would do the necessary for the reintegration, once they had ensured that the family could provide adequate support.

Outcome/Follow-up:

The CDU informed the OCO that both the teenage mother and her baby had been successfully reintegrated in their family, who was receiving relevant support from an NGO.

**Case No.: 25****File No.: 5026****Case status: Resolved**Nature of complaint:

A mother reported that she had the custody of her child while the father had “*droit d’hébergement*”. She complained that, during visit to the father’s place, the latter made the minor sleep between him and his partner. The father was allegedly physically abusive towards the minor.

Action(s) taken by the OCO:

An OCO’s Investigator contacted the CDU for appropriate intervention at their level.

Outcome/Follow-up:

The CDU informed that the minor was being followed by Psychologists from both the MGEFW and METEST. A case against the father was lodged at the police station.

**Case No.: 26****File No.: 5027****Case status: Resolved**Nature of complaint:

A father reported that his teenage daughter had sexual relations with a young man and used to live with him. The father also complained that the young man was allegedly harassing the girl on social media.

Action(s) taken by the OCO:

The case was referred to the Commissioner of Police for the necessary intervention and follow-up.

Outcome/Follow-up:

A report from the Police stated that no case of harassment was reported at the police station. The minor also reported that nobody harmed her during her stay at the young man’s house.

Case No.: 27	File No.: 5029	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A Social Worker reported that some children of deprived sub-urban areas were not attending pre-primary school.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The case was referred to the Early Childhood Care and Education Authority (ECCEA) for intervention and follow-up. The ECCEA, in turn, requested the OCO for additional information pertaining to the children. The OCO provided the ECCEA with the contact details of the complainant for necessary actions at their end.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The complainant informed the OCO that an NGO of the region was working on a project to build a pre-primary school for these children. An OCO's Investigator counselled the complainant to seek relevant support and guidance from the ECCEA.</p>		
Case No.: 28	File No.: 5030	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A mother stated that she was unemployed and her child's father was imprisoned. She had applied for social aid for her 3-month-old son, but her application was rejected.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>A letter was addressed to the Ministry of Social Security, National Solidarity and Reform Institutions (MSSNSRI), for a report on this case.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>A report was received from the MSSNSRI, which stated that the mother was requested to call at the Social Security office to collect the payment, but she did not turn up and the claim was thus set aside.</p>		

Case No.: 29	File No.: 5031	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>Students of an institution informed the OCO that they were harassed by a teacher during the conduct of practical examinations. The trainees claimed that they could not perform well and had to pay for a resit.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>A letter was sent to the Director of the institution to request for a report on the actions taken in this matter.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The report from the institution revealed that complaint forms were made available to candidates to fill in after exams and no complaint was received. In addition, no issues were reported by the external assessor during the practical examinations.</p>		
Case No.: 30	File No.: 5032	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A mother complained that her child was 'beyond control' and that she wanted the minor to be placed in an institution where he could be helped. The mother stated that the father had abandoned the child and that he needed to be held liable for child support.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The case was referred to the MGEFW for prompt intervention and follow-up.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>A Family Welfare and Protection Officer (FWPO) of the MGEFW stated that the minor had considerably improved in his behaviours at home. The father also accepted to provide child support.</p>		

Case No.: 31	File No.: 5033	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A maternal aunt complained that a minor lived with her abusive father. The minor's responsible party used to be her elder sister, but the latter met with an accident and could no longer take care of her. The complainant was agreeable to become the minor's legal guardian.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The case was referred to the MGEFW for urgent action and follow-up.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>After a Court settlement, the minor was placed under the care of the maternal aunt.</p>		
Case No.: 32	File No.: 5035	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A mother stated that her child was being harassed by a teacher at her college. The latter allegedly ignored the minor on purpose and verbally and physically abused her. The mother claimed that the Rector asked her to transfer her child to another school.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator contacted the Rector. The latter stated that he would convene the minor and her mother to the school to sort out the matter.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The complainant subsequently informed that the minor was being followed by a Psychologist and fared well. The teacher was sensitised on the importance of non-violence.</p>		
Case No.: 33	File No.: 5036	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father stated that his daughter had a close relationship with a drug dealer and was being used to sell drugs. He also believed that his daughter spoke to the drug dealer until late at night.</p>		

Action(s) taken by the OCO:

The case was referred to the Commissioner of Police for appropriate actions. A case conference with the relevant stakeholders was organised by the OCO. The OC and an Investigator visited the minor at school.

Outcome/Follow-up:

The OC recommended that the CDU and the *Brigade pour La Protection des Mineurs* (BPM) support and monitor the minor until her 18<sup>th</sup> birthday.

<b>Case No.: 34</b>	<b>File No.: Pro/Sch/42/277</b>	<b>Case status: Resolved</b>
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Nature of complaint:

An anonymous person informed the OCO that students of Grade 9 in a primary school were being bullied by a teacher.

Action(s) taken by the OCO:

The case was referred to the METEST for appropriate actions.

Outcome/Follow-up:

The METEST sent a report to the OCO, stating that, as per the records available and a report from the Medical Board, the teacher in question suffered from a mental health problem, but was found to be fit for undertaking her duties. The METEST would be ensuring close follow-up on this matter.

<b>Case No.: 35</b>	<b>File No.: 5037</b>	<b>Case status: Resolved</b>
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Nature of complaint:

A mother stated that a teacher pinched her child's ear in a pre-primary school.

Action(s) taken by the OCO:

The case was referred to the ECCEA for urgent action and follow-up.

Outcome/Follow-up:

A report to the OCO from the ECCEA stated that a circular note on corporal punishment was addressed to the school management. The teacher was suspended until further notice. The minor's father stated that his child was being followed by a Psychologist.

**Case No.: 36****File No.: 5038****Case status: Resolved**Nature of complaint:

A mother stated that her child was being constantly bullied by a teacher and was not being allowed to attend swimming classes.

Action(s) taken by the OCO:

An OCO's Investigator contacted the Headmaster to investigate the matter. With regard to swimming classes, the Headmaster stated that the child had not returned a signed consent form. The Investigator advised him to ensure that incidents of bullying did not occur.

Outcome/Follow-up:

During a follow-up by the OCO, the mother informed that the teacher had changed his attitude towards her child.

**Case No.: 37****File No.: 5039****Case status: Resolved**Nature of complaint:

A mother reported that her child had been victim of corporal punishment perpetrated by his teacher.

Action(s) taken by the OCO:

The case was referred to the METEST and the MGEFW.

Outcome/Follow-up:

A report to the OCO from the METEST stated that the teacher was counselled on how to better integrate the minor in class. The National Educational Counselling Service continued to monitor the situation.



Case No.: 38	File No.: 5040	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>An anonymous person reported that children were living in deplorable conditions at an RCI and were not attending school.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator contacted the Coordinator of the Enforcement Unit of the MGEFW for urgent intervention at his end.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The Investigator was apprised by the Coordinator that pest control was being carried out at the RCI using bio products and that 10 children had been admitted to schools in the vicinity.</p>		
Case No.: 39	File No.: 5041	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father stated that his daughter had been sexually abused by a school bus driver after school hours. The driver was arrested, then released on bail. Since then, he had taken back his job at the same school and the minor was experiencing high anxiety and trauma.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>A letter was sent to the Principal of the school, requesting her to take appropriate measures to limit the access of the alleged perpetrator in the school compound, so that he could not intimidate the child victim.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The Principal informed the OCO that the necessary had been ensured at the school's level to safeguard the rights of the child. For her safety, another school van had been arranged for the minor.</p>		

Case No.: 40	File No.: 5042	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>The parents of a minor complained that their daughter was often beaten with a ruler by the teacher. They said that she was traumatised and even cried in her sleep. She no longer wanted to go to school.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator contacted the Headmaster to investigate the matter. The latter was requested to ensure that corporal punishment was not perpetrated by teachers.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The Headmaster informed the OCO that the minor had been transferred to another class and she had adapted very well with her new teacher.</p>		
Case No.: 41	File No.: Pro/Sch/42/35/1	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A teacher complained that the Rector and some educators were harassing students from Extended Classes.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>Two OCO's Investigators visited the college. They met with the Rector and Senior Educator regarding the complaints received. They also talked with the students of the Extended Classes to listen to their views.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The complainant informed the OCO that the situation had improved considerably for the students of the Extended Classes.</p>		

Case No.: 42	File No.: Pro/Sch/42/278	Case status: Resolved
<p><u><b>Nature of complaint:</b></u></p> <p>A group of parents informed the OCO that Grade 4 students of a school were being compelled by two teachers to attend additional lessons after school hours. The parents were also being forced by the teachers to pay the tuition fees during the COVID-19 confinement period.</p> <p><u><b>Action(s) taken by the OCO:</b></u></p> <p>The case was referred to the METEST for enquiry and urgent action.</p> <p><u><b>Outcome/Follow-up:</b></u></p> <p>A report to the OCO from the METEST stated that the teachers said that they were unaware that private tuitions to pupils of Grade 4 were prohibited and they stopped the practice.</p>		
Case No.: 43	File No.: Pro/Sch/42/279	Case status: Resolved
<p><u><b>Nature of complaint:</b></u></p> <p>A group of parents complained that a teacher inflicted corporal punishment and was verbally abusive towards students.</p> <p><u><b>Action(s) taken by the OCO:</b></u></p> <p>The case was referred to the Zonal Directorate of the METES for intervention and follow-up.</p> <p><u><b>Outcome/Follow-up:</b></u></p> <p>The METEST sent a report to the OCO stating that an investigation was carried out by the School Inspector and no proof of corporal punishment could be established. However, monitoring was being ensured on this matter.</p>		
Case No.: 44	File No.: 5043	Case status: Resolved
<p><u><b>Nature of complaint:</b></u></p> <p>An Educational Psychologist complained that a minor had attempted to commit suicide twice.</p>		

Action(s) taken by the OCO:

The case was referred to the MGEFW for urgent intervention at their level.

Outcome/Follow-up:

A report to the OCO from the MGEFW stated that the minor claimed trying to imitate an act he saw in a movie without understanding the consequences. The minor and his parents were provided with psychological support.

<b>Case No.: 45</b>	<b>File No.: 5044</b>	<b>Case status: Resolved</b>
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Nature of complaint:

A teacher complained that a minor was aggressive and disturbed the class. The teacher was exhausted by the prevailing situation as the classroom atmosphere had been disrupted.

Action(s) taken by the OCO:

A letter was addressed to the METEST to request for a report on the measures taken to support the child at school and to query whether the case had been reported to the CDU.

Outcome/Follow-up:

The minor's mother informed the OCO that her child was being followed by a Psychologist. A Social Worker was also supporting them.

<b>Case No.: 46</b>	<b>File No.: 5045</b>	<b>Case status: Resolved</b>
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Nature of complaint:

A mother of two underaged children complained that her request to work from home following the death of her mother-in-law, who used to help with child care, was not accepted. She felt that her workplace left her with no option but to resign.

Action(s) taken by the OCO:

An OCO's Investigator contacted the complainant to investigate the matter. A letter was addressed to the Head of her workplace to request for a brief on her case.

Outcome/Follow-up:

The complainant was contacted by the OCO and the latter stated that, after several meetings with the Conciliation and Mediation section of the Ministry of Labour, Human Resource Development and Training (MLHRDT), she was reinstated to her post.

**Case No.: 47****File No.: 5046****Case status: Resolved**Nature of complaint:

A group of parents complained about the policy for admission in Grade 1 due in June 2021. According to them, this policy would put children at a disadvantage as they would not be able to fully complete the two-year curriculum at pre-primary school level.

Action(s) taken by the OCO:

A letter was addressed to the METEST for a report on the measures taken to ensure that children's rights would be safeguarded upon implementation of this policy. A meeting was held at the OCO with relevant stakeholders to discuss the issue.

Outcome/Follow-up:

A report from the METEST was received by the OCO that detailed the measures established to ensure that children admitted in Grade 1 did not face any prejudice.

**Case No.: 48****File No.: 5047****Case status: Resolved**Nature of complaint:

A mother complained about her difficulties to raise her child with special needs on her own.

Action(s) taken by the OCO:

The case was referred to an NGO providing services to children with disabilities for necessary support.

Outcome/Follow-up:

The SEN School of the NGO admitted the minor to provide the necessary socio-educational support.

Case No.: 49	File No.: 5048	Case status: In progress
<p><u><i>Nature of complaint:</i></u></p> <p>The PTA of a school, found on the eastern coastal region, complained about the difficulties of some students to attend a school as they lived in the central region of the island. Particular concerns were raised regarding the irregularity of two bus lines.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>A letter was sent to the Road Transport Commissioner of the National Transport Authority about the bus problems encountered by the pupils and to request for remedial actions to be taken.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>A response is being awaited.</p>		
Case No.: 50	File No.: 5049	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>An anonymous complainant stated that a minor often roamed in the school yard and appeared barely in class. He was most of the time seen hiding under the cars of teachers.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator contacted the Headmaster of the school to enquire about the child. The Headmaster informed that the foster parent of this child would soon be convened in order to find a solution in the best interests of the minor.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The OCO was informed that the minor was being followed by a Psychologist.</p>		

Case No.: 51	File No.: 5050	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A mother complained that her child's pre-primary school has suddenly raised the school fees. She was unable to pay the fee and, as a result, her daughter was expelled from the school. The complainant stated that she would resort to Court.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator informed the complainant that the OCO could not investigate a matter pending before Court.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The minor was transferred to another pre-primary school. The mother lodged a case at the police station, which was now in Court.</p>		
Case No.: 52	File No.: 5051	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father stated that his son suffered from cerebral palsy and other medical issues. The latter appeared before the Medical Board twice, yet his child's pension benefit was discontinued.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>A letter was addressed to the MSSNSRI, requesting for a justification on the discontinuation of the minor's pension.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>A Senior Social Security Officer informed the OCO that the minor was still benefiting from his pension and that only the carer's allowance was discontinued. The father would shortly be called upon to appear before the Appeal Medical Tribunal. The complainant was accordingly informed.</p>		



Case No.: 53	File No.: 5052	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A mother stated that her child who was in Grade 1 had been bullied by her teacher on several occasions. The minor even fell down, hurt her knees and was left unattended till she went home.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator contacted the Headmaster of the school to investigate the matter. The latter said that she spoke to the teacher and would ensure that such incidents did not happen again.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The mother was satisfied with the intervention of OCO.</p>		
Case No.: 54	File No.: 5053	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A Social Worker alerted the OCO that a minor might be at risk of sexual abuse, given that the mother's partner allegedly peeked at the minor when she took her bath. She also informed the OCO on another girl who lived with her stepfather who was allegedly involved in drug transactions and invited strangers to his home.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>These cases were referred to the MGEFW for appropriate actions and follow-up.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>A report was received by the OCO from the MGEFW stating that an enquiry was conducted by the CDU, but no significant child protection concern was identified.</p>		
Case No.: 55	File No.: 5054	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father, separated from his ex-wife who had custody of their child, complained that the mother was physically abusing the minor. The matter was reported to the CDU.</p>		

Action(s) taken by the OCO:

An OCO's Investigator contacted the CDU to investigate the matter.

Outcome/Follow-up:

According to the CDU, no child protection concern was identified. They evaluated that the mother was being harassed by the complainant because she had a new partner. The minor was being followed by a Psychologist.

<b>Case No.: 56</b>	<b>File No.: 5055</b>	<b>Case status: Resolved</b>
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Nature of complaint:

A grandmother informed the OCO that two minors were being harassed sexually by their alcoholic father. The complainant was concerned because the minors' parents were separated and the father was trying to take the children with him.

Action(s) taken by the OCO:

An OCO's Investigator advised the complainant to lodge a precautionary measure at the police station.

Outcome/Follow-up:

The complainant informed the OCO that the children were safe at her home for now.

<b>Case No.: 57</b>	<b>File No.: 5057</b>	<b>Case status: Resolved</b>
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Nature of complaint:

A mother who resided in Rodrigues reported that her two underaged children were being affected by their father's absence. She explained that the latter worked in Mauritius as a police officer. He had requested to be transferred to Rodrigues, but same had not been considered as of yet.

Action(s) taken by the OCO:

A letter was sent to the Commissioner of Police requesting for an urgent consideration in the best interests of these children.

Outcome/Follow-up:

The OCO received a report from the Commissioner of Police that the father had been transferred to Rodrigues on a temporary basis.

<b>Case No.: 58</b>	<b>File No.: 5059</b>	<b>Case status: Resolved</b>
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Nature of complaint:

The OC was informed that two minors were arrested for larceny. It was alleged that the police enquiry lasted five hours without the provision of food and water, after which the minors were allowed to leave the police station in a traumatised state.

Action(s) taken by the OCO:

The case was referred to the Commissioner of Police for necessary actions.

Outcome/Follow-up:

The OCO received a report from the police ascertaining that the statements of the minors were recorded by a female police officer, in the presence of their father, within three hours. The police referred the matter to the Director of Public Prosecutions (DPP). The complainant was accordingly informed.

<b>Case No.: 59</b>	<b>File No.: 5060</b>	<b>Case status: Resolved</b>
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Nature of complaint:

The parents of a minor alleged that the latter was sexually abused and they reported the matter to the police. The alleged offender was arrested and released on bail. The complainant wanted to know the status of the police enquiry.

Action(s) taken by the OCO:

A letter was sent to the Commissioner of Police to request for an update on this case.

Outcome/Follow-up:

The report received confirmed that the perpetrator was charged with 'causing child to be sexually abused' and the matter was brought before Court. The complainant was informed accordingly.

Case No.: 60	File No.: 5061	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A paternal grandfather informed the OCO that the father had threatened to throw his children out of the house. He requested protection for the children.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>A letter was addressed to the MGEFW to request for a report on actions taken at their level. The case was also referred to the Commissioner of Police for enquiry.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>A report from the police stated that the minors had admitted being ill-treated by their father. They were now being looked after by their grandfather.</p>		
Case No.: 61	File No.: Pro/Sch/38/41	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A mother complained against the Director of a pre-primary school for allegedly failing to provide good and hygienic food to her child. The minor had been diagnosed with gastroenteritis twice.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The case was referred to the ECCEA for urgent action.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The ECCEA reported to the OCO that the school hygiene was satisfactory and that the kitchenette was clean. The mother was informed of this feedback. However, she stated that she would lodge a case in Court against the Director of the school.</p>		

Case No.: 62	File No.: 5064	Case status: In progress
<p><u><i>Nature of complaint:</i></u></p> <p>An officer reported to the OCO that there was institutional abuse perpetrated on adolescent patients in a hospital. The new Ward Manager allegedly coerced the officers to deal with the adolescent patients in a harsh manner.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>A letter was sent to the Superintendent of the hospital, requesting for information on the actions taken to address the alleged abuse against the patients in the adolescent ward.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>According to the MHW, the complainant had a personality problem and he often felt that he was discriminated by his supervisors. He would be soon appearing before a medical board and a report would be forwarded to the OCO.</p>		
Case No.: 63	File No.: 5065	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A mother complained that her child was victim of physical and verbal abuse by a teacher. She claimed that the children in the class were fearful to disclose anything against him.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator contacted the Headmaster of the school to enquire on the matter. The Headmaster was advised to ensure that teachers respected children's rights and he agreed to have a meeting with the teacher in question.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The OCO was informed that the child was faring well and that the teacher had changed his attitude towards the students.</p>		

Case No.: 64	File No.: 5067	Case status: In progress
<p><u><i>Nature of complaint:</i></u></p> <p>The OC was informed that a minor had been declared by a couple who were not his biological parents, and was requested to investigate whether there had been any violation of the rights of the child.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The OCO opened an investigation. The couple who declared the child and the biological mother were interrogated.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The OC had a meeting with the Master of Registrar to discuss the matter. More information is being sought on this case.</p>		
Case No.: 65	File No.: 5068	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A group of students advocated to the OCO on the inclusion of 'Legal Studies' as a new field of study in the Higher School Certificate (HSC) examinations and as an eligibility criterion for candidates competing for scholarship.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>A letter was sent to the METEST to request for a report on actions or decisions taken regarding this matter.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The METEST responded to the OCO that the subject of Advanced Level Law was currently found under the Economics Side regulations 24 (5). In 2009, only 10 students entered for Law at the HSC exams, and out of those, only 2 competed for scholarship. The students were informed accordingly.</p>		

Case No.: 66	File No.: 5070	Case status: In progress
<p><u><i>Nature of complaint:</i></u></p> <p>A complainant informed the OCO that a minor was often spotted begging for money in Port Louis. The child's health seemed to be deteriorating due to family conflict and use of drugs.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator contacted the CDU for urgent intervention at their end. A letter was also addressed to the BPM to request for a report on actions taken in this case.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>Reports from the relevant authorities are being awaited.</p>		
Case No.: 67	File No.: 5071	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A complainant informed the OCO that food prepared on the eve was being served to the pupils of an SEN School on the next day. She stated that children needed to be served fresh food daily and she had already informed the health office of the region.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>A letter was addressed to the MHW to request for an investigation on the matter.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>According to the MHW, at the time of visit, food had been prepared on the same day. Sample of food was despatched to the regional health laboratory and it was revealed that all the food samples were free from pathogens. The complainant was informed accordingly.</p>		



Case No.: 68	File No.: 5072	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A maternal grandmother stated that her grandchildren and daughter were living with her, before the latter passed away. The children's father wanted to have "<i>droit de visite</i>", but the complainant was concerned as the former was a heavy drinker and abusive towards the children.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator contacted the father. The latter was briefed on the importance of protecting children from all forms of violence and how the grandmother, as a mother figure, impacted positively on the children's well-being.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The father acknowledged the fact that the children needed both their grandmother and father to be emotionally stable. The complainant was apprised of the actions taken by the OCO and was advised to go to Court if she still had concerns.</p>		
Case No.: 69	File No.: 5073	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>The grandparents of some minors informed the OCO that they were being neglected by their mother and feared that her state of mind was worsening.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The OC used mediation strategies to facilitate communication between the grandparents and the mother on their concerns about the children.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>After some weeks, the complainants informed the OCO that relation with their daughter had improved.</p>		

Case No.: 70	File No.: 5074	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A complainant informed the OCO that, following an alleged sexual abuse of a minor by three men, the minor's name and that of her school were published in a newspaper article.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator phoned the journalist to investigate the matter.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The journalist presented his apology and informed that, henceforth, he would respect children's rights, especially their right to privacy, when reporting.</p>		
Case No.: 71	File No.: 5075	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father complained that his children were allegedly victims of torture, physical and verbal abuse, malnutrition and neglect by their mother and her boyfriend.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>A letter was addressed to the MGEFW to request for an update on actions taken in this case. The OCO's Investigator also interviewed the father on his concerns.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The report from the MGEFW stated that no protection issues were found. The father was apprised of same. He then decided to go to Court for his children's custody.</p>		
Case No.: 72	File No.: 5078	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father complained that a bus conductor charged money from his child, even though she was traveling during school hours and presented her bus pass.</p>		

Action(s) taken by the OCO:

The matter was referred by the OCO to the Manager of the bus company for further actions and feedback to the OCO.

Outcome/Follow-up:

A correspondence from the bus company revealed that the bus conductor was convened before a disciplinary committee and he pleaded guilty. He was suspended from work for two days without pay. The complainant was informed accordingly.

<b>Case No.: 73</b>	<b>File No.: 5079</b>	<b>Case status: Resolved</b>
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Nature of complaint:

A mother complained that her child was being bullied and marginalised by a teacher at the school.

Action(s) taken by the OCO:

A letter was addressed to the METEST in this regard.

Outcome/Follow-up:

The METEST reported back to the OCO that the child was being seen by an Educational Psychologist. Follow-up was being ensured by the School Inspector and the child was faring well.

<b>Case No.: 74</b>	<b>File No.: 5080</b>	<b>Case status: Resolved</b>
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Nature of complaint:

A mother reported that her child had been assaulted by other students at a secondary school and requested that disciplinary actions be taken as soon as possible.

Action(s) taken by the OCO:

A letter was addressed to the Zonal Directorate of the METEST for a report on actions taken at their end to redress the matter.

Outcome/Follow-up:

The Senior Educator testified that the aggression took place after school hours, and the disciplinary committee was not pursuing any action as a police case had been lodged. The complainant was informed accordingly.

**Case No.: 75****File No.: 5087****Case status: Resolved**Nature of complaint:

A mother reported that her child lived with the father and was allegedly at risk. According to her, the father was aggressive, a drug addict and an ex-convict. The complainant wanted to have custody of the minor and had applied for an 'Immediate Care and Control'.

Action(s) taken by the OCO:

The case was referred to the MGEFW and the Commissioner of Police for enquiry and follow-up.

Outcome/Follow-up:

A report to the OCO from the MGEFW stated that no significant child protection concern was identified. According to the police, the complainant was granted visitation right, while the father was granted custody by the District Magistrate.

**Case No.: 76****File No.: 5094****Case status: Resolved**Nature of complaint:

A School Psychologist reported that, during a counselling session with a minor, the latter disclosed that she was a victim of sexual abuse perpetrated by her mother's partner.

Action(s) taken by the OCO:

The case was referred to MGEFW for urgent enquiry and intervention at their level.

Outcome/Follow-up:

The MGEFW's report to the OCO stated that the minor and her siblings had been interviewed. The younger siblings and minor did not report any abuse. The stepfather had left the family home and the children were well cared by the mother.

Case No.: 77	File No.: 5102	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A mother complained that her husband was hostile towards herself and their two adopted children. She added that her husband was abusive towards them and even sent a “<i>mise en demeure</i>” to her, stating that, in the event she did not obey him, he would expel them out of the house.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The father was convened at the OCO, but he did not attend the meeting. The complainant was advised to contact the CDU and a legal advisor regarding the “<i>mise en demeure</i>”.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The complainant informed the OCO that the Police Family Protection Unit was intermediating between her and her husband. She added that the children were faring well.</p>		
Case No.: 78	File No.: 5106	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A mother complained, that, being a receptionist at a hotel, she was being forced to work for a quarantine period of 14 days, despite having no one to care for her underage child.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO’s Investigator wrote to the General Manager of the hotel requesting him, in the best interests of the child, to consider the case of the complainant.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The complainant informed the OCO that she was now transferred to another department with a work schedule which was convenient to her.</p>		

Case No.: 79	File No.: 5107	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A neighbour alerted the OCO about a minor who was being neglected by her parents, and already pregnant at a young age.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator referred the case to the CDU for urgent intervention.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The CDU officer informed the OCO that the teenage mother was referred to the Drop-in Centre. The CDU made the necessary arrangement for the teenage mother to obtain social aid. The teenage mother and her baby fared well.</p>		
Case No.: 80	File No.: 5132	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father complained that his daughter was being bullied by students and teachers in a private institution. The child had developed mental health problems and was not willing to attend school.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The case was referred to the Private Secondary Education Authority (PSEA) for enquiry and intervention. The Rector and teachers were convened to the OCO. The teachers denied all allegations. The Rector was advised to ensure that necessary support was provided to the minor so that she could resume her studies.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The PSEA informed the OCO through a formal correspondence that the minor would be provided with the necessary support to resume her studies at the school, once her mental health improved.</p>		

Case No.: 81	File No.: 5142	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father complained that his child's mother was not respecting the Court Order and was not allowing him to see or meet his child.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The case was referred to the MGEFW for appropriate actions at their end. The OCO convened both parents for a mediation. Another meeting was scheduled at the OCO to allow the father to see and meet his child.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The father was able to see and meet the minor. However, the minor refused to continue making contact with her father. The OC recommended that the father be allowed to maintain close contact with his child.</p>		
Case No.: 82	File No.: 5158	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A mother complained that her daughter was being discriminated at school and that no actions were being taken by the Rector. She stated that the Rector did not hand over to her the transfer certificates of both of her children, who attended the same school, to enable her to do the necessary for changing schools.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The OC convened both parties, including the minor separately, given that one party had a protection measure lodged against the other one. The Rector was requested to submit all the necessary school transfer documents of the minor and her sibling.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The mother informed the OCO that the transfer was successfully completed for both her children.</p>		



Case No.: 83	File No.: Pro/Sch/42/282	Case status: In progress
<p><u><i>Nature of complaint:</i></u></p> <p>A teacher reported that a minor was displaying sexualised behaviours at school.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The case was referred to the MGEFW for appropriate action and support.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The report sent to the OCO by the MGEFW stated that no child protection issues were found. The OC spoke to the Director of the School and recommended that the minor be observed in the school setting and to forward a behavioural report thereon.</p>		
Case No.: 84	File No.: 5162	Case status: In progress
<p><u><i>Nature of complaint:</i></u></p> <p>A complainant made a request to the MHW for home quarantine for himself and his family upon his return to the country to better cater for his ailing wife and underage children. His request was denied by the MHW through the Directorate of Health Services. The OC was summoned to appear in Court as a Co-respondent on this matter.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator attended the first hearing in Chamber at the Supreme Court. The Judge was informed that the OC could give a stand only after investigation. An investigation was carried out on the matter and the OC submitted her report to the Judge.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The request for home quarantine was not agreed by the concerned authorities. The OC wrote a letter to the MHW, whereby she recommended that necessary actions are taken to improve the remaining stay of the children at the quarantine centre. The case was still ongoing in Court.</p>		

Case No.: 85	File No.: 5207	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father stated that he had not seen his children since his separation from his wife. He also alleged that his children were ill-treated and abused by their mother.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The case was referred to the MGEFW for necessary enquiry and action.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The report by the MGEFW suggested that there were no significant child protection concerns. The minors were assessed by both an FWPO and a Psychologist.</p>		
Case No.: 86	File No.: 5223	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father reported to the OCO that his child's Basic Invalidity Pension was discontinued because the latter was assessed not to be disabled enough to need the constant care and attendance of another person.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>Representatives of the MSSNSRI comprising of the Deputy Commissioner, Social Security (Benefits and Social Aid), the Assistant Medical Director and a Senior Social Security Officer, were convened to the OCO. The Officers stated that the needful would be done to reallocate pension to the minor.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The minor's pension benefit was restored.</p>		

Case No.: 87	File No.: 5247	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>An older sibling of a group of minors reported to the OCO that, following the death of both their parents, their maternal grandmother looked after them. However, their paternal grandmother was claiming their orphans' pensions.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The OC spoke with the complainant to obtain further clarifications. An OCO's Officer was delegated to do the needful at the Social Security office so that the orphans' pensions paid to the paternal grandmother be discontinued.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The orphans' pensions paid to the paternal grandmother were discontinued. The complainant was advised to initiate the necessary procedures to apply for eligible pension benefits at the Social Security Office.</p>		
Case No.: 88	File No.: 5249	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A mother complained that her child who had a developmental delay was only seen once by a Paediatrician, and other times by General Practitioners. The complainant added that she was concerned that her child was not being supported enough to achieve his developmental milestones.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The case was referred to an NGO specialised in supporting children with disabilities.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>A report from the NGO stated that a team comprising of a Paediatrician, a Clinical Psychologist and an Occupational Therapist were ensuring follow-up with the family and the minor.</p>		

Case No.: 89	File No.: 5250	Case status: In progress
<p><u><i>Nature of complaint:</i></u></p> <p>A father complained that he and his wife, who worked in essential services, had to leave home very early, and their underage children were left to manage on their own till the school van picked them up.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The case was referred to the METEST for necessary intervention at their level.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>A report is being awaited from the METEST.</p>		
Case No.: 90	File No.: 5256	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A mother reported that she did not want her ex-husband to meet their child who had autism. She explained that, upon separation, she had been granted her child's custody, while the father was given "droit d'hébergement". The father had been involved in drugs and the minor had been traumatised when witnessing the arrestation by the police of her father. The latter was now released from prison and was insisting to meet the minor.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>The case was referred to the MGEFW for necessary action and follow-up.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>A report from the MGEFW stated that the mother had been advised to have recourse to the Supreme Court with regard to putting an objection to the father's "droit d'hébergement". The minor was being followed by a psychologist at the hospital. Follow-up would be maintained by the CDU.</p>		

Case No.: 91	File No.: 5262	Case status: In progress
<p><u><i>Nature of complaint:</i></u></p> <p>A mother reported that she worked as a teacher in a secondary school and her child, who had autism, attended a SEN school which was a 30-minute drive away from her workplace. She had requested to the METEST to be posted to another secondary school nearer to her child's SEN School, given that the child cannot be left unattended.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>A letter was addressed to the METEST for due consideration to be given to this mother's request to work nearer to her child's SEN school.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>According to the METEST, a solution was being worked on in the best interests of the child. The OCO would be informed accordingly.</p>		
Case No.: 92	File No.: 5269	Case status: In progress
<p><u><i>Nature of complaint:</i></u></p> <p>A mother complained that there was only one qualified teacher at her daughter's nursery school, which catered for more than 10 children. The mother also claimed that a cleaner had handled her child on the first two days. She had also specifically asked the nursery's management not to place her daughter in a crib, yet the latter was seen crying in a crib.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>A correspondence was addressed to the Early Childhood Development Section of the MGEFW requesting for a report on the case.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>According to the Officer-in-Charge of the nursery, the mother did not give time for the child to adapt to the conditions of the nursery. The mother informed the OCO that she would fight her case in Court and had already sought help from a solicitor.</p>		

Case No.: 93	File No.: 5270	Case status: In progress
<p><u><i>Nature of complaint:</i></u></p> <p>A mother reported that her child suffered from dyslexia and had been allocated a seat in Grade 7 at a private college. However, the college management informed the parents that they were not equipped/trained to deal with children having dyslexia. The complainant requested for support and assistance.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>A letter was addressed to an NGO specialised in supporting children with disabilities for appropriate support. An OCO's Investigator advised the complainant to apply for social aid as proposed by a Social Security Officer.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>Feedback on the progress of the child is being awaited.</p>		
Case No.: 94	File No.: 5271	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father reported that his ex-wife had custody of their child, while he had a "<i>droit d'hébergement</i>". He claimed that the mother was manipulating and alienating the minor from him.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator contacted the mother for a mediation, but the latter did not respond.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The father was advised to go to Court to settle this issue.</p>		
Case No.: 95	File No.: 5272	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father stated that his ex-wife had custody of their children. He alleged that the mother and her parents were abusive towards the minors.</p>		

Action(s) taken by the OCO:

The CDU was informed of the matter. An OCO's Investigator contacted the father. He was advised to go to Court.

Outcome/Follow-up:

The father informed that he had lodged a case in Court for custody.

**Case No.: 96**

**File No.: 5273**

**Case status: Resolved**

Nature of complaint:

The aunt of a minor complained that the latter's mother was an alcoholic and that the minor was being neglected. The father, with the help of the grandmother, wanted to get custody of the minor.

Action(s) taken by the OCO:

An OCO's Investigator contacted the complainant. She was advised to ask her brother to apply for legal aid at the Supreme Court, given that he did not have the means to hire a lawyer.

Outcome/Follow-up:

The complainant informed the OCO that the matter was being brought to Court.

**Case No.: 97**

**File No.: Pro/Sch/42/289**

**Case status: Resolved**

Nature of complaint:

An anonymous complainant stated that some students were being deprived of their recreational time at a school. The educator in question allowed students only 10 minutes of recess time.

Action(s) taken by the OCO:

An OCO's Investigator contacted the Headmaster to investigate on the matter.

Outcome/Follow-up:

According to the Headmaster, all classes had their 35-minute recess, but, at different times, so as to avoid mass gathering. There was no violation of children's rights.



Case No.: 98	File No.: 5282	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>The OC was apprised of a case involving a teenage mother who was victim of domestic violence perpetrated by her partner.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>A letter was sent to the MGEFW for enquiry and follow up at their end.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>A Police Officer informed the OCO that the perpetrator had already been arrested and that the case was still under enquiry.</p>		
Case No.: 99	File No.: 5284	Case status: In progress
<p><u><i>Nature of complaint:</i></u></p> <p>A mother reported to the OCO that her 3-year-old child had been allegedly abused sexually by the father and that she had not been informed of the actions taken by the CDU and the police.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator contacted the CDU to investigate the matter. According to a CDU Officer, the mother had previously reported a similar case of alleged sexual abuse of her child by the father, but she had removed her statement and returned to her husband's home.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The Police Medical Officer stated that there was no sign of sexual abuse perpetrated against the child. A full report from the police was awaited. The CDU was requested to ensure follow-up on this matter.</p>		

Case No.: 100	File No.: 5292	Case status: Resolved
<p><u><i>Nature of complaint:</i></u></p> <p>A father reported that he had separated from his partner before the birth of their baby. The father complained that the mother declared the baby without his knowledge. He wanted to declare the baby as well, but his ex-partner was not willing to attend the Civil Status Office for the said procedure.</p> <p><u><i>Action(s) taken by the OCO:</i></u></p> <p>An OCO's Investigator contacted the concerned officer at the Civil Status Office. The latter informed the Investigator that, as per the law, the child's mother needed to be present so that the father could declare the minor as his child. The officer added that, given that the child's mother was not agreeable to this procedure, the complainant was advised to go to Court.</p> <p><u><i>Outcome/Follow-up:</i></u></p> <p>The complainant had already contacted a lawyer for necessary procedures at his end.</p>		

# Appendices

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## Appendix A: Ombudsperson for Children Act 2003

### OMBUDSPERSON FOR CHILDREN ACT

*Act 41 of 2003 – 20 November 2003*

#### ARRANGEMENT OF SECTIONS

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

### OMBUDSPERSON FOR CHILDREN ACT

#### **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;

“Convention” means the Convention on the Rights of the Child, adopted by the General Assembly of the United Nations on 20 November 1989;

“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, nongovernmental 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 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.

## 11. Report of Ombudsperson for Children

- (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; or
    - (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; or
    - (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; or
    - (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.

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### 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

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## **Appendix B: United Nations Convention on the Rights of the Child (articles 1-42 only)**

### **Convention on the Rights of the Child**

**Adopted and opened for signature, ratification and accession by General Assembly  
resolution 44/25 of 20 November 1989**

**entry into force 2 September 1990, in accordance with article 49**

#### **Preamble**

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth",

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict, Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child, Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

## **PART I**

### ***Article 1***

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

### ***Article 2***

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

### ***Article 3***

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.



#### **Article 4**

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

#### **Article 5**

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

#### **Article 6**

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

#### **Article 7**

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

#### **Article 8**

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

### **Article 9**

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.

2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.

3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

### **Article 10**

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further

ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.

2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (ordre public), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

### **Article 11**

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.
2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

### **Article 12**

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.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

### **Article 13**

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others; or

(b) For the protection of national security or of public order (ordre public), or of public health or morals.

#### **Article 14**

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.

2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

#### **Article 15**

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.

2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

#### **Article 16**

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.

2. The child has the right to the protection of the law against such interference or attacks.

### **Article 17**

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

To this end, States Parties shall:

- (a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;
- (b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;
- (c) Encourage the production and dissemination of children's books;
- (d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
- (e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

### **Article 18**

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.

### **Article 19**

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

### **Article 20**

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

2. States Parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

### **Article 21**

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

- (a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;
- (b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;
- (c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;
- (d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;
- (e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

## **Article 22**

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.
2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the



family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

### **Article 23**

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.
2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.
3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development
4. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

## Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.
2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:
  - (a) To diminish infant and child mortality;
  - (b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;
  - (c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;
  - (d) To ensure appropriate pre-natal and post-natal health care for mothers;
  - (e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;
  - (f) To develop preventive health care, guidance for parents and family planning education and services.
3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.
4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

## **Article 25**

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

## **Article 26**

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.

2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

## **Article 27**

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

## **Article 28**

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible to all children;
- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

## **Article 29**

1. States Parties agree that the education of the child shall be directed to:

- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
- (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

(e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

### **Article 30**

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

### **Article 31**

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.

### **Article 32**

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

- (a) Provide for a minimum age or minimum ages for admission to employment;
- (b) Provide for appropriate regulation of the hours and conditions of employment;
- (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

### **Article 33**

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

### **Article 34**

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

### **Article 35**

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

### **Article 36**

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

### **Article 37**

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;
- (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.



### **Article 38**

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.
3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.
4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

### **Article 39**

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

### **Article 40**

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.
2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;

(b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

(i) To be presumed innocent until proven guilty according to law;

(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;

(iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;

(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

(vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected. 4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

#### **Article 41**

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

(a) The law of a State party; or

(b) International law in force for that State.

### **PART II**

#### **Article 42**

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

## Appendix C: Provisions relevant to OCSASE in the Children's Act 2020, the Children's Court 2020 and the Child Sex Offender Register Act 2020

- **Children's Act 2020 (sections 19-22)**

### 19. Causing, inciting or allowing child to be sexually abused

*(1) Subject to subsection (3), no person shall cause, incite or allow a child to be –*

*(a) sexually abused by him; or*

*(b) sexually abused by another person.*

*(2) For the purpose of subsection (1) –*

*(a) a child under the age of 16 shall be deemed to be sexually abused where the child has taken part as a willing or an unwilling participant or observer in any act which is sexual in nature; or*

*(b) a child aged 16 or above but under the age of 18 shall be deemed to be sexually abused where the child has taken part as an unwilling participant or observer in any act which is sexual in nature.*

*(3) The following shall not constitute an offence under subsection (1)(a) –*

*(a) an offence under section 249 of the Criminal Code;*

*(b) an indecent act (attentat à la pudeur) upon a child aged 12 or above but under the age of 18, where the child has consented thereto;*

*(c) sexual intercourse with a child aged 16 or above but under the age of 18, where the child has consented thereto;*

*(d) an offence of sodomy under section 250 of the Criminal Code.*

*(4) Any person who commits an offence under subsection (1) shall, on conviction, be liable–*

*(a) where the child is physically or mentally handicapped, to penal servitude for a term not exceeding 30 years;*

*(b) in any other case, to a fine not exceeding one million rupees and to penal servitude for a term not exceeding 20 years.*

*(5) Part X of the Criminal Procedure Act and the Probation of Offenders Act shall not apply to a person liable to be sentenced under this section.*

## **20. Child prostitution and access to brothel**

*(1) No person shall—*

- (a) offer, obtain, procure or provide a child for prostitution;*
- (b) cause, coerce or force a child to participate in prostitution;*
- (c) profit from, or otherwise exploit, a child's participation in prostitution; or*
- (d) have recourse to child prostitution.*

*(2) No person shall cause, incite or allow a child to have access to a brothel.*

*(3) Any person who commits an offence under subsection (1) or (2) shall, on conviction, be liable*

*—*

*(a) where the child is physically or mentally handicapped, to penal servitude for a term not exceeding 20 years; or*

*(b) in any other case, to penal servitude for a term not exceeding 10 years.*

*(4) Part X of the Criminal Procedure Act and the Probation of Offenders Act shall not apply to a person liable to be sentenced under this section.*

*(5) In this section —*

*“child prostitution” includes the use of a child in sexual activities for any form of consideration.*

## **21. Child pornography**

*(1) No person shall—*

- (a) knowingly obtain access, through information and communication technologies, to child pornography;*
- (b) produce, possess, procure, obtain, import, export or distribute child pornography, whether or not through information and communication technologies, for himself or for another person;*
- (c) view, supply, disseminate, offer or make available child pornography and any other pornographic material; or*
- (d) coerce, force or otherwise induce a child to view a pornographic performance or pornographic material, or to witness asexual act.*

- (2) Any person who commits an offence under subsection (1) shall, on conviction, be liable –
- (a) where the child is physically or mentally handicapped, to penal servitude for a term not exceeding 20 years;
  - (b) in any other case, to penal servitude for a term not exceeding 10 years.
- (3) Part X of the Criminal Procedure Act and the Probation of Offenders Act shall not apply to a person liable to be sentenced under this section.
- (4) In this section –
- “child pornography” includes any representation by whatever means –
- (a) where a child is, or appears to be, engaged in real or simulated explicit sexual activities;
  - or
  - (b) of the sexual parts of a child, primarily for sexual purposes.

## **22. Child grooming**

- (1) Any person who –
- (a) having met or communicated with a child on one earlier occasion –
    - (i) intentionally meets the child;
    - (ii) travels, in any part of the world, with the intention of meeting the child in any part of the world; or
    - (iii) makes arrangements, in any part of the world, with the intention of meeting the child to travel in any part of the world; and
  - (b) at the time he does so, intends to engage in an unlawful sexual activity with the child or in the presence of the child during or after the meeting,
- shall commit an offence.
- (2) Any person who commits an offence under subsection (1) shall, on conviction, be liable –
- (a) where the child is physically or mentally handicapped, to penal servitude for a term not exceeding 20 years;
  - (b) in any other case, to penal servitude for a term not exceeding 10 years.
- (3) Part X of the Criminal Procedure Act and the Probation of Offenders Act shall not apply to a person liable to be sentenced under this section.
- (4) It shall not be a defence to any prosecution under subsection (1) that the person charged had reasonable grounds to believe that the child was above 16.

- **Children’s Court Act 2020 (section 8 and Schedule)**

## Sub-Part B – Criminal Division of Children’s Court

### 8. Jurisdiction of, and proceedings before, Criminal Division

*(1) The Criminal Division shall, notwithstanding any other enactment, have jurisdiction to hear and determine –*

*(a) in the case of a child victim, any criminal offence specified in Part I of the Schedule which is committed on the child;*

*(b) in the case of a child witness, any criminal offence specified in Part II of the Schedule where the child is a witness;*

*(c) in the case of a juvenile offender, any criminal offence committed by the child, other than an offence specified in Part III of the Schedule;*

*(d) such other matter as the Director of Public Prosecutions may, depending on the seriousness of the case and where he considers it to be in the best interests of a child victim, child witness or juvenile offender, lodge before it; and*

*(e) such other matter as may be prescribed.*

*(2) Subsection (1)(c) shall apply where the offender, at the time of being formally charged before the Criminal Division, is still a juvenile.*

*(3) A Magistrate of the Criminal Division shall, where a child is involved, have jurisdiction to hold a preliminary inquiry in relation to offences specified in section 116(2) of the Courts Act.*

*(4) Subject to this Act, and to any specific procedural provisions in any other enactment, all proceedings before the Criminal Division of the Children’s Court shall be instituted and conducted in the same manner as proceedings in a criminal matter before a Magistrate of the Intermediate Court.*

*(5) Every order or judgment of the Criminal Division shall be enforced as if it is an order or judgment of a Magistrate of the Criminal Division of the Intermediate Court.*



**SCHEDULE (Section 8(1))****OFFENCES****PART I – CHILD VICTIMS**

1. *An offence under the Children’s Act*
2. *An offence under section 228, 230, 231, 249, 250, 254, 260, 262, 303, 304, 305, 307, 310, 330, 331 or 343 of the Criminal Code*
3. *An offence under the Combatting of Trafficking in Persons Act*
4. *An offence under the Protection from Domestic Violence Act*

**PART II – CHILD WITNESSES**

1. *An offence under the Children’s Act 2020*
2. *An offence under section 215, 216, 217, 218, 220, 222, 223, 228(3), 229, 230, 231, 249, 250, 303, 304, 305 or 310 of the Criminal Code*
3. *An offence under the Combatting of Trafficking in Persons Act*
4. *An offence under the Protection from Domestic Violence Act*

**PART III – JUVENILE OFFENDERS**

1. *An offence under section 215, 216, 217, 218, 220, 222, 223, 228(3), 229, 249 or 250 of the Criminal Code*
2. *An offence under section 30 of the Dangerous Drugs Act*
3. *An offence where the child is charged jointly with an adult*

- **Child Sex Offender Register Act 2020 (section 3)**

**3. CSO Register**

*(1) There shall be, for the purpose of reducing and preventing the risk of sexual offences against children, a Child Sex Offender Register, to be known as the CSO Register.*

*(2) The CSO Register shall assist in –*

- (a) monitoring and tracking persons in the community who have been found guilty of committing sexual offences against children; and*
- (b) detecting and investigating sexual offences against children.*

## Appendix D: Recommendations for the Republic of Mauritius by the Special Rapporteur on the sale of children, child prostitution and child pornography (HRC, 2011, paragraphs 105-121)

105. *In the spirit of cooperation and partnership, the Special Rapporteur makes the following recommendations to the Government, aimed at consolidating and strengthening ongoing efforts. She is sure that every effort will be made to implement them and stands ready to offer her full cooperation and assistance in this regard.*

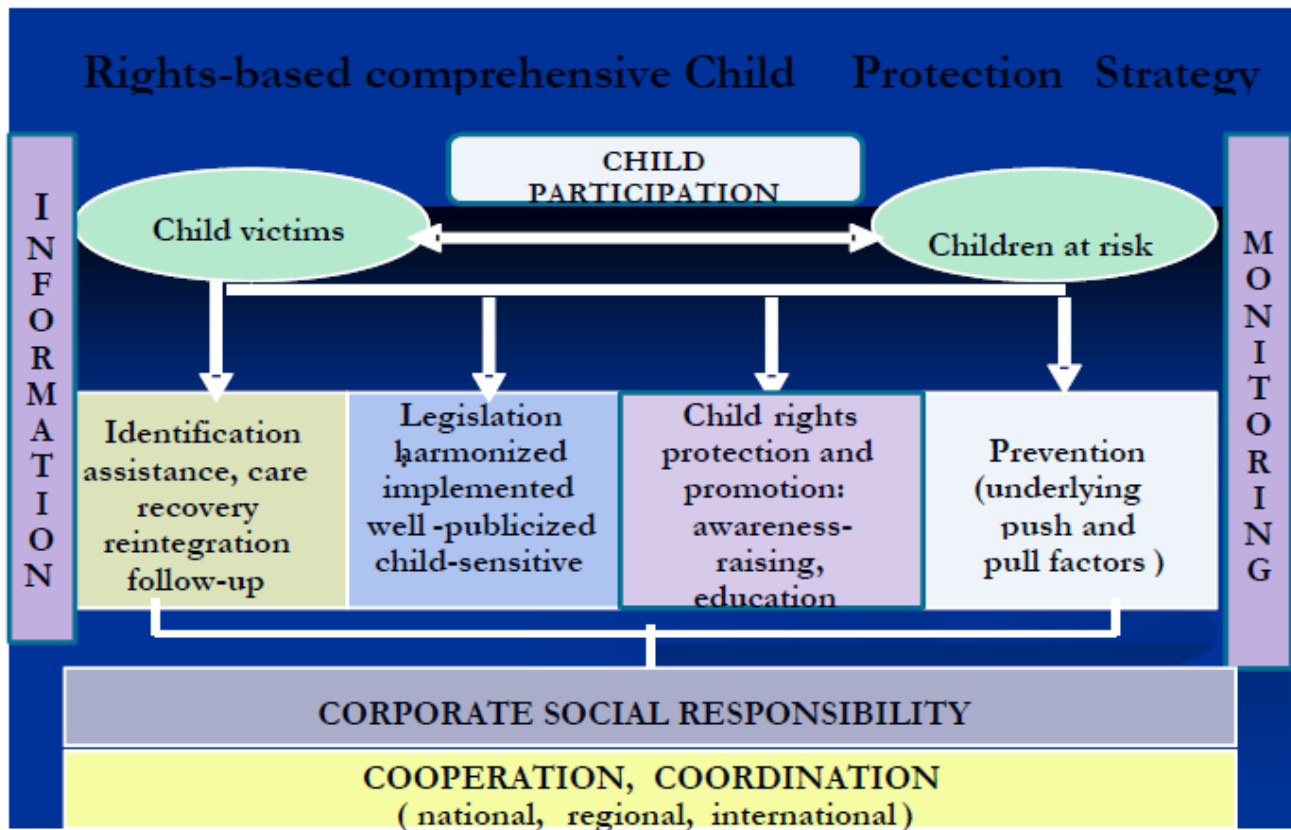
106. *The Special Rapporteur encourages the Government to pursue its efforts to **ensure the full implementation of the Child Protection Strategy in 2011-2012**, with the technical support of United Nations agencies and mechanisms. She recommends that the Government consolidate and strengthen ongoing efforts in the design and implementation of this Strategy, by integrating the following principles and components in compliance with international standards and norms.*

107. **To be functional and effective, the Strategy must:**

- (a) Focus on the child and the promotion of the child's best interests as the primary consideration;*
- (b) Be governed by comprehensive laws that are compliant with international standards and by national policies and regulations (establishing mandates, responsibilities, standards and systems of supervision to ensure compliance);*
- (c) Include both formal and informal mechanisms, such as traditional/custom-based authority and community-based organizations, and formalize their mandate in law and through government regulations;*
- (d) Ensure that child-sensitive services are available at all levels, regulated by quality standards (knowledgeable, well-trained staff, adequately resourced) and accessible to all children without discrimination;*
- (e) Integrate children's views and experiences, through effective child participation and inclusion;*

(f) Ensure that all providers of children's and family services (public sector, civil society organizations) are accountable, through effective regulation and monitoring at all levels of child protection standards.

108. To increase the effectiveness of the Strategy, the Government must strengthen its various components (see figure).



109. To this end, the Special Rapporteur makes the following recommendations.

110. The Government should **finalize the process of reviewing the legal framework prohibiting, preventing and responding to all forms of sale and sexual exploitation of children**, and ensure the effective implementation of the framework through:

- (a) The harmonization of national legal (civil and penal) and regulatory frameworks with ratified international instruments, accompanied by binding measures and mechanisms;
- (b) The widespread dissemination of information regarding legislation and procedural rights, in a user-friendly and adapted way;

(c) The adequate training of judges, prosecutors, lawyers, police officers, teachers, social workers, and medical and other professionals regarding the rights, needs and best interests of the child.

111. The Government should **ensure reliable and regular information** on both the prevalence and knowledge of the phenomena of the sale of children, child prostitution and child pornography, by:

(a) Establishing a standardized and centralized information-gathering system to collect data disaggregated by sex, age, type of violation and measures taken, and harmonizing methods of gathering and processing data;

(b) Undertaking qualitative and quantitative surveys and research regarding both the prevalence and the understanding of these phenomena;

(c) Taking into account the views of children in the processes of data collection and conducting of research, provided that appropriate safeguards are in place.

112. The Government should establish **effective coordination and accountability mechanisms** within the institutional framework, through effective regulation and monitoring.

113. The Government should **strengthen capacity-building and training programmes of key formal and informal structures** (such as ministries, agencies, partners, communities and NGOs) by including information on:

(a) Relevant international human rights norms, standards and principles, including the Convention on the Rights of the Child, and the Optional Protocol thereto on the sale of children, child prostitution and child pornography;

(b) Signs and symptoms indicating violence and exploitation of children, and on the impact, physical and psychological consequences and effects and trauma of crimes against children;

(c) Sensitivity to age-related, cross-cultural, linguistic, religious, social and gender issues, and on sensitivity to the particular issues faced by child victims to ensure they are treated with respect and care;

(d) Crisis assessment skills and techniques, including with regard to making referrals and the preservation of confidentiality;

(e) Interviewing and assessment techniques that minimize the possibility of additional hardship, and other skills to deal with child victims in a sensitive and constructive manner;

(f) Measures and techniques to assist child victims and witnesses in the justice process.

114. The Government should **strengthen child-sensitive complaints, reporting and counselling mechanisms** by ensuring that they:

(a) Are accessible to all children under the jurisdiction of the State, without discrimination of any kind, while being age appropriate and gender sensitive and granting special protection to children at risk;

(b) Are guided by the best interests of the child and informed by children's experiences and perspectives;

(c) Maintain strict confidentiality during proceedings and related processes and respect the right of the child to privacy;

(d) Guarantee the safety of children, through measures to prevent, inter alia, any risk of harm, intimidation, reprisals or re-victimization;

(e) Are regularly and systematically monitored to determine if they are operating in a child-friendly manner, including through safeguarded consultation with children who have accessed the mechanisms in question.

115. Regarding the **identification, care, assistance and follow-up of child victims and witness protection**, the Government should:

(a) Implement precise and adaptable protocols with the participation of all actors involved in child protection. These protocols should clarify the steps that need to be taken (from early detection to the full recovery and social integration of children), and the role and responsibilities of each actor, thereby allowing better coordination and information sharing;

(b) Strengthen child-friendly justice to provide special and prompt protection and assistance to child victims and witnesses that is appropriate to their age, level of maturity and unique needs to prevent further hardship and trauma;

(c) Favour family- or community-based environments, including foster families and other caregivers and incorporating family support and counselling, over institutional or residential care; strengthen the provision of appropriate psychosocial support and mental health services for children;

(d) Ensure that in cases where victims seek compensation for damages from those legally responsible for a violation, reparation mechanisms take into account the long-term reintegration, psychosocial and physical issues that are potentially faced by victims;

(e) Ensure that effective mechanisms incorporate regular follow-up of the child until full recovery is achieved;

(f) Ensure safe and child-friendly alternative or residential care that can accommodate the basic needs of child victims, by establishing minimum standards for alternative and residential care. Centres must be staffed by trained professionals guided by child-rights standards and ethical principles, supporting the health, self-respect and dignity of the child and in particular promoting the complete physical and psychological recovery and social integration of all child victims. All registered centres must be required to provide monthly reports on the children and the details of their care and transfer.

116. Regarding **prevention and child rights promotion**, the Government should:

(a) Ensure that socio-economic services for children at risk and their families are available and accessible;

(b) Ensure immediate free registration of all children born on the territory, with special attention paid to unregistered children, children at risk and those in marginalized situations;

(c) Promote sustainable education and awareness-raising campaigns in schools and communities, including rural and remote communities, making use of all forms of media, information and communication technologies, including social networking tools;

(d) Promote child-protective social norms, involving community leaders to guide communities in protecting children against all forms of violence, abuse and exploitation;

(e) Make available in schools sex education programmes that provide information on healthy sexual development, safe sex and reproduction, and that emphasize gender equality, self-respect, empowerment and respect for others;

(f) Provide funding and shared research on the national and transnational demand for services that exploit children, and analyse the specific context of harmful and discriminatory social norms (practices, behaviours, attitudes) to inform laws and policies.

117. The Special Rapporteur recommends that the Government **systematize child participation** and ensure that the relevant mechanisms operate in compliance with internationally recognized standards, with a view to taking into account the opinions and views of children in all matters that directly or indirectly affect them (including strategies, laws, programmes, monitoring activities). To this end, the Government should:

- (a) Ensure the availability of and access to well-publicized information in local languages and different formats (for children with disabilities) that is suitable for children of diverse ages and stages of maturity, including the very young;
- (b) Empower children to fight for their own protection and that of their peers;
- (c) Support child-led initiatives and organizations.

118. Regarding **monitoring and evaluation**, the Government should:

- (a) Strengthen the resources dedicated to the Office of the Ombudsperson for Children and ensure the appointment of the successor once the current term expires;
- (b) Establish national indicators and mechanisms to ensure rigorous monitoring and assessment/evaluation.

119. Regarding **corporate social responsibility**, the Government should:

- (a) Develop and strengthen partnerships with the private sector, particularly tourism agencies, travel agencies, Internet service providers, telecommunication companies, banks, trade unions in the transportation sector, and media;
- (b) Adopt corporate social responsibility instruments, such as codes of ethics, and raise the awareness of and train all personnel;
- (c) Implement corporate social responsibility programmes and ensure their monitoring and evaluation;
- (d) Strengthen the training of the media with regard to the ethical treatment of cases of child abuse and exploitation



120. The Special Rapporteur recommends that the Government **enhance international and regional cooperation** through, *inter alia*, the exchange of information and expertise and the sharing and harmonization of practices and tools, particularly since the development of information technologies, trafficking networks, tourism and migration and the sale and exploitation of children knows no borders.

121. Lastly, the Special Rapporteur recommends that the Government continue to **cooperate with United Nations agencies**, in particular those providing technical assistance in the elaboration, implementation and monitoring of the Strategy.







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