

Coalition for the Protection of Children

Legislative and Policy Agenda

EDUCATION AND YOUTH DEVELOPMENT

1. EARLY IDENTIFICATION AND INTERVENTION FOR CHILDREN WITH BEHAVIORAL OR ACADEMIC CHALLENGES.

A very significant portion of the young men involved in gang related or violent activity had been suspended or expelled from the mainstream education system.

Many of those young men began exhibiting problematic behavior from a very early age. Early intervention is essential, coupled with considerably more learning support, behavior management, counseling and outreach programs to embrace struggling parents. This should include parenting classes, housing and financial assistance and family to family mentoring programs. The Department of Education needs to identify and test children who show signs of learning difficulties in the first 2-3 years of school and provide the intervention and learning support necessary to help them adjust and keep pace with their peers.

2. STOP THE PRACTICE OF EXPULSIONS AND LONG TERM SUSPENSIONS FOR CHILDREN UNDER THE AGE OF 16.

The practice of expelling students in their early teens needs to stop. The Department of Education needs to provide appropriate therapeutic intervention for students with psychological or behavioral problems. The Department needs to honor their legal obligation to provide an appropriate educational setting for children who have challenges up to school leaving age. This could involve the establishment of an alternative school for at risk or troubled youth with a focus on the talents and gifts of these young people. The purpose for this is not punishment but to provide a stable, nourishing, safe and drug free environment that has strong programs including music, the arts and a range of athletic pursuits.

3. SIGNIFICANTLY INCREASE THE NUMBER OF SCHOOL COUNSELLORS

Criminal behavior, gang related relationships, and illicit drug use all begin at the middle school level and it is critical that strong and consistent prevention and intervention must be firmly in place at this stage. This will require the doubling of counseling resources as well as much more intense and widespread conflict resolution training in middle schools.

4. ESTABLISH A DEDICATED TRADE SCHOOL.

Non academic student's particularly young boys should be provided the option of technical training beginning as early as middle school. It is inexcusable that we are still importing car and motorcycle mechanics, many types of skilled construction workers, body and repair workers and the like. Technical and trades training can begin as early as middle school.

5. SUBSIDIZE TUITION AND BOOK EXPENSES AT BERMUDA COLLEGE.

Financial assistance should be available to pay for the Bermuda College for those who cannot afford the cost, including the ancillary costs such as books in order to ensure individuals who to receive further education are able to do so.

PROFESSIONAL DEVELOPMENT, ADULT EDUCATION AND TRAINING

6. SUPPORT FURTHER ADULT EDUCATION

Individuals should be encouraged and supported to develop their skills in order to increase their ability to earn a better wage through improved vocational training. The provision of financial assistance for those wishing to return to school is essential.

EMPLOYMENT, WAGES AND COST OF LIVING

7. ESTABLISH AND LEGISLATE MINIMUM WAGE GUIDELINES.

In recognition of the direct link between the growing income inequity and violent and predatory crime, steps must be taken to address the extreme poverty in the bottom quartile of the income scale. This means taking a serious look at what would be a living wage for people in unskilled or semi-skilled sectors of the community. This involves the establishment of wage guidelines which reflect the actual cost of living for a family supporting a child or children.

- 8. REDUCE THE MANDATORY WAGE DEDUCTIONS FOR INDIVIDUALS AT THE LOWEST END OF THE INCOME SCALE and increase those who have salaries of \$200,000+.**
- 9. INCREASE THE DUTY ON ALCOHOL, CIGARETTES AND LUXURY ITEMS.**
- 10. CAP THE INTEREST AND ASSOCIATED FEES THAT CREDIT COLLECTION FIRMS ARE ALLOWED TO CHARGE.**

At the moment the collection agencies are allowed to add as much as a 30% collection fee to an existing bill.

HOUSING

- 11. RECOGNIZE THAT ADEQUATE, AFFORDABLE HOUSING IS A BASIC HUMAN RIGHT.**

Increase the use of rent-geared-to-income housing and stop the practice of evicting families from BHC properties because they have fallen behind on their rent due to their inability to afford that rent.

FAMILY SUPPORT

- 12. LOCATE THE “SAFET-NET” GOVERNMENT AGENCIES WITH THE SAME MINISTRY.**

Establish a taskforce to determine how the social services agencies (including the Department of Financial Assistance, the Bermuda Housing Corporation. The Department of Child and Family Services and the Cross Ministry.

FAMILY SUPPORT

13. LOCATE THE HOUSING GOVERNMENT AGENCIES THAT ARE PART OF THE “SAFETY NET” WITH THE SAME MINISTRY.

Establish a taskforce to determine how the social services agencies (including the Department of Financial Assistance, the Bermuda Housing Corporation. The Department of Child and Family Services and the Cross Ministry Intervention Team) can operate more cooperatively and more efficiently with one another. These agencies should all be located in the same ministry.

14. INCREASE THE USE IF MEDIATION IN CHILD WELFARE DECISIONS.

Child Protection Mediation and Family Group Conferencing require all stakeholders to engage in a problem-solving process before children are removed from a home or before major decisions are made by the courts about a child’s welfare or placement. Mediation should be the first choice in decision making in child welfare cases.

15. STOP REMOVING CHILDREN BECAUSE THEIR MOTHER IS HOMELESS.

Stop the practice of placing children in foster care solely because a parent is homeless or poor. Instead, use the funds spent on foster care to provide financial support and

keep the family intact. It is no surprise that a significant portion of the inmate population has spent their childhood moving from one foster home to another.

- 16. ENSURE PARENTS WHOSE CHILDREN ARE THREATENED TO BE TAKEN INTO CARE HAVE THE RIGHT TO LEGAL REPRESENTATION AND DO NOT APPEAR IN COURT WITHOUT SUCH REPRESENTATION.**
- 17. PREVENT FATHERS WHO REFUSE TO PAY CHILD SUPPORT FROM RE-LICENSING VEHICLES, TRAVELLING ABROAD OR RENEWING PASSPORTS.**
- 18. TAKE A MORE HUMANE APPROACH TOWARDS THE RULES AND REGULATIONS AT THE BERMUDA HOUSING CORPORATION'S EMERGENCY HOUSING FACILITY GULFSTREAM.**

These should include:

- a. Removing the stipulation that women are not allowed to baby sit each other's children.
- b. Removing the rule that BHC staff can enter residences room at any time and without notice. These are paying tenants who have a right to privacy and at least 24 hours notice for inspection.
- c. Install washers and dryers on the premises for the residents (the Coalition has agreed to pay for these).
- d. Re-open the children's playrooms (they have been closed for a year and the children have no indoor play area).

19. GOVERNMENT SHOULD HELP SUBSIDIZE FOOD ASSISTANCE

PROGRAMS SUCH AS THE COALITION FOR THE PROTECTION OF CHILDREN'S BREAKFAST PROGRAM.

These programs must be supported by government. Increasingly, children are arriving at school without breakfast or sometimes even lunch. This contributes to students' difficulty learning as it is widely recognized that children must have sufficient nutrition in order to participate productively in school.

PRISON REFORM

20. EXPAND DRUG AND ALCOHOL TREATMENT PROGRAMS IN BOTH THE CO- ED AND WESTGATE FACILITIES sufficiently to service the 85% who require it.

21. Stop the practice of automatically releasing violent offenders after 2/3rd of their sentence. This practice allows dangerous offenders to avoid rehabilitation programs and return to the community without the benefit of parole supervision. By enforcing section 32(c).2 of the Prison Rules 1980 "a prisoner shall be guilty of an offence against prison discipline if he refuses to participate in a specified training, educational or rehabilitation program when required to do so by the commissions". A prisoner refusing to engage in the violent offender or sexual offender treatment can suffer loss of remission and be held until his full sentence has expired.

22. Expand the violent offender and anger management programs in the prisons using properly trained psychologists to deliver these programs. These programs should be made mandatory before consideration is given for parole for offenders incarcerated for violent or sexual crimes.
23. Mandate post release violent and sexual offender treatment programs as part of parole stipulations for offenders who fall into those categories.

LAW ENFORCEMENT AND THE JUDICIARY

24. STOP THE PRACTICE OF INCARCERATING INDIVIDUALS WHO ARE UNABLE TO PAY OFF DEBTS. THIS AMOUNTS TO A DEBTOR PRISON AND HAS NO PLACE IN A CIVILIZED SOCIETY.
25. MAKE GREATER USE OF THE CCTV CAMERAS IN CRIME PRONE AREAS.
26. PUT GREATER FOCUS ON THE TRAINING AND OVERSIGHT OF THE POLICE FORCE AND PROVIDE ADEQUATE RESOURCES FOR THE POLICE COMPLAINTS COMMISSION.
27. EXTEND WITNESS PROTECTION AND MAKE MUCH MORE USE OF THE UNITED KINGDOM AS A SAFE HAVEN FOR THOSE WHO TESTIFY OR HELP THE POLICE.
28. DEVELOP VICTIM ASSISTANCE PROGRAMS TO ADDRESS THE EMOTIONAL, PSYCHOLOGICAL, AND ECONOMIC ISSUES PRESENTED BY THEIR VICTIMIZATION AND REVERSE THE

DECISION TO CUT FUNDING FOR THE VICTIM COMPENSATION PROGRAM.

- 29. CONDUCT A REVIEW OF THE JUVENILE JUSTICE SYSTEM TO ASSESS EFFECTIVENESS WITH A VIEW TOWARD IMPLEMENTING RESTORATIVE JUSTICE PRACTICES.**

LAW ENFORCEMENT AND THE JUDICIARY: CASES OF CHILD ABUSE

- 30. ENSURE THAT CHILD VICTIMS ARE PROTECTED IN COURT.**

In cases of child abuse prosecution provide victims with the option of testifying from behind a screen, via closed-circuit video in another room, or Skype from another location.

- 31. REVISE LEGISLATION TO INCORPORATE THE KUHN DECISION.**

A hearsay exception should be codified recognizing the admissibility of testimony by those who have received sexual abuse disclosures from children. The Kuhn decision, which allows for this in Canada, can be adopted in Bermuda.

- 32. ENSURE THAT CASES INVOLVING CHILDREN ARE NOT PROTRACTED BY LONG DELAYS.**

Expedited hearings when children are witnesses should be mandatory. More than six months between charge and trial should be unacceptable for children's cases.

- 33. ACCOMPANIMENT FOR CHILDREN.**

Child witnesses should be permitted to have a neutral person accompany them to the witness stand and stay with them during their testimony. This should include non-offending parents.

34. PREVENT BADGERING OF CHILD WITNESSES.

The prosecution should be prohibited from conducting lengthy and accusatory cross-examination of child witnesses.

35. REVIEW REQUIREMENTS FOR CORROBORATION.

A relaxation in the requirement for corroboration of child testimony so that in the absence of medical or other corroborating evidence, the Judge can hear a child's evidence and assess its credibility and how much weight it deserves.

36. SERIOUS CASES MUST AUTOMATICALLY BE HEARD IN SUPREME COURT.

An automatic move to Supreme Court in cases of serious sexual or physical molestation or assault of children.

37. SENTENCES SHOULD REFLECT THE SERIOUSNESS OF THE IMPACT ON CHILDREN.

There needs to be an increased recognition by the prosecution and the Judiciary of the seriousness of these offenses and the length of time that is required for a convicted offender to be treated successfully within the prison system.

38. BETTER COORDINATION OF CHILD TESTIMONY.

A child should not be required to tell his/her story more than once and to more than one person throughout the investigation