



EMBASSY OF JAMAICA

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US Department of Labor
200 Constitution Avenue, NW, S-5207
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Dear Dr. Firestone,

**United States Department of Labour Survey on the
Worst Forms of Child Labour**

Further to your letter of 3 December 2014, seeking the response of the Government of Jamaica to the survey on the worst forms of child labour by the Department of Labour, the attached is forwarded for your attention.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Stephen Vasciannie".

Stephen Vasciannie
Ambassador

**THE GOVERNMENT OF JAMAICA'S RESPONSES TO THE UNITED STATES
DEPARTMENT OF LABOUR SURVEY ON THE WORST FORMS OF CHILD
LABOUR**

2013

Section I

1) Prevalence and Sectoral Distribution of the Worst Forms of Child Labour:

The Government of Jamaica continues to rely on the Youth Activity Survey conducted by the Statistical Institute of Jamaica (STATIN) in 2002. A request was made for technical assistance to correct this situation during the last reporting period. The International Labour Organisation (ILO), in response, has advised of its willingness to collaborate with STATIN on conducting a Child Labour Survey for Jamaica in 2014. The Government of Jamaica is to receive technical assistance and reasonable financial support will be provided by the ILO's Global Research on Child Labour Measurement and Policy Development Project, a four-year undertaking, which commenced in November 2013, that is being implemented through the organisation's International Programme on the Elimination of Child Labour (ILO-IPEC).

The aforementioned project will boost Jamaica's capacity to collect data on child labour for the country's second national survey and is expected to cover data collection and measurement; analysis and reporting; development of policy appraisals; preparation and publishing of public use data files; and capacity building for the Statistical Institute.

A Dipstick Survey¹ of Vulnerable Children funded by the International Labour Organisation's: Tackling Child Labour through Education (ILO/TACKLE) Project was carried out in June 2013. This survey, which identified a total of one thousand three hundred and two (1302) vulnerable children, was conducted in three (3) parishes, namely, St Catherine, Clarendon and St. James.

The distribution of vulnerable children across the three (3) named parishes was as follows:

- ❖ St James 218 including 71 child labourers;
- ❖ St Catherine 458 including 167 child labourers;
- ❖ Clarendon 626 including 346 child labourers

The complete Reports are attached for further information.

¹ quick unscientific assessment

Section 2

2) LAWS AND REGULATIONS ON THE WORST FORMS OF CHILD LABOUR:

Jamaica is a signatory to a number of international instruments, addressing the protection of children and their rights. The country also has supporting domestic legislation aimed at protecting children from various forms of exploitation and abuse.

- Trafficking in Persons (Prevention, Suppression and Punishment) (Amendment) Act, 2013;
- Child Pornography (Prevention) Act, 2009;
- Child Care and Protection Act, 2004;
- Sexual Offences Act, 2009;
- Offences against the Persons Act, 2010 (as amended).
- The Child Care and Protection (Children's Home) Regulations, 2005;
- The Victims Charter, 2006;
- The Child Care and Protection (Children's Registry) Regulations, 2007;
- The Charter of Fundamental Rights; and
- The Cybercrimes Act, 2010

An amendment to the Trafficking in Persons (Prevention, Suppression and Punishment) (Amendment) Act, 2007 was enacted in 2013. This legislation was deemed necessary, in order to make the law more effective and consistent with the country's international obligations. The 2013 enactment includes: (i) the expansion of the definition of "exploitation" to include debt bondage; (ii) an increase in penalties from 10 years to 20 years; (iii) the provision for the new offence of conspiracy to be punishable by imprisonment up to 20 years or both fine and imprisonment; (iv) an outline of the aggravating circumstances that may be taken into account when sentencing is being considered; (v) and the granting of restitution to the victim within the same proceedings in which the person was convicted.

It is important to note that as a result of the efforts of the Government of Jamaica, i.e. the National Taskforce against Trafficking in Persons (NAFTATIP), Jamaica has been upgraded from the Tier Two (2) Watch List to Tier Two (2) of the United States' Department of States' Trafficking in Persons Report for 2013.

Section 3

3) GOVERNMENT TASK FORCES OR COMMISSIONS ON CHILD LABOUR

The following are existing Government task forces pertaining to child labour:

- i. The Project Advisory Board (PAB) appointed under the ILO/TACKLE Project will continue to meet as necessary, in spite of the fact that the ILO/TACKLE Project ended in August 2013;
- ii. The National Taskforce against Trafficking in Persons (NAFTATIP) established in 2005;
- iii. The National Parenting Support Commission (NPSC),

- iv. Child Protection Committees; and
- v. The Child Development Agency's (CDA's) Children Advisory Panel².

Section 4

4) INSTITUTIONS MECHANISMS FOR ENFORCEMENT OF LABOUR LAWS REGARDING CHILD LABOUR AND HAZARDOUS CHILD LABOUR;

The Ministry of Labour and Social Security's Occupational Safety and Health (OSH) Department did not identify any child engaged in Hazardous work for 2013. For the period ending September 2013, a total of one thousand and fifteen (1,015) inspections were conducted. Currently, there are twelve (12) Labour Inspectors assigned to the Unit.

The aforementioned Inspectors have participated in several workshops on Child labour and a workshop to examine the redrafted Occupational Safety and Health Bill and to review the Draft list of Hazardous Occupations was conducted by the Ministry of Labour and Social Security in November 2013.

It is anticipated that the Occupational Safety and Health (OSH) Bill will be enacted into Law by the end of the Financial Year in March 2014.

Section 5

5) INSTITUTIONAL MECHANISMS FOR EFFECTIVE ENFORCEMENT OF CRIMINAL LAWS ON CHILD LABOUR FORCED LABOUR/TRAFFICKING, COMMERCIAL SEXUAL EXPLOITATION AND USE OF CHILDREN IN ILLICIT ACTIVITIES:

It will be recalled that, in addition to the Ministry of Labour and Social Security's Child Labour Unit, the Government of Jamaica (GOJ) has established three (3) organisations with specific mandates to address child care and protection at the institutional levels, namely:

- 1) **The Office of the Children's Advocate;**
- 2) **The Child Development Agency (CDA); and**
- 3) **The Office of the Children's Registry (OCR)³**

The Centre for the Investigation of Sexual Offences and Child Abuse (CISOCA) within the Jamaica Constabulary Force (JCF), as stated in previous reports, is also mandated to conduct public education

² The Office of the Children's Advocate (OCA) also has a Children Advisory Panel and the Office of the Children's Registry (OCR) has a Child Ambassadors Programme in place.

³ The Office of the Children's Registry (OCR) received a total of two hundred and nine (209) reports of child labour for the period January to December 2013 and a total of two hundred and four (204) reports for the preliminary period of January to August 2013.

programmes on sexual offences and child abuse; to encourage victims to report incidents of sexual offences and child abuse; and to ensure efficient and effective investigation into allegations of abuse.

Section 6

6) GOVERNMENT POLICIES ON CHILD LABOUR:

A Draft National Policy on child labour was completed as part of a consultancy sponsored by the ILO. This is to be the subject of a series of public consultations before submission to Cabinet for endorsement.

A Handbook for Professionals was completed and launched. The Handbook is to be distributed to all the major stakeholders engaged in addressing Child Labour. To date, copies have been distributed to members of the Jamaica Constabulary Force, Non-Governmental Organisations (NGOs) and agencies of Government. Soft copies of the aforementioned book are also available on the ILO/IPEC website.

*Ministry of Foreign Affairs and Foreign Trade of Jamaica
February 2014*