



OMBUDSPERSON FOR CHILDREN



ANNUAL REPORT 2023-2024

Ref: OCO/RPT/118/10

30 September 2024

His Excellency, Mr Prithvirajsing Roopun, G.C.S.K
President of the Republic of Mauritius
State House
Le Réduit

Your Excellency,

Pursuant to Section 11(1) of the Ombudsperson for Children Act 2003, I have the honour to submit to you the Annual Report for the period September 2023 to August 2024 to be laid before the National Assembly.

Yours sincerely,

Mrs. Aneeta Ghoorah
Ombudsperson for Children

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FOREWORD

*“What we call the beginning is often the end. And to make an end is to make a beginning.
The end is where to start from.”* T.S.Eliot

February 19, 2024 marked a watershed in my life as I found myself in the Office of the Ombudsperson for Children, exactly one month after retiring as Director from the Ministry of Education, Tertiary Education, Science and Technology.

It was a defining moment.

Albeit, in that capacity as Director, I had always had previous interactions with the Office of the Ombudsperson for Children with regard to problems and issues encountered by the student community, now, however, that I was on the other side of the fence, there was a lot of trepidation—and that, despite having worked with children throughout my career !

What were the challenges awaiting me in this position?

What would the personnel be like? How receptive would they be to my presence?

Would I live up to the expectations placed in me? More significantly, would I successfully live up to *my own expectations* of a position that subserves the best interests of the Child?

Would I, with a modicum of efficacy, ensure that the rights of our children are not exclusively ensconced in rhetoric but actualised in action?

However, the experience acquired in management and administration over the years was very helpful in taking cognizance of the various issues and settling down within a relatively short time.

Very soon, I adapted myself to the office jargon and the relevant lexis while also developing a working familiarity with the mandates of the different institutions, both local and international. A couple of courtesy calls and working sessions in person or in virtual mode followed in Mauritius and Rodrigues. All of these proved to be a necessary precondition prior to engaging in a series of networking activities with and onboarding the wide array of collaborators and stakeholders.



Accordingly, the visits effected by representatives of different organisations, NGOs, and Ministries, and the discussions held became an ineluctable part of my learning curve and helped in the comprehension of the problems and the whole machinery associated with what some wrongly label as a “hot seat”.

Nor can one ignore the reach and contribution of the media. The media persons, in fact, are tremendously vital in enabling a rethink of one’s own assumptions through their constant requests for views and reactions about the growing child-impacting societal problems.

Six months may seem a very short time in an era or in the lifetime of an individual, but when narrowed down to the quantum of work carried out and actions initiated for future programs /projects, it does seem a significant lapse of time.

Et, en toute modestie, ce n’est que le début.

Aneeta Ghoorah
Ombudsperson for Children

SYNOPTIC BRIEF

This Report is submitted in accordance with Section 11 of The Ombudsperson for Children Act 2003 and covers the period September 2023 to August 2024.

I was sworn in as Ombudsperson for Children (OC) on 19 February 2024 and have since then been having an oversight on those activities initiated by the outgoing Ombudsperson for Children during the last four months of 2023, consolidating these wherever necessary. Under my mandate as incoming OC, there has been a continuation of investigations already under way as well as the putting on the rails of new projects.

In line with its mandate and as part of its operational process, this Office receives complaints, sifts through them in a bid to explore their legitimate nature and carries out investigations and enquiries by liaising with different Ministries, organisations and institutions. It calls for reports, documents, carrying out in-depth analyses of the problems before making recommendations.

Another major role is to experience “de visu” the situation in the different institutions dealing with alternative care, discuss with the multiple stakeholders and assess the information collected in an objective way.

The Current State of Play

This year the Office of the Ombudsperson for Children (OOC) has dealt with 320 cases as at 31st July 2024.

There have been some noticeable trends / patterns observed in the cases handled, given that cases of same nature recur year after year.

These various issues pertain to violence against children, sexual abuse, indiscipline and violence in schools, bullying, child neglect and ill-treatment, family conflicts, amongst others.

Over the years the OOC has conducted investigations into these issues and come up with reports and made coherent recommendations.

Whilst progress has been noted in certain areas, ongoing efforts are required in others due to the continuously evolving and complex nature of the problems.

All in all, it is the considered opinion of the OC that some children are still facing extremely challenging situations, which can be detrimental to their development and safety.

Some Key Accomplishments and Milestones

(i) COLLABORATION & PARTNERSHIPS

(a) Strengthening the local Nexus

Most cases that come to the Office necessitate a multi-stakeholder tie-up for an effective solution and thus networking has traditionally proved to be a sine qua none. Such network had to be reinforced and collaboration sought with the different partners, resulting in solid foundation and working relationships with the different actors (other Ministries, national and international organisations, institutions dealing with children, High Commissions and Embassies, NGOs, CSOs, etc)

Thus, during the period under cover, working sessions have been carried out with most of the local NGOs involved with the OOC, their concerns noted and actions initiated in certain cases. Some of the issues highlighted in the course of such meetings are, in fact, complex enough to require further in-depth probing. (details in Chapter 6)

(b) Building Bridges internationally

- Through the UK High Commission, a link has been established with the Councillor serving on the Brent Council. Councillor Dr Ketan Sheth is the Chair, Community and Wellbeing Scrutiny Committee, a lead person with a vast experience. The opportunity for online interactions is being availed of so as to familiarise ourselves with current practices related to effective means of communication, collective approach of safeguarding children's rights, amongst other topics;
- HE High Commissioner of Australia on her side introduced us to Ms Andrea Humphrys, Detective Superintendent from the Australian Federal Police's Middle East & Europe Command. The officer deals with diverse forms of child violence and abuse as well as online safety for children.

(ii) SOME KEY ACHIEVEMENTS

It is worthwhile mentioning a few cases to illustrate the complex nature of some complaints where the Investigators have had to pursue their relentless efforts in order to help out children and parents (details of 3 such cases are at the beginning of chapter 8 « Handling of Cases »).

Another major achievement has been the implementation of the « Empowering the Young Minds » project in all primary schools in Mauritius. The rationale is based on the typical apprehension often reiterated that, while Children have been systematically apprised of their rights, there has

been a deficit in their understanding that such rights have to be accompanied by a heightened sense of Responsibility and Respect.

“Empowering The Young Minds” Project has been one step in that direction. Mounted in collaboration with a few of my former colleagues from the Ministry of Education, Tertiary Education, Science and Technology, the Project targets primary school pupils and builds on explaining to them what their rights are as children while, in turn, they have to think through and come up with values defining their corresponding Responsibilities and show of Respect.

The exercise was child-centered and child friendly and will be replicated in Rodrigues during the OOC’s next visit.

Challenges

Notwithstanding the above, there have also been challenges that had to be confronted.

In-house, as part of the house-keeping tasks, one major challenge I faced when I joined in was to create the right work ecosystem and adopt a persuasive role for the Office to be seen as having a positive impact and being solution- driven. I had to instill team spirit to create an effective and efficient service provider.

Again, in spite of the fact that there are various Ministries, Government institutions and NGOs, all working for the betterment of the child and the family, yet there are shortcomings and the challenge is to bring together all these entities to synergistically work together.

Another daunting challenge has been and remains: Changing the mindset and attitudes of parents, community members and the public in general on the Rights of children, the care to be provided, the discipline and values to be inculcated in order to produce model citizens of tomorrow.

Opening Doors to Opportunities

It is fortunate that the OOC operates on the principle that Challenges, no matter how seemingly insurmountable, opens the vista for us to be on the look-out for opportunities for growth and innovation.

It is with this spirit that we rise up to create an impact in the child protection services.

As part of our advocacy and awareness-creating efforts, multi-pronged actions are today on the dashboard:

(a) **Child Artist :**

It all started with a complaint concerning a child working in the Zavatta circus.

Issues to be looked into are Child labour, health and safety, right to Education, legal aspects and Best Interests of the Child.

Working sessions with multistakeholders are being held to brainstorm on the implications with respect to the Child Artist and come up with a legal framework (same has not been taken into consideration in the Artist Bill).

(b) **Jeunes Ambassadeurs des Droits de l'Enfant (JADE)**

In view of promoting Articles

12- the Right to be heard,

13- the Right to Freedom of Expression,

15- the Right of Association and Peaceful Assembly and

17- the right to Information

as stipulated in the UN Convention on the Rights of the Child, the Office of the Ombudsperson for Children is setting up a group of “Jeunes Ambassadeurs des Droits de L'Enfant” (JADE) for children aged 15 to 17 years. Membership would be diverse from schools, youth organisations and non-governmental organisations.

This platform will give the opportunity to listen to **the Voice of the Youth** on subjects of interest to them.

(c) **International Affiliation**

Again, as a spinoff of our affiliation to the International Ombudsperson Institute (IOI), the OOC benefitted from funding to carry out a two-day conference on “The Role of the Ombudsman and Mediators in the Monitoring of the situation of children in conflict with the law and deprived of their liberty”. International experts were invited to debate on the above subject with their Mauritian counterparts.

Investigators also had the opportunity to attend conferences and seminars organised by the African Ombudsman and Mediators Association (AOMA) and *Association des Ombudsmans et des Médiateurs de la Francophonie* (AOMF) both in person and online.

In certain cases, they even acted as Resource persons to share their experience and insights on children - related subject, as for instance during the annual conference held in April 2024 in Morocco on the theme “*La mise en œuvre de l’intérêt supérieur de l’enfant par les ombudsmans*”.

(d) **The Best Interests of the Child**

Another opportunity provided was to discuss in-house the term “The Best Interests of the Child” in an objective way. Same resulted following the Case of Child SB- Judicial Review of Grading Decision of the METEST (cf chapter 2, section V).

Policy Recommendations

This Annual Report also contains Recommendations formulated in the light of personal observations and discussions with concerned parties. They are more in the nature of a call for action.

Essentially, they operate on the principle that it is essential for internal processes and systems to operate in optimal conditions, that offices be strengthened from within, before we come to grips with external challenges effectively.

Only some general recommendations are being highlighted below as an indication of the future directions and roadmap of the Office.

- I. Coordination Committees with the various multi-sectoral stakeholders encourage discussions and help solve problems. As Ombudsperson for Children, it is my duty to emphasise that regular solution-driven coordination meetings must be held to discuss the most pertinent issues.
- II. Capacity building is crucial for all officers, the more so for people dealing with vulnerable children and their families. Regular updated training will provide the skills required and enhance the self-development of the personnel.
- III. Deadlines are to be respected in connection with enquiries and reporting, bearing in mind that, at the end of the chain, a child is waiting for harm caused to be repaired and for justice.
- IV. Misinformation often leads people knocking the doors of several offices, where simple guidelines through the media would be of greater assistance and succor.

- V. A “one stop shop” comprising all stakeholders concerned should be put in place for victims of sexual abuse such that the child does not need to repeat the same ordeals over and over again, which is a trauma in itself.
- VI. To combat the growing rate of divorce and child neglect, courses on parenting should be delivered such that young couples are taught how to cope with child rearing.
- VII. Children living in alternative care systems are to be provided with more intense and engaging emotional and psychological support.
- VIII. Challenges faced by the adolescents leaving Residential Care Institutions at the age of eighteen (18) should be addressed for their social reintegration and their aftercare follow-up.
- IX. With the increase in the number of teenage pregnancies at a young age, it is highly recommended that Sexual and Reproductive Health Education be included in the curriculum as from the primary level.
- X. A bottom to top approach should be adopted while coming up with policies, in consultation with the stakeholders on the field as they are the ones who are familiar with the practicability of the policies formulated.
- XI. Children form part of families and a strong commitment should be taken by all concerned to focus on both the Child and the Family.

Last but not least: **The voice of the child should be heard and included in policies formulated.**

The OC strongly believes that children should be brought up in stable and conducive environments. And it is our cherished hope that the implementation of recommendations would go a long way towards alleviating the administrative hurdles which ultimately affect the best interests of the Child.

End Note

Reasserting the commitments taken in accordance with and Pursuant to Section 11 of the Ombudsperson for Children Act (OCA)2003, this is the Annual report of the Ombudsperson for Children (OC) for the year 2023-2024, the very first report in my capacity as OC, with obviously the contribution of the Investigators and staff of the OOC.

Under section 5 of the OCA 2003 the OC has the duty to:

- (a) Ensure that the rights, needs, and interests of children are given full consideration by public bodies, private authorities, individuals and associations of individuals
- (b) Promote the rights and best interests of the children; and
- (c) Promote compliance with the Convention on the Rights of the Child

Our work at the Office is guided by the above Objects.

We owe it to the Children of the Republic.

WHO WE ARE?

The Office of the Ombudsperson for Children (OOC) in Mauritius is a National Human Rights Institution, responsible for protecting and promoting the rights and welfare of All children and young people under 18 years of age living in the Republic.

Established under the Ombudsperson for Children Act of 2003 (OCA), the OOC plays a key role in ensuring that children's rights are upheld in accordance with national laws and international conventions, namely the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC).

WHAT WE DO?

The overarching goal of the Office of the Ombudsperson for Children is to ensure that every child in Mauritius is treated with dignity, respect, and fairness. In order to achieve this goal, the core functions of the OOC are to:

- carry out investigations of complaints from or on behalf of children regarding violations of their rights or issues affecting their welfare;
- advocate for children's rights and raise awareness on issues affecting them; monitor the implementation of laws, policies, and programs related to children's rights and welfare;
- make recommendations to relevant authorities for improvements in legislation, policy, and practices;
- encourage and facilitate the participation of children in matters that affect them, ensuring that their voices are heard in decisions that impact their lives.

OUR TEAM



Front row (sitting) from left to right: Mr I. Bawamia, Investigator; Mrs A. Ghoorah, Ombudsperson for Children; Mrs L. Jhugroo, Secretary, OOC.

Second row from left to right: Mrs A. Bundhee, Principal Procurement and Supply Officer; Ms B.R. Bhunnoo, Office Management Executive; Mrs R. Ambattu Chandran, Telephone Operator; Mrs B. Jogarah Ramgoolam, Investigator; Mrs I. Polixene, Management Support Officer; Mr A. Kandai, Office Auxiliary; Mrs S.P. Mauree, Investigator; Mrs I. Jhugroo, Word Processing Operator.

Third row from left to right: Mr Y. Tamansing, Driver; Ms B. Darick, Management Support Officer; Mrs P. Bissessur, Ag Principal Financial Operations Officer; Mrs S. B. Foolchand-Durgahee, Management Support Officer; Mrs B. N. Mamudbaccus, Management Support Officer; Mrs W. Khodadin-Jackaria, Office Management Assistant; Mrs B. N. Lenette, Office Auxiliary.



Mrs Y. Rhungapen-Veeramootoo,
Investigator



Mrs S. Johaheer,
Investigator



Mrs A. Swamber,
Confidential
Secretary

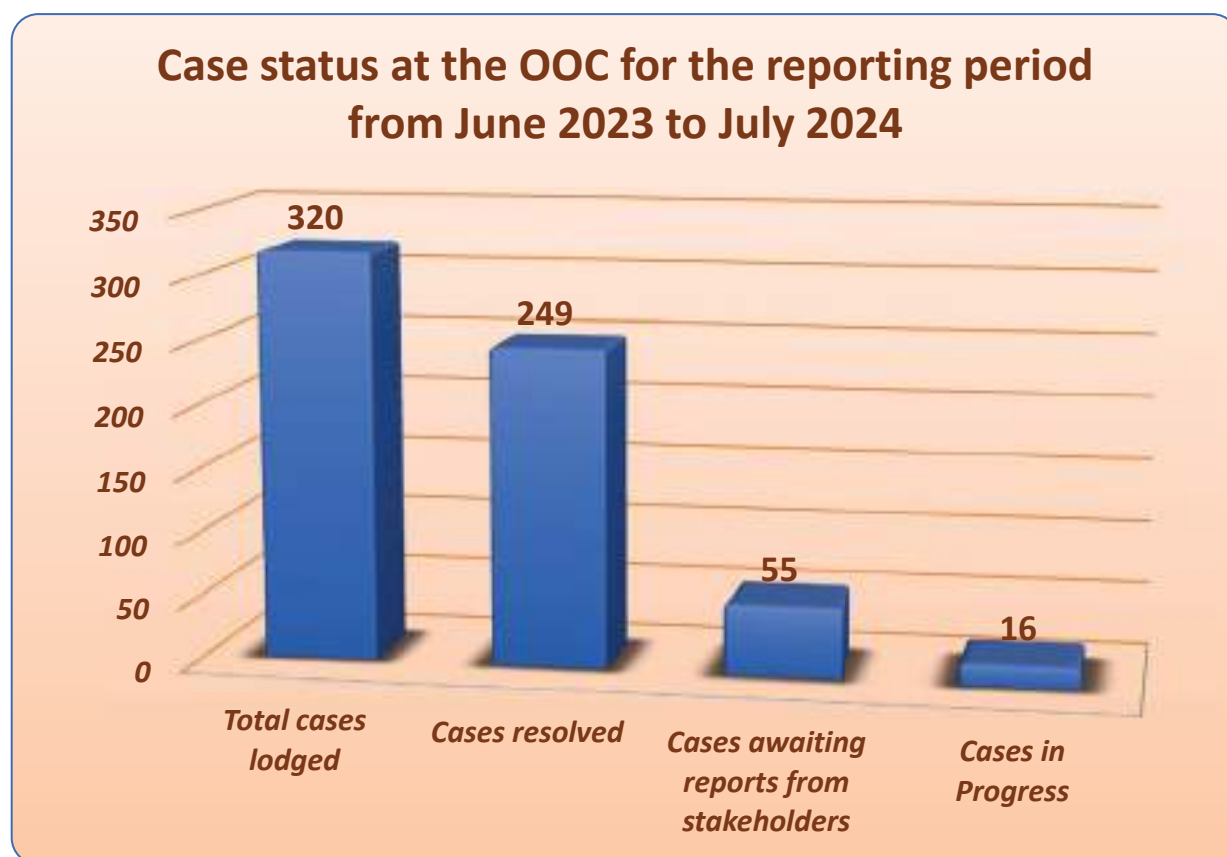


Mrs K. Arjoon,
Office Auxiliary



Ms Narvada Devi
Poonyth,
Management
Support Officer

Investigation



122
Number of cases regarding school

94
Number of cases regarding family

38
Field Visits

2
Missions to Rodrigues

Cases

For the reporting period from June 2023 to July 2024, the OOC registered a total of **320 cases**. Tables 1 to 4 below provide an overview of

- ❖ the status of complaints registered for the period from June 2023 to July 2024;
- ❖ the different categories of complaints received;
- ❖ the profile of complainants; and
- ❖ the gender distribution of complainants, respectively.

Table 1. Number of cases handled by the OOC from 01 June 2023 to 31 July 2024.

Case status	Number of cases	Percentage (%)
Cases resolved	249	77.8
Cases awaiting reports	55	17.2
Cases in progress	16	5
TOTAL	320	100

Table 2. Categories of complaints registered at the OOC from 01 June 2023 to 31 July 2024.

Categories of Complaints	Number of cases
• School problem – Transfer/ Admission/ Transport/ Infrastructure	77
• Child neglect/ Child ill-treatment/ Child at risk	50
• Corporal punishment/ Harassment/ Verbal abuse by school personnel/ Bullying/ Violence/ Assault at school	41
• Family conflict/ Custody/ Right of Access	31
• Sexual abuse and harassment	30
• Others	24
• Child behavioural problem	19
• Physical violence in family/ Domestic Violence	13
• Institutional abuse and neglect/ Police brutality	9
• Poverty – Lack of means/ Social aid/ Lack of school materials	5
• Prostitution/ Child Trafficking	4
• School absenteeism/ Dropout	4
• Children with disabilities/ Social aid	3
• Child Abduction	2
• Tardy declaration	2
• Adoption	2
• Drug use	2
• Sale of cigarette and alcoholic drinks to minors	1
• Mendicity	1
• Suicidal tendencies	0
TOTAL	320

Table 3. Profile of complainants at the OOC recorded from 01 June 2023 to 31 July 2024

Complainant	Number
• Mothers	90
• Fathers	63
• Anonymous complaints	29
• Education professionals	26
• Grandparents	20
• NGOs	18
• Group of parents	15
• Others	14
• Ministries/ Departments	12
• Relatives/ Friends	12
• Neighbours	7
• Own-motion inquiries	6
• Children	4
• Medical Social Workers	2
• Foster parents	1
• Media	1
TOTAL	320

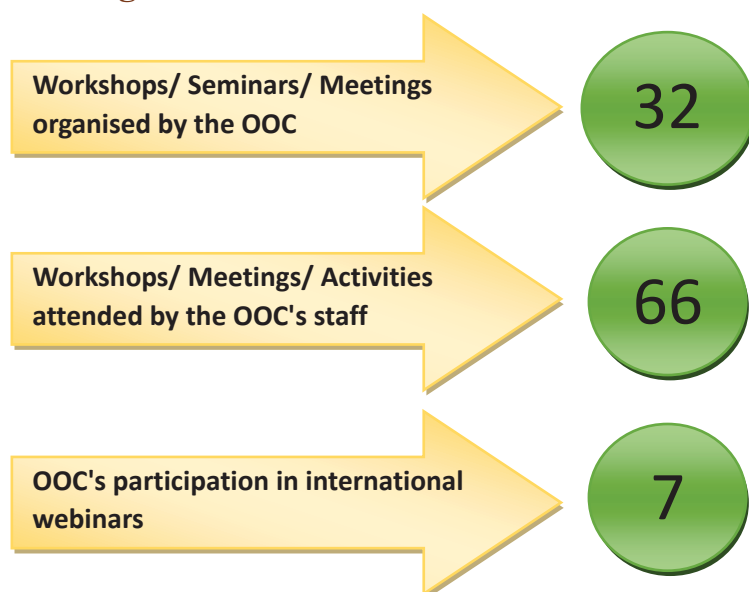
Table 4. Gender distribution of complainants for the period from 01 June 2023 to 31 July 2024.

Gender of complainants	Number
FEMALE	143
MALE	177
TOTAL	320

General Observations

As seen from the tables above, the majority of cases are education related, particularly issues regarding school transfer/admission/transport/infrastructure, which consists of 24.1% of the total number of cases. The same trend was observed during the last reporting year of 2022-2023, whereby the highest number of cases (17.5%) related to school transfer/admission/transport/infrastructure.

Promotion of the rights of children



Awareness Campaign in Citizens Advice Bureau (CAB)

The Investigators carried out sensitisation campaigns in CAB offices on the theme Child Rights and related issues.

VENUE	DATE	CAB OFFICE	NAME OF INVESTIGATOR
Cite Vallijee/Pte aux Sables	02.05.2024	CAB Cité-Vallijee	Mrs S P Mauree
Colline Monneron	16.05.2024	CAB Colline-Monneron	Mrs S Johaheer
Route Nicolay	30.05.2024	CAB Route-Nicolay	Mrs B Jogarah Ramgoolam
Port Louis SSS Boys	06.06.2024	CAB St Croix	Mrs S Johaheer
Triolet /Pamplemousses	13.06.2024	CAB Triolet	Mr I A Bawamia
Goodlands/Grand Bay	20.06.2024	CAB Goodlands	Mrs B Jogarah Ramgoolam
Piton/Rivière du Rempart	27.06.2024	CAB Riv. du Rempart	Mrs B Jogarah Ramgoolam
St Pierre/Quartier Militaire	04.06.2024	CAB Quartier Militaire	Mrs S P Mauree
Central Flacq/Lallmatie	11.07.2024	CAB Central Flacq	Mrs Y Rhungapen-Veeramootoo
Bel Air/Montagne Blanche	25.07.2024	CAB Bel Air	Mr I A Bawamia
Bois des Amourettes/R Belle	01.08.2024	CAB Rose Belle	Mrs S Johaheer
Mahebourg/Plaine Magnien	22.08.2024	CAB Mahebourg	Mrs S Johaheer
Universal College	29.08.2024	CAB Riv. du Rempart	Mrs B Jogarah Ramgoolam
Beau Plan SSS	30.08.2024	CAB Pamplemousses	Mrs B Jogarah Ramgoolam

Chapter 1

THE CHAIN OF PROTECTION

“Safety and security don’t just happen, they are the result of collective consensus and public investment. We owe our children, the most valuable citizens in our society, a life free of violence and fear.”

~ Nelson Mandela



Main Highlights

In this chapter, we underscore the critical importance of a robust chain of protection within the Republic of Mauritius. This system is essential for ensuring consistent, high-quality care and safeguarding the well-being of the children we serve.

We seize this opportunity to highlight the commendable initiatives put forth by some key stakeholders. Their dedicated efforts play a pivotal role in strengthening our protective network, maintaining the integrity of our intervention processes, and enhancing the overall care we provide.



United Nations Convention on the Rights of the Child

The Chain of Protection Systems

1.1. Introduction

According to the UNICEF Child Protection Strategy of 2008, the child protection system is defined as *“the set of laws, policies, regulations and services needed across all social sectors – especially social welfare, education, health, security and justice – to support prevention and response to protection-related risks. These systems are part of social protection and extend beyond. At the level of prevention, their aim includes supporting and strengthening families to reduce social exclusion, and to lower the risk of separation, violence and exploitation. Responsibilities are often spread across government agencies, with services delivered by local authorities, non-State providers, and community groups, making coordination between sectors and levels, including routine referral systems, a necessary component of effective child protection systems.”*¹

In 2012, the definition and approach to child protection systems underwent a significant revision to better address the complexities and challenges in safeguarding children from abuse, neglect, and exploitation. The definition remains highly relevant in providing a structural framework for a child protection system.

Definition of Chain Protection Systems

“Certain formal and informal structures, functions and capacities that have been assembled to prevent and respond to violence, abuse, neglect, and exploitation of children”. a child protection system is generally agreed to be composed of the following components: human resources, finance, laws and policies, governance, monitoring and data collection as well as protection and response services and care management. It also includes different actors – children, families, communities, those working at sub-national or national level and those working internationally. Most important are the relationships and interactions among these components and these actors within the system. It is the outcomes of these interactions that comprise the system.”

SOURCE: United Nations Children’s Fund, United Nations High Commissioner for Refugees, Save the Children and World Vision, ‘A better way to protect all children: The theory and practice of child protection systems, conference report’, 2013, p.3

¹ UNICEF Child Protection Strategy E/ICEF/2008/5/Rev.1, 20 May 2008 Para.12

Key points

- An imperative distinction must be made between child protection systems and the structure established to deliver child protection services.
- The child protection services are typically delivered through designated agencies or entities that may be referred to as "child protection services," "child protective services," or similar terms.
- Child protection services focus on direct service delivery and immediate responses to child protection concerns.
- Child protection services are part of the implementation arm of the child protection system. They follow guidelines and protocols set by the system to ensure consistency and effectiveness in protecting children.
- The child protection system ensures that child protection services are integrated into a continuum of care and support, from prevention and early intervention to rehabilitation and family reunification or alternative care.

1.2. International Commitments

Mauritius ratified the UN Convention on the Rights of the Child (CRC) in July 1990. Article 19 of the CRC provides for the child's right to protection from maltreatment and places a duty on the State not just to react to incidents of maltreatment but to provide support to families in order to reduce the incidence.

- 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.'

In February 1992, Mauritius also ratified the African Charter on the Rights and Welfare of the Child. By virtue of Article 16 of the Charter, the State took certain commitments with respect to 'protection against child abuse and torture'

Article 16: Protection Against Child Abuse and Torture

- 1. States Parties to the present Charter shall take specific legislative, administrative, social and educational measures to protect the child from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual abuse, while in the care of a parent, legal guardian or school authority or any other person who has the care of the child.**
- 2. Protective measures under this Article shall include effective procedures for the establishment of special monitoring units to provide necessary support for the child and for those who have the care of the child, as well as other forms of prevention and for identification, reporting referral investigation, treatment, and follow-up of instances of child abuse and neglect.**

1.3. The Law

The Children's Act (2020), along with the Children's Court Act (2020) and the Child Sex Offender Register Act (2020), represent a significant overhaul of child protection laws in Mauritius. This triad of laws is intended to better give effect to the United Nations Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. The Children's Act (2020) introduces a range of new criminal offenses related to child abuse, including abandonment, corporal punishment, child pornography, and grooming. By expanding the scope of criminal offenses, the Children's Act (2020) aims to provide better protection for children from various forms of abuse and exploitation.

1.4. Who are involved in the Chain Protection Systems?

A good child protection system should be concerned with the child's journey through the system from needing to receiving effective protection from abuse and neglect, while keeping a clear focus on children's best interests throughout. The stakeholders involved in the child protection mechanism encompass a wide range of individuals, ministries, organisations, and entities which typically include:

1) Government Agencies:

- **Child Protection Services:** Responsible for receiving reports of child abuse or neglect, conducting investigations, and intervening to ensure child safety.
- **Alternative care:** Providing safe, nurturing environments for children who cannot remain with their biological parents or usual caregivers
 - ✓ **Family-based Foster Care:** Provide temporary care in a family based setting for children removed from their parents or caregivers due to safety concerns.
 - ✓ **Residential Care Institutions:** Offer temporary shelter, in a structured setting, to children who have been removed from their parents or primary caregivers due to child protection concerns.
 - ✓ **Adoption Unit:** Handles the process of finding permanent homes for children who cannot return to their biological families. The adoption process involves thorough assessments and legal procedures to ensure that children are placed in safe and supportive environments.
- **Law Enforcement:** Investigate criminal aspects of child abuse cases and collaborate with child protection services.

2) Legal System:

- **Children's Court :** Make decisions regarding child protection cases, including custody, protective orders, and placement in foster care or other settings.

3) Health and Mental Health Services:

- **Pediatricians and Healthcare Providers:** Identify signs of abuse or neglect during medical visits and provide medical care and documentation.
- **Mental Health Professionals:** Offer counseling and therapy to children and families affected by abuse or trauma.

4) Education Institutions and Services:

- **Teachers and School Personnel:** Mandated reporters who identify signs of abuse or neglect and collaborate with child protection services to ensure child safety and well-being.
- **Educational psychologist/school counsellors, Educational Social Workers:** Provide support and referrals for children in need of assistance.

5) Community and Non-Governmental Organizations (NGOs):

- **NGOs:** Offer support services such as shelters, advocacy, and resources to children and families. Provide specialised services, counseling, legal aid, and advocacy for child protection issues.

In this chapter, the challenges that key stakeholders in the child protection system face are highlighted, emphasising how these hurdles can impact the effectiveness of safeguarding children's rights and well-being. Chapter 6 of the present Annual Report, titled "Collaboration with Non-Governmental Organizations and Civil Society Actors," explores the indispensable role that these entities play in the child protection landscape. The chapter also examines challenges and underscores the need for continued collaboration to enhance child protection efforts and ensure that children's rights are fully upheld.

1.4.1. Ministry of Gender Equality and Family Welfare

The Ministry of Gender Equality and Family Welfare (MGEFW) plays a vital role in promoting and safeguarding the rights and well-being of children and families across the Republic of Mauritius. The Ministry is responsible for formulating policies and implementing programs aimed at protecting children from abuse, exploitation, neglect, and trafficking. This includes working closely with law enforcement agencies, social services, and non-governmental organizations (NGOs) to ensure that children's rights are upheld and that perpetrators of child abuse are prosecuted.

1.4.1.1. The Child Development Unit (CDU)

The Child Development Unit of Mauritius is a governmental agency under the Ministry of Gender Equality and Family Welfare. The CDU operates on a 24/7 basis to ensure immediate response to cases of violence, abuse, neglect, or any situation endangering the well-being of children across Mauritius and Rodrigues Island, according to part IV, sub-part I, section 31 of

the Children’s Act 2020. This emergency response ensures that children in crisis situations receive prompt assistance and protection.

To ensure accessibility and proximity service delivery in respect of child protection, the CDU operates through a network of 10 outstations referred to as Child Protective Services (Goodlands, Port-Louis, Bambous, Souillac, Flacq, Vacoas, Moka ,Rose-Hill, Plaine – Magnien, and Triolet). From December 2022 to May 2024, 13539 cases of child abuse have been registered at the Child Development Unit (CDU). The number of cases of child abuse as registered at the Child Development Unit are as follows:

Nature of problem	2022	2023	2024(Jan-May)
	Total	Total	Total
Abandonment	45	47	39
Physical abuse/Battered child	587	645	238
Neglect cases	846	970	374
Worst forms of Labour	51	36	26
<i>of which child labour</i>	9	8	9
Sexual abuse (including incest)	395	344	151
Psychological / emotional abuse	949	1,079	360
Teenage mother	36	43	15
Teenage pregnancy	159	149	80
Custody of child	1,307	1,279	613
Other problems	1,073	1,137	466
Total	5,448	5,729	2,362

Source: Ministry of Gender Equality and Family Welfare

Challenges

- Working in child protection can be challenging emotionally. Officers working at the CDU in Rodrigues reported experiencing burnout, largely due to a limited number of staff members.
- Without regular training, there can be variability in how different staff members handle similar situations, leading to uneven care and support for children. Children in CDUs often have complex needs that require specialised skills. Without ongoing training, staff might struggle to address these needs appropriately.

Recommendations

- Burnout must therefore be addressed through a multifaceted approach that includes managing workload, enhancing support systems, implementing stress management strategies, and recognising contributions. These steps can improve the well-being and effectiveness of its officers, leading to a more positive and productive work environment.
- It is also important to prioritise hiring more officers to distribute the workload more evenly and reduce the burden on existing staff.
- To ensure consistent, high-quality intervention, it is crucial to develop and maintain a regular training schedule that includes both initial and ongoing training sessions. This ensures that all staff members stay updated on best practices, and are equipped with the latest knowledge and skills needed for effective intervention
- Training programs must be tailored to address the specific needs of children attending the CDUs. This includes providing training on handling complex cases, understanding developmental milestones, and using specialised intervention techniques.

1.4.1.2. Child Rehabilitation Services (CRS)

The Child Rehabilitation Services (CRS) is responsible to follow up on children victims of violence placed in Shelters/Residential Care Institutions and ensure the welfare of those children. Its mandate encompasses rehabilitation of children and their biological families through parental visits with a view to returning them to their families.

As a last resort, children at risk in their immediate family environment are placed in Residential Care Institutions (RCI) following the issue of Court Orders. The Ministry devises careplans for each child to work with their families in view of their reinsertion in mainstream society. There are 17 RCIs run by NGOs and 5 which are Government owned.

The CRS comprises three sections namely: Rehabilitation Section; Back-to-Home Section and Rebonding Section; and its main focus is to design and implement policies and programmes, geared towards:

- a) rehabilitating children in Places of Safety, through the Rehabilitation Programme;
- b) organising regular parental, siblings, relatives' visits for minors in view of maintaining the family ties and to eventually explore all possibilities for the re-integration into their family milieu;
- c) re-inserting children victims of violence, including abuse, placed in Shelters within a family setting, through the Back-To-Home Programme. This programme ensures the proper follow-up and provides for psycho-social support, as well as empowers their parents/ relatives to better care for the children through referral to services offered by key stakeholders; and
- d) providing children who have no possibility of re-integration with a substitute family through the Foster Care Programme.

1.4.1.3. Tardy Declaration Division

The Tardy Declaration of Birth Section of the Child Development Unit (CDU) facilitates the tardy declaration of children only under Court Orders. The Child Development Unit (CDU) works in close collaboration with other stakeholders, including, the State Law Office, the Civil Status Office, the Police Department, the Ministry of Health and Wellness, and the Judiciary to arrange for the registration of births within the shortest delay.

Children whose parents are available and who have exceeded the delay for declaration of birth are directed to the District Court to start the procedure for tardy declaration of birth on their own.

1.4.1.4. Foster Care Division

The Child Protection Act was repealed on 24 January 2022 and the Children’s Act 2020 was proclaimed. Concurrently, on 28 January 2022, the Child (Foster Care) Regulations 2022 was proclaimed with effect from 24 January 2022 and subsequently amended in 2024.

Foster care is an agency-supervised placement for children, whose biological parents are unable to provide them with proper care and are therefore provided with substitute parents.

The main objective of the Foster Care Programme is to provide opportunities to the child to evolve in a substitute family environment. The main role of the Foster Parents is to provide financial, emotional, social and spiritual support to the child. Moreover, strict guidelines are adhered to ensure the best interests of the child are prevailing through visits and follow up. The number of children placed in foster care from 2022 as at 19 July is 98.

Challenges

- The issue of delays in declaring a child who has been entrusted to foster parents can have significant implications for both the child and the foster family. These delays often stem from various challenges, including difficulties in locating biological parents.
- When a child's biological parents are traced after a significant period and the child is given a new name upon declaration, it can indeed have profound implications for the child's sense of self and continuity, especially if the child has been with their foster family for a long time.

Recommendations

- It is important that relevant authorities work together to streamline the process of declaring a child in foster care. This may involve reviewing and possibly revising administrative procedures and legal modalities to reduce delays.
- It is crucial to ensure clear guidelines and timelines are established for declaring children under foster care, taking into account situations where parents are untraceable or non-responsive
- Given the sensitive nature, a child centred approach should be adopted regarding the declaration of a child. The child's best interests and emotional well-being should be prioritised when making decisions about their name and identity.

1.4.1.5. Licensing and Enforcement Section

i. Child Day Care Centre

Licensing and Enforcement Section for Child Day Care Centres is responsible for the monitoring and registration of Child Day Care Centres. Regular inspections are conducted in Child Day Care Centres (CDCCs) to ensure compliance with the Child Day Care Centres Regulations 2022 as well as the safety and well-being of children. In 2023 and 2024 (up to June), the Ministry conducted 738 and 421 inspections respectively.

With regard to complaints received, the following actions are taken:

(a) Registered CDCCs

Enforcement Officers initiate enquiries in all complaints against CDCCs reported to this Ministry. They conduct inspection visits to assess whether the complaints are founded and where required, they make their recommendations to the Managers for compliance with the Regulations. The regulations for Child Day Care Centres provides for sanctions to be taken when an offence has been committed.

(b) Illegal CDCCs

The Enforcement Officers, with the assistance of Officers of *Brigade pour la protection de la famille*, conduct site visits to enquire about the complaints. If founded, the Enforcement Officer gives a declaration at the nearest police station for illegal operation. The Ministry also issues letters to inform the owners about the illegal operation of their services and the liabilities they may be subject to according to the Regulation whilst encouraging them to put up an application with all relevant documents for determination of their registration. In 2023 and 2024 (up to June), 41 and 27 complaints were registered at the Ministry respectively.

ii. Residential Care Institutions

The Residential Care Institution Regulations 2022 stipulates that Residential Care Institutions should operate within the norms and standards stipulated therein with a view to ensuring the continuum of care and protection in a safe and secure environment.

The Licensing and Enforcement Section of Residential Care Institutions is responsible to enforce and implement the norms and standards at Child Residential Institutions as per existing Regulations (Residential Care Institutions for Children Regulations 2022).

Children, who cannot be allowed to remain in an environment where they are at risk, are placed in a Residential Care Institution (RCI). Presently there are around 500 children,

including approximately 100 babies and toddlers, living in RCIs. Certain children who have been completely abandoned by their parents are spending time in institutions whereas they could certainly be placed in a more individualised family setting. Enforcement Officers carry out monthly surprise inspection visits in the Residential Care Institutions to ensure compliance with the Regulations and submit their reports to the Management. Two inspections are conducted by Enforcement Officers each month in each of the RCIs. Early, late and surprise inspection visits are also carried out for the best interests of the children placed in the RCIs. Moreover, Enforcement Officers also investigate into complaints received against Residential Care Institutions.

Challenges

- During visits to various rehabilitation care institutions (RCIs), it has been observed that some carers lack training specific to the needs of children. As a result, they may face difficulties in addressing the unique developmental, emotional, and psychological requirements of children receiving rehabilitation care.
- It is also important to conduct a staffing assessment to determine the ideal staff-to-child ratio based on best practices and standards. This assessment should consider factors such as the age and needs of children in care, as well as the scope of responsibilities

Recommendations

- It is crucial to conduct a comprehensive assessment to identify specific training needs among staff at RCIs. This can include evaluating current skills, knowledge gaps, and areas where additional training is required.
- Families should be empowered to take care of their own children. Family separation must be a measure of last resort and family reintegration must be actively pursued. The elaboration and implementation of a clear national strategy on the deinstitutionalisation of alternative care of children should be pursued of the progressive elimination of large-group residential care.

1.4.1.6. Adoption Unit

The Adoption Unit is acting as the focal point in the adoption of children from foreign countries. It also handles cases of legitimation of children having foreign nationalities and residing in Mauritius. The Adoption Unit is designated to deal with inter-country adoptions in accordance with the provisions of the Hague Convention on Inter-country Adoption, 1993.

Mandate of the Adoption Unit:

- To provide, lead and co-ordinate actions on policy, procedures, standards and guidelines on all adoption matters, training and inter country cooperation.
- To inquire into all demands of adoption of a foreign child by Mauritian citizens.
- To advise the Minister on all matters relating to demands of adoption received.
- To co-operate with other countries in line with the recommendations of the 1993 Hague Convention on Protection of Children and Co-operation in Respect of Inter Country Adoption with a view to preventing the abduction, sale and trafficking in children.
- To establish collaboration with other countries with a view to working together with regard to inter country adoption; Mauritius as receiving State.

Legislation regarding Adoption in Mauritius

The Code Civil Mauricien

Presently, Articles 343 to Article 370 of the Code Civil Mauricien establishes the legal framework for local adoption and the adoption of a foreign child by way of “Adoption Simple” or “Adoption Plénière”. It also provides for the “Legitimation par Adoption” which involves the adoption of the child of the applicant’s spouse. The adoption of a foreign child requires the authorisation of the State in the same manner as a naturalisation.

Local Adoption

Presently, the Ministry of Gender Equality and Family Welfare is not entertaining any case of local adoption. Local adoption is done outside institutionalisation. Local adoption is done through a private Attorney who lodges the case of adoption before the Judge of the Supreme Court. The Supreme Court refers the case to the Ministère Public (the State Law Office) for a

social report to be conducted by the Probation and Aftercare Service before pronouncing an Adoption Order.

The policy of the Ministry regarding adoption of a foreign child by Mauritian citizens/foreigners residing in Mauritius is that:

- childless couples can adopt only one child,
- a single person may also apply for the adoption of a foreign child,
- the applicants should have a clean character certificate, and
- the applicants shall be physically and mentally fit.

Adoption of a Foreign Child by a Mauritian (Mauritius as a Receiving Country)

Mauritian citizens as well as foreigners residing in Mauritius and who wish to adopt a child from abroad submit their requests to the Ministry of Gender Equality and Family Welfare. Authorisation of the Prime Minister under Article 346 of the Code Civil Mauricien is sought prior to submitting the application to the country of origin.

Procedures for Adoption of a Foreign Child by a Mauritian

- Applicants must submit their demand for adoption by way of a letter indicating country from which they wish to adopt a child and the age and sex of the child. **(Presently Mauritius has an agreement with India only).**
- A Home Study and Psychological Assessment of the applicants are carried out to assess their suitability to adopt.
- Thereafter, an Approval of the Prime Minister is granted to allow the Prospective Adoptive Parents to adopt a foreign child.
- The application is submitted to the country of origin and adoption procedures are followed as per the country's requirements.
- After an Adoption Order has been pronounced in Court in the country of origin; the child is allowed to travel to Mauritius.
- In Mauritius, the Adoptive Parents must retain the services of an Attorney to apply to the Judge of the Supreme Court to render "executory" the adoption order made abroad favour of the child.
- Adoption Petition is issued by the Supreme Court.
- A copy of the Rule of Adoption shall be submitted to the Adoption Unit in due course.
- Adoptive Parents should apply for Mauritian citizenship in favour of the child to the Citizenship Section of the Prime Minister's Office.

A post adoption follow up is carried out until the child is 18 years.

Challenges

- The adoption process in Mauritius can indeed be lengthy, and complex, involving multiple legal and administrative procedures. Various administrative steps, such as document submissions, home assessments, and coordination between different agencies (such as social services and the courts), contribute to the bureaucratic nature of the adoption process.
- These complexities often lead to delays in processing applications, which can understandably frustrate prospective adoptive parents and deter them from pursuing adoption.
- Untraceable biological parents remain a significant hurdle in the adoption process.

Recommendations

- The implementation of an adoption bill in Mauritius can bring several benefits for children in the country. An adoption bill provides a clear legal framework for the adoption process, ensuring that all adoptions follow established procedures and guidelines. With a structured adoption process, children awaiting adoption can potentially find permanent homes more quickly.

Commendable Initiative : The Parental Empowerment Resource Centre (PERC)

The PERC was set up as part of the New Scheme Measure during the FY 22-23. The project focuses on various aspects of early childhood development, education, quality child care, parenting and family support. The PERC also acts as a 'referral centre' for parents needing services in the community.

The project is designed: to develop parenting skills for parents with infants, toddlers, school-aged children and adolescents and to provide practical information which could be incorporated into everyday parenting; in an effort to keep children and families safe.

The Parental Empowerment Programme (PEP) is implemented through a well-defined time-table (with both parents and professionals) at the level of the CDU outstations and district wise.

Through the PEP, parents are able to access:

- counselling services for individuals and families;
- support groups for parents (example Parental Strengths Circles);
- parent enrichment programmes;
- parent training classes and parent skill trainings; and
- IEC materials and other information focusing on parenting skills.

From 15 December 2022 to 29 July 2024 some 300 parents have been reached

1.4.2. The Children's Court

The Children's Act 2020 provides for the establishment of a Children's Court, having the jurisdiction to hear and determine cases involving children. The dedicated and specialised Court ensures, a child-friendly environment for children during Court proceedings. The Children's Court consists of a Protection Division hears and determines, *inter alia*, any application in respect of child protection matters under the Children's Act 2020 relating to Assessment Order, Contact Order, Long Term Care Orders, amongst others. The Criminal Division hears and determines, *inter alia*, sexual offences against children as well as offences where children are witnesses thereto. The Criminal Division also hears and determines criminal offences in regard to child victim, child witness, juvenile offender and any other prescribed matter.

Commendable Initiative: . Video Conferencing system of the Children's Court

Following the introduction of the Children Court's Act 2020 and technical assistance from the European Union for the setting up of the Children's Court, the judiciary has implemented a Video Conferencing system for the new Children's Court. The system links the courtrooms and witness rooms located within the premises of the Children's Court Building. The Video link between the courtrooms and the witness rooms will allow witnesses to give evidence without the need to be physically present in the Courtroom. A witness can thus be shielded from direct confrontation with the accused party, thereby assisting him/her to overcome or minimise the psychological trauma associated with being physically present.

1.4.3. Mauritius Police Force

The MPF is tasked with maintaining law and order, ensuring public safety, and handling security and military functions within Mauritius. The force comprises approximately 12,500 police officers posted Divisions and Branches which comprise of an Anti Drug and Smuggling Unit (ADSU), Passport and Immigration Office (PIO), and the *Brigade pour la protection de la famille* among others.

1.4.3.1. Child Sex Offender Register (CSOR)

The Child Sex Offender Register Act 2020 came into force and was proclaimed on the 24th of January 2022. The rationale of the Act 2020 is to establish a Child Sex Offender Register with a view to reducing and preventing the risk of sexual offences against children.

Consequently, an electronic version of the CSOR was developed and same was integrated into the Crime occurrence Tracking System (COTS) of the Mauritius Police Force. As per the provision of the Act 2020, the Commissioner of Police is responsible to keep and manage the CSOR.

As per the provision of the Act 2020 (Sec. 3), the CSOR assists 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 offenses against children.

As per the provisions of the CSOR Act 2020 (Sec 4(3)), the Commissioner of Police issued guidelines for the management and maintenance of the CSOR by Police personnel. Where a person is convicted of an offence listed in the Schedule of the CSOR Act, the court will sentence the accused to a term of imprisonment or to a non-custodial sentence. Consequently, the registrable offender's record is created on the Register with all his details as provided by the Act 2020 (Sec. 5 & 8). Also a written notice is issued to the Registrable Offender on the prescribed form and informing him of his reporting obligations according to the provisions of the Act.

➤ Statistics and Data

- (a) The number of offenders currently registered in the CSOR as at 23 July 2024 is 185.
- (b) The type of offences which are included in the CSOR are classified in the Act as follows:

Class 1 Offences

- 1) Sexual intercourse with minor under the age of 16 – section 249(4) of Criminal Code (where the age gap between the offender and the child is less than 5 years)
- 2) Sexual harassment of child – section 254(1) of Criminal Code

Class 2 Offences

- 1) Causing, inciting or allowing child to be sexually abused – section 19 of Children’s Act 2020
- 2) Child prostitution – section 20(1) of Children’s Act 2020
- 3) Causing child to have access to brothel – section 20(2) of Children’s Act 2020
- 4) Child pornography – section 21 of Children’s Act 2020
- 5) Child grooming – section 22 of Children’s Act 2020
- 6) Attempt upon chastity upon child under the age of 12 – section 249(3) of Criminal Code
- 7) Attempt upon chastity upon specified person being a child – section 249(5)(b) of Criminal Code
- 8) Sexual intercourse with minor under the age of 16 – section 249(4) of Criminal Code (where the age gap between the offender and the child is 5 years or more but less than 20 years)
- 9) Using information and communication service where the victim is a child – section 46(ha) or (h) of the Information and Communication Technologies Act.

Class 3 Offences

- 1) Rape of child – section 249(1) of Criminal Code
- 2) Sexual intercourse with minor under the age of 16 – section 249(4) of Criminal Code (where the age gap between the offender and the child is 20 years or above)

- 3) Sexual intercourse with mentally handicapped child – section 249(4) of Criminal Code
- 4) Sexual intercourse with specified person being a child – section 249(5)(a) of Criminal Code
- 5) Sodomy upon child – section 250(1) of Criminal Code
- 6) Child trafficking – section 11(1)(a), (2)(b) or (4) of the Combating of Trafficking in Persons Act.

1.4.3.2. Brigade pour la protection de la famille (BPF)

Under Priority 2 ‘Reinforcing Community Safety and Partnership’ Sub Part 2.2 ‘Protection of Vulnerable Groups’ of the Police Strategic Plan 2022-2025, the BPF provides services to the most vulnerable group of the society. To this end, the ex-Police Family Protection Unit (PFPU) and the ex-Brigade Des Mineurs (BDM) were merged under one umbrella to provide professional services to survivors of gender-based violence and children victims of child abuse.

➤ Enquiry in Child Abuse Cases

- (a) The BPF was set up in January 2022. Since then, all cases involving children as victims of sexual abuse are being dealt with by the BPF solely.
- (b) The initial reporting and interviews of children are carried out at the office of the BPF. Efforts are made to ensure the protection of the child-victim as far as possible and to avoid further damage or psychological harm caused through any risk of secondary victimisation.

➤ Multi-Sectoral approach

- (a) The BPF works in close collaboration with other key stakeholders such as the Ministry of Education, Tertiary Education, Science and Technology (METEST), Ministry of Health & Wellness (MHW), Ministry of Social Integration, Social Security and National Solidarity (MSISSNS), and NGOs among others in child protection related matters.
- (b) Referrals are made to other agencies for example the Ministry of Gender Equality & Family Welfare (MGFW) for further professional intervention (psychological support).

➤ **Sensitisation & Awareness**

- (a) Sensitisation and awareness campaigns are held throughout the year in schools/colleges (Children’s Act 2020, Convention on the Rights of the Child, Protective Behaviour Programme- ‘Le Toucher’, Cybercrime – cyber bullying; effective use of social media).
- (b) Campaigns are held on a weekly basis in the Citizens Advice Bureaus in different parts of the island.
- (c) Sensitisations are also organised to create awareness on Trafficking in Persons.
- (d) Door-to-door sensitisations are carried out in targeted areas to reach out to the community.

1.4.4. Ministry of Health and Wellness (MHW)

The public health services operate on a 24/7 basis and are designed to achieve Universal Health Coverage through free access to essential high-quality health services. It consists mainly of 5 Regional Hospitals, 6 Specialised Hospitals, 2 District Hospitals, 2 Community Hospitals, 10 Mediclinics, 18 Area Health Centres, 113 Community Health Centres, 64 Dental Clinics, 145 Maternal and Child Clinics, 13 Health Offices, 6 Ayurvedic Clinics and SAMU services.

All public Health Care Institutions across the island provide free affordable quality health services, from primary care to specialised services to the population, including children without any discrimination.

Child-friendly dental clinics have been set up to make dental treatment less stressful for children. Mauritius is the first African Country to administer the Human Papillomavirus vaccine to children aged 9 to 15 years. By administering the vaccine, a child is protected for life against HPV related cancers.

Autism centres are being set up in each region to provide mental and behavioral health care facilities to children suffering from autism. The multidisciplinary Centre provides psychological support to children living with Autism Spectrum Disorders as well as their caregivers.

OMBUDSPERSON FOR CHILDREN ANNUAL REPORT 2023-2024

Total number of cases of Child Abuse attended in Regional Hospitals from 01 July 2023 to 30 June 2024 are as hereunder:

CHILD ABUSE (Domestic Battered Child): July 2023 - June 2024													
Hospital	Jul 2023	Aug 2023	Sep 2023	Oct 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024	Mar 2024	Apr 2024	May 2024	Jun 2024	Total
Dr A G Jeetoo Hospital	0	5	3	1	3	0	1	1	2	0	2	2	20
SSRN Hospital	3	2	0	1	0	3	1	2	5	0	4	4	25
Flacq Hospital	0	0	0	0	1	1	2	2	0	0	0	1	7
J Nehru Hospital	1	2	1	7	1	0	1	1	1	0	0	1	16
Mahebourg Hospital	1	0	0	1	0	0	0	0	0	0	0	1	3
Souillac Hospital	0	0	1	0	0	1	1	0	0	0	0	0	3
Victoria Hospital	5	0	7	1	5	5	7	12	3	6	4	5	60
TOTAL	10	9	12	11	10	10	13	18	11	6	10	14	134

Child = under 18 years of age

Measures which have been taken at the level of the MHW to combat child prostitution and child abuse Commendable Initiative: The Parental Empowerment Resource Centre (PERC)

- Regular talks on Sexual and Reproductive Health at school level. Training of peer leaders on Sexual and Reproductive Health, through workshops or focus meetings
- Sensitization programs out of school, in the community conducted for out of school adolescents
- Collaboration with NGOs to promote safe sex and good sexual and reproductive health among children below 18 years
- Referral to Medical Social Workers, at the level of Ministry in case of suspicion of prostitution or any form of sexual abuse.
- For suspicious cases of child abuse, a child is immediately admitted and treated appropriately. The case is also reported to medical social worker, the Child Development Unit and the Police.

1.4.5. Ministry of Social Integration, Social Security and National Solidarity (Social Security and National Solidarity Division)

With a view to protect and promote the rights of persons with disabilities, the Protection and Promotion of the Rights of Persons with Disabilities Act 2024 has been gazetted on 25th April 2024 . One of the objectives is to implement the United Nations Convention on the Rights of Persons with Disabilities and other international instruments to which Mauritius is a party, with a view to eliminating discrimination against persons with disabilities.

Some of the key initiatives by the MSISSNS to support persons with disabilities and their families

- **Refund of Bus Fares**

Purpose: Refunds bus fares for one accompanying parent to encourage sending children with disabilities to various educational institutions. From 2019 -June 2024 around 12,045 beneficiaries have benefitted from this service.

- **Taxi Fares for Students with Disabilities**

Purpose: Refunds taxi fares for students with severe disabilities who cannot use ordinary transport and are attending universities or mainstream schools. From 2019 – June 2024 some 196 persons have benefitted

- **François Sockalingum Award**

Purpose: Provides a monthly stipend of Rs 750 to students with disabilities who pass the Primary School Achievement Certificate (PSAC) and pursue secondary education.

From 2019 – June 2024 about 280 have benefitted from this award.

- **Duty-Free Facilities**

Purpose: Offers 100% duty-free facilities on adapted and normal cars for persons with disabilities or parents of children with severe disabilities, applicable once every 7 years. This was an increase from the previous 85% duty-free rate and removed the age criterion.

From 2019 – June 2024 around 245 persons have benefited.

1.4.6. Special Education Needs Authority

The Special Education Needs Authority (SENA) Act 2018 established the SENA as a statutory body to regulate and facilitate evidence-based policies and quality provisions in special and inclusive education in Mauritius. Its mission is to ensure equitable access to quality education and holistic development through adapted pedagogies, accommodations, assistive technologies and multi-sectoral support systems for learners with diverse disabilities and special education needs.

Its objectives include, among other things, monitoring compliance and assessing the implementation of legislative frameworks, policies, and action plans for special and inclusive education; developing evidence-based recommendations to guide policy formulation and setting criteria for the registration of special education institutions, personnel, and support services; and designing inclusive curriculum frameworks and resources that adhere to the principles of Universal Design for Learning and are tailored to the learning needs of students with disabilities.

Challenges

- Currently, in Rodrigues there is a lack of a comprehensive framework to address the needs of students with special needs and disabilities in schools. Without a structured framework, there is insufficient access to specialised resources, such as speech therapy, occupational therapy, or psychological counseling. Educators may not receive adequate training on inclusive education practices and how to effectively support students with special needs. Teachers might lack knowledge about different disabilities and how to implement individualised education plans.

Recommendations

- The policy framework that outlines standards and guidelines for special and inclusive education should be implemented in Rodrigues as well.
- The funding and resources allocated for specialised services should be increased.
- A monitoring and evaluation mechanism must be set up to regularly assess the effectiveness of special education services and ensure schools follow the new framework.

1.4.7. National Empowerment Foundation

The National Empowerment Foundation (NEF), a State-owned Private Company which operates under the aegis of the Ministry of Social Integration, Social Security and National Solidarity, was incorporated in Mauritius on the 1st of July 2008 as a not-for-profit Government-owned Company, for effective implementation of socio-economic empowerment, a programme of the Government. It is important to highlight that the focus of the NEF is on the "Empowerment" of children rather than on their "Protection." The current strategies and initiatives of the Foundation axing towards the empowerment of children are as follows:

Some of the key initiatives of the National Empowerment foundation

a) Ensuring Safe Living Conditions through Case Management Visits:

NEF conducts regular case management visits to ensure that children reside in safe and suitable environments. These visits allow NEF to assess living conditions, provide guidance to families on child welfare, and intervene if there are concerns about safety or well-being of children.

b) Monitoring and Support for School Dropouts:

NEF closely monitors school attendance and intervenes if a child drops out before the age of 16. Upon identification of a dropout, NEF provides counselling and support to both the child and their family. The goal is to understand the reasons for dropout and facilitate the child's reintegration into the education system. The children are also referred to organization or institutions concerned.

c) Ensuring that children under immunization programme (0 to 7 years old) are vaccinated

The Community Project Officers ensures that children are vaccinated and that there is no negligence with regards to same. Ensuring children receive timely vaccinations is crucial for

1.4.8. Probation and aftercare Services

The Probation and Aftercare Service (PAS) forms part of the criminal justice system and operates in conjunction with other agencies of the system and is governed by the Probation of Offenders Act 1946. Its main objectives are to:

- Assist various competent authorities, including District Courts, Intermediate Courts, Children's Courts, the Supreme Court, the Attorney General's Office, the Office of the DPP, the RYC/CYC Board of Visitors, the National Adoption Council, and the Commission on the Prerogative of Mercy, by providing comprehensive social enquiry reports. These reports are designed to inform and guide decisions in both criminal and civil matters.
- Provide comprehensive supervision and rehabilitation for offenders and other individuals within the community. This includes managing those under probation orders, community service orders, aftercare orders, and parole licenses. Additionally, oversee individuals in probation institutions, including those under probation orders with residence requirements and preventive intervention orders for children with serious behavioral concerns. Offer continuous throughcare services to support residents transitioning from probation institutions back into the community.
- Assist the community (including individuals and families) in addressing interpersonal issues (through counselling and mediation work);
- Educate people in the community (including students and elderly persons) by addressing social problems (through preventive work programme)

New Roles of the Probation and Aftercare Service as per the Children's Act 2020

With the enactment of The Children's Act 2020, the Probation and Aftercare Service has assumed the following new roles:

- **Preventive Interventions and Supervision:** Implement preventive interventions and provide supervision for minors, including parenting support interventions for children with serious behavioral concerns [Section 41].
- **Assessment and Supervision of Children with Behavioral Concerns:** Assess and supervise children under Preventive Intervention Orders, both within the community and in probation institutions [Section 42].

- **Rehabilitative Interventions for Suspected Children:** Assess and provide rehabilitative interventions for every child suspected of being below the age of criminal responsibility [Section 50].
- **Assessment and Recommendations for Juvenile Offenders:** Evaluate every juvenile suspected of committing an offence before their appearance in the Children’s Court, and make recommendations regarding their release, detention, placement, and suitability for diversion programs operated by the Probation Service [Section 51].
- **Rehabilitation and Supervision for Juvenile Diversion:** Oversee and rehabilitate juvenile suspects referred by the Office of the Director of Public Prosecutions (DPP) for participation in Juvenile Diversion programs [Sections 55 & 56].
- **Assistance to Police:** Aid in the recording of statements from juvenile offenders, child victims, and witnesses in exceptional circumstances [Sections 60 (2) & 65 (2)].
- **Mandatory Reporting:** Report cases of children in danger as required [Section 34].
- **Social Enquiry Reports:** Prepare mandatory social enquiry reports for applications related to Placement Orders [Section 37 (2) (b)] or Long-Term Care Orders [Section 39 (2) (a)].
- **Record-Keeping:** Maintain mandatory records as stipulated [Sections 50 (6) & 51 (5)].

Initiatives undertaken to ensure the safety and wellbeing of children

Since the enactment of the Children’s Act 2020, the Probation and Aftercare Service has implemented the following strategies and initiatives:

- a) **Regular Staff Training:** Conduct ongoing in-service training for staff to ensure they are up-to-date with best practices and legislative requirements.
- b) **Consultative Workshops:** Engage in workshops with key stakeholders, including the Police, Office of the Director of Public Prosecutions (DPP), Ombudsperson for Children’s Office, and the Ministry of Gender Equality and Family Welfare.
- c) **Protocol Development:** Establish and maintain protocols with the Mauritius Police Force to ensure effective collaboration and coordination.
- d) **Stakeholder Training:** Receive training from other relevant stakeholders, such as the Office of the Director of Public Prosecutions (DPP) and Pedostop (NGO), to enhance expertise in handling cases involving children.
- e) **Guideline Preparation:** Develop and distribute guidelines for implementing the relevant sections of the Children’s Act 2020 among Probation Cadre officers.
- f) **Security Provision:** Ensure the safety of probation institutions through dedicated security services.
- g) **Clinical and Social Support:** Facilitate regular sessions with clinical and social psychologists for staff and carers of probation institutions to address mental health and wellbeing.
- h) **Rehabilitation Programs:** Implement comprehensive rehabilitation programs for residents of probation institutions, including regular sessions with clinical and social psychologists, maintaining family contacts and conducting home visits where applicable among others.
- i) **Regulatory Amendments:** Propose amendments to the Probation Hostel and Home Regulations 1989 to better align with current needs and standards.
- j) **Consultative Workshop Participation:** Take part in the 2-day consultative workshop on February 8 and 9, 2023, on the “Implementation of the Children’s Act 2020,” organised by the Prime Minister’s Office (Rodrigues, Outer Islands, and Territorial Integrity Division).

CUMULATIVE FIGURES OF CASES REFERRED FROM 24.01.2022 TO DATE

S/n	Types of Cases	For the period: 24/01/22 to 31/12/22			Cumulative figures: 03.01.2023 to 31.12.23			Cumulative figures: 03.01.2024 to 30.06.24		
		M	F	Total	M	F	Total	M	F	Total
1	Care and Protection	3	4	7	01	-	01	-	-	-
2	Child with Serious Behavioural Concerns (CSBC)	114	125	239	77	93	170	22	24	46
3	Child Suspect Under 14	45	6	51	44	13	57	19	03	22
4	Child Suspect Over 14 (Juvenile Offender Assessment)	287	20	307	371	19	390	144	17	161
5	Report for DPP (Juvenile Diversion Report)	-	-	-	16	-	16	-	-	-
6	Social Enquiry Report (PSR)	16	-	16	18	02	20	11	-	11
7	Recording of Statement	6	10	16	04	04	08	02	01	03
	TOTAL	471	165	636	531	131	662	198	45	243

Source: From the Probation and Aftercare Services

Challenges

- Primarily focused on the criminal justice system and governed by the Probation of Offenders Act 1946, PAS is primarily structured to work with offenders, including juvenile offenders. Consequently, their approach is less suited to addressing the needs of children who are at risk of offending, have serious behavioral issues, or face mental health challenges—areas where probation officers may lack specialised training.
- Placing children who exhibit serious behavioural concerns into criminal justice settings can be highly problematic. These settings are often designed for individuals who have committed crimes, and they may not offer the appropriate support or resources for children who are simply struggling or in need of guidance.
- There is a conflict among stakeholders such as the CDU, PAS, and the Police regarding the roles and responsibilities in managing cases involving children with serious behavioral concerns.

Recommendations

- Comprehensive training programs should be developed to equip probation officers with the skills needed for their expanded roles, including specific training on preventive interventions and behavioral assessments.
- Alternative interventions for children exhibiting serious behavioral concerns should be explored and implemented without involving the criminal justice system
- To enhance inter-agency coordination and improve the management of cases involving young offenders and child victims, it is essential to establish clear protocols among CDU, PAS, and the Police. This includes developing a unified framework, implementing Standard of Procedures (SOPs), creating communication channels, and defining roles and responsibilities.

1.5. Overarching Recommendations

1.5.1. Awareness-raising campaigns to empower parents and families

National-scale sensitisation and awareness-raising campaigns should be conducted intensively and regularly to highlight the crucial role of parents in child care. It is essential for all relevant authorities to collaborate in equipping families with the skills needed to provide loving and adequate care, and to foster safe, peaceful, and nurturing home environments for their children.

1.5.2. Addressing the complexities of parenthood

“L’exercice de la parentalité” is becoming increasingly complex. There are growing challenges that parents face today due to a range of social, economic, and technological factors. It is by addressing these factors and implementing supportive measures, that complexities of parenthood can be better managed, leading to more effective and fulfilling parenting experience.

1.5.3. Creation of a one stop-shop

A one-stop-shop could be particularly beneficial in addressing gaps and improving the overall effectiveness of support services for children and families.

- **Streamlined Services:** By consolidating various child protection services under one roof, a one-stop-shop can make it easier for families and children to access the help they need. This reduces the need for multiple appointments with different agencies and simplifies the process for those seeking assistance.
- **Integrated Care:** A centralised service can provide a holistic approach to child protection, integrating social services, legal support, psychological counseling, and medical care. This integrated care model ensures that all aspects of a child’s well-being are addressed comprehensively and efficiently.
- **Improved Coordination:** enhances coordination between different professionals and agencies involved in child protection, such as social workers, law enforcement, healthcare providers, and educators. This can lead to more effective intervention and follow-up.

1.5.4. Training and Capacity Building

Ensuring that professionals involved in child protection, such as social workers, police officers, and educators, receive proper training is essential for effective intervention and support. Staying updated with emerging trends in child protection is crucial to adapt strategies and practices that address new challenges and enhance the safety and well-being of children.

Chapter 2

THE BEST INTERESTS OF THE CHILD

A Right, A Principle, A Rule of Procedure



Source: Children and Young People’s Commissioner Scotland, UNCRC Simplified Version

“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.”

Convention on the Rights of the Child (art. 3, para. 1)

2.1. Introduction

There is no definition of the best interests of the child in the UN Convention on the Rights of the Child. In fact, any attempt to give one definition of the BEST INTERESTS OF THE CHILD would give a restrictive and reductionist interpretation of the concept. We cannot define the best interests but rather determine what is best in the child's interests. The concept of best interests of children is very complex as each child or group of children have specific interests adapted to different situations. Hence it is important to determine what are the best interests specific to a child or a group of children and give these primary considerations while taking decisions which will affect the concerned children. BEST INTERESTS OF THE CHILD is not a *one size fits all* decision.

With time, there has been an evolution on how to determine the best interests of the child. Child rights also have evolved. There are researches which are being carried out to give another dimension and interpretation of the rights. There have been MDGs, followed by SDGs which set new parameters and obligations to States. With new developments and societal challenges, we can no longer interpret the rights as we did a few decades ago. The status of the child itself has changed. Issues regarding the child were dealt mostly within the family but nowadays many issues are dealt by public authorities. For example, corporal punishment was acceptable and practised within the family. It was not the concern of anybody. But with new legislation, which resulted from studies carried out by academics and professionals on the negative effects of such punishments on children, corporal punishments are now considered as an offence, punishable by law. The studies enlightened decision makers and child rights activists on the humiliation and degrading aspects of such punishments. Hence these were considered NOT to be in the best interests of children as may advocate those who are in favour of inflicting pain to children to discipline them.

So, the best interests of the child cannot be considered simply as a right. They cut across the convention and the Optional Protocols to the CRC. It is a Guiding Principle of the Convention which is applied to guarantee the effective implementation of all human rights of children which are universal and inalienable; indivisible; interdependent and interrelated. However, the biggest challenge with regards to BEST INTERESTS OF THE CHILD is the difficulty in the interpretation of the concept. So many factors dear to decision makers are given equal consideration. Children's views are not heard. Hence, decisions taken in the best interests of the child or a particular group of children finally happen to be NOT in the BEST INTERESTS OF THE CHILD.

2.2. Concept of Best Interests of the Child in Human Rights Instruments

The concept of the best interests of the child was not introduced with the adoption of the Convention on the Rights of the Child. It predates the Convention and was already enshrined in the United Nations' Declaration on the Rights of the Child (1959) whereby in its preamble: it is stated: *“The General Assembly proclaims this Declaration of the Rights of the Child to the end that he may have a happy childhood and enjoy **for his own good and for the good of society** ... “* In Article 7, it is stipulated that *“ **The best interests of the child** shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents. The child shall have full opportunity for play and recreation, which **should be directed to the same purposes** as education; society and the public authorities shall endeavour to promote the enjoyment of this right.”*

The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) adopted by the United Nations in 1979 also referred to the concept of the best interests of the child. At Article 5 it is stipulated that *“States Parties shall take all appropriate measures:*

*To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood **that the interest of the children is the primordial consideration in all cases.***

Article 16(1) of the same Convention reads that *“States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:*

*The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases **the interests of the children shall be paramount;***

In 1989, the UN General Assembly adopted the Convention on the Rights of the Child which is the most widely ratified human rights treaty. As at 2015, all the 196 States have ratified the Convention except the USA. This Convention consolidates the concept of the best interests of the child. Article 3(1) of the CRC stipulates that: *“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.”*

In other articles of the Convention reference is made to the best interests of the child. For example in Article 9(1): separation from parents, it is stipulated “*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.*”

In Article 9(3), reference is explicitly made to the best interests. It reads “*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**.*”

Explicit reference to the best interests of the child is also made in:

Article 18(1)- Parental responsibilities: “... *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.*”

Article 20(1)- Deprivation of family environment and alternative care: “... *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 ...*”

Article 21: Adoption: “*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** ...*”

Article 37(c)- Separation from adults in detention: “... *every child deprived of liberty shall be separated from adults unless it is considered in **the child's best interest** not to do so ...*”

Article 40(2b) (iii): Procedural guarantees, including presence of parents at court hearings for penal matters involving children in conflict with the law: “... *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** ...*”

As illustrated above the Convention on the Rights of the Child strengthen adherence to this concept of the best interests of the child.

Even in the **Optional Protocol to the Convention on the sale of children, child prostitution and child pornography** reference is made to the child’s best interests implicitly in the preamble and clearly in Art 8(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.”

In the 3rd Optional to the CRC on a Communications Strategy to which Mauritius is not yet a party reference is made in the preamble and Articles 2 and 3.

The best interests of juveniles and children are implicitly and explicitly referred to in the following Human Rights tools on juvenile justice:

United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules") Adopted by UNGA on 29 November 1985

United Nations Rules for the Protection of Juveniles Deprived of their Liberty adopted by UNGA on 14 December 1990

Guidelines for Action on Children in the Criminal Justice System adopted by UNGA on 21 July 1997

At regional level, the Organisation of African Unity, which later became the African Union, adopted the African Charter on the Rights and Welfare of the Child in 1990. The Charter is a regional human rights instrument addressing issues of particular interest and importance to children in Africa. Mauritius signed this Charter in November 1991 and ratified it in February 1992. The Charter lays much emphasis on the concept of the best interests of the child.

At Article 4 (1)- Best Interests of the Child ,it is stipulated “:*In all actions concerning the child undertaken by any person or authority the best interests of the child shall be the primary consideration”*. The other article in which the Best interests of the child are stipulated are:

Article 9- Freedom of Thought, Conscience and Religion

Article 20- Parental Responsibilities

Article 25- Separation from Parents

2.3. Determining the best interests of the child

The Committee on the Rights of the Child, in their General Comments No, 14 on *The Right of the Child to have his or her Best Interests taken as Primary Consideration* (2013) pointed out that “an adult’s judgment of a child’s best interests cannot override the obligation to respect all the child’s rights under the Convention.” The Committee recalled that there is no hierarchy of rights in the Convention; all the rights provided for therein are in the “child’s best interests” and no right could be compromised by a negative interpretation of the child’s best interests.

In assessing and determining the best interests of the child it is important to link them to the other General Principles of the Convention, which are:

- The Right to non-discrimination (Article 2)
- The Right to Life, Survival and Development (Article 6)
- The Right to be heard (Article 12)

The Right to Non-discrimination

- All forms of discrimination in the enjoyment of rights must be prohibited. Duty-bearers must guarantee equal opportunities for ALL children. States must take positive measures in view of redressing situations of inequality.

The Right to life, Survival and Development

- An environment respecting the human dignity of the child must be created. In the assessment and determination of the child's best interests his/her inherent right to life, to a holistic development must be ensured

The Right to be heard

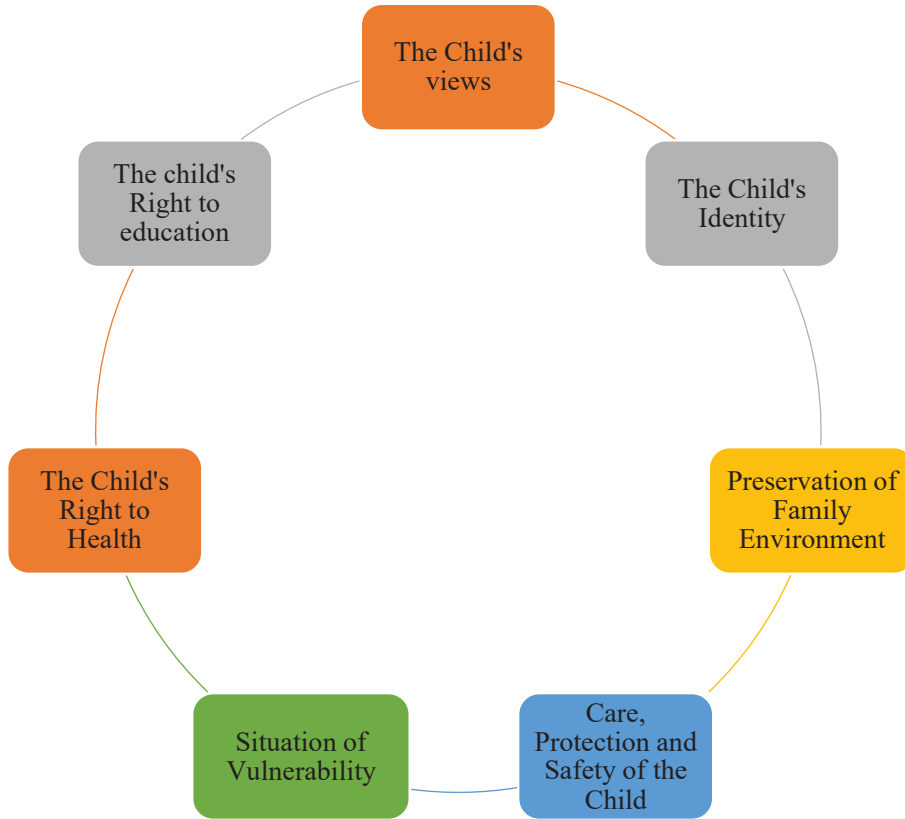
- We cannot assess and determine the best interests of the child giving him/her the opportunity to express his/her views freely and give due weight to the said views. However the evolving capacities of the child must be taken into consideration.

There are two steps to be followed when assessing and determining the best interests of the child while making a decision on a specific measure in a specific context:

1. find out what are the relevant elements in a best-interests assessment, give them concrete content, and assign a weight to each in relation to one another;
2. follow a procedure that ensures legal guarantees and proper application of the right.

To assess and determine the best interests of the child, the UN Committee on the Rights of the Child considered that a non-exhaustive and non-hierarchical list of elements be drawn up by any decision maker. The non-exhaustive nature of the elements in the list implies that it is possible to go beyond those and consider other factors relevant in the specific circumstances of the individual child or group of children. When assessing and determining the best

interests we have to balance these factors. In some situations, some elements may be given more weightage. The elements proposed by the Committee are highlighted in the diagram below:



❖ **The Child’s Views**

Children must be provided with the opportunity to influence the determination of their best interests according to their age and maturity. This is achieved by providing them their Right to freely express their views on all matters concerning them. Duty-bearers must give special consideration to children in vulnerable situation like children with disabilities, from minority groups or living in poverty. Measures should be taken to ensure that they are not deprived of their right to expression or that the weight given to their views is not reduced.

❖ **The Child’s Identity**

Children do not form a homogenous group. The Right of the Child to preserve his/her identity is guaranteed in the Convention, be it his/her gender identity, sexual orientation, nationality, religion and beliefs, cultural identity and personality. In cases of placement in

foster homes or residential care institutions or of adoption due regard should be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background in determining the best interests. However, if these practices are inconsistent with the Convention and deny the child of his rights, they should not be considered.

❖ **Preservation of Family Environment and Maintaining Relations**

In the Preamble of the Convention, the family is considered 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.” The right of the child to family life is also protected under the Convention (Art. 16). The term family here has a broader interpretation. It includes biological, adoptive or foster parents, the members of the extended family or community. It is important to prevent family separation and preserve family unity. A child “shall not be separated from his or her parents against their will, except when [...] such separation is necessary for the best interests of the child”. (Art 9(1)). In cases of separation from the family, the child must maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests” (Art. 9(3)).

❖ **Care, Protection and Safety of the Child**

The State has the obligation to ensure the child such protection and care necessary for his/her well-being. By well-being we mean basic physical, educational needs as well as needs for affection and safety. While applying a best-interests approach to decision-making, assessment of the safety and integrity of the child at the current time as well as the possibility of future risk and harm and other consequences of the decision for the child's safety have to be considered.

❖ **Situation of Vulnerability**

The child's situation of vulnerability, such as disability, belonging to a minority group, being a refugee or asylum seeker, victim of abuse, living in a street situation ... has to be given due consideration in assessing and determining the best interests of the child. Vulnerable children may not be enjoying all the rights provided in the CRC and other Treaties. We have to take into account the different kinds and degrees of vulnerability of

each child, as each child is unique and each situation must be assessed according to the child's uniqueness.

❖ **The Child's Right to Health**

The child's right to health (art. 24) and his or her health condition are central in assessing the child's best interest. Consideration should be given to all the possible treatments available, weigh the risks and side effects and hear the views of the child concerned according to his/her age and maturity. Regarding adolescents, they should receive maximum information regarding their sexual and reproductive health.

❖ **The Right to Education**

It is in the best interests of the child to have access to quality education, including early childhood education, non-formal or informal education and related activities, free of charge. All decisions on measures and actions concerning a specific child or a group of children must respect the best interests of the child or children, with regard to education

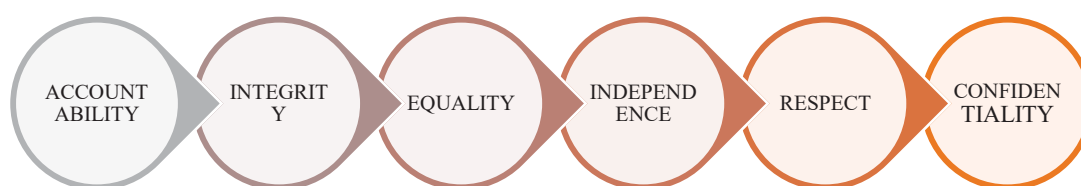
The Children Act 2020 provides the following elements while realizing the best interests of the child:

- (a) respect, protect, promote and fulfil the rights and the best interests of the child;
- (b) respect the inherent dignity of the child;
- (c) treat the child fairly and equitably and give the child an opportunity to be heard;
- (d) protect the child from discrimination;
- (e) bear in mind the needs of the child for its development, including any special needs which may be due to a disability;
- (f) give, where appropriate, the child and the child's family member an opportunity to express their views;
- (g) take the views of the child into account;
- (h) act, as far as possible, promptly;
- (i) have regard to the desirability of –
 - (i) placing the child with a family member;
 - (ii) placing siblings together, where the child has to be removed from the custody of the child's parents

- (j) adopt an approach which is conducive to conciliation;
- (k) inform the child, having regard to the age, maturity and stage of development of the child, of the outcome of any proceedings, act or decision relating to the child;
- (l) inform any person having parental responsibilities and rights in respect of the child of the outcome of any proceedings, act or decision relating to the child;
- (m) have, where appropriate, regard to the capacity of the parents or any other person to provide for the financial, emotional or other needs of the child; and
- (n) consider, in the case of a child under the age of 5, all surrounding circumstances and the parenting capacity of both parents of the child before taking a decision regarding its custody.

2.4. How the Ombudsperson for Children upholds and promotes the best interests of the child

The Ombudsperson for Children is a key institution in ensuring that the best interests of the child are given due consideration. Our Core Values are:



According to the Ombudsperson for Children Act 2003, the Ombudsperson for Children shall:

1. Ensure that the rights, needs, and interests of children are given full consideration by public bodies, private authorities, individuals, and associations of individuals.
2. Promote child rights and best interests of children.
3. Promote compliance with the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child

The real strength of the OC lies in the power to investigate violations of child rights and report effectively. According to Section 6 (f-j) of the OCA 2003, the OC can

- 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 cases 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.

The OC may, as per Section 7(1) of the OCA 2003, “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.”

The OOC receives an average of 400 cases a year. These concern problems at school, in the community, family problems, institutional abuse, bullying, abuse and neglect etc. The OOC, unlike many similar offices in the world can investigate on public bodies, private authorities, individuals, and associations of individuals. There are many complaints received at the OOC which do not fall directly under our mandate, like problems of abuse and neglect, problems at school or family problems. So, in the best interests of the child, these cases are sent to the relevant authorities for remedial actions. The OOC would follow through reports whether in the actions taken the rights, interests and needs of the child were given due consideration.

There are also complaints against the system which does not respect the rights of the child. These complaints require systemic investigations. In 2015, the OOC carried out a systemic investigation on the situation of Children in Conflict with the Law, and in 2016 on Bullying at school. In 2018, Unethical practices by the managing committee of the X Y organization, in 2022, “An insight into the journey of children living in residential care in Mauritius and Rodrigues”, in 2023, on Climate Change and Child Rights among others.

These investigations were made on Public Bodies and Private Authorities as well as on Association of Individuals on alleged violations of child rights.

Details of these investigations figure in Annual Reports which can be accessed on <http://oco.govmu.org>

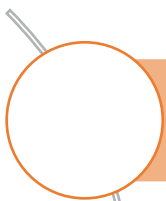
It is important to highlight that the OCA 2003 provides adequate powers to the OC to carry her duties during an investigation. For example:

- ❖ 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;
- ❖ enter premises where a child is present, in order to study the environment of such a place and assess its suitability; or she has reasonable ground to believe that the moral and physical safety of a child may be in danger;
- ❖ summon witnesses and examine them on oath, or
- ❖ call for the production of any document or other exhibit

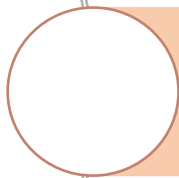
As per the Act, following an investigation, the OC may

- (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.

Making recommendations is another powerful means the OC has to influence compliance to the CRC and the ACRWC in the best interests of children. The OC makes three types of recommendations:



Specific- in response to individual complaints to produce a remedy, e.g, transfer a child having health problems to a school nearer to his/her place of residence in his/her best interests.



General- directed at improving particular practices which the OC may have noticed during the course of an investigation, e.g, while visiting RCIs, the OC may make general recommendations on certain practices which may not be in the best interests of the child, like proposing norms and standards for RCIs.



Generic- Following systemic investigations where the OC has inquired in different aspects of an issue affecting the rights of children, she may make proposals to the Minister on legislations, policies and practices which may need to be reviewed in the best interests of the child. The OC may also propose guidelines on the matter or submit a Special Report.

It is worth noting that the recommendations of the OC, though they may be in the best interests of children, are non-binding on the public body or the private entity. However, the non-binding nature of the recommendations offers several advantages to the OC:

1. It preserves the neutrality and independence of the OOC. There will be no perception of bias
2. It respects institutional autonomy. All institutions have their own legal framework and line of decision- making
3. It promotes collaboration and dialogue. The OC may engage in a dialogue to explain the rationale behind her recommendations
4. It encourages compliance through persuasion. This facilitates continuous improvement.
5. There is transparency and accountability on both sides.

2.5. Cases on the best interests of the child

A. Case of Child SB- Judicial Review of Grading Decision of the METEST

Nature of complaint:

A father complained that he has applied for the transfer of her daughter Child SB to a State Secondary School near to his place of residence on the grounds that the child is having health problems due to fatigue. The child having to travel a lot to and from school. Child SB was in Grade 8 in 2023 and applied for a seat in Grade 9. In 2022 she sat as private candidate for the PSAC as she was a Grade 7 pupil in a Private School. In fact, in 2022, the child who was still in Grade 6 due to extension of the school year, because of the Covid 19, was transferred to the Private School in Grade 7, without her PSAC. After her success in the PSAC, she was offered a seat in Grade 7 in a State Secondary School (SSS). However, the father requested that the child be admitted in Grade 8 as she had already completed Grade 7 at the Private School. His request was not acceded to. Child SB continued her schooling in Grade 8 at the Private School and obtained commendable results for her examinations. At the end of 2023, the parents made a fresh application for a seat in a nearby SSS but this time in Grade 9. They sought the intervention of the OOC invoking a breach of Child SB's rights.

Action taken:

An Investigator wrote to the METEST to request the Ministry to reconsider its decision and have the child admitted in Grade 9, in the latter's best interests. She highlighted that as per information gathered, the said Private School followed exactly the same curriculum as the SSS.

A few days later, the parents lodged a case at the Supreme Court, against the METEST as respondent and the OC as Co-Respondent, praying for a Judicial Review of the Grading decision of the METEST to:

- order to have the decision quashed, reviewed, amended, reversed, set aside or otherwise dealt with
- declare and/or order that the respondent has breached the Children's Act 2020
- declare and/or order that the decisions and decision-making process are illegal. Most unfair, arbitrary, irrational and Wednesbury unreasonable
- issue writ of *mandamus* to order and direct the respondent to comply with the provisions of the Children Act 2020
- to allow Child SB to be admitted to the SSS and progress to Grade 9
- to uphold the National Curriculum Framework

The Applicant, in its affidavit averred that, among others:

- Students attending a private fee-paying institution who wish to join State or grant-aided institution have to apply to NEC, which is the administrative arm of the respondent. The functions of NEC include inter alia "equivalence of qualifications for the purpose of admission to primary and secondary schools in Mauritius":
- The application dated 14 November 2023 was duly considered by NEC and by letter dated 13 December 2023, the first applicant was informed that NEC has decided that Child SB may be admitted to Grade 8 in January 2024;
- Pursuant to regulation 7A(1) of the Private secondary Education Regulations 1977, admission to a secondary requires possession of the Primary School Achievement (PSAC) or an alternative certificate approved by the Minister.

- Child SB did not complete Grade 6, in breach of regulation 14(1) of the Education Regulations 1957, and entered Grade 7 at the Private School in 2022 without holding a PSAC or any alternative Minister-approved certificate;
- Child SB was granted a seat at the SSS in Grade 8 in January 2024 based on her PSAC results of 2022 and her age;
- The policy of the Ministry is that students born in 2010 were admitted to Grade 7 in 2023 and are expected to be in grade 8 in 2024. Those who sat for PSAC in 2022 were admitted to Grade 7 in January 2023 and to Grade 8 In January 2024;
- The decision to extend the school calendar in 2022 was a national one and made in the interest of all students;
- All students are treated equitably and reasonably and Sawda has been treated in the same manner as those born in the same year as her.

In her judgement, the Honorable Judge, referred to Articles 3(1), 28 and 29(1a) of the UNCRC. She observed that the Children Act 2020 purports to domesticate the UNCRC. She added that ‘Although the Act contains no provision expressly stating that the UNCRC shall have force of law in Mauritius, the heading of Part II of the Act reads “IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD AND THE AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD” while the explanatory Memorandum of the Children’s Bill (No XVII of 2020) provides inter alia that the main object of the Bill is to repeal the Child Protection Act and to replace it with a modern legislative framework with a view to giving ‘better effect’ to the UNCRC and the African Charter on the Rights and Welfare of the Child’. She highlighted Section 4(1) of the Children Act 2020 which reads: “The best interests of the child shall, in respect of any matter concerning the child, be paramount and be the primary consideration by any person, Court, institution or other body.”

Regarding the Decisions taken by METEST, the Honorable Judge noted that the present matter involved the rights and interests of an individual child and that in reaching its decisions, the respondent ‘will necessarily have to bear in mind the interests of other students and the need for consistency’. However, this could not exempt the Ministry from accessing and determining, in a case involving an application for transfer of a child from one school to another, where her best interests lie and being guided by her best interest as “a primary consideration”

The Honorable Judge wrote that in the affidavits of the respondent do not mention that it had conducted an assessment and determination of where the best interest of Child SB lie or taken them ‘as a primary consideration (let alone, as paramount), bearing in mind, among other matters, her academic history, the reason for which the transfer is being sought, her physical and mental health and well-being, or even her own wishes, over and above those of her parents.’

Instead, the Court noted-

- (a) *Ex facie the Decisions themselves, an overwhelming reliance on the decision of the NEC, a committee which is not created by law and which seems to be administratively responsible for determining equivalence of qualification for purpose of admission to schools. It is not a specialist body to which the legislator has conferred specific functions, to which the Court may have to pay appropriate deference in a technical matter, and its composition is unknown. For all intents and purposes it is part and parcel of the respondent;*
- (b) *On the basis of the affidavits, ex post facto concern on the part of the respondent as to the non-recognition of the entrance examination at (Private School), SB’s age and her relative progress as opposed to those in her “cohort” which we understand to mean children born in the same year as her; irrespective of SB’s own achievements and maturity which may, or may not, be superior to those of other children of her age;*
- (c) *From the submissions of learned Counsel for the respondent, an ill-advised attempt to rely on provisions of the Education Regulations 1957 and the Private Secondary Schools Regulations 1977 which, at best, only stipulate the conditions to be satisfied for admission to grade 7 in a secondary school (and notably obtaining the PSAC as a prerequisite for admission to Grade 7) but can in no way be stretched to imply that a student can only be admitted to Grade 7 after obtaining the PSAC.*

The Court concluded that ‘in the circumstances that the respondent has utterly failed to determine, assess and take as a primary consideration SB’s best interest in processing the application for her transfer and in reaching the Decisions – and this, in breach of its statutory duty under section 4 of the Act and under the UNCRC. The Decisions are, to that extent, unlawful. The Court therefore quashed both Decisions and ordered that ‘the matter be referred back to the respondent for it to process the application for transfer in compliance

with its duties under the Act, subject to what we have to say below on our own assessment of where SB's best interest lie.'

The Honourable Judge observed that it was clear that the parents, understandably, have at heart the accelerated academic progress of SB, but the Court was 'not in a position to determine whether this emphasis placed by the applicants on academic progress is being balanced against the child's holistic development and her health and well-being.'

The above case illustrates the complexity involved in deciding the Best Interests of the Child.

B. Suspected Human Trafficking Involving Minors

A NGO reported a case of suspected human trafficking involving two minors aged 15 and 12 years old. The children are Malagasy nationals and arrived in Mauritius in March 2024 with their parents on a tourist visa.

A Recruiting Agent in Mauritius assured them that they would be given employment in Mauritius and that all necessary formalities would be undertaken by relevant Authorities to allow the whole family to stay in Mauritius as per prescribed work permit rules and regulations. On their arrival the Recruiting Agent provided the family with an unfurnished accommodation.

The parents were working in a small supermarket. The children reported that they were forced to work by their parents' 'employer,' and one of them mentioned that he was also beaten. The Recruiting Agent kept the passports with him and paid them less than the wages promised. The Parents started questioning the Agent. The latter informed the Police of the illegal stay of the family in view of having them deported.

The parents were arrested on Friday 21st June 2024 and were detained at Sodnac Police Station and Camp Levieux Police Station. The children were placed at Univers'elles, a dedicated shelter for Trafficking in Persons (TIP) victims, which is run by Passerelle in collaboration with the Mauritius Police Force. Passerelle is a registered NGO that provides support for women victims of domestic violence, homelessness, and human trafficking and provides them with emergency shelters. Instead of deporting the family, the Police decided to sue the Recruiting Agent for Human Trafficking.

The children appeared before the Children's Court on 5 August 2024. As per the Court Order, they will stay at Univers'elles Shelter in Albion with their family. The parents will have the opportunity to search for employment and manage their children's education while waiting

for the Trafficking in Person Case against the Recruiting Agent to be dealt by the Court. They shall appear as witness.

This decision of the Court took into consideration the best interests of the children and kept the family united. By allowing the parents to manage the education of the children, the Court took into account the right to education of the children. While staying with their parents, the children will be able to keep their cultural identity, speak in their mother tongue and keep their traditions.

2.6. Recommendations

I recommend to ALL duty bearers, policy makers, Court officers, administrative bodies, educational authorities and all institutions dealing with children that while intervening on issues regarding children it is imperative to assess and determine the best interests of the individual child or group of children and ensure that these best interests are given primary / paramount consideration.

The views of the child must be heard and given due consideration according to the age and maturity of the child/children concerned.

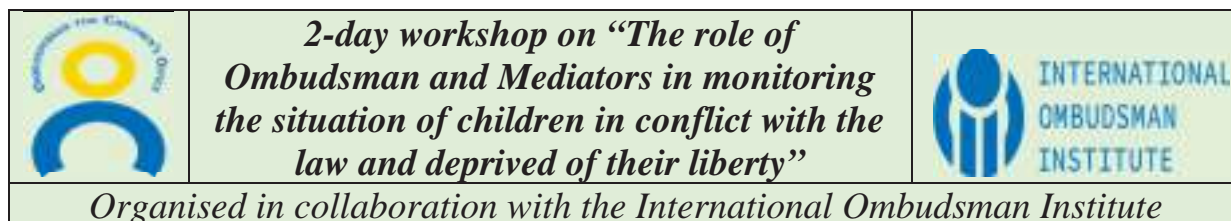
Chapter 3

ACTIVITIES



3.1. Workshops and Sensitisation carried out by the OOC

3.1.1. IOI workshop themed “The Role of the Ombudsman and Mediators in the Monitoring of the situation of children in conflict with the law and deprived of their liberty”



Background Information

Following a call for proposal from the International Ombudsman Institute (IOI) in 2018, the Office of the Ombudsman for Children applied for a regional subsidy of a grant of Euros 3000 to organise a 2-day international workshop on the theme “*The role of Ombudsman and Mediators in monitoring the situation of children in conflict with the law and deprived of their liberty*”. The project was approved in 2019 and was expected to be realised in 2020. However, due to COVID -19 pandemic and prevailing sanitary restrictions, the project could not be realised. In agreement with the IOI, the workshop was held on 5 and 6 September 2023 at the Gold Crest Hotel in Quatre Bornes.

The aim and objectives of the workshop were:

Aim

To discuss the role of Ombudsman and Mediators in monitoring the situation of children in conflict with the law and deprived of their liberty from a child rights perspective and to share experiences and good practices.

Objectives

1. To understand the issue of children in conflict with the law as per the UNCRC and the UN Guidelines on Juvenile Justice;
2. To identify threats and challenges in monitoring the implementation of the provisions made in the above instruments on the topic; and
3. To share experiences and good practices.

Participants

International Participants

- Mrs Karabo Ozah, Director, Centre for Child Law, South Africa
- Ms Heather Finata Harker, Children’s Advocate, Office of the Ombudsman, Namibia
- Mrs Carmen Cesar, Legal Investigation Officer, Office of the Ombudsman, Seychelles

Local Participants:

- Office of the Ombudsperson for Children
- Office of the Ombudsman
- Prime Minister’s Office
- Ministry of Gender Equality and Family Welfare
- Mrs Marie Therese Clair, Brault, Adviser at the Commission for Women Affairs and others, Rodrigues
- Probation and After Care Service
- Law Reforms Commission
- National Human Rights Commission
- Ministry of Foreign Affairs, Regional Integration and International Trade – Human Rights Division
- State Law Office
- Office of the Director of Public Prosecutions
- Mauritius Prison Service
- Non-Governmental Organisations
- University of Mauritius
- University of Technology, Mauritius

This event brought together professionals from various governmental institutions, including the Law Reform Commission, representatives of the Ministry of Gender Equality and Family Welfare, the Prime Minister's Office, as well as NGOs, creating a rich and diverse debate. The presence of representatives from Rodrigues and other countries underscored that concerns related to children in conflict with the law are shared internationally.



From left to right Mrs Y. Rhungapen-Veeramootoo - Investigator, Mrs Karabo Ozah- Director, Centre for Child Law, South Africa, Mrs Carmen Cesar, Legal Investigation Officer, Office of the Ombudsman, Seychelles, Mrs Z. Auladin - Permanent Secretary- Ministry of Foreign Affairs, Regional Integration and International Trade (Human Rights Division), H.E Mr Marie Cyril Eddy Boissézon, G.O.S.K - Vice President of the Republic of Mauritius, Mr D. Seetulsingh, G.C.S.K, Chairman-The National Human Rights Commission, Mrs R. Venkatasawmy O.S.K – Former Ombudsperson for Children, Ms Heather Finata Harker, Children’s Advocate-Office of the Ombudsman, Namibia, Mrs L. Jhugroo, Secretary Ombudsperson for Children’s Office, Mr I. A. Bawamia - Investigator



His Excellency Mr Marie Cyril Eddy Boissézon, G.O.S.K, Vice President of the Republic of Mauritius

The opening ceremony was graced by His Excellency Mr Marie Cyril Eddy Boissézon, GOSK, Vice President of the Republic of Mauritius. In his speech, His Excellency stated that “*I seize this opportunity to comment on the dedication of Mrs Rita Venkatasawmy, Ombudsperson for Children who has always promoted the interest of children in both the public and private spheres*”. He further added that in line with

international conventions and treaties to which Mauritius is party, a number of policies, action plans and programs are being adopted in order to ensure that children in conflict with the law are treated with dignity and respect, that their rights are **respected and they are given every** opportunity to rehabilitate and reintegrate into society.

Mrs Rita Venkatasawmy, former Ombudsperson for Children, highlighted the role of the Ombudsman as mentioned in Article 1 of the Principles on the Protection and Promotion of the Ombudsman Institution and the UN Resolution on the role of Ombudsman and Mediator Institution in the promotion and protection of human rights, good governance and rule of law. These international instruments represent a strong endorsement of the key principles of Ombudsman Institutions which



Mrs Rita Venkatasawmy, O.S.K., Former Ombudsperson for Children, Office of the Ombudsperson for Children, Mauritius

include independence, objectivity, transparency, fairness and impartiality. The Ombudsperson for Children further stated that the Children Act 2020 aims at respecting the best interests of the juvenile offender and their rehabilitation. Even though the minimum age of criminal responsibility is 14 years, the Act makes provision at Section 55(1) for the Director of Public Prosecution sufficient authority to discontinue the criminal proceedings against the minor and request the Probation Officer to assess whether it will in the best interest of the juvenile to be enrolled in a diversion program as advocated by the UN Committee on the Rights of the Child in its 2019 General Comment on children’s rights in the justice system. The Ombudsperson for Children also strongly supports the importance of giving a child in conflict with the law a court-appointed lawyer. However, she pointed out that defence of a child differs from that of an adult and children lawyers require specialised child-related training to play a significant role. She concluded by *“a child in conflict with the law is not a little monster who must be punished at all costs even if his/her behaviours are repulsive. He is above all a victim of various forms of abuse since a young age”*.

The topics dealt during the workshop and the speakers are as follows:

1. ‘The Right to Freedom of Children’ by Mr Dheerujlall Baramlall Seetulsingh S.C, G.C.S.K, Chairperson, National Human Rights Commission*
2. ‘How the Mauritian Justice System responds to Children in Conflict with the Law’ by Office of the Director of Public Prosecutions*
3. ‘The Unwritten Book: Reimagining Juvenile Justice in Mauritius’ by Mr. Sabir Kadel, Chief Executive Officer, Law Reform Commission*
4. ‘Psychological impact on children deprived of their liberty’ by Dr Trisha Boodhoo, Clinical Psychologist*

5. ‘A child rights based approach to juvenile justice’ by Ms Ronalda Karabo Ozah Director, Centre for Child Law*
6. ‘How the Institute of Judicial and Legal Studies enhances training of law professionals on Juvenile Justice’ by IJLS
7. ‘How the Probation and Aftercare Services support children in conflict with the law’ by Mr Fareed, of the Probation and Aftercare Services*
8. ‘How the Seychelles Justice System responds to Children in Conflict with the Law’ by Mrs Carmen Cesar, Legal Investigation Officer, Seychelles*
9. ‘How the Namibian Justice System responds to Children in Conflict with the Law’ by Mrs Heather Finata Harker, Children’s Advocate Namibia*
10. ‘How the South African Justice System responds to Children in Conflict with the Law’ by Ms Ronalda Karabo Ozah, Director, Centre for Child Law, South Africa*

The international participants shared their impressions and thoughts on the event, highlighting the importance of collaboration and sharing experiences to advance the cause of children in conflict with the law. Their inspiring testimonies reflect the ongoing commitment to this crucial matter.

3.1.2. Two-day workshop on “The Climate Crisis: A Child Rights Crisis” and “The Rights of Children with Disabilities to Inclusive Education”

A two-day workshop on the themes “The Climate Crisis: A Child Rights Crisis” and “The Rights of Children with Disabilities to Inclusive Education” was organised. Were present 20 representatives of the Special Education Needs Authority including Inspectors, Quality Assurance Officers and Managers of SEN schools and 40 representatives of the Pre-primary sector comprising coordinators, managers and educators.

On the first day of the workshop, the following themes were discussed:

- how climate change concerns the Pre-primary schools and the Special Education Needs schools
- the importance of understanding climate change

The Ombudsperson for Children carried out an activity on the importance of storytelling to kindergarten children, in order to address the issue of Climate Change.



Participants contributing to the discussions

On the second day of the workshop, investigators who travelled to Perth, Western Australia for a study visit on Inclusive Education, shared their acquired knowledge and focused on the following themes in their presentation to the participants of the workshop:

- ✚ the importance of leadership in SEN Schools;
- ✚ managing challenging behaviours;
- ✚ how to improve infrastructure;
- ✚ teaching techniques;
- ✚ how to include children with disabilities in the mainstream?



Investigators Mrs S. Mauree and Mrs Y. R. Veeramootoo carrying out their presentation on Inclusive Education in Western Australia

3.1.3. Universal Children's Day 2023

The Universal Children's Day, also known as World Children's Day, was first established in 1954 and is celebrated on 20 November each year to promote international togetherness, awareness among children worldwide, and improving children's welfare. The theme chosen for 2023 is 'For every child, every right'.

In the context of the Universal Children's Day 2023, the Office of the Ombudsperson for Children organised an award ceremony to reward the best projects from a Student Led Competition on the theme 'The Impact of Climate Change on Children's Rights' at the Domaine de St Aubin on 22 November 2023. The Vice-President of the Republic of Mauritius, Mr. Marie Cyril Eddy Boissézon and members of the Jury of the Competition, Mr. M. Sardou of the Ministry of the Environment, Solid Waste Management and Climate Change, Mr. G. Ribouet of the Indian Ocean Commission and Mr. V. Dhunnoo, Architect were present at the award ceremony.

In his address, Vice-President Boissézon highlighted that carbon dioxide emissions are constantly on the rise and negatively affect climate around the world. He reassured that Government is taking the necessary actions to reduce the country's carbon emission and ensure a better future for the children. HE Boissézon underlined the importance of sensitising every citizen about the use of plastic products, which may end up in the sea if not properly disposed of, and the excessive use of fertilisers which affects the environment. He also seized this opportunity to commend all participants, who can now be ambassadors for environment protection as the competition enabled them to be more concerned about climatic change.

The former OC remarked that climatic change affects children as rise in temperature has an impact on their ability to focus and learn effectively. She observed that the United Nations recommended that children be implicated in the fight against climatic change and as such, the OOC has to ensure that these recommendations are implemented. She further stated that the Student-Led Project Competition targeted children of Grade 10 from several institutions across the island. This enabled them to engage and provide their thoughts and views, through their projects, as far as climate change is concerned. Educators also play an important role in the promotion and protection of the children's rights to a sustainable environment.

Winners of the Student-Led Project Competition are as follows:

First prize – Curepipe College;

Second prize – Marechal College (Rodrigues);

Third prize – Imperial College;

Special prizes – Professor Basdeo Bissoondoyal College (Boys) and Shrimati Indira Gandhi State Secondary School

Winners of the First, Second, Third and Special Prizes were awarded with trophies, medals and several books about climate change and the environment. All children of the 15 secondary schools who participated in the competition were present at the award ceremony, with the exception of Marechal college of Rodrigues. All children received certificates, medicinal plants from the Ministry of Environment, Solid Waste Management and Climate Change and several useful gifts.

The OOC is thankful to the Ministry of Environment, Solid Waste Management and Climate Change, the Ministry of Education, Tertiary Education, Science and Technology, the Indian Ocean Commission and relevant stakeholders for their collaboration and assistance on this project.

3.1.4. Celebration of Day of African Child 2024

The 16 June honours the memories of hundreds of students who were massacred in Soweto, South Africa, in 1976 for protesting against education injustice and inequality in the apartheid regime. It was designated as Day of the African Child in 1991 by the African Union and every year events are organised to promote children's rights. This year's theme is **'Education for all children in Africa: The time is now'**.

Since the proclamation of the Children's Act 2020, sections 2 and 5(c) of the Ombudsperson for Children Act (2003) has been amended to include the African Charter on the Rights and Welfare of the Child. In this regard, the OOC now has to also promote compliance with the African Charter on the Rights and Welfare of the Child. As per Article 12(1) of the African Charter on the Rights and Welfare of the Child, **"State Parties shall recognise 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 Office of the Ombudsperson for Children in collaboration with the NGO Safire organised a half day activity with around 80 children in the age range of 8 to 17 years from Bois Marchard, Baie du Tombeau and Triolet at the gymnasium of Lady Sushil Ramgoolam SSS, Triolet on 15 June 2024. The Office of the Ombudsperson for Children arranged for the bus transportation of the children and lunch on that day.

The Office would like to put on record the participation of the Scout Band of the Mauritius Scout Association under the direction of the Band Master, Mr. Percy Appadoo, G.S.K. 15 child musicians accompanied by 3 adults led the defilé and performed the National Anthem during the opening ceremony. The protocol ceremony followed afterwards. The Ombudsperson for Children, Mrs. A. Ghoorah in her address, spoke about the significance of the day of the African child. She also highlighted that education is accompanied by values and these values are essential for children to become responsible citizens. Rights, Respect and Responsibilities are the 3 'Rs' that need to be advocated. The Manager of Safire, Mr E. Maurer on his part thanked the Office of the Ombudsperson for Children for its collaboration and spoke about the importance of education and play in the development of children. The event was covered by the media.

There were 5 activities with learning values that were organised by Safire on that day and each activity was led by a team leader. These activities were:

- **Bowling and Catching – Learning value RESPECT**
- **Bating – Learning value FAIR-PLAY.**
- *Parcours d’obstacle* - Learning value SOLIDARITY.
- **Relay – Learning value TEAM SPIRIT**
- *Ateliers pour les petits* – Learning value WELL-BEING

The children participated actively in each of the activities in an organised manner on a rotational basis. The event culminated in a live musical show by the Scout Band and cultural sega dance by the children present. The children not only learned through the activities but were also able to express themselves through musical show and dance performance.

A glimpse of the Celebration of Day of African Child 2024 in photos





3.1.5. Empowering Young Minds: Rights, Respect and Responsibility

During the month of June, the Office of the Ombudsperson for Children carried out two activities. The second activity was done in collaboration with the Ministry of Education, Tertiary Education, Science & Technology on the theme: “Empowering Young Minds: Rights, Responsibilities and Respect”.

This initiative aimed to empower primary school pupils by fostering a deep understanding of their rights, respect for themselves and others, and a sense of responsibility towards their actions and the use of technology.

Schools were encouraged to collaborate with parents and guardians, keeping them informed and inviting them to engage with the program at home by discussing the daily themes with their children and encouraging participation in the various exhibitions.

This programme run in primary schools, aiming to empowering young minds to stand up for their rights, treat others with respect, and act responsibly in their interactions with peers, teachers, and online communities., Educators were requested

- to incorporate a variety of activities throughout the programme, allowing pupils to express their learning creatively by participating in discussions, activities and art exhibition.
- to weave discussions on rights, respect and responsibilities into daily routines, through storytelling, circle discussions or morning announcements.
- to unleash the potential of children through role plays and sports related activities ,

The above programme will be implemented in Rodrigues during the next academic year

3.1.6. Workshop on Integration of Heartfulness Programme and Brighter Minds

On 29 May 2024, Mrs. A. Ghoorah, the Ombudsperson for Children, held a meeting at her office with Mrs. Etká Boudérlique, the Special Envoy to the Indian Ocean Islands for Heartfulness, and Mr. Gowtum Motah, the Coordinator for the Heartfulness Programme. The primary focus of the meeting was to discuss the introduction and integration of the 'Heartfulness Programme and Brighter Minds' into both the formal educational system and the non-formal education sector.

About the Heartfulness programme and Brighter Minds

The Heartfulness programme aims at promoting mental and emotional well-being through meditation, relaxation and other self-development practices. These programmes are designed to help individuals, especially children and adolescents, develop inner strength, emotional resilience and a balanced outlook on life.

The Brighter Minds, is an educational initiative that uses cognitive training techniques to stimulate and enhance various mental faculties in children. The programme is rooted in the latest neuroscientific research and includes activities designated to boost creativity, intuition and overall cognitive abilities.

The Office of the Ombudsperson for Children is dedicated to safeguarding children's rights and fostering their overall development in a supportive environment. In alignment with the above mission, the Heartfulness programmes and Brighter Minds initiative focus on enhancing mental, emotional, and cognitive health.

The Office of the Ombudsperson for Children committed to facilitating and implementing the Heartfulness Programme and Brighter Minds within the non-formal education sector in Mauritius. To achieve this, the Office collaborated with the NGO Adolescent Non-Formal Education Network (ANFEN) to effectively deploy these programmes. This partnership aims to integrate holistic approaches into non-formal education, ensuring that children benefit from comprehensive support and development opportunities.

The Office of the Ombudsperson for Children organised batches of around 30 educators of NGOs affiliated to ANFEN to participate in half-day sessions by Resource Persons of the 'Heartfulness Programme and Brighter Minds' at the Mahatma Gandhi Institute. The sessions took place on 25, 26 and 29 July 2024. The Resource Persons were Heartfulness Trainers, Mr.

S.G. Motah, Mrs. S. Motah, Mr. M. Aubeeluck and Mr. P. Bajah. The OC, Mrs. Ghoorah was present on 25 July 2024 and addressed the assistance on that day. Investigators Mrs. B. Jogarah Ramgoolam and Mrs. S. Johaheer attended the workshop on 26 and 29 July 2024 respectively.

The following NGOs participated in the session: **Anou Grandi, Centre d'Apprentissage Paille En Queue, Ecole de Fatima, Ecole Familiale de l'Ouest, Ecole Père Henri Souchon, Esperance 2000, Etoile de Mer, Ferme Pédagogique de Safire, Mahebourg Espoir Education Centre, Mouvement pour le Progrès de Roche Bois, Rabita School.**

By incorporating the Heartfulness Programme and Brighter Minds initiative, the educators affirmed that they will enhance their efforts in fostering the overall well-being and development of vulnerable children who attend their respective schools in the non-formal sector.

Demonstration of Heartfulness meditation



3.1.7. Sensitisation session on the role of the Ombudsperson for Children, Child Rights and Alternative methods to discipline pupils with behavioural problems (Positive Discipline)

On 8 April 2024, Investigator S. Johaheer was delegated as Resource Person to carry out a half-day sensitisation session on the role of the Ombudsperson for Children, Child Rights and Alternative methods to discipline pupils with behavioural problems, i.e Positive Discipline to a group of 30 staff at Northlands Primary School.

The aim of the sensitisation session was to raise awareness of educators working with children on the role of the OC, child rights and on positive discipline methods/tools that can be used to discipline a child. The participants have also been sensitised on several related

topics, such as the impact of violence on children and educators; the importance of self-esteem, the art of listening, positive reinforcements, the characteristics of a child-friendly schools and guidelines for effective positive discipline.

The Head Master of Northlands Primary School, Mr. Ramoo, who was also present, expressed that the session was very enriching and stated that he would certainly implement certain tools of positive discipline in his school.

3.2. An overview of Workshops and Events attended by the Ombudsperson for Children and Investigators of the OOC

1. Workshop on ‘Zero Discrimination’ organised by PILS

On 29 February and 1 March 2024, Mrs Y. Rhungapen-Veeramootoo, Investigator, attended a two-day workshop entitled ‘Zero Discrimination’ which was organised by the NGO PILS. The workshop focused on exploring the discrimination and prejudice associated with HIV. The workshop aimed to deepen participants' understanding of the various forms of stigma faced by individuals living with HIV/AIDS and to equip attendees with strategies to combat such discrimination effectively.

2. One day Capacity Building on Developing Effective Foster Parents organised by the Ministry of Gender Equality and Family Welfare

A one-day capacity-building seminar for foster parents was organised by the Ministry of Gender Equality and Family Welfare on 20 and 21 May 2024, at the Caudan Arts Centre in Port Louis. The participants included foster parents with children under their care.

Investigator Mrs. B. Jogarah Ramgoolam served as resource person during one session on both days, focusing on sensitising foster parents about the fundamental rights of children in their care. The discussions were essential in helping foster parents understand their crucial role in safeguarding and promoting these rights effectively.

3. International Children’s Day at the Chinese Embassy

On 1 June 2024, the Chinese Embassy in Mauritius hosted a Chinese Cultural Experience entitled « Enfance sous l'arc-en-ciel: Une journée de la culture chinoise », to celebrate the International Children's Day. The event was attended by the Ombudsperson for Children.

The event featured a variety of activities including cultural performances, cartoons, film screenings, Chinese cultural experiences, a traditional Chinese kite-making workshop, kite flying, Chinese cuisine, and lucky draws. Over 150 primary school pupils and their parents from various schools in Mauritius participated in this event.

HE Chinese Ambassador, upon request of the Ombudsperson for Children, also invited ten children from two Residential Care Institutions, namely Etoile du Berger and Pure Mind Haven. These children felt delighted to have spent half a day out of their usual set-up, meet up with peers from primary schools and participate in the various activities.

The Office of the Ombudsperson for Children places on record the warm welcome and hospitality extended to All the Participants.

4. COLLOQUE INTERNATIONAL : *Les défis de la parentalité* organised by OPOI

On 06 and 07 June 2024, Investigator Mrs. B. Jogarah Ramgoolam attended a two-day colloquium on "The Challenges of Parenting" (*Les défis de la parentalité*) at the Centre des Arts et de la Culture in Flacq. This event was organised by the Observatoire de la Parentalité de l'Océan Indien (OPOI), a French association which unites individuals from civil society, research organisations, and institutions across South Africa, Mozambique, Tanzania, Seychelles, Comoros, Madagascar, Mauritius, and France (Mayotte and Réunion Island).

The colloquium addressed various themes, including Climate Change and Its Impact on Parenting, The Challenge of Parenting and the Digital Revolution, Work and Parenting: The New Challenges of the 21st Century, and Parenting, Alcohol, and Drugs: A Multidisciplinary Challenge, among others. This event was crucial for sharing insights and discussing the importance of addressing the diverse challenges associated with parenting.

5. Conference on Harm Reduction and Decriminalisation organised by NGO Collectif Urgence Toxida (CUT) in collaboration with NGOs PILS, AILES and Parapli Rouz

On 26 June 2024, Investigator S.Johaheer was delegated to attend a Conference on Harm Reduction and Decriminalisation organised by the NGO Collectif Urgence Toxida (CUT) in collaboration with NGOs PILS, AILES and Parapli Rouz to mark the International Day against Drug Abuse and Illicit Trafficking.

The conference was carried out in a hybrid presentation mode. Presentations were made by a representative of NGOs CUT, PILS, AILE and a representative of International Harm Reduction of Nepal. Reference, in the presentations, was made to several countries, such as

Portugal, Canada, Australia which have decriminalised certain drugs and how that has led to improved health and social outcomes.

6. Reflection and Dissemination Workshops organised by the Centre d'Education et de Développement pour les Enfants Mauriciens (CEDEM), co-funded by the European Union, on the situation of children leaving residential care institutions at 18 years old

In the context of its project entitled “*Learning to brave the odds: A specialised empowerment programme for vulnerable adolescent girls living in residential care*”, co-funded by the European Union, CEDEM organised the following two workshops, both held at the Gold Crest Hotel, Quatre Bornes:

- A One-Day Reflection Workshop on 17 November 2023, entitled “*Transition from Childhood to Adulthood in the Context of Residential Care in Mauritius: Multi-Stakeholder Reflections on the Way Forward*”; and
- A Final Dissemination Workshop on 29 June 2024, entitled “*Empowering Adolescent Girls Living in Residential Care to Brave the Odds: Sharing of Results and Experiences to Consolidate Multi-Stakeholder Collaboration*”, including the launching of the publication entitled “*A Multi-Stakeholder Paper on the Situation and Possible Way Forward for Care Leavers in Mauritius*”.

Key highlights of the One-Day Reflection Workshop of 17 November 2023:

This workshop was officially launched by His Excellency Mr. Marie Cyril Eddy Boissézon, G.O.S.K., Vice President of the Republic of Mauritius, Mr Milko van Gool, Head of Development Cooperation at European Union



Delegation to Mauritius and Seychelles, and Mr Kumarduth Puddo, Deputy Permanent Secretary, Ministry of Gender Equality and Family Welfare. The Keynote Speaker of the workshop was Mrs Rita Venkatasawmy, G.O.S.K., the then Ombudsperson for Children, on the theme entitled “*Preparing children leaving residential care at 18 years old to reintegrate society*”. This initiative mobilised the participation of two young care leavers of CEDEM and

37 representatives from different governmental, non-governmental and private organisations. The participants provided valuable inputs on the realities, challenges and possible solutions in the transition process of adolescents leaving residential care at 18 years old, their social reintegration and their aftercare follow-up, with the aim of contributing to the preparation of a multi-stakeholder dissemination paper on the situation of care leavers in Mauritius.

Key highlights of the Final Dissemination Workshop on 29 June 2024:

This workshop was officially launched in the presence of His Excellency Mr Prithvirajsing Roopun, G.C.S.K., President of the Republic of Mauritius, Honourable Mr Soobeersingh Dhunoo, Member of Parliament, Mrs Aneeta

Ghoorah, Ombudsperson for Children, and Mrs Sehenaz Hossain Saeb, Managing Director, CEDEM. Around 50 representatives from public, non-governmental, parastatal and private organisations working in the fields of alternative care and vulnerable youth-related



fields, as well as the project's beneficiaries attended this event. The main objectives of this workshop were to share the key highlights of CEDEM's project co-funded by the European Union ending on 30 June 2024, presented by Dr Trisha Boodhoo, Project Manager and Clinical Psychologist, CEDEM, and to launch a multi-stakeholder reflection paper on the situation of care leavers in Mauritius.

The paper summarised the valuable inputs of participants of the workshop of 17 November



2023 under 3 themes, namely, challenges faced by children aged 16-17 years who are about to leave residential care at 18 years, support services to vulnerable young people aged 16-25 years, and the aftercare experience and gaps and opportunities for young adult care leavers. It also proposed possible ways forward in view to improving the

situation of young adult care leavers. These included providing housing options to this highly vulnerable group of young people to prevent homelessness, the creation of support and

empowerment programmes adapted to their needs, the establishment of long-term family and social reintegration plans in collaboration with all relevant stakeholders, the creation of a national care leaver network, and the need for a national policy or legislation that can better protect and assist them.

7. Workshop on “Data Protection for the Youth” organised by the Ministry of Information Technology, Communication and Innovation in collaboration with the Data Protection Office

On 18 July 2024, the Ministry of Information Technology, Communication and Innovation in collaboration with the Data Protection Office organised a Workshop on “Data Protection for the Youth” which was attended by Mrs S. P. Mauree, Investigator. A video on clip on “Data Protection for the Youth” was launched. This initiative aims to educate youth on how to protect their personal information and stay safe online.

The workshop also included different speakers, including the Head Boy of Ebene State Secondary School, representatives from the Ministry of Education, Tertiary Education, Science and Technology, the University of Mauritius, the Open University, the CERT-MU, the Police Department and the National Cybercrime Committee. The topics presented were: Data Protection Education and Digital Citizenship in Schools; Data Privacy as part of the Curricula; Dangers of social media and cybercrime related to youngsters; the roles and functions of the National Cybercrime Committee.

8. Collaboration with Citizen Support Unit (CSU)

On Saturday 10 August 2024, the CSU organised a one-hour program on the theme “ki bann developman ek fasilite ki governman ena pou ou?” at Guy Rozemont Government School. This event was live-streamed on MBC Kool FM and MBC Facebook. The PPS and Representatives from different Ministries, Organisations and Institutions took the floor to explain relevant issues falling under their purview.

The Office of the Ombudsperson for Children (OOC) was represented by the Ombudsperson for Children, Investigator (Mrs B Jogarah Ramgoolam) and Support Staff.

Objectives concerning the slot by the Office of the Ombudsperson for Children:

- (i) to inform the public on the role and mission of the OOC;
- (ii) the different ways to contact the OOC and contact details;
- (iii) general comments and advice with respect to the problems faced due to lack of communication in the family; and
- (iv) duty to reporting of cases of children – victims of violence and abuse.

The Ombudsperson for Children seized the opportunity to draw the attention of parents on their role to inculcate discipline at an early age. She also insisted upon the fact that Responsibilities and Respect should accompany the Rights of children. Further information was shared on contact details of the Office and different means to communicate with the OOC.



9. Seminar on “Cultivating Wellness - An Integrated approach towards empowering and engaging the society”

On 08 August 2024, the Ombudsperson for Children attended a seminar on “Cultivating Wellness - An Integrated approach towards empowering and engaging the society” organised by the Community Welfare Program of Heypumpkin Ltd. The main aim of the seminar was to create awareness on various issues pertaining to mental health and wellness and how to overcome certain barriers.

During the seminar, guest speakers gave valuable insights on the following topics:

- Role of SENA: Mr. Deewarkarsingh Authelsingh
- Mental Well-Being of Children: Mr. Subheer Ramnoruth
- ADHD & Autism Spectrum Disorder/Early Diagnostic and its process: Ms. Keshini Shoodihal
- Sensory integration: Ms. Kevina Soobramanien and Ms. Nirmala Koreemun
- Neurodivergence: Mr. Jylann Gowry
- Challenges and Overcoming Stigmatisation: Mr. Veemen Appadu
- The Hidden Disabilities: The Sunflower Programme: Ms. Nadjah Abbasakoor
- Cerebral Palsy: Ms. Sarah Bathfield
- Mental illness and depression: Ms. Chitra Punchoo

Some people who had their loved ones diagnosed with ASD/ADHD and having a disability, were also invited to give testimonials about their journeys in terms of challenges and support they have received from their families and relevant authorities.



10. Media

The UNCRC Committee on the Rights of the Child General Comment No. 2 (2002) recommends that National Human Rights Institutions (NHRIs) “*promote public understanding and awareness of the importance of children’s rights and, for this purpose, work closely with the media and undertake or sponsor research and educational activities in the field*”.

The OOC works in close collaboration with the media to bring awareness on the role of the OOC and various issues pertaining to children’s rights. The media is an indispensable partner for the Office of the Ombudsperson for Children, amplifying its efforts to protect and promote children's rights and well-being.

OMBUDSPERSON FOR CHILDREN ANNUAL REPORT 2023-2024

For this reporting year, the OC and all investigators participated in several radio programmes and there were newspaper articles which were published on themes pertaining to the role of the OOC, the rights of children, adoption, juvenile delinquency and investigation at the OOC amongst others. The table below is showcasing the OOC's engagement with the media.

DATE	THEME	VENUE	ATTENDEES
29.09.23	Interview in connection with Child Rights by Radio One	OOC	Mrs R Venkatasawmy, OC
09.10.23	Program on Radio 1 in connection with children's rights	Radio 1	Mrs R Venkatasawmy, OC
20.11.23	Interview MBC in connection with Universal Children's Day	OOC	Mrs R Venkatasawmy, Ombudsperson for Children
03.03.24	Interview of Ombudsperson for Children, Mrs A Ghoorah	Sunday Times Newspaper	Mrs Aneeta Ghoorah, Ombudsperson for Children
11.03.24	Interview in connection with 'souhais concernant les enfants à l'occasion de l'Indépendance'	Défi Media Newspaper	Mrs Aneeta Ghoorah, OC
13.03.24	'Emission MBC' – functions of the Office of the Ombudsperson for Children	MBC	Mrs Aneeta Ghoorah, OC
26.03.24	'Emission au coeur de l'info' in connection with sexual abuse on children	Radio Plus	Mrs Aneeta Ghoorah, OC
30.03.24	Interview in connection with chain of protection and rights of child	L'Express Newspaper	Mrs Aneeta Ghoorah, OC
08.04.24	'Emission' in connection with rights of the child by Top FM	Top FM	Mr I A Bawamia, Investigator
08.04.24	Interview in connection with Bullying	Défi Media Newspaper	Mrs Aneeta Ghoorah, OC
26.04.24	'Emission in Bhojpuri language' in connection with functions of the OOC and rights of the child	MBC Moka	Mrs Aneeta Ghoorah, OC
29.04.24	'Emission Top Fm' in connection with Adoption	Top FM	Mrs Y Rhungapen-Veeramootoo, Investigator Mrs S P Mauree, Investigator
05.05.24	Interview in connection with 'Punition Corporelle'	Défi Media Newspaper	Mrs Aneeta Ghoorah, OC
09.07.24	Interview in connection with Juvenile delinquency	Défi Media Newspaper	Mrs Aneeta Ghoorah, Ombudsperson for Children
18.07.24	Zoom extra hausse du nombre dans la délinquance Juvénile – à qui la fautes les parents ou les institutions ?	Top FM	Mr I A Bawamia, Investigator Mrs B. Jogarah Ramgoolam, Investigator

Chapter 4

INTERNATIONAL AFFILIATION



4.1. Introduction

International affiliation refers to the formal or informal connection, association, or partnership between an organisation, and international bodies, networks, or institutions. This affiliation can take various forms, including membership in global organisations, participation in international networks or forums, project collaboration, and adherence to international standards or conventions.

Through the Resolution adopted by the United Nations General Assembly on 16 December 2020 [on the report of the Third Committee (A/75/478/Add.2, para. 89)] 75/186- The role of Ombudsman and mediator institutions in the promotion and protection of human rights, good governance and the rule of law- member states are strongly encouraged:

To share and exchange best practices on the work and functioning of their Ombudsman and mediator institutions, in collaboration with the Office of the United Nations High Commissioner for Human Rights and with the International Ombudsman Institute and other international and regional Ombudsman organizations;

To engage with the International Ombudsman Institute, the Global Alliance of National Human Rights Institutions and other regional networks and associations, with a view to exchanging experiences, lessons learned and best practices;

The OOC forms part of several international networks of Ombudsman Institutions. We are associate member of the African Ombudsman and Mediators Association (AOMA), the International Ombudsman Institute (IOI) and the *Association des Ombudsman et médiateurs de la francophonie* (AOMF).

International affiliation strengthens the Ombudsperson for Children's Office in Mauritius by enhancing its capacity, influence, and effectiveness in advocating for and protecting children's rights. International affiliation is crucial for the OOC for several reasons:

- **Learning from Global Experiences:** Through international networks, the OOC has learned from the experiences of other countries in dealing with children's rights. This helped in formulating recommendations on best practices and innovative approaches tailored to the Mauritian context.
- **Training and Capacity Building:** The investigators of the OOC gained access to training programs and workshops which enhanced their skills and expertise in addressing complex issues related to children's rights.

- **Stronger Advocacy Platforms:** Being part of international organizations amplifies the voice of the Ombudsperson for Children's Office, allowing it to advocate more effectively for children's rights at both national and international levels.
- **Global Standards and Guidelines:** International affiliation ensures that the office aligns with global standards and guidelines, strengthening its credibility and influence in policy discussions.
- **Access to Funding and Technical Assistance:** International partnerships with the AOMF, the IOI and the AOMA have opened doors to financial resources, technical assistance, and support for projects aimed at improving the welfare of children in Mauritius.
- **External Review and Accountability:** Being part of an international network allows for external reviews and assessments, ensuring that the office maintains transparency, accountability, and effectiveness in its operations.
- **Exposure to Different Cultural Contexts:** International affiliation promotes understanding and respect for different cultural approaches to child protection, enriching the strategies used in Mauritius.
- **Coordinated Response to Global Challenges:** Issues like child trafficking or online exploitation require a coordinated international response, making global affiliation essential for effective action.

4.2. Association des Ombudsman et Médiateurs de la Francophonie (AOMF)

The *Association des Ombudsman et Médiateurs de la Francophonie* (AOMF) is an international organisation that brings together ombudsmen and mediators from French-speaking countries.

Its primary goals are to promote and support the principles and practices of ombudsman institutions and mediation in the Francophone world.

The AOMF provides a platform for exchanging knowledge, experiences, and best practices among its members. It also works to enhance the effectiveness and independence of these institutions and to advocate for the values of transparency, accountability, and citizen rights

The Association's activities often include organising conferences, training programs, and collaborative projects to strengthen the role of ombudsmen and mediators in addressing

complaints, resolving disputes, and ensuring fair administration of justice within their jurisdictions.

The OOC became a member of the AOMF since December 2013.

The OOC has ongoing collaboration on several projects and the production of materials with the AOMF which greatly contributed to the efficiency and improvement of our office's work. The Investigators have also attended training workshops both as attendees and experts.

We have reinforced our collaboration with the AOMF through joint projects. We firmly believe that we cannot work in isolation and that collaboration is the key strategy to meeting goals in the field of child's rights.

The OOC is member to three sub-committees of the AOMF, namely, the *Comité sur les droits de l'enfant de l'AOMF* since 2013 and more recently member of the *Comité sur l'intégrité publique de l'AOMF* and the *Comité des communications de l'AOMF*.

4.2.1. *Comité sur les droits de l'enfant de l'AOMF*

This committee's work is divided into two areas: the protection and promotion of children's rights within the AOMF. This committee has been assigned various tasks to carry out its mission: proposing strategies and an action plan for the AOMF to raise awareness among key stakeholders on children's rights and their protection needs.

It also advises the AOMF Permanent Secretariat on the contents of the website dedicated to children's rights. Since its creation in 2013, the Child Rights Committee has continually developed and enhanced its work with the following main achievements:

- Development of practical guides on the International Convention on the Rights of the Child (CRC) and promotional tools (booklet, ruler, and poster) available to all members
- Production of five promotional and educational videos on children's rights and the role of the Ombudsperson, featuring animations and interviews with children and mediators in Belgium, Benin, France, Haiti, Mauritius, and New Brunswick
- Artistic workshops resulting in the exhibition "Your Rights, It's an Art!" with young Francophones in six different countries: Albania, Benin, France, Mauritius, New Brunswick (Canada), Senegal.

- Implementation of the CLAC project (OIF Reading and Cultural Animation Centers) with the primary goal of raising awareness among children about their rights, allowing AOMF members to organise awareness workshops to explain these rights to children.
- Creation of a Francophone awareness kit for CLAC facilitators and other professionals and volunteers for educating children about their rights.
- Establishment of a working group on migrant children and training on the theme: “The Role of the Ombudsperson in Protecting the Rights of Migrant Children During Their Migration Journey.”
- Development of a pedagogical guide on children's rights.
- More recently, the committee has also worked on launching an online course with training on the theme “Making Children's Rights a Reality: Keys for Action” and a webinar addressing climate justice by putting children's rights and the environment in perspective.

4.2.2. *Comité sur l'intégrité publique de l'AOMF*

The *comité sur l'intégrité publique* primarily aims to support members of the AOMF in working towards good governance in the public sector and promoting the development of a culture of ethics, integrity, and transparency in public administration. The mandate of the committee is to:

- facilitate the exchange of best practices and the sharing of information between institutions to encourage the implementation of public integrity management policies; and
- raise awareness among member institutions about public integrity issues.

The relevance of this committee is as follows:

- Increased accessibility to best practices in public integrity for all AOMF members (considering that spots in training sessions are limited and not all institutions can afford to participate).
- An additional tool provided by the AOMF for the benefit of its members, particularly to strengthen their capacities.

- Although the normative framework governing the mandate, especially in terms of public integrity, varies significantly across AOMF member countries, such a committee enables the exchange of best practices to strengthen the work of institutions with this mandate. It can also offer valuable arguments to institutions that may obtain this mandate in the future.
- Creation of a Francophone network among collaborators of member institutions.

4.2.3. *Comité des communications de l'AOMF*

The *Comité des communications de l'AOMF* has representatives from the offices of Ombudsman and Mediator who are members of the AOMF, and they meet virtually every 3 to 4 months. The main aim of this committee is for the AOMF and all of its members to work together to enhance the AOMF's communication strategy and also to share best practices.

The committee's plan of action is as follows:

- **Improving the User-Friendliness of the AOMF Website and Increasing the Number of Visitors**

The AOMF website has faced some technical issues over the past few months. To address the situation, a temporary version of the website has been put in place to prevent it from becoming completely inaccessible. The virtual library will soon be available.

- **Raising Awareness of the Francophonie's Mediators and Ombudsmen**

This will be done through videos of the Ombudsmen and Mediators who are members of the AOMF. The communication plan includes sharing 3-4 videos per year.

- **AOMF Business Card**

A project to create an AOMF business card is underway. This card aims to remind members of the AOMF's role, share the AOMF's mission, and increase the association's visibility.

- **Collaboration with the *Comité sur les droits de l'enfant de l'AOMF***

The *Comité des communications de l'AOMF* will support the *Comité sur les droits de l'enfant de l'AOMF* in developing communication tools to better promote the existence of the latter and the activities it undertakes.

- **Members' Communication Needs**

The committee takes into consideration whether its members have specific training needs, for example, whether a webinar on a communication-related topic would be beneficial or whether certain specific themes have to be addressed during the workshops organised as part of the AOMF conference that will be held in Quebec next October .

- **Members' Communication Updates**

After ending the meeting, all members share their latest updates regarding communication strategies in their respective institutions.

4.3. African Ombudsman and Mediators Association (AOMA)

The African Ombudsman and Mediators Association (AOMA) is a regional organisation for Ombudsman and Mediators in Africa founded in 2003. At present around 44 African states are members of AOMA.

The objectives of the AOMA are

- to encourage the establishment of African Ombudsman Institutions,
- to provide information, training and development of staff,
- to promote good governance,
- to promote the independence and autonomy of Ombudsman offices and
- to foster affiliation and maintain liaison between ombudsman offices and other relevant institutions and organisations.

The African Ombudsman Research Centre (AORC) is the resource and archive centre of the AOMA situated at the University of KwaZulu-Natal's Howard College Campus.

Article 12(2) of the Constitution of AOMA provides for the establishment of the African Ombudsman Research Centre (AORC).

The mandate of the AORC is to promote the study of the activities, obligations and problems of Ombudsman institutions in Africa through research, training, publications and dissemination of information.

The OOC is a member of the AOMA since 2017. Over the years, the OOC has benefited from numerous webinar trainings organised by AORC/AOMA on several topics relating to child rights and the role of the Ombudsman. These trainings have supported the growth and efficiency of OOC staff to better promote and protect children's rights.

On 12 June 2024, in a virtual meeting, the incoming OC (Mrs Ghoorah) had the opportunity to interact with the staff of the Ombudsman of the Republic of Mauritius, Seychelles and Madagascar. Discussions focussed on regional collaboration and the Second International Ombud Expo held in Gaborone, Botswana from 29th July – 2nd August 2024.

4.4. International Ombudsman Institute (IOI)

The International Ombudsman Institute (IOI) is a global organisation that represents and supports ombudsman institutions worldwide. It is the sole global organisation that represents over 200 independent Ombudsman institutions worldwide, organised into six regional chapters: Africa, Asia, Australasia & Pacific, Europe, Caribbean & Latin America, and North America. Established in 1978, the IOI provides a platform for ombudsmen to share knowledge, collaborate on common issues, and advocate for the protection of human rights, good governance, and the rule of law.

The key Functions of the IOI are as follows:

- 1. Support and Training:** The IOI offers training and capacity-building programs to enhance the effectiveness of ombudsman offices globally.
- 2. Advocacy:** The organisation advocates for the independence and proper functioning of ombudsman institutions, ensuring they can operate without undue influence or pressure.
- 3. Networking:** The IOI facilitates networking and information exchange among its members, enabling them to share best practices and learn from each other's experiences.

- 4. Research and Publications:** The IOI conducts research and publishes materials on various aspects of the ombudsman function, contributing to the global understanding and development of the role.
- 5. Regional Support:** The IOI is organised into regional chapters, which allow for a more focused approach to the issues facing ombudsman institutions in different parts of the world.

In 2018, the OOC was admitted as a non-voting member of the IOI. The OOC staff have benefitted from several webinars on matters pertaining to the mandate of Ombuds institutions. The OOC also benefitted from a Subsidy of 3000 Euros to organise a regional workshop on Child Justice. The theme of the workshop was “The Role of the Ombudsman and Mediators in the Monitoring of the situation of children in conflict with the law and deprived of their liberty” (details in chapter 3 ,section 3.1)

Collaboration with the IOI is ongoing and a project proposal has already been submitted for consideration for the coming year.

Chapter 5

CAPACITY BUILDING



5.1. Study Visit to Western Australia on Inclusive Education

From 21 to 26 May 2023, the Office of the Ombudsperson for Children (OOC) invited two Experts in the field of inclusive education to Mauritius to share best practices and discuss the issue of inclusive education. The trip was funded by the European Union under the programme “Protecting and Promoting the Rights of Vulnerable Children in the Republic of Mauritius”. The Experts were Mr Stuart Percival, Assistant Executive Director, Professional Capability, Department of Education Statewide Services and Dr Catherine Ann Kapiteyn, Principal Advisor, Leadership Institute, Statewide Services. Their trip included visits to several Special Education Needs Schools on the island and a two-day interactive workshop on inclusive education where several stakeholders were invited.

The visit of the Experts was an eye opener on the situation of children with disabilities and inclusion in Mauritius. The Republic of Mauritius has come a long way in the Special Needs Education Sector. However, there is a lot to be done in terms of

- moving from a medical model to a social model;
- adapted infrastructure for children with disabilities;
- moving from “day care school” structure for children with disabilities to inclusive education, amongst others.

In order to acquire knowledge and to have an overview of the work done at different levels in the field of inclusive education in Western Australia, two Investigators of the OOC, Mrs. Y. R. Veeramootoo and Mrs. S. Mauree proceeded to Perth from 22 to 29 October 2023 for a study visit.

The visits included several schools and facilities catering for children with special needs in Perth. The main aim of education in Western Australia is that children, irrespective of their disability, get access to a high-quality education. If a child is found to have special educational needs or a disability, a support team is established. The support team includes the parents and may include the child’s teacher, education assistant, principal, school psychologist, medical practitioners and specialist service providers. It will determine the support services and programs that are right for the child, ensuring he/she receives the best education and support available, tailored to his/her unique needs.

In Western Australia, education support schools, centres and programs cater for the unique educational and personal needs of children with disabilities. Specialist education support teachers and allied professionals ensure the child has an individualised, responsive learning

program that meets their educational and personal needs. Education support facilities provide a safe and accessible school environment for children with a range of disabilities. There are different types of school, programs and centres, namely:

- ❖ Education Support Schools which are standalone schools that offer highly individualised educational programs for eligible children with disabilities.
- ❖ Education support centres which share a site with a mainstream primary or secondary school and offer individualised educational programs for eligible children with disabilities.
- ❖ Education support programs have facilities that are an integral part of a primary or secondary school. Children in the education support program enrol in the school. Education support teachers provide individualised programs for eligible children with disabilities.

The whole education system focuses on the needs of the child. All the schools that the investigators visited had the following good practices:

- The infrastructure of the school is in such a way that it is adapted to all children, even children with disabilities.
- All schools have their vision and values which are visible all around the schools. The educator, the members of the administration work together with the students to come up with the vision and values of the school.
- All children, whether verbally or non-verbally, are able to express themselves by using different tools called Augmentative and Alternative Communication (AAC)

The Investigators also met with Professor Sonya Girdler, Program Director of the Curtin Autism Research Group where they discussed the KONTAKT social skills program for children and young people with Autism.

The Investigators of OOC gained increased international exposure and improved knowledge on emerging global trends in inclusive education. The Republic of Mauritius has come a long way in the Special Needs Education Sector. However, there is a lot to be done in terms of moving from a medical model to a human rights model of disability. They gained knowledge on the importance of removing legal, structural and attitudinal barriers that limit the rights of some students so that they can access and achieve from the same curriculum and uphold their rights to an inclusive education.

5.2. Projet de Programme de formation AOMF, Rabat, Royaume du Maroc



Training Workshop AOMF, 22-23 April 2024, Rabat, Morocco

« *La mise en œuvre de l'intérêt supérieur de l'enfant par les ombudsmans* »

The *Association des Ombudsmen et Médiateurs de la Francophonie* (AOMF), in collaboration with the 'Venice Commission' and the *Bureau du médiateur du Royaume du Maroc*, organised a two day workshop on the theme « *La mise en œuvre de l'intérêt supérieur de l'enfant par les ombudsmans* » in Rabat, Morocco from 22-23 April 2024. The aim was to build capacity of the staff of member ombuds institutions to ensure that our children have the conditions for an environment of human rights and to meet the requirements of their development. The workshop was an opportunity to, among others:

- discuss the role of ombudsmen in protecting the interests of children,
- examine the universal Protection of Human Rights which recognizes the equal rights including children'
- consider the interests of the child as a child and not as an adult of tomorrow
- examine the challenges imposed by the evolution and scope of the best interests of the child

This workshop had as objectives to :

- 1) Illustrate the concept of best interest in a legal as well as a social context
- 2) Recognise the role of the ombudsman in upholding the best interests of the child in different fields
- 3) Discuss the Ombudsman's strength of proposal which can contribute to the formulation of public policies which would take into account the best interests of the child
- 4) Exchange and promote best practices



Several Ombuds Institutions were represented by their médiateurs, défenseurs de droits de l'enfant, heads of their legal departments. Experts from the European Union and the Venice Commission also participated in the workshop

The Office of the Ombudsperson for Children was represented by Mr Ismail Bawamia, Investigator, who acted both as participant and as expert. He shared the panel with Ms Claudia Monti, the ‘Médiatrice du Grand-Duché de Luxembourg’, on the theme « *L’intérêt supérieur de l’enfant et la notion d’inclusion de l’enfant en situation de handicap* ». He presented a paper entitled « Plaidoyer pour le modèle fondé sur les droits humains dans la promotion des droits des enfants handicapés à une éducation inclusive ». In his presentation, he emphasised that Children with Disabilities should not be considered as less abled or treated as persons suffering from their impairments but rather as right holders. Their best interests should be well assessed and determined individually and decision makers should refrain from adopting one size fits all measures.

Referring to the Investigation of the Office of the Ombudsperson for Children published in the 2022-2023 Annual Report, he gave an overview of the Special Education Needs sector in Mauritius. He shared the findings of the investigation and presented the recommendations made, which are:

- Progressive conversion of schools with Integrated Units into Inclusive Schools
- The SENRDC to focus on supporting educational institutions by providing specialised services to Children with Disabilities including SEN pupils
- The Early Childhood Care and Education should make provisions for children with Disabilities
- Invest in reasonable accommodation in all schools
- Review the training of Educators at all levels to be more inclusive

5.3. Second International Ombud Expo Gaborone, Botswana 2024



SECOND INTERNATIONAL OMBUD EXPO

29 JULY – 2 AUGUST 2024

GABORONE , BOSTWANA

The 2nd International Ombud Expo 2024 was hosted by the Office of the Ombudsman of Botswana at the Gaborone International Centre from 29 July to 2 August 2024. The theme of this edition was: ***“Trusted Institutions: Righting Injustices, Bolstering Quality Governance”***

The International Ombud Expo 2024 brought together many ombud offices, human rights bodies, grievance handlers, integrity organisations, and related oversight and regulatory institutions from 25 countries. The exhibition highlighted their role and operation in tackling a wide range of governance concerns, injustices, and



bolstering the performance and productivity of government institutions and organisations.

The EXPO involved:

- A rich and essential assemblage of wide-ranging experiences in one location;
- One-to-one interaction and sharing of experiences with organisational leaders and diverse functions of oversight, regulatory and governance institutions;
- Participation in workshops and expert discussions on relevant topical issues;

- Meeting with organizations and professional experts who service and facilitate the role of oversight and governance offices and bodies in different parts of the world;
- First-hand insight for policy makers, legislators, corporate leaders, organization managers and professionals on role of ombud and related oversight and regulatory bodies in tackling wide ranging governance problems, righting injustices, managing conflicts, and boosting performance and productivity of government institutions and organisations;
- Providing a treasure-house of ideas, lessons and best practices.

The Office of the Ombudsperson for Children was represented at the event by Mr Ismail Bawamia, Investigator. He participated in three half day parallel workshops on the themes:

Appreciating Oversight Institutions, which comprised of the following sub-themes:

- Botswana Ombudsman as a Trusted Institution- Sharing Good Practices and Lessons in Effectiveness
- Oversight with Multiple Mandate- Reflections on Roles, Effectiveness and Challenges
- The Public Service Commission as a Trusted Institution- Reflections on its Oversight Role and Efficacy in Changing Times
- Enhancing Legislative Oversight and Control – Lessons of Experience
- Fostering an Environment for Effective Governmental Oversight – Lessons of Experience
- Fostering an Environment for Effective Governmental Oversight – Lessons from the Land tribunal

Navigating the Challenges of Standards and Effectiveness, which comprised the following sub-themes:

- Using complaints and grievances handling to promote governance and performance in public administration
- Navigating Recommendations and Enforcement – Lessons of Experience in Ombudsman Compliance- Ombudsman of Angola
- Navigating Recommendations and Enforcement – Lessons of Experience in Ombudsman Compliance- Médiateur de la République du Gabon
- Navigating Recommendations and Enforcement – Lessons of Experience in Ombudsman Compliance- Public Protector of Zambia

- Navigating Recommendations and Enforcement – Lessons of experience in Ombudsman Compliance- Public Protector of South Africa
- Fostering Ombudsman and Parliament Relations – Lessons of Experience- Ombudsman of Lesotho
- Do Ombudsman really add value? Reflections on Lessons of Experience and Areas for Improvement- Ombudsman of Malawi

The Intersection of Human Rights and National Oversight Institutions, comprising of the following sub-themes

- Human Rights Law and Standards
- Understanding Human rights principles and Obligations
- Promoting Human Rights in Africa
- Is the Ombudsman merely a Tool for gaining Credibility? A Judge’s Reflection
- Promoting human Rights and managing multiple mandate – Lessons of Experience and Future Prospects
- Namibian Ombudsman as a Human Rights Institution – Lessons of Experience
- Leveraging technology to improve data collection, monitoring and reporting on human rights violations



VISIT TO THE STANDS AT THE EXPO



Young Minds South Africa



The Médiateur du Peuple of Burundi



The Médiateur of Côte D'Ivoire



The Ombudsman of the University of Cape
Town

Chapter 6

COLLABORATION WITH NGO'S

AND CIVIL SOCIETY ACTORS



6.1. Introduction

Children are amongst the most vulnerable members of society, requiring special protection and advocacy to ensure that their rights and well-being are safeguarded. Non-Governmental Organisations (NGOs) play a crucial role in advocating for children's rights, but they often face challenges. The OOC has always worked in close collaboration with NGOs and the civil society in advocating, mediating, monitoring and educating to safeguard children's rights. This collaboration is crucial in enhancing child protection efforts and ensuring that the voice of children is heard. It ensures a comprehensive response to child rights violations and promotes meaningful change in policies and practices. Despite challenges, the collective efforts of the Office of the Ombudsperson for Children, NGOs, and the civil society are essential in advocating for a protective environment for children.

The OOC holds regular dialogues with NGOs promoting children's rights. The different activities organised by the OOC and dialogue with important stakeholders enable the gathering of vital information on the situation of children in the Republic of Mauritius. Stakeholders' dialogues play a crucial role in promoting children's rights as they increase all party's willingness to commit themselves.

NGOs can promote, raise awareness and strengthen capacity on children's rights. In many countries, including Mauritius, civil society supports the State in fulfilling its obligations to deliver basic services for children.

6.2. Importance of collaborating with NGOs and the CSOs

The importance of creating an enabling environment within which civil society can operate freely has been emphasised by the UN Committee on the Rights of the Child. In General Comment No. 5, the Committee states:

“The State needs to work closely with NGOs in the widest sense, while respecting their autonomy...NGOs played a crucial part in the drafting of the Convention and their involvement in the process of implementation is vital.... The Committee welcomes the development of NGO coalitions and alliances committed to promoting, protecting and monitoring children's human rights and urges Governments to give them non-directive support and to develop positive formal as well as informal relationships with them”.

1. **Comprehensive advocacy:** NGOs and Civil Society Organisations (CSOs) often have extensive reach within the community. They do possess specialised knowledge and extensive reach at grass root level. Collaborating with these entities enables the Ombudsperson for Children (OC) to effectively advocate for systemic changes and policy reforms to protect children's rights.
2. **Resource Mobilisation & Sharing:** NGOs and CSOs contribute resources, expertise and networks that can support the OC's activities. This collaboration enhances the OC's capacity to respond promptly to child rights violations and provide adequate support to affected children.
3. **Community engagement:** NGOs and CSOs are deeply embedded within communities, making them well-positioned to identify and address localised issues affecting children. The OC can leverage these networks to gather information, raise awareness, and implement targeted interventions.
4. **Advocacy Power:** Collective advocacy efforts led by NGOs and CSOs amplify the OC's advocacy messages and demands for policy change. Collaboration with NGOs may strengthen advocacy to prioritise children's rights issues.
5. **Empowerment and Participation:** NGOs often work directly with children, encouraging their participation in advocacy and decision-making processes. Collaborating with these organisations helps the OC to incorporate children's voices more effectively in their work.
6. **Transparency and Accountability:** Working with independent civil society actors can help ensure that the OOC operates with greater transparency and accountability, fostering public trust in their efforts to protect children's rights.

6.3. Avenues of collaboration with NGOs

A meeting was convened with NGOs on 18 March 2024 to discuss possible avenues of collaboration with the OOC and challenges they may face in their mission to provide services or advocating for children's rights. The representatives of ANFEN, MFPWA, TIPA, PedoStop, Dis-Moi, SOS Children's Village Bambous, Open Mind, M Kids, Terre de Paix and CEDEM were present. Each of them gave a brief overview of their mission as an NGO working for and with children.

- ANFEN uses the non-formal approach to education which allows children to engage and thrive through the learning process.

- MFPWA promotes sexual and reproductive health rights and services, the MFPWA works in collaboration with the CDU, offers rehabilitation for children victims of abuse, ensures follow-up on teenage pregnancy and assist in the reintegration process of victims.
- TIPA offers interactive teaching through arts. Its mission is to empower vulnerable children to become active citizens in the Mauritian society by favouring their development through the promotion of interactive pedagogy and education in Art and Culture.
- PedoStop is a non-governmental organisation in Mauritius that focuses on preventing and responding to child sexual abuse. The NGO works in close collaboration with a pool of lawyers to offer legal support as well as psychological services to children, victims of sexual abuse.
- Dis-Moi is an NGO founded in 2012 with the objective of promoting human rights through education and advocacy endeavouring and working towards a society for more justice.
- SOS Children's Village Bambous provides services of 'maison d'accueil', fostering and day care centre. The organisation works on a 24/7 basis to support children, young people and families.
- Open Mind offers psychotherapy, speech therapy, development of social skills to children and young people with mental impairment.
- M Kids is an organisation supporting vulnerable children through extra-curricular activities such as art, painting, games, remedial education after school hours.
- Terre-de-Paix caters for children coming from dysfunctional family background. They provide residential care facilities, day care services and learning centre for teenagers.
- CEDEM is an organisation offering residential care facilities, education for children with special needs, training programs for parents, educators and social workers.

Discussions held:

- The representative of ANFEN believes that there is a lack of communication and cooperation as well as missing synergy amongst the different ministries. It was further suggested that the OOC facilitates discussions between the State and the civil societies and help initiate dialogues for the advancement of children's rights in different areas.

- The representative of MFPWA stated that it is of paramount importance that officers employed to deal with child abuse should be adequately equipped in terms of training.
- The role of the MACOSS was discussed with members present. MACOSS is a department created under a parliament act and it is under the aegis of the Ministry of Social Integration, Social Security and National Solidarity. It acts as an umbrella organisation for coordinating activities. However, the members stated that the MACOSS is not very active in providing discussion platforms or conducting working sessions.
- The representative of TIPA believes that educators should be trained and equipped to be well versed in using participative, social and emotional approach in classes.
- The representative of PedoStop averred that Court procedures remain extremely lengthy. Officers in contact with the child victims often lack training, causing more harm than good. There should be more collaborative work amongst the CDU, the Probation Services and the BPF. These institutions should be made child-friendly.
- Comments from SOS Children's Village representative were with regard to the application of the Children's Act.
- The representative of Terre-de-Paix brought up the reluctance of parents to get in touch with the CDU or police due to lack of trust, confidentiality and lengthy procedures. Parents of child victims often prefer to seek help from NGOs.
- The representative of CEDEM stated that the rehabilitation of children victims of sexual abuse must be reviewed, especially for those who have been abused by their own parents.

Regular meetings will be scheduled with NGOs on specific topics following which investigations and recommendations will follow.

6.4. Meeting with Konekte

The representatives of Konekte met with the OC on 25 April 2024. The central areas of work of the NGO are skills for life programmes designed for children's social emotional wellbeing; counselling services at school; training; and advocacy. The representatives brought forward issues and made proposals on how to design more accurate, relevant and effective interventions for child victims:

- Confidentiality is often disregarded by the police and the CDU when dealing with child victims. Confidentiality is crucial when police or the CDU handle cases involving child victims to protect their privacy, ensure their safety and support their emotional well-being. A child's identity to the public and media should by all means be kept confidential. Interviews of children should be conducted in child-friendly and private settings by trained officers through child-sensitive interview techniques and strict confidentiality protocols.
- There are cases where the child's father is the perpetrator and is also a police officer, the child tends to be further victimised. Additional steps must be taken to ensure the child's safety and confidentiality in such cases. Conflict of interest and undue influence should be prevented in the best interest of the victims. The abuser should not access sensitive information through strict confidentiality protocols. It is crucial to adopt such protocols to protect the child, ensure a fair investigation while maintaining the integrity of the police force.
- Fast-tracking cases of child abuse is essential to minimise the damage already done to the child. Child abuse cases should be designated as high-priority to expedite investigation and court proceedings. Specialised training should be provided to law enforcement officers, social workers, and legal professionals to handle these cases efficiently and sensitively.
- Rehabilitating perpetrators of sexual abuse is a complex but essential aspect of addressing the root causes of abuse and preventing recidivism. Effective rehabilitation programs should be implemented by trained professionals.
- Providing care for child victims at the hospital requires sensitive and comprehensive approach. The hospital though a place of safety can be very hostile to a child. A safe environment is required to make the child feel secure and reduce anxiety.
- A systematic supervision system from accredited institutions should be established for officers working with children. Regular supervision sessions are very important for professionals working with children. Supervision also holds the person accountable for his or her assigned duty within the organisation.
- Children who have been placed through an Emergency Protection Order (EPO) at residential care facility are separated from their family. It is essential for the child's health and well-being of the child to maintain regular contact with the family.

- In cases where children are to be removed from their parents, kinship care should be prioritised.

6.5. Collaboration with Univers 'elles: Increase Awareness on Trafficking in Person

Civil Society actors and NGOs often engage in awareness campaigns and educational programs. By working together, the OC can amplify these efforts, reaching a wider audience and fostering a more child-friendly society.

The NGO Passerelle requested a meeting with the OC to discuss avenues of collaboration regarding a national sensitisation campaign to raise awareness on Trafficking in Person. The OOC is presently collaborating with Passerelle on raising awareness on the issue through the conceptualisation of a brochure, a video clip and talks to the public. (Please refer to Annex C)

6.6. Collaboration with Monad Charity

Monad Charity is an NGO providing basic necessities to struggling families across Mauritius. They provide remedial classes after school to children in situation of vulnerability. The support to families is multi-fold: regular visits to families; food assistance; and assisting families in securing employment. The OOC agreed to disseminate training on child rights to the personnel of Monad Charity and explore other areas of collaboration that will help advancing children's rights. The OC also connected the representative of Monad Charity with the President of OPOI for training on parenting skills. She informed him to liaise with Konekte for the Zippy Program which helps the pupils in lower primary learn to manage their various emotions and help them in their social and emotional wellbeing

6.7. Alliance for Children

The Alliance for Children, grouping Non-Governmental Organisations working with children with disabilities, requested for a working session with the OOC to take up some issues related to the disability sector in particular the SEN Education Sector

A working session was held on 05 August 2024, at the seat of the OOC with the participation of members of the Alliance for Children comprising SEN schools and Residential Care Institutions(RCIs).

The Alliance of Children, aims at providing value based Education and specialised care to children with special needs. They expressed their views on a number of issues and requested the collaboration of the OOC to work in synergy in the best interests of the child.

Some of the issues of concern which were discussed are as follows:

- ❖ development of a capacity building programme for all stakeholders working with children
- ❖ the need for employees to possess a certificate with enhanced knowledge on the Convention on the Rights of the Child to have a better understanding on the needs and rights of the child .
- ❖ support and empowerment of parents having children with disabilities
- ❖ tardy declaration of children in RCIs
- ❖ child allowance eligibility for children living in RCIs
- ❖ introduction of a fast tracking system at the hospital for medical services to be provided to children with disability and those residing in RCIs
- ❖ encouragement for more foster care families and ease the process of adoption
- ❖ grooming of children living in RCIs attaining the age of 18 towards job oriented courses which may be provided by the MITD. (An appraisal of children on their skills and competencies may be conducted)
- ❖ introduction of a safeguarding policy for employees of RCIs
- ❖ marriage preparation courses to new couples
- ❖ awareness campaign on parenting
- ❖ sensitise mothers on the importance of breastfeeding
- ❖ protecting children against cyber bullying, sex tourism, sexual abuse and trafficking in person
- ❖ develop a common platform/ communication strategy among all stakeholders working with children for instance, the Police Department, the Judiciary, Ministries and Departments to work in the best interests of the child.

Chapter 7

RODRIGUES



7.1. Introduction

The island of Rodrigues is an integral part of the Republic of Mauritius but it has its own specificities. With the enactment of the Rodrigues Regional Assembly Act 2002, Rodrigues has assumed administrative autonomy. Over the years, Rodrigues has been gearing towards equipping its population with competencies and skills that would enable itself to develop in its own specific ways, including in matters related to children.

As part of the Republic of Mauritius, Rodrigues is de facto party to the United Nation Convention on the Rights of the Child. Each year the Ombudsperson for Children (OC) visits Rodrigues in order to ensure that the rights, needs and interests of all children of the Republic of Mauritius “are given due consideration by public bodies, private authorities, individuals and associations of individuals”.

In this reporting year, the OOC carried out two visits to Rodrigues.

7.2. First Visit to Rodrigues (I)

In the context of the Universal Children’s Day 2023, the former OC accompanied by Investigator Mrs. S. Johaheer undertook an official visit to Rodrigues from 29 November 2023 to 1 December 2023. The objectives of the OOC mission were to:

- reward students of Marechal College who were the first runner up of a Student-Led Project Competition on the theme 'The Impact of Climate Change on Children's Rights' which the OOC had organised;
- carry out sensitisation activities to children living in vulnerable regions in Rodrigues;
- carry out visits to Residential Care Institutions of Foyer Marie Madeleine de la Croix, Baladirou and Foyer Roseaux.

Award Ceremony at Marechal College

It is to be recalled that the OOC had, in April 2023, initiated a Student-led Project Competition on ‘The Impact of Climate Change on Children’s Rights’ targeted for Grade 10 secondary school students and Marechal College was declared first runner up of the competition. Representatives of Marechal College could not attend the award ceremony which the OOC had organised at the Domaine de St Aubin on 22 November 2023 and it was decided that an award ceremony would be conducted at the Marechal College in the context of the Universal Children’s Day 2023.

On 29 November 2023, an official award ceremony was organised at Marechal College in which the former OC remitted gold medals, a shield, certificates and several other prizes to the awardees, as well as to the supervisor of the project, Mr. Jean Paul Speville, Biology Educator. The Rector of Marechal College, Mr. Etienne Perinne stated that the school has always provided the appropriate platforms to encourage students' participation in activities, especially in eco-friendly sustainable activities. The children, on their part, were elated and stated that they were very enthusiastic on the project from the beginning and worked with the best of their abilities under the guidance of their supervisor. The former OC stated that climate change has an impact on children's rights and children need to be implicated in the fights against climate change. She also emphasised on how educators play a key role in promoting the rights of children to education and sustainable environment.

Sensitisation activities

The OOC in collaboration with the Commission for Child Development, Family Welfare and Women's Affairs organised sensitisation activities for children living in two areas, namely Pointe Butte and Jardin Mamzel.

(i) Sensitisation activities at Pointe Butte

On 29 November 2023, the former OC gathered, with the assistance of the Commissioner for Child Development and Others, Ms Marie Christine Agathe around 60 children in the shade of a large tree at Pointe Butte and spoke about the role of the OOC and significance of the Universal Children's Day. The event was marked by the distribution of chocolates, backpacks and refreshment to children.

(ii) Sensitisation activities at Jardin Mamzel

On 30 November 2023, the former OC sensitised around 90 children on their rights and responsibilities in the community centre of Jardin Mamzel. Each child was gifted with a backpack and chocolates on that day. The OC underlined that Universal Children's Day is a celebration dedicated to honouring children and children's rights.

Visits

(i) Foyer Marie Madeleine de la Croix, Baladirou

On 30 November 2023, the former OC accompanied by Investigator, Mrs. S. Johaheer visited the Foyer Marie Madeleine de la Croix, Baladirou. At the time of visit, there were 23 children living in the RCI, including 4 underaged boys. The boys and girls were in the age range of 5 months to 17 years. Sister Eugenie of the Foyer stated that the Foyer of Baladirou would accommodate girls mainly as from 2024 and the 4 underaged boys would move to Foyer Roseaux (new RCI for boys).

The OOC met with a few girls living in the RCI and took note of their grievances. The girls complained that they lacked fans in their rooms and experienced much discomfort during hot weather. The issue was immediately taken up by the former OC with the Commissioner for Child Development who stated that procurement for fans had already been initiated and that the Foyer will be provided with same imminently.

(ii) Visit to Foyer Roseaux

On 30 November 2023, the former OC and Investigator, Mrs. S. Johaheer visited Foyer Roseaux dedicated for boys victims of abuse. There were 5 boys in the age range of 11 to 17 years at the time of visit. It was observed that provisions for rooms were being made to accommodate babies and underaged boys as from 2024.

7.3. Second visit to Rodrigues (II)

The first official visit of Mrs. Aneeta Ghoorah, as the new Ombudsperson for Children, to Rodrigues took place from 21 to 23 May 2024. She was accompanied by the Secretary of the Office of the Ombudsperson for Children, Mrs. L. Jhugroo and Investigator, Mrs. S. Johaheer.

Objectives of Visit

The objectives of the visit were to:

1. Pay courtesy call on the Chief Commissioner, Deputy Chief Commissioner and Commissioner for Child Development and Others to discuss child-related matters affecting Rodrigues;
2. Take stock of the problems encountered by public bodies and NGOs working with children;
3. Carry out sensitisation sessions with two target groups, i.e stakeholders working with children and Headmasters/Rectors of schools on the role of the Ombudsperson for

Children, Children's Rights and Alternative methods to discipline pupils with behavioural problems;

4. Carry out field visits; and
5. Receive complaints from the public.

Courtesy Visits

(i) Meeting with the Deputy Chief Commissioner, Mr. Johnson Roussety, GOSK

On 21 May 2024, the OC and the delegation had the opportunity to pay a courtesy call on the Deputy Chief Commissioner, Mr. Johnson Roussety, GOSK in his office in Bay Lascar. The Deputy Chief Commissioner highlighted the importance of strengthening cooperation between Mauritius and Rodrigues in the field of the child rights and child-related matters and expects to obtain the full support and collaboration of the OC.

The Deputy Chief Commissioner stated that an increased trend has been observed in Rodrigues in the percentage of low birth weight among live births which is a matter of concern. He stated that the root causes of low birth weight of newborns need to be addressed and tackled. The importance of a good well-balanced nutrition to expectant mothers needs to be underscored.

The Deputy Commissioner also highlighted that alcohol consumption among youths in the Rodriguan community is a major health concern. There is a need for active sensitisation on substance abuse and its adverse effects in the community.

The OC, on her part, raised the importance of equal opportunity for each child to progress in life. She stated that every child deserves an equal opportunity in society and if they are not apt in academic education, they can do vocational trainings in accredited institutions. A child can learn plumbing for example, enjoy a career path in that field and become a registered professional plumber. In line with article 29 of the UNCRC, the OC highlighted that the aims of education should be the holistic development of the full potential of the child.

The problem of scarcity of water in Rodrigues was also raised during the meeting. The OC proposed to put Rodriguan authorities into contact with a well known hydrological Officer, presently the Ag Director of the Regional Office of UNESCO, for mapping exercise regarding water supply in Rodrigues.

(ii) Meeting with the Commissioner for Women's Affairs, Child Development and Family Welfare

On 22 May 2024, the OC and delegation paid a courtesy visit to the Commissioner for Women's Affairs, Child Development and Family Welfare, Ms Marie Christiane Agathe at her office in Malabar in the presence of Mrs Marie Therese Clair, Advisor to the Commissioner.

The Commissioner stated that there is currently 1 Family Welfare Protection Officer and 1 Head of CDU to attend to cases of children. She stated that her officers do not benefit from adequate capacity building programs and trainings which would help them perform their work in a more efficient and effective manner. The OC on her part stated that the Officers should be able to benefit from at least online courses and training regularly to help in their advancement professionally and facilities should be provided to them accordingly.

The Commissioner spoke about various issues affecting the Rodriguan community, including teenage pregnancy and substance abuse, especially alcohol addiction, were brought forth during discussions.

The OC also voiced out her concerns about children with special needs. She stated that as per several researches, autism among children is on the rise globally. The Commissioner complained about the lack of a comprehensive assessment and screening of children with disabilities by Health Professionals which would provide a true diagnosis of the child's mental health. The fact that Specialist doctors come to Rodrigues at a certain interval of time also has an impact on the health and mental well-being of the child. Many a times, the parents themselves are unable to access vital services for their children due to stigma, poverty and lack of knowledge of the existence of resources and services available. The Commissioner stated there are 2 NGOs catering to the needs of children with disabilities: firstly, the Gonzague Pierre Louis Learning Centre which caters for children with learning difficulties, children with vision and hearing impairment, speech problem as well as those suffering from epilepsy; and secondly, the Rodrigues Association for the Disabled catering for children with physical and mental disability

The Commissioner also stated that there are currently 2 residential care institutions for children in Rodrigues, namely Foyer Marie Madeleine de la Croix, Baladirou accommodating girls and babies of both sexes and the new Foyer Roseaux, which started its operation as from January 2024, accommodates boys only.

(iii) Meeting with the Chief Commissioner, Mr. Franceau Aubret Grandcourt, GOSK

On 22 May 2024, the OC and delegation had the opportunity to pay a courtesy call on the Chief Commissioner, Mr. Franceau Aubret Grandcourt in his office at Port Mathurin.

The Chief Commissioner raised his concerns about how social media and cell phones have affected family togetherness, lifestyles and social interactions in Rodrigues. In a bid to bridge the generation gap between parents and children and consolidate family ties, his Commission has decided to organise family activities each month on different themes, e.g. respect, politeness, patriotism and so on. The Commission accords great importance to family ties and values.

The Chief Commissioner also spoke about projects to assist in the development of low-birth weight children by providing hot meals to all pre-primary and primary students. The hot meals, assessed by a dietetician and nutritionist, cater to the nutritional needs of the children and contribute to their overall development and wellness.

The Chief Commissioner mentioned that the project of instituting a Probation Hostel in Rodrigues is in the pipeline. There are 2 new Probation Officers who have been recruited.

Concerning Residential Care Institution, the Chief Commissioner stated that they have increased the budget from R3 million to R6 million considering there are two RCIs in operation now.

The OC on her part spoke about the issues teenage mothers have to face and believes that a comprehensive sexuality education must be inculcated to children as early as in primary schools. This sexuality education will help children with the knowledge, skills, attitude and values that help them protect their health.

The Chief Commissioner requested the OC to visit Sister Naiken and Sister Cecilia's NGO Rodrigues Student Needs Association which provides educational support to young people with learning difficulties. It is one of the essential NGO that is dedicated to children empowerment and plays an undeniably important role in contributing to children's development.

Meeting with Stakeholders working with children

On 22 May 2024, the OOC had an interactive session with around 50 stakeholders working with children at the Women Centre, Malabar. These include Officers of Commission for Education, *Brigade pour la protection de la famille*, Probation, Social Workers, Officers of

the Commission for Children, Scouts Association, Manager of Foyer Marie Madeleine de la Croix and Headmasters of schools. The OOC took note of their various complaints as shown below:

- **CDU**

There is a dire lack of personnel at the CDU. Currently, one Head CDU Officer, one CDU Officer and one Psychologist only are working for the protection of the whole Rodriguan children. There is a risk of burn out due to frustrations. Lack of human resources is impacting on the quality of services being provided to children.

- **Probation and Aftercare Services**

There is no Psychologist attached to the Probation and Aftercare Services. The Probation has to depend on the Psychologist affected to the Commissioner for Children, which is certainly not in order and can create conflicts of interest.

The Mentoring Order is not operational. There are no Mentors. This could have been used to help children with mild behavioural concerns, had there been an interest in setting up a mentoring committee.

There is no probation home or hostel to accommodate children with behavioural concerns. At times, the Parents Support Intervention (PSI) programme does not produce successful outcome and the dilemma comes where to place the child with serious behavioural concerns.

- **Brigade pour la protection de la famille**

Lack of coordination between the *Brigade pour la protection de la famille*, CDU and Probation on issues concerning children has been flagged. The *Brigade pour la protection de la Famille* stated that in the absence of a relative of minor in conflict with the law, the Probation has to be called as a representative but often, the Probation Officer does not turn up.

- **Lack of training of stakeholders working with children**

Stakeholders complained that they do not have a training platform by relevant resource persons and do not benefit from continuous training in their role as a Professional to deal with child-related matters.

- **Lack of a comprehensive sexuality education to children**

Children do not benefit from a comprehensive sexuality education in schools to help them learn about the cognitive, emotional and physical aspect of sexuality which will equip them and empower them to realise their health, well-being and dignity.

- **Lack of detoxification centre in Rodrigues**

Post Covid, the Crac Anti Drug Group which earlier provided detoxification services to victims of substance abuse including alcohol, now carries out only sensitisation session. Currently, there is no detoxification centre to help victims of substance abuse in Rodrigues. The victims of substance abuse are redirected to the hospital for necessary treatment.

Sensitisation Campaign on the role of the Ombudsperson for Children, Child Rights and Alternative methods to discipline pupils with behavioural problems

Investigator Mrs. S. Johaheer carried out sensitisation sessions on Child Rights and Alternative methods to discipline pupils with behavioural problem to:

- 50 stakeholders working with children on 22 May 2024; and
- 30 Headmasters/Rectors of schools on 23 May 2024 at the Women Centre, Malabar.

The aim of the sensitisation session was to raise awareness of stakeholders working with children on the role of the Ombudsperson for Children, child rights and on positive discipline methods/tools that can be used to discipline a child. The participants have also been sensitised on the impact of violence on children; the importance of self-esteem, the art of listening, positive reinforcements, the characteristics of a child-friendly schools and guidelines for effective positive discipline.

The Ombudsperson for Children on her part spoke about her past experience of working with children; the importance of empathy; and how to empower children in assuming their responsibilities. She spoke about the 3'R's, i.e. Rights, Respect and Responsibility – a project which has been carried out in collaboration with the Ministry of Education, Tertiary Education, Science and Technology during the month of June 2024.

Field Visits

(i) Foyer Marie Madeleine de la Croix, Baladirou

On 21 May 2024, the OC and delegation visited the Foyer Marie Madeleine de la Croix, Baladirou and met with Sister Françoise. At the time of visit, the Foyer accommodated 20 residents, ranging from 9 months to 18 years in the RCI and 9 staff. The Foyer caters for girl

residents and also babies of both sexes upto 4 years old. Sister Françoise mentioned that there are 7 siblings at the RCI, having 6 different fathers. A few of the children suffer from health and mental problems. She deplored the scourge of alcohol which is destroying family and impacting on the health and development of the child.

Regarding Foyer Roseaux, Sister François stated that the RCI accommodates 9 boys as from 5 years old and has 3 staff.

(ii) Queen Elizabeth Hospital, Creve Coeur

With regard to a case involving a child, the OC and delegation visited Queen Elizabeth Hospital, Creve Coeur on 22 May 2024 and met with the Director of the hospital, Dr. Rajkumar, Dr. Cassimir and Dr. Emilien, Departmental Head for Commissioner of Health. (Details of the case are addressed onwards)

(iii) NGO Rodrigues Students Needs Association

The OC visited the NGO Rodrigues Students Needs Association and met with Sister Naiken and Sister Cecilia at Rivière Coco. The NGO was founded in 2006 and provides educational support to those children with learning difficulties. The NGO received fundings from the European Union to carry out projects for children. The latter also have the opportunity to learn music, basic ICT skills, dancing and yoga.

Meeting the public

The OOC received members of the public with respect to complaints on violations of children's rights on 22 and 23 May 2024 at the Women Centre, Malabar and took note of their complaints.

7.4. Cases of complaints dealt with in Rodrigues (Anonymised*)

• Case 1

A father requested the OOC to intervene with his child's mother to grant him the permission to take the child to Mauritius for medical treatment. The child is suffering from skin problems. In November 2023, the Supreme Court (Rodrigues Division) had granted the custody of the child to the mother. The father was granted a right of visit and a 'droit d'hebergement'. A letter was sent to the treating Doctor through the Superintendent of Queen Elizabeth Hospital requesting to brief this office about the child's disease and whether it would be in the best interest of the child to be treated in Mauritius.

During the OOC's mission to Rodrigues, the delegation met with the Director of the hospital, Dr. Rajkumar, Dr. Cassimir and Dr. Emilien, Departmental Head for Commissioner of Health on this case. The Doctor stated that the child would need to be examined by a Pediatrician first and requested that the OOC send a new correspondence to the Commissioner for Health. A correspondence was sent anew to the Commissioner for Health. A report from the Commission for Health stated that minor was seen by a Paediatrician and it was reported that the skin lesions has healed. The report also mentioned that the actual condition of the child does not require further treatment in Mauritius. A feedback was provided to the father, who expressed satisfaction.

- **Case 2**

A Police Constable complained that the aunt of minor X who is also her legal guardian reported a case at the Police Station that the child did not return home from school. In less than one hour, the Police was able to trace the child. However, the legal guardian refused to take her back.

The OOC had send correspondence to BPF, Probation and Aftercare Services and the CDU. It was gathered that the child has severe behavioural problems and her aunt cannot exert authority on her. As per report from CDU, minor cannot be placed in an RCI as she is not a victim of abuse. The CDU report highlighted that according to Children's Act 2020, minor should have been placed in a probation home after assessment by the Probation Officer. As at date, there is no Probation Home or Hostel in Rodrigues.

The OC has raised this issue with the Chief Commissioner whereby he stated that the project of Probation Home/Hostel is being considered. During the OOC's mission to Rodrigues, they were apprised that the Probation Officer had carried out mediation several times between the child and the aunt, which eventually averred successful. The biological mother of minor also expressed her wish to take her child back and she was advised accordingly that she would need to go to Court.

- **Case 3**

The OOC had received a correspondence from the Manager and Training Coordinator of RCEA Rodrigues soliciting the advice of authorities regarding a minor with special education needs attending a RCA school in Rodrigues. Minor had always been included in his grade level classroom, although he receives his academic instruction 1:1 in the SEN at the RCA school. While this arrangement worked in lower grades, placement in the mainstream classroom was no longer functioning. It has been gathered that minor no longer responds to

directions from his 1:1 SEN educator and poses a threat to the safety of primary schools pupils. Problematic behaviours reported by school include slapping (mainly girls), giving hard kick into any object, threatening grade 2 girls, showing private body parts to girls, locking girls in toilets, not responding positively to adults' command.

The OOC had referred the case to Special Education Needs Authority (SENA) of the Ministry of Education, Tertiary Education, Science and Technology. The OOC was apprised that a Quality Assurance Officer and an Occupational Therapist would be on mission to Rodrigues whereby they would deal with the pertaining case. Report from SENA stated that a proper diagnosis of the child should be carried out in Mauritius to identify the condition he is currently suffering from; whereby more appropriate support can be provided to the child; provision of male carer for minor is envisaged; minor will be moved from mainstream to the attached SEN Integrated Unit of the school. He is to be enrolled on a full day basis there for an observation period of six months. After six months, his progress in terms of behaviour improvement and academic performance will be reviewed. If no consequent improvement is observed, it is recommended that the child should be enrolled in a SEN school itself for more appropriate setting and support. The SENA has also listed several accommodations/measures to monitor minor's behaviour. Follow up on this case is ongoing.

7.5. Recommendations of the OC

The OC would like to make the recommendations below:

1. In line with Article 24 of the UNCRC, the Ministry of Health and Wellness should:
 - (a) carry out nutritional awareness program at least once a month to expectant or pregnant mothers in Rodrigues to address the issue of low birth weight among newborns;
 - (b) carry out forceful sensitisation sessions on the dangers of substance abuse, such as alcohol, drugs and cigarettes with children of primary and secondary schools and to the community at large;
 - (c) send medical professionals to Rodrigues to provide a comprehensive assessment and screening of children suffering from a disability so as to provide effective prevention and early intervention services.
 - (d) restructure the Crac Anti Drug Group to carry out detoxification services to victims of substance abuse, including teenagers. The NGO must be accessible and flexible to accommodate young people's needs.

2. The Ministry of Gender Equality and Family Welfare should:
 - (a) provide for at least 4 CDU Officers working in Rodrigues and two Psychologists in order to prevent burnout of officers and provide better quality services to protect the children of Rodrigues; and
 - (b) should set up a monitoring committee in Rodrigues to address to cases falling under the Mentoring Order.
 - (c) Multi-stakeholder meeting, under the leadership of the Commission for Women's Affairs, Child Development and Family Welfare, comprising of CDU Officers, Psychologist, Probation Officers, Police, Brigade de la Famille, a Representative of the Commissioner for Health, a Representative of the Commissioner for Education and NGOs should be carried out at least once a month to discuss pertinent cases of children to find a solution. The meeting should ensure proper and timely interventions and harmonise an effective course of actions.
3. The Ministry of Education in collaboration with the Commissioner for Education should come up with a comprehensive sexuality education program which could be implemented in primary and secondary schools in Rodrigues, in accordance with the children's age and level of comprehension.
4. The Probation and Aftercare Services should recruit a Psychologist to work in its department.
5. Stakeholders working with children should be provided with ongoing appropriate training and capacity building sessions to empower them in acquiring and sharpening their job specific skills and also to learn about how to cope with new challenges affecting children of the 21st century. Stakeholders should furthermore be given facilities to attend and participate in online training program and virtual discussions.

Visit to Rodrigues at a glance



Chapter 8

HANDLING OF CASES

2023-2024



Part A

As highlighted in my synoptic brief some cases are complex and require relentless efforts from the officers of the OOC.

Three such cases are described below:

Case 1:

Nature of complaint

The OOC received a complaint from a mother who wanted to transfer her son to another school. The minor has been a victim of sexual abuse and the perpetrator lives on the way that the minor has to take to go to school. The case of sexual abuse had been reported to the police and the alleged perpetrator had been arrested and released on bail on the condition that he should not approach the minor. The complainant stated that the alleged perpetrator continued to loiter in the vicinity of her house, particularly in the morning when her son was going to school and, in the afternoon, when he was returning from school. It seemed that he followed minor to school and verbally threatened him. The complainant had given several statements to the police but the perception was that nothing had been done . Complainant and her son feared for their security.

Action taken by the OOC

Complainant was advised to apply for the minor's school transfer at the level of the METEST explaining the reason for the request for transfer.

A letter was sent to the Commissioner of Police explaining the case and stressing on the fact that the complainant and her son live in fear and the former is being compelled to transfer the minor to another school because the alleged perpetrator is not respecting the condition of bail: not to approach the minor.

Outcome

The OOC received a letter from the Commissioner of Police stating that the alleged perpetrator had been arrested for the case of rape upon minor and he had been released on bail on the condition that he should not approach the minor. Following the complainant's statement to the police that alleged perpetrator has verbally threatened her son and the letter from the OOC, the alleged perpetrator has been arrested and remanded to jail.

An investigator contacted the complainant for an update of the case. She confirmed that the alleged perpetrator has been arrested because he did not respect the court order to stay away from the child. Minor had also been transferred to another school.

Case 2

Nature of complaint: Tardy Declaration of minor

The OC received a complaint from the mother of a one-year old child who initiated court procedures for the tardy declaration of her child. She explained that she could not register her baby's birth within the prescribed delay in the absence of the notification of birth which was in the possession of the father. Moreover, the father allegedly refused to declare his child. Despite a Magistrate's Order authorising the Registrar of Civil Status to tardily declare birth of minor, the Civil Status Office did not proceed with the registration of birth. The presence of the father was requested by the Civil Status Office. Meanwhile, the child was being denied a fundamental right and being excluded from essential services like health care and day care.

Action taken by the OOC

An urgent correspondence was addressed to the Registrar of the Civil Status Office regarding the above and redress action in the best interests of the child was sought by the OOC. A prompt correspondence from the Registrar confirmed that the birth of the child be registered by the mother as per Section 13 (2) (b) (i) of the Civil Status Act and in light of the advice of the Attorney General's Office.

However, that child's rights remained violated due to subsequent administrative delays though the registration process. The mother faced constant reluctance from the officers of the Civil Status Office despite a court's ruling and the authorisation from the Registrar. This mother was denied access to the Civil Status Division when she was officially asked to call at the office for necessary procedures. The complainant was misguided by officers of the Civil Status Division to re-initiate all procedures while having in her possession a signed memo from their hierarchy requesting appropriate action at their end.

Outcome

The investigator of the OOC had to intervene at every step of the process through official correspondence and phone calls, for this child to be finally declared.

Comments / Recommendation

These administrative inefficiencies contravene the child's right to timely recognition of his/her legal identity as stipulated under national and international laws. These lapses have caused due hardship to the family and violate the child's fundamental rights to identity and access to day care, healthcare and social services.

In light of the above concern, the OC recommends that the causes of unnecessary delays be addressed through corrective measures and also ensure accountability within the system.

Case 3

Nature of Complaint: Street Child

A lady phoned at the OOC to report a case of street child wandering by himself. The lady stated that she had spotted a boy of around 7 years old, during school hours, playing near the swimming pool at the gym of a mall located in the northern part of Mauritius. The lady also reported that the boy seemed to have some slight mental issues as well and she had called for the Police.

An Investigator of the OOC spoke to a Police Constable. It was gathered that the boy is 7 years old, lives with his mother, who is deaf and mute and his aunt in poor deplorable living conditions.

The child attends a Government school but reportedly often fugues his house and school to spend time in random places, such as bungalows and malls which could put him at risk of harm, abuse and danger.

The child's father does not live with them but it was gathered that he is often involved in the criminal justice system and he frequently used to beat his wife.

This case is a serious one and cannot be solved by only one institution . It necessitates the intervention of several stakeholders including NGOs in order to provide an array of services to the child and his family

Officers from the OOC had sent several correspondences to the child's school, NGO Safire who deals with street children, NEF and SENA. Thanks to the intervention of the stakeholders, the child is getting individual support and attention.

As at August 2024, a carer is attending to the child's needs at school. The HM of the school is providing him with individual attention and also visits him at his place to establish communication with his mother.

The SENA is providing the child with therapeutic support and minor is under observation to assess his educational and developmental needs over a span of 6 months.

The child is also being monitored by the CDU as per the school HM. Moreover, minor's household was not registered under the Social Register of Mauritius (SRM) and the family has been referred to attend to the Social Security Office of their locality for SRM registration.

My Office left no stone unturned to protect the rights of the child and I reiterate that a multi-stakeholder collaboration is key to protect children's rights

Part B.

A SELECTION OF CASES DEALT BY THE OOC

A. SCHOOL PROBLEMS				
1. CORPORAL PUNISHMENT AT SCHOOL				
REF	Nature of complaint	Action(s) taken by the OOC	Outcome/Follow up	Case Status
6117	A group of parents complained that an Educator was often inflicting corporal punishment to his students in his classroom	Letter sent to METEST; An Investigator spoke to the HM	The Educator has been given a warning; a trainee teacher has been attached to the classroom and strict monitoring is being ensured. Following the measures in place, the school has received no further complaints against the Educator	Case solved
6155	A father complained that a Grade 5 Educator was inflicting corporal punishment on his son	An Investigator spoke to the Assistant HM of the school; letter sent to METEST	The school provided a supportive and conducive environment for the child. The Educator has been advised to use positive reinforcement techniques and to treat all pupils without discrimination. The HM has been requested by the Investigator to monitor the situation closely. Investigator carried out a follow up call to the father, who stated that his son is no longer victim of corporal punishment and is interested in attending school	Case solved
2. BULLYING AT SCHOOL				
6128	A mother complained that her daughter was victim of bullying perpetrated by a group of girls at school	Letter sent to Rector of the college	The services of a Psychologist, Counsellor and school chaplain were offered. Follow up call was effected by the Investigator. Minor is faring well and is no longer bullied at school	Case solved

6096	A mother complained that her daughter's classmate constantly bullies her	Letter sent to METEST	Working session with School Inspector, Head of School; case counselling session with student; counselling with the mother; class talk with students were carried out. Follow up call was effected by OOC: Child was faring well and the bullying has stopped	Case solved
6171	A child is being bullied by two Grade 5 students of a primary school	Letter sent to METEST	The administration and the Educators at school level are monitoring the pupils concerned. Orderly is being conducted regularly during recess to prevent such incidents to occur. The situation has improved and minor attends school regularly	Case solved
6145	A mother reported that her daughter is being harassed constantly by her French Educator	Letter sent to PSEA; Follow up call was made to complainant	The Educator's attention was drawn on this matter. The issue has been resolved. Minor is henceforth regular and faring well at school	Case solved
6146	A mother reported that her daughter was bullied by her Educator, owing to which she was fearful to attend school	The HM and Educator were convened at the OOC to obtain their version; they were advised accordingly	Complainant informed OOC that the school management had a meeting with minor's father. The school assured that needful will be done to ensure that minor is not bullied	Case solved
6167	The mother reported that minor is being bullied by his classmates owing to which minor is fearful and reluctant to attend school	Investigator spoke to the HM; Letter sent to the METEST	A case conference was carried out with regard to the reported matter. One of the bullies will be transferred to a school nearer to his place of living. Necessary has been initiated for the second bully to be admitted to a SEN School. Minor Taylor is being seen by a School Psychologist and necessary support is being given to him	Case solved

EDU/C OMP/ 48/9	Minor has been victim of bullying since he joined school in January 2024. He has been forced to smoke cigarette by older students; he was threatened by students who wanted money from him; his lunch box was broken and his project work destroyed	Letter sent to METEST	Report from METEST stated that the student did experience bullying; his project work has been damaged; however, no evidence was found in respect of the allegation regarding smoking. The school has initiated the following actions at its levels: sensitisation of the whole school with the assistance of the ADSU; security in and around toilet area has been reinforced and needful was done for minor to submit his project at a later date	Case solved
3. BEHAVIOURAL PROBLEMS				
4382	Minor uses abusive language, tells lies, kicks violently, bullies other pupils, urinates openly, wipes off educator's works	Letters sent to MGEFW, METEST, BPF and SENA	A multi-stakeholders case conference was organised at the OOC. Psychiatric treatment, psychotherapy and the provision of a support teacher were outlined in the case conference. Several reports were provided from various Ministries	In progress
6174	Minors shows no interest in class, constantly bullies others. He always uses foul language and is rude to his Teacher and Headmaster	An Investigator contacted the school and spoke with the DHM	The DHM stated that the letter was sent to the Zone and SeDEC for necessary action at their end and the OOC was copied for our information. She will keep the OOC updated of any outcome	In progress

6162	Headmaster of a school complained about minor displaying violent behaviour towards other students	An Investigator attended a case conference with respect to minor	Outcome of case conference: The Educational Psychologist will refer minor to a Psychiatrist; the CDU officer will continue to have session with minor on the school premises; the HM will make a request to the SENA for a temporary support teacher; minor's recess and break time will be different from other students. The DHM called to state that the situation has not change much but minor has been referred to a Psychiatrist and he has regular sessions with the Educational Psychologist and the CDU officer. Minor's recess time is different from other students	In progress
EDU/C OMP/ 48/9	Several parents complained against a Grade 4 student who has been causing significant disruptions within the classroom environment. They complained that as at date, no appropriate measures have been found to solve the matter	Letter sent to METEST	Letter stated that minor benefits from Support Teacher and that she will be referred to an occupational therapist. Matter is being monitored at ministry level	Case solved
4. SEXUAL ABUSE RELATING TO SCHOOLS				
6149	Parents complained against a Primary Educator for harassing minor sexually on a social media platform	Letters sent to METEST and CP	Minor was transferred to another Grade 5 pending enquiry by CDU and METEST. The Educator was warned by the Chief Technical Officer of the METEST not to engage in conversation in social media with pupils. Decision was taken to transfer the Educator to another school. A correspondence from Police stated that the Educator has been interrogated on several	Case solved

			occasions and his digital devices as well as his social media accounts have been examined. Police has secured his mobile phone for examination purpose	
6097	Complaint letter from college alleged that an Educator was sending improper sms to a pupil late at night	Letter sent to PSEA and CDU	Educator is no more employed at the college. His post has been declared vacant	Case solved
5. SUBSTANCE ABUSE AT SCHOOL				
PRO/P RI/58/61	A mother complained that a minor has used electronic cigarette at school and is influencing other children to use same, including her child	Investigator spoke to HM	HM stated that he had spoken to minor's parents. He had also contacted the BPF to carry out a sensitisation talk on the misuse of illicit substance and its consequences. Situation has redressed	Case solved
6. SCHOOL TRANSFER/ADMISSION/SOCIAL AID				
6173	Complainant attended the OOC seeking assistance regarding a matter of school transfer for her grandson. Moreover, she needed assistance regarding necessary school materials for her grandson	Complainant was advised to file a declaration at her nearest police station to obtain an OB number, which she can then use to proceed with the transfer paperwork and request for social aid respectively	Complainant obtained her OB number and will initiate procedures for transfer of school next year and social aid	Case solved
6090	Malagasy mother has already applied for resident permit but she was unable to admit minor to school	Letter sent to Passport and Immigration Office	Letter received from Passport and Immigration Office. Resident Permit granted. Called complainant who sent all documents to NEC. Approval was given by the NEC for minor to be admitted to a school. Complainant was contacted and she stated that minor is attending a private college	Case solved

7. SCHOOL ABSENTEISM				
6099	Grandparents complained that daughter in law prevents everyone from seeing and interacting with child and she does not send minor to school regularly	Letter sent to METEST	Reply from METEST stated that case for divorce and custody is in Court. Despite several actions taken by school (talking to mother, visit from Educational Social Worker), the absences persisted. There was a slight improvement in March. Zone will continue to monitor attendance. Minor's mother had submitted medical certificates after prolonged absences. METEST will initiate follow-up action	Follow up of the case is ensured
8. POOR SCHOOL INFRASTRUCTURE/CONDITIONS				
PRO/S CH/42 /270	Group of students complained regarding bad conditions in which they are studying at college	Letter sent to METEST	Power supply has been restored in the Design and Tech Block, flood lights have been installed.	Case solved
6125	A few trainees complained that there were bugs/insects in their classroom at a training centre	Visit effected by 2 Investigators; Letter sent to MITD	A copy of the circular of bugs in schools was forwarded to the Director of the MITD for circulation in all MITD Centres	Case solved
9. DISCRIMINATION AT SCHOOL				
EDU/C OMP/ 48/9	A mother complained that her son is being deprived of his right to learn his Asian language (Telegu language)	Letter sent to METEST	Minor has been admitted to a school where Telegu language is taught	Case solved

EDU/C OMP/ 48/9	A group of Grade 11 secondary school students have written a complaint letter to the OC against their Educator for being gender bias and making gender discrimination by treating the boys more favourably than the girls and allocating more marks to the boys than the girls despite their answers are same.	Letter sent to METEST	Letter stated that based on class observation and views expressed by students of Grade 11 and on the data collected from the pedagogical documents, there is not sufficient evidence to support the allegations made in the unsigned complaint letter against the Educator	Case solved
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B. FAMILY CONFLICTS

1. POVERTY

REF	Nature of complaint	Action(s) taken by the OOC	Outcome/Follow up	Case Status
6170	Child living in precarious condition in a family of squatters marked by episodes of violence and drugs transactions	Letter to MGEFW and CP	Report from MGEFW stated that the family is temporarily residing with relatives in a new place and Social assessment conducted by the CDU has shown no child protection concern and the living conditions are conducive	Awaiting Report from the CP

2. SEXUAL ABUSE IN FAMILY

6156	A complainant reported that minor was admitted to hospital due to alleged neglect by the maternal grandfather. She also alleged that the ward personnel suspected that minor has been sexually abused	Letter sent to the MGEFW and the CP	A 1 st reminders have been sent to MGEFW and CP since 27 June 2024	Awaiting Reports of MGEFW and CP
6132	Mother alleged that maternal uncle abused of her child sexually	Letter sent to CP, MGEFW and METEST	Letter from METEST revealed that minor attends school regularly, her performance is average but is gradually improving.	Case solved

			Report from MGEFW revealed that they assisted minor to give her statement to the Police and her mother declined. Minor is being followed by Psychologists of the MGEFW and Pedostop. Letter from CP stated that enquiry has been completed and case has been referred to Prosecutor Intermediate Court for legal actions.	
6114	Minor pregnant at 12 years old was admitted following bleeding	Letter sent to MGEFW	Letter received from MGEFW is satisfactory. Minor is living with her mother and is attending school.	Case solved
3. ILLTREATMENT IN FAMILY				
6106	Anonymous neighbour complained that minor might not be well looked after by his parents who are often heard arguing and shouting at each other	Letter sent to MGEFW	Report from MGEFW stated that the mother admitted to having conflict with her husband and to that effect the case was referred to the Family Support Bureau for couple counselling. Follow up is being maintained by the CDU	Case solved
6165	Children's rights are being violated. They are physically abused by the mother	Letter sent to MGEFW	1 st reminder has been sent on 3 June 2024 and a 2 nd reminder has been sent on 16 August 2024	Awaiting Report from MGEFW

4. MEDIATION				
6109	A father complained that his ex-wife prevents him from meeting with his daughter	An Investigator carried out mediation with the complainant and his ex-wife	The mother gave her consent to the father to meet with his daughter in the school premises	Case solved

6177	A grandmother complained that her daughter and son in law forbade her from having any contact with her granddaughter, following an argument	Investigator attempted mediation with minor's father	The latter refused to give his version on the matter. Complainant was advised to seek legal help	Case solved
5. CHILD ABDUCTION				
6124	A mother, living in UK complained that her husband tricked her into signing a legal document in which it is stipulated that the mother has no right over the child and took his child to Mauritius. The case is pending before Court	Case was referred to the MGEFW	Complainant was advised that pending a case in Court, the OOC cannot intervene into the case. The complainant was directed to contact the CDU	Case solved
6120	A Father complained that the mother took his child to France and do not let him meet his child	Letter sent to MGEFW and to Mauritius Embassy in France	Letter received from the Mauritius Embassy in France stated that complainant has to contact the Central Authority in Mauritius who in turn will contact the Central Authority in France. Letter received from MGEFW stating that the Central Authority of France has already been contacted	Follow up of the case is ensured

6. CHILD NEGLECT				
6166	The case was reported as neglect by the Medical Social Worker of the SSRN Hospital due to the parents' refusal of surgical intervention for their child, citing religious beliefs	Case will be lodged in Court by MGEFW		Case kept in abeyance pending Court decision

6121	The Neighbour complained that the children are neglected and not attending school, not getting proper nutrition	Letters sent to MGEFW and METEST	Report stated that the MGEFW is not in a position to intervene regarding the transfer of school of the children as the care and responsibility of the children has been entrusted to the maternal grandmother by the Children's Court. The paternal grandmother has also informed having initiated legal procedures for the custody of minors. Hence, the case has been referred to METEST to address the problem of school transfer. The METEST stated that the children could not be traced and the matter is being monitored.	In progress
7. CUSTODY				
6176	Complainant reported that the parents are living separately following conjugal problems and requested OOC to carry out mediation	An Investigator spoke to complainant	Given that a main case is lodged at the Supreme Court, complainant was advised that the OOC cannot intervene and conduct any mediation. Moreover, he was apprised that family reconciliation/couple counselling is done by the Family Support Bureau	Case solved
6115	Grandmother complained about minor's mother being a drug addict and HIV+, grandmother is seeking for legal guardianship of minor as mother is violent and is seeking advice	Letter sent to MGEFW	Complainant called to inform that the CDU gave her an appointment with their legal advisor who stated that she needed to seek legal aid. Complainant receives regular assistance and support from PILS	Follow up of the case is ensured

6087	Mother is separated from father and father took children with him. The CDU informed the mother that both parents has same rights and they cannot do anything	Complainant will enter a case in court and she has been informed that OCO cannot intervene		Case solved
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C. CHILD WITH DISABILITIES

REF	Nature of complaint	Action(s) taken by the OOC	Outcome/Follow up	Case Status
6093	A father complained that his son with Down Syndrome did not get admission to a SEN school resulting in his child being deprived of education	Correspondence sent to SENA	Minor has been admitted to a SEN School	Case solved
6094	It was anonymously reported that children's rights were being violated and were being physically abused by the President of a SEN school	Letter sent to SENA	The report from SENA stated that the allegations made were unfounded	Case solved
4407	A child with Down Syndrome has not been having therapy session for a long time	Letter sent to SENA	Minor is benefitting from regular therapy sessions	Case solved
6108	A Mother complained that child suffering from anxiety and dyslexia underwent discrimination during PSAC exams	Letter sent to MES inquiring about redress/ support to the child	Complainant was informed regarding MES stand	Case solved

EDU/C OMP/ 48/9	A mother complained that her daughter with special needs has been deprived of her right to education to learn and live like all children in her class. Her daughter has repeatedly been subjected to humiliation and discrimination at school owing to her special needs by her assistant teacher, HM, peers etc despite that there is an inclusive education policy in place	Letter sent to METEST	A case conference was held. The following conclusions were found: the child is indeed a special needs case. However, the mother may be making allegations pertaining to her child's treatment just to draw attention to her. The child's behaviour in her mother's presence differs significantly, being livelier when she is not there. A next case conference is being envisaged	In progress
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D. STREET CHILD

REF	Nature of complaint	Action(s) taken by the OOC	Outcome/Follow up	Case Status
6133	A lady, member of a gym, saw a wandering child, of around 7 years old, on his own at the gym. The child admitted that he had run away from his mother's place	Correspondence sent to SAFIRE, the school, SENA and NEF	Correspondence received from the school stated that child has speech problem and it was recommended by the Educational Psychologist that child be placed in a SEN school. Report received from SAFIRE stated that the child fugues from his house two to three times a day. Correspondence from NEF stated that several NGOs operating in the region were contacted and given that the household of minor is not registered under the Social Register of Mauritius (SRM), referral has been given to attend to the Social Security Office for SRM registration. SENA has recommended that the	Case solved

			allocation of a Teacher Assistant and therapeutic support in terms of Speech, Language and Occupational Therapy	
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E. INSTITUTIONAL ABUSE				
REF	Nature of complaint	Action(s) taken by the OOC	Outcome/Follow up	Case Status
PRO/P RI/58/ 60	A father complained that his daughter and nephew were hurt at the nursery and suspected that they have been victims of ill-treatment	Letter sent to the MGEFW; Two Investigators effected a surprise field visit to the nursery and spoke to the Director and caregiver concerned	The Director denied any allegation of ill-treatment and stated that the child fell in the nursery and the incident was reported to the father when he came to fetch his child. A transport was also provided to the father to take the child to the hospital. A sensitisation session organised by OOC with caregivers working with babies is being envisaged	Case solved
6135	A mother alleged that her son of 2 years old was victim of ill-treatment at a nursery	Letter sent to the MGEFW; Investigator spoke to an Officer of the Early Childhood Division	A site visit was conducted by an Officer of the MGEFW together with an Officer of the BPF. It was noted that the Child Day Care Centre was being operated without a valid certificate of Registration. The Manager of the CDCC was requested to cease operation. Following a follow-up call, Investigator was apprised by Early Childhood Division of MGEFW that the nursery section of the school ceased its operation.	Case solved

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6148	Minor has been raped by her biological father. Minor had to stop her course as according to CDU, it is not allowed to follow online courses when a child is under EPO	Correspondence sent to MGEFW, CP and SLO. Officers of the MGEFW were convened to OOC	CP provided a comprehensive report to OOC of police actions taken and protocols adhered to. MGEFW stated that minor is adjusting well at the RCI	A report of the SLO is being awaited since 8 August 2024
6164	A group of parents complained that 5 students were brutalised by ADSU Officers	Letters sent to Rector of school and METEST	Correspondence from school stated that the help of ADSU was solicited and they talked privately to the students concerned. ADSU also took possession of the suspected illegal substance	Awaiting Report of METEST since 9 August 2024
6069	A Medical Social Worker complained that minors have been discharged by the treating Specialist but are still at the hospital	Correspondence sent to MGEFW; RCI concerned and MHW	Minors have been discharged	Case solved
5757	Minors have allegedly been victim of sexual assault by father and the police enquiry is very lengthy	Correspondence sent to CP to enquire about the status of police enquiry	Report received from CP on 10 May 2024 stated that case was referred to the Prosecutor for Court actions	Case solved
6168	Complaint against a Doctor for practising witchcraft, prostitution and exploitation	Letter sent to the CP for police enquiry	1 st reminder sent on 23 July 2024.	Awaiting Report of the CP
6112	Complaint against Zavatta circus for using children in performance	2 Multi-stakeholders case conference have been organised at OOC	The Law Reform Commission has been requested to draft a piece of legislation relating to child artist which will be consulted among all stakeholders	In progress
EDU/C OMP/ 48/9	This Office has received a case that the HM of a school is allegedly illegally giving private tuition to pupils of Grade 4 and below at her place.	Letter sent to METEST	Report stated that the HM denied holding such activity. The Zone has been requested to continue to investigate and to monitor through the inspectorate of the school	Case solved

EDU/C OMP/ 48/9	A group of Grade 13 students complained that too many activities have been organised this year and money were collected from students. Some of the students come from humble families and cannot afford to pay for things imposed at school	Letter sent to METEST; An Investigator spoke to the Rector of the school	It was recommended that the Rector makes use of effective communication channels to keep both staff and students of school informed about new projects, such as newsletters/emails/printed copies. She would conduct regular face to face meetings. She would conduct surveys to gather feedback from staff and students about new projects	Case solved
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F. TARDY DECLARATION

REF	Nature of complaint	Action(s) taken by the OOC	Outcome/Follow up	Case Status
6139	A Foster mother complained about tardy declaration of her foster child	Letter sent to MGEFW; An Investigator spoke to an Officer of Tardy Declaration Section of the MGEFW	Minor was declared	Case solved
6147	Mother initiated procedures for tardy declaration. Father refused to declare child. As per Magistrate's order, the Registrar should tardily declare the child. Civil Status Office did not execute the Magistrate's Order	The Registrar was apprised of the case by written correspondence. In an official correspondence, the Registrar informed this office that the birth of the child can be registered by the mother.	The Complainant called at the Civil Status Division and collected a memo which she submitted to the Civil Status Office of Quatre-Bornes where the officer refused to proceed with the birth declaration. The Complainant was directed towards the Civil Status Office where birth of minor was finally registered	Case solved

G. CHILD TRAFFICKING				
REF	Nature of complaint	Action(s) taken by the OOC	Outcome/Follow up	Case Status
6139	An alleged case of child trafficking was reported	Letter sent to the CDU for a comprehensive report	The two children were victims of sexual abuse by same perpetrator. They did not disclose any evidence of child trafficking. Children were entrusted to their mother and maternal aunt. The case is being monitored	In progress
6127	The OOC opened an own-motion enquiry following a video posted on social media showing a girl child being abused by a man. Mother was alleged to have sold her child to perpetrator	Letters sent to CP and MGEFW. FWPOs from CDU convened at OOC. OC and Inv IB visited the child at the RCI	Incomplete report was received from CDU. Officers of CDU were convened to produce comprehensive reports to the OOC. The Police also submitted a comprehensive report. Child was well catered for. Follow up will be maintained	In progress
6122	Neighbour sold girl of 14 years and minor was sexually abused	Letter sent to CP	Police report stated that during the course of the enquiry, several persons were arrested. Minor was admitted to a hospital and was examined. However, since 19 March 2024, minor absconded from the hospital and has so far not been traced. Police investigation is underway.	In progress

H. ONLINE ABUSE AND EXPLOITATION				
REF	Nature of complaint	Action(s) taken by the OOC	Outcome/Follow up	Case Status
5485	Complaint received regarding defamation on social media by the alleged perpetrator despite several complaints made to the Police	Correspondence sent to CP requesting report on Police actions taken	As per report of CP, enquiry is underway regarding breach of ICTA	In progress
6126	Mother complains that her son has been expelled from his college because the school accused him of sharing a nude picture of his school friend	Letter sent to minor's college to ask for a report in this case	Report stated that despite providing pastoral care on various occasions to minor, he has not been able to abide to the school discipline. He manipulated school girls into sharing nude pictures which resulted in act of despair of one girl. He has been offered a transfer to another school	Case solved
EDU/C omp/4 8/9	A secondary school Educator was apprised that morphed photos and video of hers of sexual nature have been circulated on social media	Letter sent to METEST	Appropriate actions have been taken against the concerned students. Sensitisation sessions have been carried out on misuse of mobile phone. The Educator has been transferred to another school	Case solved

I. CHILD MENDICITY				
REF	Nature of complaint	Action(s) taken by the OOC	Outcome/Follow up	Case Status
6152	"Young Children" are used for begging in public places particularly near ATM of banks and fast foods outlets in Port Louis	Letter sent to CP and MGEFW	Letter received from CP revealed that a mother and 2 children were found begging. The mother fled with one child and left her daughter behind. An EPO has been made in respect of the minor. The mother and the other child are still missing. 1 st reminder sent to MGEFEW on 23 July 2024	Awaiting Report of the MGEFW

J. ADOPTION/FOSTER CARE/LEGAL GUARDIANSHIP				
REF	Nature of complaint	Action(s) taken by the OOC	Outcome/Follow up	Case Status
INV/4 69	Complainant was looking for advice on how to become legal guardian of minor. Minor's parents are drug addicts, father is wanted by the Police	A Referral was given to complainant to attend to CDU	Investigator called complainant who stated that she went to the CDU and has been advised accordingly	Case solved

List of Acronyms

AAC	Augmentative and Alternative Communication
ACRWC	African Charter on the Rights and Welfare of the Child
ADSU	Anti Drug and Smuggling Unit
AIDS	Acquired Immunodeficiency Syndrome
AILES	Aides Infos Liberté Espoir et Solidarité
ANFEN	Adolescent Non Formal Education Network
ASD/ADHD	Autism Spectrum Disorder/Attention Deficit Hyperactivity Disorder
AO	Assessment Order
AOMA	African Ombudsman and Mediators Association
AOMF	Association des Ombudsmans et des <i>Médiateurs</i> de la Francophonie
BPF	<i>Brigade pour la protection de la famille</i>
CDCC	Child Day Care Centre
CDU	Child Development Unit
CEDEM	Centre d'Education et de développement pour les enfants Mauricien
CERT-MU	Computer Emergency Response Team – Mauritius
CLAC	<i>Centre de lecture et d'animations culturelles</i>
CO	Contact Order
CP	Commissioner of Police
CRC	Convention on the Rights of the Child
CRS	Child Rehabilitation Services (CRS)
CEDAW Women	Convention on the Elimination of all forms of Discrimination Against Women
CSU	Citizen Support Unit
CUT	Collectif Urgence Toxida
DHM	Deputy Headmaster
EPO	Emergency Protection Order
FWPO	Family Welfare Protection Officer
HIV	Human Immunodeficiency Virus
HM	Headmaster

HPV	Human Papillomavirus vaccine
ICTA	Information and Communication Technology Agency
INV	Investigator
IEC	Information Education Communication
IOI	International Ombudsman Institute
LTCO	Long Term Care Order
MACOSS	Mauritius Council of Social Service
MDG	Millenium Development Goal
MES	Mauritius Examinations Syndicate
METEST	Ministry of Education, Tertiary Education, Science and Technology
MFPWA	Mauritius Family Planning and Welfare Association
MGEFW	Ministry of Gender Equality and Family Welfare
MHW	Ministry of Health and Wellness
MITD	Mauritius Institute of Training and Development
MSISSNS	Ministry of Social Integration, Social Security and National Solidarity
NEC	National Equivalence Council
NEF	National Empowerment Foundation
NGO	Non-governmental organisation
NHRI	National Human Rights Institution
OC	Ombudsperson for Children
OCA	Ombudsperson for Children Act 2003
OOC	Office of the Ombudsperson for Children
OPOI	<i>Observatoire de la Parentalité de l'Océan Indien</i>
PAS	Probation and Aftercare Services
PEP	Parental Empowerment Programme
PERC	Parental Empowerment Resource Centre
PILS	Prévention Information Lutte contre le SIDA
PMO	Prime Minister's Office
PSAC	Primary School Achievement Certificate
PSEA	Private Secondary Education Authority
RCEA	Roman Catholic Education Authority
RCI	Residential Care Institution

SAFIRE	<i>Service d'Accompagnement, de Formation, d'Insertion et de Réhabilitation de l'Enfant</i>
SeDEC	<i>Service Diocésain de l'Education Catholique</i>
SEN	Special Education Needs
SENA	Special Education Needs Authority
SDG	Sustainable Development Goal
SOP	Standard of Procedure
SRM	Social Register of Mauritius
TIPA	Terrain for Interactive Pedagogy through Arts
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UNICEF	United Nations International Children's Emergency Fund

Annex A

OMBUDSPERSON FOR CHILDREN ACT

Act 41 of 2003 – 20 November 2003

Am 13/20 (cio 24/1/22);

ARRANGEMENT OF SECTIONS

1. Short title
 2. Interpretation
 3. Establishment of office of Ombudsperson for Children
 4. Appointment of Ombudsperson for Children
 5. Objects of office of Ombudsperson for Children
 6. Functions of Ombudsperson for Children
 7. Investigation
 8. Protection of witnesses
 9. Protection from liability
 10. Staff of Ombudsperson for Children
 11. Report of Ombudsperson for Children
 - 11A. 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

“African Charter” means the African Charter on the Rights and Welfare of the Child;

[Inserted 13/20 (cio 24/1/22).]

“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.

[S. 2 amended by s. 73 of Act 13 of 2020 w.e.f. 24 January 2022.]

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 and the African Charter](#).

[Amended 13/20 (cio 24/1/22).]

[S 5 amended by s. 73 of Act 13 of 2020 w.e.f. 24 January 2022.]

6. Functions of Ombudsperson for Children

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

- (a) make proposals to the Minister on legislation, policies and practices regarding services to, or the rights of, children;
- (b) advise the Minister on public and private residential placement facilities and shelters established for the benefit of children;
- (c) advise public bodies and other institutions responsible for providing care and other services to children on the protection of the rights of children;
- (d) take such steps as he may deem necessary to ensure that children under the care of, or supervision of, a public body are treated fairly, properly and adequately;
- (e) propose measures to ensure that the legal rights of children in care are protected and that the placement facilities promote the safety of children and conform with such norms as the Ombudsperson for Children may, from time to time, recommend;
- (f) initiate an investigation whenever the Ombudsperson for Children considers that there is, has been or is likely to be a violation of the rights of a child;
- (g) investigate cases relating to the situation of children in the family, in schools and in all other institutions, including private or public bodies, as well as cases of abandoned children or street children;
- (h) investigate any suspected or reported case of child labour;
- (i) investigate any case concerning a child who is a citizen of Mauritius and who may be abroad at the time of the investigation, or a child who is not a citizen of Mauritius but who is residing in Mauritius;
- (j) investigate complaints made by a child, or any other person, in relation to the rights of any child;
- (k) advise the Minister on the establishment of mechanisms to afford children the ability to express themselves freely, according to their age and maturity, especially on all matters concerning their individual or collective rights;
- (l) advise the Minister on the creation of partnerships with parents, teachers, non-governmental as well as governmental organisations, local authorities and any other stakeholders committed to the promotion of children's rights.

7. Investigation

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

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

- (a) request any person, including any public officer, to provide information concerning a child whose rights have been, are being or are likely to be violated;
- (b) enter premises where—
 - (i) a child is present, either temporarily or permanently, including an educational or health institution and a place of detention, in order to study the environment of such a place and assess its suitability;
 - (ii) a child may be in employment;
 - (iii) there is reasonable ground to believe that the moral and physical safety of a child may be in danger;
- (c) request the Commissioner of Police to enquire and report to the Ombudsperson for Children on any allegation relating to the breach of the rights of a child;
- (d) enter any licensed premises where the Ombudsperson for Children suspects that alcohol and tobacco may be handled, consumed or purchased by children;
- (e) record the statement of any person in connection with an investigation;
- (f) request the assistance of the Commissioner of Police and the officer-in-charge of any public body or institution, as the case may be, to facilitate any entry and effect, where appropriate, any seizure pursuant to paragraphs (b) and (d);
- (g) summon witnesses and examine them on oath;
- (h) call for the production of any document or other exhibit; and
- (i) obtain such information, file or other record, upon application to the Judge in Chambers whenever necessary under any law, as may be required for the investigation.

(3) Following an investigation under subsection (1), the Ombudsperson for Children shall—

- (a) act as a mediator to resolve any dispute relating to the rights of the child;
- (b) make a report to such person or authority as the Ombudsperson for Children considers appropriate;
- (c) make proposals of a general nature to the Minister 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.

13. —

Schedule

[Section 3]

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

(S)

Before me,

Date:.....:

(S).....

Date: President of the Republic

Annex B

WORKSHOPS/MEETINGS/ACTIVITIES ATTENDED

BY STAFF OF THE OOC

SN	DATE	WORKSHOPS/MEETINGS/ ACTIVITIES	ORGANISER/ VENUE (S)	ATTENDED BY
1.	11.09.23 to 13.09.23	National Drug Prevention Forum	Secretariat PMO Caudan Arts Centre Port Louis	Mr I A Bawamia, Investigator
2.	30.09.23	Program ANSAM AVEK CSU/ANSAM KONT LADROG	Citizen Support Unit, PMO Residence Anouska (Near Chapel)	Mrs R Venkatasawmy, OC
3.	10.10.23	Technical working group 1 on Sub- Strategy 1 of the National Strategy and Action Plan on the Elimination of Gender-based Violence in the Republic of Mauritius (2020 – 2024)	Ministry of Gender Equality and Family Welfare Port Louis	Mrs S Johaheer, Investigator Ms K Chellamootoo, MSO
4.	29.10.23	Inauguration “parcours de santé”	Ministry of Health and Wellness President, State House Réduit	Mrs R Venkatasawmy, OC
5.	30.10.23	Talk on the theme ‘Discipline into the classroom’	Hampstead primary school	Mr I A Bawamia, Investigator
6.	07.11.23	Talk on the rights of children with Disabilities	Frank Richard Theatre MIE	Resource person: Mrs R Venkatasawmy, OC
7.	09.11.23	Sensitisation session to 15 members of DIS MOI ZEN on the impact of climate change on children’s right	Dis Moi Quatre Bornes	Resource person: Mrs R Venkatasawmy, OC Mrs S Johaheer, Investigator
8.	09.11.23	Panel discussion on maintaining public confidence in the Criminal Justice System in collaboration with Mauritius Bar Association	Office of the DDP Building Port Louis	Mrs R Venkatasawmy, OC

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SN	DATE	WORKSHOPS/MEETINGS/ ACTIVITIES	ORGANISER/ VENUE (S)	ATTENDED BY
9.	10.11.23	Meeting in connection with audit exercise and review of Key Institutions mandated to address matters pertaining to Gender-Based Violence	Ministry of Public Service, Administrative and Institutional Reforms Port Louis	Mrs L Jhugroo, Secretary
10.	16.11.23	Lecture in connection with provision of specialised training to Prison Officers working with minors	Lecture Theatre Prison Training school Beau Bassin	Mrs R Venkatasawmy, OC
11.	17.11.23	Workshop in connection with preparing children leaving residential care when 18 years old to re-integrate society	CEDEM Gold Crest Hotel Quatre Bornes	Keynote- Mrs R Venkatasawmy, OC Mrs S P Mauree, Investigator
12.	18.11.23	Program ENSAM AVEK CSU dans Baie du Cap	CSU Esplanade Ambalaba Baie du Cap	Mrs R Venkatasawmy, OC
13.	20.11.23	Celebration of Universal Children's Day 2023	DRIP NGO J & J Auditorium Phoenix	Mrs R Venkatasawmy, OC
14.	23.11.23	Talk to 100 students at Lycée Labourdonnais	Lycee Labourdonnais	Mrs R Venkatasawmy, OC Mrs S Johaheer, Investigator
15.	25.11.23	25 th anniversary of Little Angels Pre Primary and primary and Day Care centre	Lady Sushil SSS Triolet	Mrs R Venkatasawmy, OC
16.	07.12.23	Talk session in connection with Children's Act to educators of BPS college of Beau Bassin	BPS college Beau Bassin	Mrs R Venkatasawmy, OC Mrs S Johaheer, Investigator
17.	07.12.23	Launch of a recommendation report on "Normalising the inclusion of people's with disabilities in Mauritius"	Ms Katie Lalor Australian High Commission Port Louis	Mrs Y Rhungapen- Veeramootoo, Investigator Mrs S P Mauree, Investigator

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SN	DATE	WORKSHOPS/MEETINGS/ ACTIVITIES	ORGANISER/ VENUE (S)	ATTENDED BY
18.	25.02.24	Celebration of International Women Day 2024	Ministry of Gender Equality and Family Welfare Swami Vivekananda International Conference	Mrs Aneeta Ghoorah, OC
19.	27.02.24	Official ceremony in connection with 'Education and Training Strategy' as a means to address poverty and vulnerability	National Social Inclusion Foundation	Mrs Aneeta Ghoorah, OC
20.	02.03.24	Launching of professional courses for staff in the SEN sector and signing of MOU: SENA, UTM and award ceremony for outstanding academic performance of SEN learners	SENA Main Hall, Cote D'or	Mrs Aneeta Ghoorah, OC
21.	11.03.24	Flag Raising ceremony at Ecole du Nord	Ecole du Nord	Mrs Aneeta Ghoorah, OC (Guest of honour)
22.	11.03.24	Flag Raising ceremony at Shelter for Women and Children in distress Trust Fund	Shelter for Women and Children in distress Trust Fund Forest Side	Mrs Aneeta Ghoorah, OC (Guest of honour) Mrs L Jhugroo, Secretary
23.	18.03.24	Validation workshop on 'Audit and Review Exercise on Gender based Violence	Ministry of Public Service, Administrative and Institutional Reforms Palms Hotel, Quatre Bornes	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary, Mrs S P Mauree, Investigator
24.	28.03.24	Welcome Reception in honour of H E Kate Chamley, new Australian High Commissioner	Australian High Commission Le Suffren hotel, Caudan	Mrs Aneeta Ghoorah, OC
25.	02.04.24	Courtesy call to Commissioner, H.E (Ms) Kate Chamley	Australian High Commission Port Louis	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary
26.	04.04.24	Courtesy call to EU Ambassador, H E Mr Oskar Benedikt	Delegation of the European Union to the Republic of Mauritius Port Louis	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary Mrs S P Mauree, Investigator

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SN	DATE	WORKSHOPS/MEETINGS/ ACTIVITIES	ORGANISER/ VENUE (S)	ATTENDED BY
27.	04.04.24	Annual UNCT Retreat 2024 - Violence against children on the theme of leaving no children behind	UN Country Team (UNCT) Maritim Resort and Spa Balaclava	Mrs Aneeta Ghoorah, OC
28.	05.04.24	Tenth Edition of the JSSAHERM newsletter – Health & Education – inaugural function of the world health day 2024	JSS Academy Bonne Terre, Vacoas	Mrs Aneeta Ghoorah, OC
29.	08.04.24	Workshop on children rights, effects of corporal punishment on children and positive discipline at Northlands Primary School	Northlands Primary School Triolet	Mrs S Johaheer, Investigator
30.	17.04.24	Meeting with Mr Harry Ganoo, G.O.S.K , Ombudsman	Office of the Ombudsman Port Louis	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary Mr I A Bawamia, Investigator
31.	17.04.24	Meeting with Mr S Kadel in connection with child rights	Law Reform Commission Port Louis	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary Mr I A Bawamia, Investigator
32.	02.05.24	MFPWA Meeting: Production of IEC materials for social media	Mauritius Family Planning & Welfare Association Port-Louis.	Mrs S Johaheer, Investigator
33.	08.05.24	Third convocation ceremony of Polytechnics Mtius Ltd graduation	Polytechnics Mtius Ltd Port Louis Cruise Terminal	Mrs Aneeta Ghoorah, OC
34.	09.05.24	Celebration of Europe Day	European Union Aventure du Sucre	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary
35.	20.05.24 & 21.05.24	Full day Capacity Building on Developing Effective Foster Parents	Ministry of Gender Equality and Family Welfare Caudan Arts Port Louis	Mrs B. Jogarah Ramgoolam, Investigator
36.	22.05.24	Meeting in connection with National Mechanism Reporting	Ministry of Foreign Affairs Port Louis	Mr I A Bawamia, Investigator

OMBUDSPERSON FOR CHILDREN ANNUAL REPORT 2023-2024

SN	DATE	WORKSHOPS/MEETINGS/ ACTIVITIES	ORGANISER/ VENUE (S)	ATTENDED BY
37.	25.05.24	Reception at State House in connection with Africa Day 2024	Office of the President State House Réduit	Mrs Aneeta Ghoorah, OC
38.	01.06.24	'Une journée de la culture chinoise' on the occasion of International Children's Day	Chinese Embassy in Mauritius Belle Rose	Mrs Aneeta Ghoorah, OC
39.	03.06.24	Meeting at US Embassy	US Embassy Port Louis	Mrs Aneeta Ghoorah, OC Mr I A Bawamia, Investigator Mrs Y Rhungapen-Veeramootoo, Investigator
40.	04.06.24	Courtesy call on Minister of Gender Equality, and Family Welfare, Hon (Mrs) Kalpana Devi Koonjoo-Shah	Ministry of Gender Equality, and Family Welfare Port Louis	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary Mr I A Bawamia, Investigator
41.	06.06.24	'Colloque International sur les défis de la parentalité' by OPOI	Centre des Arts et de la Culture Flacq	Mrs Aneeta Ghoorah, OC Mrs B. Jogarah Ramgoolam, Investigator
42.	10.06.24	'Inauguration d'une centre de Médecine traditionnelle'	Acu Pain Ebène	Mrs Aneeta Ghoorah, OC
43.	17.06.24	National group singing competition	Ministry of Education, Tertiary Education, Science and Technology MGI, Moka	Mrs Aneeta Ghoorah, OC
44.	19.06.24	Passing out ceremony of temporary police constables	Gymkhana Sports complex Vacoas	Mrs Aneeta Ghoorah, OC
45.	20.06.24	Prize giving ceremony at Beau Bassin SSS	Beau Bassin SSS	Mrs Aneeta Ghoorah, OC (Chief Guest)
46.	21.06.24	Prize giving ceremony of Ebène SSS Girls	Côte d'Or National Sports Complex	Mrs Aneeta Ghoorah, OC (Chief Guest)

OMBUDSPERSON FOR CHILDREN ANNUAL REPORT 2023-2024

SN	DATE	WORKSHOPS/MEETINGS/ ACTIVITIES	ORGANISER/ VENUE (S)	ATTENDED BY
47.	26.06.24	International Day against drug abuse illicit trafficking	Organised by PMO Côte d'Or National Sports Complex	Mrs Aneeta Ghoorah, OC
48.	26.06.24	Conference à l'occasion de la campagne internationale 'support don't punish'	Collectif Urgence Toxida The Dock Port Louis	Mrs S Johaheer, Investigator
49.	27.06.24	Closing ceremony zonal Model United Nations	Zone 2 Ministry of Education, Tertiary Education, Science and Technology	Mrs Aneeta Ghoorah, OC (Guest of honour)
50.	29.06.24	Opening ceremony of final dissemination event by CEDEM	Gold Crest Hotel Quatre Bornes	Mrs Aneeta Ghoorah, OC
51.	03.07.24	Reception in honour of 248 th anniversary of Independence of USA	Intercontinental Resort Balaclava	Mrs Aneeta Ghoorah, OC
52.	04.07.24	Courtesy call British High Commissioner to Mauritius, H.E Charlotte Pierre	British High Commission Floreal	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary Mr I A Bawamia, Investigator
53.	04.07.24	Courtesy call High Commissioner India, H.E Mrs K. Nandini Singla	Indian High Commission Ebene	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary Mr I A Bawamia, Investigator
54.	11.07.24	Meeting in connection with United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)	UNCRPD	Mr I A Bawamia, Investigator
55.	12.07.24	Education partners networking reception	Australian High Commission Residence Allée des Cyprès, Floréal	Mrs Aneeta Ghoorah, OC
56.	16.07.24	Meeting with His Excellency Ambassador of the United States of America to Mauritius to discuss proposal IVLPOD	US Embassy Port Louis	Mrs Aneeta Ghoorah, OC Mrs S Johaheer, Investigator Mrs B. Jogarah Ramgoolam, Investigator

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SN	DATE	WORKSHOPS/MEETINGS/ ACTIVITIES	ORGANISER/ VENUE (S)	ATTENDED BY
57.	18.07.24	Meeting in connection with Data Protection for the Youth	Data Protection Office Ebène	Mrs S P Mauree, Investigator
58.	23.07.24	Symposium on addressing indiscipline in the educational institutions	Federation of Education Unions Ebène	Mrs Aneeta Ghoorah, OC
59.	30.07.24	Debate Human rights organised by University of Mauritius	University of Mauritius Reduit	Mrs Aneeta Ghoorah, OC
60.	31.07.24	Meeting in connection with collaboration between CSU (PMO) & OOC	PMO Community Welfare Port Louis	Mrs Aneeta Ghoorah, OC Mrs Y Rhungapen-Veeramootoo, Investigator Mrs S Johaheer, Investigator Mrs B. Jogarah Ramgoolam, Investigator
61.	06.08.24	Closing ceremony of the National Model United Nations 2024	Ministry of Education, tertiary Education, Science and Technology MGI, Moka	Mrs Aneeta Ghoorah, OC (Chief Guest)
	08.08.24	Seminar "Cultivating Wellness"	Heypumpkin Ltd Vivea Business Park Moka	Mrs Aneeta Ghoorah, OC
62.	10.08.24	Community based event 'ANSAM AVEK CSU dan Tranquebar'	Guy Rozemont Government School Tranquebar	Mrs Aneeta Ghoorah, OC Mrs B. Jogarah Ramgoolam, Investigator Ms R Bunnoo, OME Mr A Kandai, Office Auxiliary
63.	20.08.24	Prize giving and UNESCO related activities	Ministry of Education, Tertiary Education, Science and Technology MGI, Moka	Mrs Aneeta Ghoorah, OC

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SN	DATE	WORKSHOPS/MEETINGS/ ACTIVITIES	ORGANISER/ VENUE (S)	ATTENDED BY
64.	29.08.24	'Salon pour le forum sur la coopération sino-africaine'	L'Ambassadeur extraordinaire et Plénipotentiaire de Chine à Maurice La Salle Ebony de l'Hotel Hennessy Park Ebene	Mrs Aneeta Ghoorah, OC

WORKSHOPS/SEMINARS/MEETINGS ORGANISED BY THE OOC

SN	DATE	WORKSHOPS/SEMINARS/ MEETINGS	VENUE (S)	ATTENDEES
1.	01.09.23	Meeting in connection with IOI workshop themed 'The Role of the Ombudsman and Mediators in the Monitoring of the situation of children in conflict with the law and deprived of their liberty' on 5 September and 6 September 2023	OOC	Mrs R Venkatasawmy, Ombudsperson for Children Law Reform Commission
2.	01.09.23	Meeting in connection with child rights	OOC	Mrs R Venkatasawmy, OC Ms Khayrattee Ruqayah, Journalist
3.	05.09.23 & 06.09.23	IOI workshop themed "The Role of the Ombudsman and Mediators in the Monitoring of the situation of children in conflict with the law and deprived of their liberty"	Gold Crest Hotel Quatre Bornes	His Excellency Mr Marie Cyril Eddy Boissezon, G.O.S.K, Vice President of the Republic of Mauritius Mr S Seetulsingh, G.C.S.K Chairman, The National Human Rights Commission Mrs Karabo Ozah, Director, Centre for Child Law, South Africa Ms Heather Finata Harker, Children's Advocate, Office of the Ombudsman, Namibia Mrs Carmen Cesar, Legal Investigation Officer, Office of the Ombudsman, Seychelles Mrs Marie Therese Clair, Brault, Advisor at the Commission for Women Affairs & others, Rodrigues Mrs R Venkatasawmy, OC OCO staff

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SN	DATE	WORKSHOPS/SEMINARS/ MEETINGS	VENUE (S)	ATTENDEES
4.	07.09.23	Courtesy visit of IOI delegation	OOC	Mrs R Venkatasawmy, OC Mr I A Bawamia, Investigator Mrs Karabo Ozah, Director, Centre for Child Law, South Africa Ms Heather Finata Harker, Children's Advocate, Office of the Ombudsman, Namibia Mrs Carmen Cesar, Legal Investigation Officer, Office of the Ombudsman, Seychelles
5.	06.10.23	Preparatory meeting in connection with Two-day awareness raising workshop the themes: 'The Climate Crisis: A Child Rights Crisis' and 'The Rights of Children with Disabilities to Inclusive Education'	OOC	Mr Rishi Nirsimulu, Director, Dukebridge Representatives of Early Childhood Care and Education Authority
6.	19.10.23	Meeting in connection with Child Rights	OOC	Mr D Authelsingh, Director SENA
7.	25.10.23	Launching of the Annual Report 2022- 2023 of the Ombudsman for Children	OOC	Permanent Secretary, Ministry of Gender Equality, and Family Welfare Director and Chairman of SENA Representative from SEN schools Representatives of Climate Change, Ministry of Environment, Solid Waste Management and Climate Change Director, Early Childhood Care and Education Authority Students who participated in the student led project Representative of NGOs Press Mrs R Venkatasawmy, Ombudsman for Children OOC staff
8.	14.11.23 &	A European Union funded project: Two-day awareness raising workshop for Representatives of Pre Primary and Special Education Needs	Gold Crest Hotel Quatre Bornes	Representatives from: Early Childhood Care & Education Authority Bethlehem Pre Primary School

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SN	DATE	WORKSHOPS/SEMINARS/ MEETINGS	VENUE (S)	ATTENDEES
	15.11.23			Ministry of Environment, Solid Waste Management and Climate Change AHRM Consult Ltd Special Education Needs Authority (SENA) Mrs R Venkatasawmy, Ombudsperson for Children OOC Staff
9.	17.11.23	Meeting with OC in connection with child rights	OOC	Mr Girty Eleonore, Head of CSU Mrs R Venkatasawmy, OC
10.	22.11.23	Award Ceremony of the Student-Led Project Competition on the Impact of Climate Change on Children's Rights	Domaine de St Aubin	Mrs R Venkatasawmy, OC OOC staff Students and teachers from different colleges
11.	28.11.23	Meeting in connection with Rights of Child to Privacy	OOC	Mrs R Venkatasawmy, OC Dr Ana Brian Nougères, Special Rapporteur
12.	18.03.24	Meeting with NGOs in connection with Child rights, challenges NGOs face and future collaboration	OOC	Mrs Aneeta Ghoorah, OC I A Bawamia, Investigator Mrs Y R Veeramootoo, Investigator Mrs W Khodadin-Jackaria, OMA <u>NGOs</u> Anfen, MFPWA TIPA Pedostop Dis Moi SOS Children Village Open Mind M Kids Terre de Paix CEDEM
13.	27.03.24	Meeting in connection with Child Right, challenges and future collaborations	OOC	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary I A Bawamia, Investigator Mrs W Khodadin-Jackaria, OMA Mrs C Farla, MACOSS
14.	04.04.24 &	Meeting in connection with the Rights of Child Artists	OOC	Head CDU and officers from CDU Chief Employment

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SN	DATE	WORKSHOPS/SEMINARS/ MEETINGS	VENUE (S)	ATTENDEES
	19.06.24			Coordinator Attorney General's Office Law Reform Commission Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary I A Bawamia, Investigator Mrs Y R Veeramootoo, Investigator Mrs S Mauree, Investigator Mrs S Johaheer, Investigator Mrs W Khodadin-Jackaria, OMA
15.	16.04.24	Courtesy visit Mrs Shirin Aumeeruddy-Cziffra	OOO	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary I A Bawamia, Investigator
16.	25.04.24	Meeting with Konekté icw talk on child victim of abuse and recommendations	OOO	Mrs Emilie Rivet-Duval, NGO Konekté Mrs Melanie Vigier de latour Berenger from NGO Konekté Mrs Aneeta Ghoorah, OC Mrs Y Rhungapen- Veeramootoo, Investigator Mrs S Mauree, Investigator
17.	07.05.24	Meeting in connection with "Empowering Young Minds; Rights, Responsibilities and Respect"	OOO	Members from Ministry of Education Dr Reetoo Mrs V D Jeetun Mrs Aneeta Ghoorah, OC I A Bawamia, Investigator Mrs Y Rhungapen- Veeramootoo, Investigator Mrs S Mauree, Investigator Mrs S Johaheer, Investigator
18.	10.05.24	Meeting in connection with Day of African Child	OOO	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary I A Bawamia, Investigator Representatives from Safire
19.	22.05.24	Team Building (General Services)	OOO	Mrs B Jogarah-Ramgoolam, Investigator (Chairperson) OOO staff
20.	24.05.24	Courtesy visit by HE Ms Kate Chamley and Andrea Humphrys Australian Federal Police	OOO	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary Mrs Y Rhungapen- Veeramootoo, Investigator
21.	28.05.24	Team Building (Technical Cadre)	OOO	Mrs Aneeta Ghoorah, OC

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SN	DATE	WORKSHOPS/SEMINARS/ MEETINGS	VENUE (S)	ATTENDEES
				Mrs L Jhugroo I A Bawamia, Investigator Mrs Y Rhungapen- Veeramootoo, Investigator Mrs S Mauree, Investigator Mrs S Johaheer, Investigator
22.	29.05.24	Meeting in connection with Integration of heartfulness programme and brighter minds in collaboration with Special Envoy to the Indian Ocean Islands Integration	OOC	Mrs Aneeta Ghoorah, OC I A Bawamia, Investigator Mrs Y Rhungapen- Veeramootoo, Investigator Mrs S Mauree, Investigator Mrs S Johaheer, Investigator Mrs B Jogarah-Ramgoolam, Investigator Mrs A Swamber, CS <u>From Heartfulness Institute, India</u> Mrs Ekta Boudelrique, Special Envoy to the Indian Ocean Islands for Heartfulness Mr Motah, Coordinator of Heartfulness program
23.	15.06.24	Celebration of Day of African Child 2024, under the theme 'Education for all children in Africa'	Lady Sushil Ramgoolam SSS Triolet	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary I A Bawamia, Investigator Mrs Y Rhungapen- Veeramootoo, Investigator Mrs S Mauree, Investigator Mrs S Johaheer, Investigator Mrs B Jogarah-Ramgoolam, Investigator 80 children from NGO Safire Representatives of Safire
24.	25.06.24	Working session on data Protection (raising awareness netiquette or online digital)	OOC	Mrs M Vayaporee, Manager, Information and Communication Technology Authority (ICTA) OOC staff
25.	08.07.24	Meeting in connection with victims in trafficking in person	OOC	Mrs Aneeta Ghoorah, OC Mrs Y Rhungapen- Veeramootoo, Investigator Members from Passerelle
26.	15.07.24	Meeting with NGOs in connection with rights for children with disabilities	OOC	Mrs Aneeta Ghoorah, OC Mr Katwaroo
27.	24.07.24	Meeting "to discuss collaboration	OOC	Mrs Aneeta Ghoorah, OC

OMBUDSPERSON FOR CHILDREN ANNUAL REPORT 2023-2024

SN	DATE	WORKSHOPS/SEMINARS/ MEETINGS	VENUE (S)	ATTENDEES
		between Monad Charity and the OOC”		Mrs S Mauree, Investigator Mrs S Johaheer, Investigator Mrs B Jogarah-Ramgoolam, Investigator Mr Samuel Carrapen, Monad Charity
28.	24.07.24	Meeting with Commissioner of Health and delegates from Rodrigues	OOC	Commissioner of Rodrigues and delegates Mrs Aneeta Ghoorah, OC Mrs S Johaheer, Investigator Mrs B Jogarah-Ramgoolam, Investigator
29.	25.07.24, 26.07.24 and 29.07.24	Integration of heartfulness programme and brighter minds in collaboration with Special Envoy to the Indian Ocean Islands Integration	MGI Moka	Educators from different NGOs affiliated to ANFEN Mrs Aneeta Ghoorah, OC Mrs S Johaheer, Investigator Mrs B Jogarah-Ramgoolam, Investigator
30.	02.08.24	Meeting regarding ‘Commercial Sexual Exploitation of Children in Mauritius’	OOC	Mrs Y Rhungapen-Veeramootoo, Investigator Mrs S Mauree, Investigator Mrs S Johaheer, Investigator Mrs B Jogarah-Ramgoolam, Investigator <u>Consultants From Verde Frontier Ltd</u> Mrs G Ragaven Ms F Motala
31.	05.08.24	Working session with Association/NGOs with regards to child right issues and UNCRC in the Republic of Mauritius	OOC	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary I A Bawamia, Investigator Mrs Y Rhungapen-Veeramootoo, Investigator Ms R Bunnoo, OME Director SENA Participants from NGOs and Association
32.	12.08.24	Meeting in connection with structure of RYC in Mauritius	OOC	Mrs Aneeta Ghoorah, OC Mrs S Johaheer, Investigator Mrs B Jogarah-Ramgoolam, Investigator <u>From RYC</u> Mr H S Hosanee, Ag. Superintendent of RYC

FIELD VISITS

SN	DATE	FIELD VISIT	STAFF
1.	18.03.24	Training Centre Clairfonds	Mrs L Jhugroo, Secretary Mr I A Bawamia, Investigator
2.	29.03.24	RCI Etoile du Berger and I CAN	Mrs Aneeta Ghoorah, OC Mr I A Bawamia, Investigator
3.	06.05.24	Pure Mind Haven	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary
4.	21.05.24	Oiseau du Paradis, Cap Malheureux	Mr I A Bawamia, Investigator Mrs B. Jogarah Ramgoolam, Investigator
5.	27.05.24	Oasis	Mrs L Jhugroo, Secretary Mr I A Bawamia, Investigator
6.	04.07.24	CEDEM	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary Mr I A Bawamia, Investigator
7.	24.07.24	Pure Mind Haven	Mrs L Jhugroo, Secretary, Mr I A Bawamia, Investigator

PARTICIPATION IN INTERNATIONAL WEBINARS BY STAFF OF THE OOC

SN	DATE	THEME	ORGANISER	ATTENDEES
1.	12.10.23	Webinar “Les droits de l’enfant à l’épreuve des changements climatiques”	L’Association des Ombudsmans et Médiateurs de la Francophonie (AOMF)	Mr I A Bawamia, Investigator Mrs Y R Veeramootoo, Investigator Mrs S P Mauree, Investigator Mrs S Johaheer, Investigator
2.	13.02.2024	Meeting in connection with financial challenges facing AOMA	Mr Harry Ganoo Ombudsman AOMA	Mrs L Jhugroo, Secretary Mrs S Johaheer, Investigator
3.	28.02.24	Meeting in connection with ‘comité de communication’	AOMA	Mrs S P Mauree, Investigator
4.	18.04.24	Meeting in connection with ‘IA et intégrité de l’information: les défis de la résilience électorale dans un monde numérique’	AOMF	Mrs Y R Veeramootoo, Investigator
5.	23.04.24	Meeting in connection with ITU child online protection	C Masgosvongwe, International Telecommunications Union	Mrs Aneeta Ghoorah, OC Mr I A Bawamia, Investigator Mrs Y R Veeramootoo, Investigator Mrs S P Mauree, Investigator Mrs S Johaheer, Investigator
6.	12.06.24	Zoom meeting: Regional meeting of the Indian Ocean Region of AOMA	AOMA	Mrs Aneeta Ghoorah, OC
7.	29.07.24	Video call in connection with potential collaboration between OOC and Brent Council	UK Commissioner Brent Council	Mrs Aneeta Ghoorah, OC Mrs S P Mauree, Investigator Mrs B. Jogarah Ramgoolam,

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SN	DATE	THEME	ORGANISER	ATTENDEES
				Investigator Vivekah Deerpaul Communications and Programmes Officer British High Commission
8.	12.08.24	Second meeting regarding potential collaboration between OOC and Brent Council	UK Commissioner Brent Council	Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary Mr I A Bawamia, Investigator Mrs B. Jogarah Ramgoolam, Investigator Vivekah Deerpaul, Communications and Programmes Officer, British High Commission
9.	16.08.24	Third meeting regarding annual reporting between OOC and Brent Council		Mrs Aneeta Ghoorah, OC Mrs L Jhugroo, Secretary Mrs S P Mauree, Investigator Vivekah Deerpaul, Communications and Programmes Officer, British High Commission

MISSION TO RODRIGUES

DATE	AGENDA	PARTICIPANTS	VENUE
<u>Mission to Rodrigues</u>			
Delegation: Mrs R Venkatasawmy, OC, Mrs S Johaheer, Investigator			
29.11.23	Award Ceremony of the Student-Led Project Competition on the Impact of Climate Change on Children's Rights at Marechal college	Students and Educators of Marechal college	Maréchal college
29.11.23	Visit to vulnerable areas and distribution of gifts to 60 children of Pointe Butte	60 children of Pointe Butte	Pointe Butte
30.11.23	Visit to Baladirou shelter	12 children	Baladirou shelter
	Visit to Foyer Roseaux	4 children	Foyer Roseaux
	Visit to Jardin Mamzelle shelter and distribution of gifts to 90 children	90 children Jardin Mamzelle shelter	Jardin Mamzelle shelter
<u>Mission to Rodrigues</u>			
(Delegation: Mrs Aneeta Ghoorah, OC, Mrs L Jhugroo, Secretary, OOC, Mrs S Johaheer, Investigator)			
21.05.24	First Courtesy call on Deputy Chief Commissioner	Mr Johnson Roussety, GOSK	Bay Lascar
	Field visit	Creve Coeur Hospital	Creve Coeur
22.05.24	Second Courtesy call and discussions Ms Marie Christiane Agathe, Commissioner for Women Affairs, Child Development, Family Welfare and others	Office of the Commissioner for Women Affairs, Child Development, Family Welfare and others	Malabar
22.05.24	Meeting with stakeholders working with children	50 stakeholders	Women centre Malabar
22.05.24	Third Courtesy call on Chief Commissioner	Mr Franceau Aubret GRANDCOURT, GOSK Chief Commissioner	Port Mathurin

Annex C

Pamphlet on Trafficking in Persons in collaboration with Univers'elles

LEAVE NO CHILD BEHIND IN THE FIGHT AGAINST HUMAN TRAFFICKING

HELP STOP TRAFFICKING IN PERSONS

10TH JULY 2024
JOIN US AT 10:00 AM

LEAVE NO CHILD BEHIND IN THE FIGHT AGAINST HUMAN TRAFFICKING

"The end of child slavery can't wait and it's our generation if we are willing to pay the price of the child labor in our lives for a good and then decide with a maturity 'Yes, Yes' and then work on something."

Toy Nixon, Beating Rescue Founder

WHAT IS TIP?	FORMS OF TIP
According to the Combating of Trafficking in Persons Act 2009, Trafficking in persons (TIP) consists of 3 elements: ACT: Trafficking is when people are tricked, forced, or compelled to perform labour or do other things against their will. It can happen through the recruitment, sale, supply, procurement, capture, removal, transportation, transfer, harbouring or receipt of a person. MEANS: Methods used by traffickers to control people. It can include the use of threat, force, intimidation, coercion, abduction, fraud, deception, abuse of power or abuse of a position of vulnerability. ENDS: For exploitation.	<ul style="list-style-type: none"> Forced labour Child bondage Sex trafficking Domestic servitude Forced begging Forced marriage Organ removal

LEAVE NO CHILD BEHIND IN THE FIGHT AGAINST HUMAN TRAFFICKING

WHO IS A VICTIM OF TRAFFICKING?

Anyone can be a victim, but some groups are more vulnerable such as women, children, migrants, irregular status.

Victims are often forced to consent after identified as irregular and paid bribes. If they are arrested for such reasons, it is important to speak to them to determine if they might be trafficking victims and ensure they are not punished for crimes committed as a direct result of being trafficked.

INDICATORS OF TIP	CHILD TRAFFICKING
<ul style="list-style-type: none"> → Poor living conditions → Threatened or ID with Employer → Restricted or forced decisions → Inability to negotiate or complain → Work excessive hours → Separation from family → Disrespectful treatment → Unfair or withheld payment → Social situation of dependence 	<p>The Children's Act 2005 protects children from violence, exploitation and harm, including child trafficking.</p> <p>INDICATORS OF CHILD TRAFFICKING</p> <ul style="list-style-type: none"> → Children working in the regions of transport, especially in irregular status → ID documents are not provided to school → Children who are illegally allowed, where money is exchanged → Children showing signs of drug or alcohol abuse → Children who appear distressed and withdrawn

PENALTIES

If a person is found guilty of trafficking, he/she could face up to 20 years in prison along with a fine of up to 200,000 rupees.

WHERE TO REPORT?

POLICE HOTLINE: 148
CHILD DEVELOPMENT UNIT :113
Support and advice - Centre Univers'elles : 2811000

FIGHTING HUMAN TRAFFICKING TOGETHER!

<p>OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTION (ODPP)</p> <p>The ODPP is a public and independent office which prosecutes criminal cases referred to the office after investigation by the police and other investigative bodies. The Director has a Human Trafficking Unit at the ODPP which has the sole authority to bring charges under the law relating to the Human Trafficking and is also the lead agency of the prosecution of the cases involving human trafficking.</p> <p>Tel: 200 16 16 Email: odpp@odpp.gov.za</p>
<p>OMBUDSPERSON FOR CHILDREN OFFICE (OCCO)</p> <p>The OCCO is a Human Rights institution which was established under the Children's Act 2005. The Ombudsman for Children (OCCO) has the mandate to ensure that the rights, best interests and welfare of children are protected, monitored by the activities. The OCCO also provides consultation with the Government on the Rights of the Child and the Child Welfare in the Rights and Welfare of the Child.</p> <p>Tel: 011 333 3333 Email: occco@odpp.gov.za</p>
<p>NATIONAL HUMAN RIGHTS COMMISSION (NHRC)</p> <p>The National Human Rights Commission is a quasi-judicial body established under the Promotion of Access to Information Act 1997. Its primary objective is to promote and protect human rights.</p> <p>Tel: 400 35 48 Email: nhrc@nhrc.gov.za</p>
<p>MAJORITIES POLICE FORCE (MPF)</p> <p>The Combating of Trafficking in Persons Act of the Criminal/Community Investigation Division of the MPF enables further law enforcement. An assigned Superintendent of Police will be the unit, which is responsible for assessing, detecting, investigating, and prosecuting cases of trafficking. The unit will collaborate with other law enforcement agencies to combat trafficking in persons.</p> <p>Tel: 148</p>
<p>INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM)</p> <p>IOM works in partnership with governments, United Nations agencies, international and national organizations, and civil society to address the long-standing human trafficking problem. IOM provides support to victims who are victims of trafficking and assists them in finding support to enhance their well-being and promote self-reliance through various services.</p> <p>Tel: 200 22 00 Email: info@iom.int</p>
<p>UNIVERS'ELLES</p> <p>UNIVERS'ELLES has established its support for victims of human trafficking by providing legal advice, psychological support, counselling, and ensuring the response system to address their need for a sustainable and comprehensive care system.</p> <p>Tel: 281 1000 Email: universelles@odpp.gov.za</p>

Acknowledgments

The Office of the Ombudsperson for Children extends appreciation to all those who have contributed to advancing children's rights and well-being throughout this year.

To our dedicated staff:

Heartfelt thanks go to the team of Investigators and Support Staff within the Office of the Ombudsperson for Children for their unwavering commitment and tireless efforts throughout the year. Your dedication has been crucial in fulfilling our mission and compiling this report.

To our partners and stakeholders: We value your continued collaboration and support. Your contributions have been crucial in advancing our shared goals of protecting and promoting children's rights.

To government agencies and officials: Thank you for your cooperation and for working with us to address the problems faced by certain children and their families. We appreciate your efforts in responding to the needs of children and in implementing policies that prioritize their rights.

To Non-Governmental Organisations: Your advocacy, support, and feedback have enriched our understanding and strengthened our collective efforts. Your relentless efforts and work in the field have inspired change and brought attention to the most pressing issues affecting children. We are grateful for your partnership and shared dedication. We appreciate the willingness of All stakeholders and partners to engage with our office and the trust you place in us to represent the best interests of your children.

We look forward to continuing our work together in the coming year, ensuring that every child's voice is heard, and their rights are upheld.

Thank you to each one of You who has in one way or another helped out in the production of this annual report.



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