

2012-  
2013

# The St Helena Human Rights Action Plan Year End Report

The World Conference on  
Human Rights recommends that  
each State consider the  
desirability of drawing up a  
national action plan identifying  
steps whereby that State would  
improve the promotion and  
protection of human rights\*



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## **Executive Summary**

This has been the first year of the Human Rights Action Plan; a year of discovery, progress and some frustration.

The major visible change has been the establishment of a relatively accessible Human Rights Office and this has led to an increase in public awareness and an increase in visitors to the office. The public have been very positive about having the office and it has highlighted a need for a Citizens' Advice Bureau.

The targets listed in the National Action Plan have been positively agreed by several Directorates, the Police and Health and Social Welfare particularly. It is hoped that all directorates will undertake a positive attitude to the targets over the coming year.

This year

- Over 75 issues were raised with the office, but many more were raised with me in the street, in the shop and elsewhere.
- 25 Rights Stuff articles published in the Independent.
- Assistance/information has been provided to Counsellors to assist with their work.
- Assistance has been given to the Secretariat, The Governor's Office and Social Services with information for treaty body reports and other reports to the United Nations.
- Various Human Rights Days have been celebrated
- A training session was carried out with the police
- Sessions were run at Prince Andrew School.
- Human rights teaching resources, books and DVDs were supplied to all schools.

There is still much work to be done and the HRCBC can see the importance of having a Human Rights Commission more clearly give the number and nature of the issues raised with the office.

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## **Introduction**

### **This has been a year of discovery and progress**

The establishment of the Human Rights Office and the efforts to increase awareness of rights have opened up a new channel for people to raise questions and issues in confidence: and they have! As will be detailed below, the issues raised have been many and varied, including such diverse subjects as sexual abuse, domestic violence, employment and the right to be buried in secular ground.

In addition to dealing with the questions raised by the public, I have published 25 newspaper articles, worked with students at Prince Andrew School, taken part in radio programs, served on the White Ribbon Day Committee and provided information, advice and assistance to councillors, SHG staff and officials. I have also run a training course for the police.

My work also involves facilitating and monitoring the completion of the 94 actions agreed in the St Helena Human Rights Action Plan. Of those Actions 69 were targeted with completion in this financial year.

One area which was not covered in the action plan has been in growing interest in having greater transparency in government and a Freedom of Information Ordinance.

Questions have come in as key events have happened so for a period questions have centred on the topic of the day:

- Changes to the Constitution
- Employment Legislation
- Smoking in public places
- Housing (or lack of it)
- Being moved from Ladder Hill
- Christmas working hours
- 12 hour shifts
- Changes to the working week
- Employment changes due to divestment
- Freedom of information.
- Closure of Saint FM

I did not individually record the number of queries on each of these topics as some came to the office and others were unofficially discussed in the street, in my shop, calls to my home etc.

## ***Actions Achieved***

Action plan identified 72 actions to be completed over this year

| Vulnerable Group                           | Year 1 |        |
|--|--------|--------|
|  | Target | Actual |
| Children & Young people                    | 21     | 8      |
| The Disabled                               | 7      | 5      |
| Domestic violence                          | 9      | 9      |
| Prison and justice                         | 9      | 7      |
| Employment law                             | 7      | 3      |
| Civil Society                              | 8      | 8      |
| Promotion of and education on human rights | 11     | 11     |
| Total                                      | 72     | 51     |

Each of these is the subject of a separate section below and detailed in appendix 1, Table of Activities

### **A note on the report structure**

This report is laid out in the same order of priority as the National Human Rights Action Plan in order to make comparison easier. Under each vulnerable group I have listed the headlines, be they good or bad. The detail follows. In order to ensure that any remaining concerns are not lost, I have pulled them out into a separate heading. I have ended each section by listing my priorities for the financial year 2013/14 these are in addition to actions due to be achieved in 13/14 as listed in the National Action Plan.

## Section-By-Section Detail

### Children & Young Persons

**Goal:** To promote the rights of Children

**Objective 1:** To safeguard children from physical & sexual abuse

**Objective 2:** Ensure that a child who is capable of forming their own views has the right to express those views freely in all matters affecting them

#### Headlines

- Increase in the number of child abuse cases reported
- Tougher sentencing for those found guilty
- Rehabilitation of offenders; prospects improving
- Increase child consultation in family court cases
- DVDs & books provided for schools
- Leaflet on Children's rights in production
- Children's Commissioner appointed
- Children not being included in consultations/decision making SHG
  - Schools Councils are not functioning
  - SHYP- has been left out of visits

#### Detail

While final figures for 2012/13 have not been collated, the Police, Social Services and the Attorney General's Office, all report an increase in the reporting and prosecuting of child abuse cases this year. The work carried out by the Safeguarding Children Board, Health and Social Welfare, the Police and Schools in raising awareness of the unacceptability of child abuse has resulted in more people coming forward. In addition those found guilty have received stronger sentences.

Funding has been sourced for a Probation Officer with expertise in sex offender management to work with the probation service. In addition it is hoped that a forensic psychologist will be available soon to assess the perpetrators and assist in producing rehabilitation programmes.

The new role of Chief Magistrate has been filled by John MacRitchie and he has "introduced consistent sentencing guidelines and is determined to send out a zero tolerance message on child abuse by handing down custodial sentences". Work has been done by this office to produce a leaflet on Children's rights and work has been carried out with students at PAS to increase awareness of their rights. There are 18 action points under this heading for completion this year 9 have been completed. 1 target has been completed ahead of schedule (The appointment of a Children's Commissioner). Social Services were without a substantive head for most of the year, creating an additional work load for the staff, therefore some of the work towards their targets was delayed. Claire Gannon is now

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in post and substantial progress has already been made towards the completion of their 2 remaining targets.

| Area Responsible          | No of Actions Targeted 2012/13 | No Achieved | % Achieved |
|---------------------------|--------------------------------|-------------|------------|
| Human Rights Facilitator  | 1                              | 1           | 100        |
| Police/Prison             | 2                              | 2           | 100        |
| Judiciary                 | 1                              | 1           | 100        |
| Health & Social Welfare   | 4                              | 2           | 50         |
| Education                 | 4                              | 2           | 50         |
| Attorney General's Office | 2                              | 0           | 0          |
| All Directorates          | 4                              | 0           | 0          |
| <b>Total</b>              | <b>21</b>                      | <b>8</b>    |            |

## Concerns

The main area of concern is the Employment and Education Directorate: all attempts to meet with the Director Of Education & Employment have failed. I therefore cannot make any report on the policies for schools councils and consultation with students. Nor can I comment to policies around working with the youth parliament or the on-going plans for the teaching of human rights within the schools.

The last head of Prince Andrew School would not allow anyone "from outside" in to talk to the students. However, within 2 days of him leaving I took part in an Assembly and the following half term I worked with the year 7 students on the rights of the child. I am hoping to meet with the new substantive head to seek his support on achieving these actions particularly giving the students a voice.

It is also disappointing to note that when the Human Rights Action Plan was written students from PAS were included in the Employment & Education Committee Meetings. This has now stopped. I plan to raise this with this committee following the General Election.

The Governor in Council and the Attorney General's office were targeted with the Removal of the reservation to Convention on the Rights of the Child article 24(3) on the right to nationality and to remove the European Convention on Human Rights reservation on corporal punishment by December 2012. This has not happened.

## **Priorities for 2013/14**

- Meet with CEED and discuss the issues listed under concerns
- Work with Social Services/Education on an anti-coercion programme
- Promote the re-establishment of the Schools Councils
- During the campaign and following the General election, lobby candidates/councillors about listening to children and supporting their rights
- Children's rights leaflets (for each key stage)
- Lobby new Council the AG's Chambers for the removal of the reservations to The European Convention of Human Rights and the Convention on the rights of the child

## **Disabled People**

**Goal:** To integrate disabled people more fully into daily life on St Helena

**Objective 1:** Improve integration of disabled people into work

**Objective 2:** Increase awareness of disabled friendly practices

**Objective 3:** Progress towards the ratification of the UN Convention on the Rights of Persons with Disabilities – is an action for 2014/15

### ***Headlines***

- A definition of "disabled" has been agreed
- The number of Clients at SHAPE has substantially increased and their new recycling facility has opened.
- Disabled access to public buildings is improving

### ***Detail***

Earlier this year ExCo agreed a definition of disabled. This makes it possible to build a data base on number and type of disabilities by age and gender and Social Services have started work on this. It will now be possible to plan and prioritize the work needed to integrate the disabled fully into the community.

The Education & Employment Directorate have been working on improving the transition of all children from home to school and school to work and this includes school to SHAPE. In addition SHAPE has received OTEP funding and has extended its recycling facilities and therefore they have been able to increase the number of clients they take and the number of hours people can work.

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The recent establishment of the Community Development Organisation will give a platform through which to communicate directly with the disabled to consult on their needs and to provide training in advocacy and lobbying.

| Area Responsible         | No of Actions Targeted 2012/13 | No Achieved | % Achieved |
|--------------------------|--------------------------------|-------------|------------|
| Human Rights Facilitator | 1                              | 0           | 0          |
| Human Resources          | 1                              | 1           | 100        |
| Crown Estates            | 1                              | 0           | 0          |
| Health & Social Welfare  | 1                              | 1           | 100        |
| Education                | 2                              | 2           | 100        |
| All Directorates         | 1                              | 1           | 100        |
| Total                    | 7                              | 5           |            |

### **Concerns**

The lack of signage for disabled access is an issue. All new public buildings have disabled access ramps but not all have signage to assist in finding it.

### **Priorities for 2013/14**

- Work with Social Services/Education on a time line to extend the UN Convention on the rights of the disabled.
- Building Capacity among the disabled to lobby for their rights
- Increased signage to assist the disabled.

### **Domestic Violence/Abuse**

**Goal:** To raise awareness of the unacceptability of domestic violence

**Objective 1:** Reduce the incidence of domestic violence

**Objective 2:** Increase public awareness of the unacceptability of domestic violence

**Objective 3:** Increased support for survivors

## **Headlines**

- Increase in the number of reported cases
- Increased number of prosecutions
- More appropriate Sentencing
- Anger Management counselling increased
- Plans for place of Safety underway
- Successful White Ribbon Day
- Founding of Women's Issues Saint Helena WISH

## **Detail**

This has been a significant part of my work this year and I hope that the Human Rights Office has played a small role in the sea change that appears to be happening with regard to domestic violence.

There have been regular newspaper articles, a couple of radio interviews and time working with social services and the staff and pupils at PAS.

As a result of the work formulating the Human Rights Action Plan the Police Directorate introduced a very strong domestic violence handling policy and procedure. The re-assessed how domestic violence is defined and while cases involving physical violence were always treated seriously, now all reports are fully documented and investigated.

The Crown Prosecution service (Morag Stevenson in particular) has prosecuted more cases and where someone has been found guilty the Chief Magistrate and his team have handed down tough sentences. The Lay Advocates and Public Solicitor have also played their part.

The need for a place of Safety has been recognised and made a priority for funding. It is hoped that this will be ready for use in the next few months.

| Area Responsible           | No of Actions Targeted 2012/13 | No Achieved | % Achieved |
|----------------------------|--------------------------------|-------------|------------|
| Human Rights Facilitator   | 3                              | 3           | 100        |
| Police                     | 2                              | 2           | 100        |
| Judiciary                  | 1                              | 1           | 100        |
| Health & Social Welfare    | 1                              | 1           | 100        |
| Education                  | 1                              | 1           | 100        |
| Civil Society Organisation | 1                              | 1           | 100        |
| Total                      | 9                              | 9           | 100        |

## **Concerns**

None

### ***Priorities for 2013/14***

- Work with Social Services/WISH and other stakeholders to continue the momentum built up this year
- Work with staff/pupils at PAS on developing an understanding of coercive abuse.
- Develop a help line for the abused.

### **Prison & Justice**

**Goal:** To improve the care and rehabilitation of offenders

**Objective 1:** Better prison building which meets minimum human rights requirements

**Objective 2:** Increase the range of viable sentencing alternatives for magistrates.

**Objective 3:** Reduce Recidivism Rates

**Objective 4:** Increase public awareness of rights and responsibilities of the police and emergency services in their work with the general public and, in particular, children and vulnerable adults.

### ***Headlines***

- Progress made on moving the prison now halted until the General Election.
- Work on Goals ordinance now with AG
- Budget secured for prison move to Sundale House
- Parole & Probation service has been set up and working very well.
- SHG have not commented on their policies for employing prisoners on release. However Basil Read are working with the prison and employing anyone they can
- Police complaints procedure leaflet underway.

### ***Detail***

The Saga of the relocation of the prison is continuing but progress has been made, equipment and funding secured. The probation service is going from strength to strength and a range of non-custodial sentences has been developed and are proving successful. In particular Community Service Orders have been introduced and the Prison/Probation officers are managing them effectively.

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| Area Responsible                                | No of Actions Targeted 2012/13 | No Achieved | % Achieved |
|---|--------------------------------|-------------|------------|
| Human Rights Facilitator                        | 2                              | 1           | 50         |
| Police  | 1                              | 1           | 100        |
| HRD   | 1                              | 0           | 0          |
| Super Intendant of Gaols & Home & International | 4                              | 4           | 100        |
| Chief of Police                                 | 1                              | 1           | 100        |
| <b>Total</b>                                    | <b>9</b>                       | <b>7</b>    |            |

### ***Concerns***

None

### ***Priorities for 2013/14***

- Continue to push for the relocation of the prison
- Complete the range of leaflets on making complaints about the Police and rights when under arrest.
- Lobby for the new Gaols Ordinance which will be necessary when we have a gaol that is fit for purpose as it will need to protect rights that are currently unprotected.

### **Employment Law**

**Goal:** To improve employment rights on St Helena

**Objective:** To Increase awareness of the rights and responsibilities of both employees and employers

**Objective 2:** To implement the Employment Ordinance 2010

### ***Headlines***

- By far the largest number of queries to this office are about employment matters, both government and private sector employees have raised serious and significant issues.
- The right to adequate and equitable representation is the single biggest issue.
- The Employment Rights Ordinance 2010 was implemented from 1<sup>st</sup> April 2013. (Minimum wage will be from July 1<sup>st</sup> 2013)
- Labour Regulator appointed.
- Confusion and non-compliance with the Ordinance reign.

### **Detail**

This goal is one of the most frustrating; it is hard to believe that in 2013 British citizens are being discriminated against in a British Overseas Territory. Making any headway in this is an uphill struggle. Newspaper advertisements appear for male staff, women complain they are paid less than men for the same or similar work and few disabled people can get a job even when they are more than capable of doing it. The UK Government has committed to extending CEDAW to the Overseas Territories by the end of 2013 but nothing is planned here in order to achieve this.

In both the public and private sectors adequate and equitable representation at disciplinary and redundancy meetings is the single biggest issue. As representation is limited to work colleagues (who are not keen to risk their own jobs) in the public sector and most private sector employers do not have a disciplinary policy at all, many people feel they have been unfairly dismissed, at best and bullied and harassed at worst.

The new Employment Ordinance although now in place has hardly been promoted or explained. SHG seems to not want to assist, for example the payslips distributed by the Tax Office, to the private sector, for this financial year do not meet the requirements of the Employment Ordinance. However the Tax Office has now issued a letter to all private sector employers explaining that they should not use the pay slips they issued.

While not within the scope of this report as this is the new financial year most of the questions raised since April have been on issues related to the ordinance.

5 out of the 6 questions on SHG employment were on representation issues. I have emailed HRD with the human rights concerns that have been raised in this office, she had not time to meet, I have not had any acknowledgement.

A Document on CEDAW has been passed to the Attorney General.

| Area Responsible                   | No of Actions Targeted 2012/13 | No Achieved | % Achieved |
|------------------------------------|--------------------------------|-------------|------------|
| HRD                                | 1                              | 0           | 0          |
| LegCo                              | 1                              | 0           | 0          |
| Attorney General                   | 1                              | 0           | 0          |
| Governor in Council                | 2                              | 2           | 100        |
| Director Of Education & Employment | 1                              | 0           | 0          |
| Chief Magistrate                   | 1                              | 1           | 100        |
| <b>Total</b>                       | <b>7</b>                       | <b>3</b>    |            |

## **Concerns**

The key areas of concern are

- The lack of properly trained, independent representation for employees, particularly at disciplinary meetings
- Lack of discrimination legislation to protect private sector employees
- The lack of 'equality of arms' at SHG disciplinary meetings (SHG can have the Attorney General present but the 'accused' cannot have legal representation.
- The lack of progress towards the extension of CEDAW

## **Priorities for 2013/14**

- Continue to push for equality legislation
- Continue to lobby for CEDAW
- Encourage the establishment of a General Union or Employees' Body.

## **Civil Society**

**Goal:** A stronger more organised Civil Society being an effective voice for their constituents

**Objective:** Assist Civil Society to become more effective in promoting the interests of their groups and in working together to challenge discrimination and injustice

## **Headlines**

- Community Development Officer contract extended
- Community Development Organisation established
- Community Development Centre at Guinea Grass underway
- Resources library established
- Training Programme developed

## **Detail**

It has taken most of the year for the Civil Society Organisation to be established.

As there is a substantial cross-over between Human Rights and governance Liz Johnson-Idan and I have been working together to draft a programme for capacity building within community organisations. We will work together to continually develop the training programme and to deliver it as soon as Guinea Grass is ready.

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| Area Responsible         | No of Actions Targeted 2012/13 | No Achieved | % Achieved |
|--------------------------|--------------------------------|-------------|------------|
| Human Rights Facilitator | 2                              | 2           | 100        |
| HRF/CDO                  | 5                              | 5           | 100        |
| Home & International     | 1                              | 1           | 100        |
| <b>Total</b>             | <b>8</b>                       | <b>8</b>    | <b>100</b> |

### **Concerns**

None

### **Priorities for 2013-14**

- To continue to develop links with Civil Society Groups and in particular those representing the vulnerable members of our society.

## **Promotion and education on human rights**

**Goal:** Island wide understanding of our rights and responsibilities under our constitution and the international treaties to which St Helena is signatory

**Objective 1:** Increase public understanding and awareness of human rights

**Objective 2:** Keep the action plan in the public domain

### **Headlines**

- 25 “Rights Stuff” articles published in the independent
- Over 100 visitors to the Office
- Over 75 Questions raised by members of the public
- Presenting to Home & International Committee & LegCo
- Training Police Sergeants
- Teaching Key Stage 3 students
- Serving on the organising committee for white ribbon day
- Supplying information to
  - The Governor’s Office for FCO reporting to the UN
  - Counsellors for their speeches, debates & reports
  - Youth Parliament
  - The Secretariat for Treaty Body Reports
  - Social Services on the rights involved in homelessness, domestic violence, child abuse and detention under the Mental Health Ordinance.

| Area Responsible | No of Actions | No Achieved | % Achieved |
|------------------|---------------|-------------|------------|
|------------------|---------------|-------------|------------|

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| Targeted 2012/13         |           |           |     |
|--------------------------|-----------|-----------|-----|
| Human Rights Facilitator | 2         | 2         | 100 |
| All Directorates         | 2         | 0         | 0   |
| All of SHG               | 1         | 0         | 0   |
| Corporate procurement    | 1         | 1         | 100 |
| Secretariat              | 5         | 5         | 100 |
| H&I Committee            | 2         | 2         | 100 |
| <b>Total</b>             | <b>11</b> | <b>11</b> |     |

### ***Concerns***

The key areas of concern are

- The continual movement of people and directorates over the last year has meant that communication with some has been difficult and limited.

### ***Priorities for 2013/14***

- Strengthen links with individual directorates
- Complete leaflets on the various Conventions, Charters and the Constitution

## **The Human Rights Office**

### ***Introduction***

This year saw the establishment of the Human Rights Office at Galbraith's in Market Street, Jamestown.

This has been very well received by the public with daily callers to the office to ask for information, borrow a video or book or even to hold meetings with their Lay Advocate.

### ***Detail***

The greater visibility of the office has led to an increase in the number of visitors and the numbers and types of questions asked. Some have been human rights related, others more general enquiries. This has highlighted the need for a Citizens Advice Bureau.

Questions have been on housing, employment, how to complain, freedom of information, right through to the right to be buried in secular ground. (See appendix 2, Query Log).

The majority of people with problems have been directed to the public solicitor or a Lay Advocate, others to Social Services or John MacRitchie.

The resources library is proving very popular with a regular turnover of books and DVDs on loan.

The Office had a budget of £10,833 and we finished the year very slightly underspent. (See Appendix 3 Receipts & Payments). Our Budget for the financial year 2013/14 was cut to £7,100 but I managed to argue it back up to £9,000. In addition we were successful in obtaining £1,000 funding from the Community Development Organisation to produce information leaflets.

My work this year has been very varied and has included

- Presenting to Home & International Committee & LegCo
- Writing 25 "Rights Stuff" articles
- Training Police Sergeants
- Teaching Key Stage 3 students
- Serving on the organising committee for white ribbon day
- Supplying information to
  - The Governor's Office for FCO reporting to the UN
  - Counsellors for their speeches, debates & reports
  - Youth Parliament
  - The Secretariat for Treaty Body Reports
  - Social Services on the rights involved in homelessness

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- I have on occasions sat with people (at their request) while they talked to their Lay Advocate

### **Concerns**

My main concerns as far as the office goes are;

- Managing on a significantly reduced budget,
- Securing a reasonable budget for the financial year 2014/15
- Lack of discrimination legislation to protect private sector employees
- The lack of 'equality of arms' at SHG disciplinary meetings (SHG can have the Attorney General present but the 'accused' cannot have legal representation.
- The lack of progress towards the extension of CEDAW

### **Priorities for 2013/14**

- Achieve all of the above
- To complete the actions defined for me in the action plan.
- Continue to develop awareness of Human Rights on St Helena
- Secure Funding for next financial year.

### **Conclusion**

This has been the first year of the Human Rights Action Plan; a year of discovery, progress and some frustration.

The major visible change has been the establishment of a relatively accessible Human Rights Office and this has led to an increase in public awareness and an increase in visitors to the office. The public have been very positive about having the office and it has highlighted a need for a Citizens' Advice Bureau.

The targets listed in the National Action Plan have been positively agreed by several Directorates, the Police and Health and Social Welfare particularly – others have more difficulty understanding how human rights should influence their work.

There is still much work to be done but I believe now more than ever that a Human Rights Commission is required for St Helena.

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## Appendix 1 Table of Activities

| Goal                                     | Objective  | Activity  | Relevant Agency                     | Completion Target Date | Performance Indicator   | Current Status  |
|--|--|---|-------------------------------------|------------------------|---|---|
| <b>Children &amp; young people</b>       |  |   |                                     |                        |   |   |
| <b>To promote the rights of children</b> | To safeguard children from physical & sexual abuse |   |                                     |                        |   |   |
| <b>Priority</b>                          | High   | Rehabilitation & remedial counselling for offenders and in particular how to improve Sexual Offender management to reduce recidivism  | Prison staff                        | Apr-12                 | Programme for sex offenders in place                            | The Current prison population is 90% sex offender – DAPM agreed funding for Psychologist & Expert Probation Officer |
|  | Medium   | Renewal and extension of 'No Means No' campaign of awareness raising of the unacceptability and dangers of underage sex. To give children the ability & confidence to say NO  | Safeguarding Children Board         | Apr-12                 | Increase in reported incidents, reduction in under 16 pregnancy | New post holder Claire Gannon, reviewing  |
|  | Medium   | Continue regular publicity to create awareness of the Welfare of Children Ordinance 2008 and children's rights under it. Promote simple leaflets for children and for adults working or caring for them to continue to publicise the safeguards in the Ordinance. | Health & Social Welfare Directorate | Apr-12                 | Increase in reported incidents and convictions,                 | Reported incidents on increase. Work happening in schools. Funding obtained by HRF for leaflets.                    |
|  | Low  | Remove the reservation to Convention on the Rights of the Child article 24(3) on the right to nationality   | Governor in Council and AG          | Dec-12                 | Reservation Removed   | With the AGs office   |
|  | Low  | Remove the European Convention on Human Rights reservation on corporal punishment   | Governor in Council and AG          | Dec-12                 | Reservation Removed   | With the AGs office   |

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|  |        |   |  |          |   |   |
|--|--------|---|--|----------|---|---|
|  | High   | Develop a programme of psychological support for the survivors of abuse   | Health & Social Welfare Directorate    | Mar-13   | Programme in place & being delivered  | Being developed   |
|  | Med    | Continue to train teachers and youth workers in recognising the signs of child abuse and what to do.  | Education & Employment Directorate,    | Mar-13   | Programme in place. Mechanisms in place. No of people trained. Up to date at risk register          | On-going  |
|  | High   | Scope the costs & benefits of employing a co-ordinator to manage intelligence on sex offenders  | Police/Social Services/MAPPA           | Mar-13   | Coordinator Employed  | Funding approved for expert probation officer   |
|  | High   | Investigate potential for mentoring and support links to UK social work teams.  | Directorate of Health & Social Welfare | Oct-12   | Investigation completed & Decision made   | Full cost recovery in UK makes this too expensive at present                              |
|  |        | To ensure that a child who is capable of forming their own views has the right to express those views freely in all matters affecting them. |  |          |   |   |
|  | Medium | Continued support for Youth Parliament: Resources & promotion. SHG Committees to include YP members whenever possible                       | All Directorates                       | On-going | Policy in place Regular, well attended YP meetings and YP meetings with LegCo. Committee membership | This is not happening – infact the Youth Parliament were left out of the recent FCO visit |
|  | High   | Ensure that the child's voice is given due weight in court in any proDirector of Education & Employmentings that                            | Judiciary                              | Apr-12   | Court reports   |   |

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|                     |   |  |                                      |        |   |  |
|---------------------|---|--|--------------------------------------|--------|---|--|
|                     |   | affect them  |                                      |        |   |  |
|                     | High  | Reinvigorate the Student Councils in all schools   | Education Directorate & School Heads | Aug-12 | Activity levels   | Disappeared completely from the Education Dpt agenda                   |
|                     | Medium  | Youth Parliament to develop a Children's Charter   | Youth Parliament                     | Dec-12 | Children's Charter in place and publicised  | Youth Parliament developed a charter. Education directorate to publish |
|                     | Medium  | Increase consultation with children on matters that affect them. This could include inviting representatives to Directorate meetings.  | All Directorates & LegCo & CSOs      | Apr-12 | Policy in place<br>Children attending consultation meetings.<br>Children's comments included in reports | This is not happening  |
|                     | Medium  | Increase the teaching resources and books/leaflets available in schools for teaching about and promoting human rights  | Education Directorate, NHRI          | Aug-12 | Quality & quantity of materials available   | HRCBC provided books & DVDs to all schools                             |
|                     | Medium  | SHG to provide more comprehensive supply of human rights resources to school and public libraries  | Education & Employment Directorate   | Dec-12 | New books, leaflets & other resources in libraries  |  |
|                     | Medium  | Develop activities/publicity for parents to increase their understanding of both the child's rights and their own. This could be carried out through schools, youth groups or civil society groups | NHRI                                 | Dec-12 | Activity levels   | Funding received for leaflet production March 2013                     |
| <b>The Disabled</b> |   |  |                                      |        |   |  |
| To integrate        | To improve integration of disabled people into work |  |                                      |        |   |  |

St Helena Human Rights Action Plan  
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|   |   |  |                                       |   |   |  |
|---|---|--|---------------------------------------|---|---|--|
| disabled people more fully into daily life on St Helena | High  | Agree a cross-Directorate definition of disabled. This should be separate from registered disabled status for benefits.  | All Directorates & LegCo              | Apr-12  | Definition agreed and publicised  |  |
|   | High  | A data base of the disabled including gender, age, level & type of disability, ability to work etc to be established   | Health And Social Welfare Directorate | Dec-12  | Data base established, policy for keeping it up to date in place.                     | Work is underway on this task and will be completed in the next couple of months     |
|   | High  | Support for SHAPE to increase the number of clients that can be accommodated and the range of work to suit those clients   | Education & Employment Directorate    | On-going but in place by Dec-12                       | Increase in the number of SHAPE clients, and range of suitable work available         |  |
|   | High  | Once a definition of disabled has been agreed and data collected SHG to set a target for the number of disabled people they employ and implement plan to reach this target   | Human Resources Directorate           | Target set by July 2012<br>Target achieved March 2015 | Target set & publicised.<br>Target Achieved   | Definition has now been agreed policy cannot happen until after the general election |
|   | High  | Improve transition from school to work for disabled people, drawing up a plan for each person with regular reviews by case worker/manager, where possible including the individual or their representative in the process. | Education & Employment Directorate    | Jan-13  | Procedure in place.<br>Increase in number of people moving from school to employment. |  |
|   | Medium  | Improve direct involvement of disabled people in the monitoring and evaluation of the rights of the disabled   | Human Rights Facilitator              | Aug-12  | Policy in place<br>Monitoring happening   | Additional work is planned for this year with the Community Development organisation |
|   | Increase awareness of disabled friendly practices |  |                                       |   |   |  |
|   | High  | Public buildings to have clear signage for disabled access where   | Crown Estates                         | Dec-12  | Signage in place  | While this is not complete, work has happened in some                                |

St Helena Human Rights Action Plan  
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|  |  |   |   |                               |  |   |
|--|--|---|---|-------------------------------|--|---|
|  |  | available   |   |                               |  | areas and disabled access to the Post Office has been greatly improved. |
|  | Progress toward ratification of CRPD                                   |   |   |                               |  |   |
| <b>Domestic Violence</b>                                       |  |   |   |                               |  |   |
| To raise awareness of the unacceptability of domestic violence | Reduce the incidence of domestic violence                              |   |   |                               |  |   |
|  | High   | Police to have a positive arrest policy and investigate all accusations of domestic violence' ensuring all such cases are reported to the Attorney General. | Police  | Dec-12                        | Policy in place<br>Increase in reporting & conviction, followed by a decrease in incidence |   |
|  | High   | Collect & report statistics on domestic violence: Number & type of incidents, successful prosecutions and sentences   | Police  | April-12,                     | Statistics available   |   |
|  | High   | Ensure clear and stringent sentencing policy including, where relevant, alcohol and anger management counselling as advice at sentencing                    | Magistrates                                     | Dec-13                        | More sentences which include counselling conditions  |   |
|  | Increased public awareness of the unacceptability of domestic violence |   |   |                               |  |   |
|  | Medium   | Introduce annual white ribbon campaigns on the International Day Against Violence against Women (25 November)   | Human Rights Facilitator to coordinate sponsors | First promotion Nov 25th 2012 | Programme of events & Campaigns  |   |
|  | Medium   | Increase publicity through press & radio  | HRCBC or NHRI                                   | From April - 12               | No. of press/radio articles  |   |
|  | Increase support for survivors   |   |   |                               |  |   |
|  | Medium   | Encourage civil society to form a support group for those affected by domestic violence   | CSO   | Dec-12                        | Support group operating  | WISH  |

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|   |  |  |                              |         |   |  |
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|   | High   | Identify a place of safety for survivors   | Health & Welfare Directorate | Dec-14  | Safe accommodation available              | NB work on this is progressing well  |
|   | Medium   | Examine why the help line which used to be operated by Social Services failed and how it might be successfully re-introduced | Health & Social Welfare      | Dec-12  | Plan for help line developed              | Helpline disbanded as it could not be manned. Email considered but IT said no – re-visiting with Claire Gannon |
| Prison & Justice                                    |  |  |                              |         |   |  |
| To improve the care and rehabilitation of offenders | Better prison building which meets minimum HR requirements           |  |                              |         |   |  |
|   | High   | Increase interaction between prison authorities and councillors  | SoG & H&I                    | Apr-12  | Increased awareness and political support | Will revisit after the general election  |
|   | High   | Secure the budget for the development of Sundale House into a new prison   | SoG & H&I                    | Dec-14  | Funding secured & plans underway          |  |
|   | Increase the range of viable sentencing alternatives for magistrates |  |                              |         |   |  |
|   | High   | Develop the probation system within the prison as an alternative to custodial sentences                                      | Police Directorate           | Dec-12  | Probation Orders in operation.            | New Probation Service and Community Service Orders in place  |
|   | Reduce recidivism rates  |  |                              |         |   |  |
|   | Medium   | Ensure that the PVC mandate is more appropriate in the new Gaols Ordinance   | SoG, DSoG, PVC & Prisoners   | Dec-12, | Draft Ordinance with AG                   | Work completed by SoG/PVC etc. Now with AG   |
|   | High   | Continue to develop a holistic approach to release on licence or parole with effective and managed conditions                | SoG & DSoG                   | Dec-12  | Parole procedures in operation            |  |
|   | Medium   | Review government policies to identify more opportunities for the employment of prisoners on release                         | HRD                          | Dec-12  | SHG jobs for prisoners                    |  |

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|   |   |  |                             |         |   |  |
|---|---|--|-----------------------------|---------|---|--|
|   | Increase public awareness of rights and responsibilities of the police in their work with the general public and children in particular |  |                             |         |   |  |
|   | Medium  | Promote improved information to the public on how to make a complaint against the police.  | HRF                         | Dec-12, | Information available                             | Funding for leaflets received March 2013 – work underway                             |
|   | High  | Ensure that children and young people have access to complaints mechanisms which are available, accessible, confidential and appropriate. This could be done with the aid of simple leaflets or an appointed child advocate. | HRF                         | Dec-12, | Information available                             | Funding for leaflets received March 2013 – work underway                             |
|   | High  | Review training for police, prison and fire services to ensure compliant with human rights standards.  | CoP                         | Dec-12, | Training received & documented                    |  |
|   |   |  |                             |         |   |  |
| To improve employment rights on St Helena | Increase awareness of the rights and responsibilities of both employees and employers   |  |                             |         |   |  |
|   |   | Councillors, Civil Society Groups to be encouraged to lobby for stronger anti-discrimination legislation, with regard to employment.   | Councillors, Civil Society  | Dec-12  | Legislation Enacted                               | Lobbying underway – no response as yet   |
|   | High  | Establish programme of work for public officials to make legislation and policies CEDAW-compliant  | AG / Secretariat            | Dec-12, | Review completed                                  | Request for programme made to AG – no response as yet                                |
|   | High  | Review SHG employment practices and Code of Management to ensure there are no discriminatory policies.   | Human Resources Directorate | Dec-12  | Review completed & changes appropriately notified | Review underway and issues have been reported by the facilitator to the HR Executive |

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|  |   |  |                                    |            |   |   |
|--|---|--|------------------------------------|------------|---|---|
|  | Implement the Employment Ordinance 2010   |  |                                    |            |   |   |
|  | High  | Appoint a Labour Regulatory Authority  | Governor                           | Dec-12     | LRA in place  |   |
|  | High  | Set up an Employment Rights Committee  | Governor                           | Apr-12     | ERC set up and meeting regularly                        |   |
|  | High  | Publicise the contents of the Ordinance in all workplaces, both SHG and private sector   | DIRECTOR OF EDUCATION & EMPLOYMENT | Apr-12     | All employees aware of their rights under the Ordinance | Confusion reigns supreme!   |
|  | Medium  | Set up a training programme on the Ordinance for Magistrates and Lay Advocates   | Chief Magistrate                   | Dec-12     | Training completed by all Magistrates and Lay Advocates |   |
| <b>Civil Society</b>                               |   |  |                                    |            |   |   |
| To strengthen & develop Civil Society on St Helena | To assist Civil Society to become more effective in promoting the interests of their groups and in working together to challenge discrimination & injustice |  |                                    |            |   |   |
|  | Medium  | Strengthen Civil Society as a lobbying group through political support and finance for a Community Development Officer and the programme being developed by the Civil Society Support Officer. | Home & International Committee     | FY 2012/13 | CDO appointed   |   |
|  | Medium  | Training on rights issues and practical application for CDO & CSOs   | HRF                                | FY 2012/13 | Training completed                                      | Now that CDO is in place this can happen. Will commence as soon as Guinea Grass is completed. |
|  | Medium  | Develop a resources library for CSOs   | NHRI                               | FY 2012/13 | Library available                                       |   |

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|   |   |   |                  |            |   |  |
|---|---|---|------------------|------------|---|--|
|   | Medium  | Set up and consolidate joint committees on specific issues, e.g, disability, to bring together different CSOs to discuss legal and policy changes and to engage CSOs in SHG reports to Treaty Monitoring Bodies | NHRI/CCSO        | FY 2012/13 | Committees in place   | Mechanism in place but not required at present |
|   | Medium  | Encourage CSOs to submit shadow reports to Treaty Monitoring Bodies   | HRFI/CCSO        | On going   | Shadow reporting underway   | Will be carried out with training above        |
|   | High  | Build links with overseas groups to develop the knowledge base and understand best practice.  | HRF/CCSO         | Dec-12     | Links established   |  |
|   | High  | Maintain up to date register of CSOs.   | HRF/CCSO         | Dec-12     | Register available & mechanism for updating in place  |  |
|   | High  | Training in governance for Civil Society Organisations  | HRF/CCSO         | Dec-12     | Training completed  | As above                                       |
| <b>The Promotion of and Education on Human Rights</b>   |   |   |                  |            |   |  |
| Island wide understanding of our rights and responsibilities under our constitution and the international treaties to which St Helena is a signatory. | Increase public understanding and awareness of human rights |   |                  |            |   |  |
|   | High  | All SHG communications with the public to be in plain English and, where possible, large print available and audio versions should be available on line.  | All directorates | Jun-12     | Policy in place<br>Plain English publications and disabled friendly information available on line |  |
|   | Medium  | Increase awareness by public officials on CEDAW requirements  | All areas of SHG | Dec-12     | Included in training & development programmes   |  |

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|  |                                       |  |                                   |                       |  |   |
|--|---------------------------------------|--|-----------------------------------|-----------------------|--|---|
|  | High                                  | Establish programme of celebration of key human rights days to raise awareness   | HRCBC with HRF                    | Dec-12                | Days being celebrated                          |   |
|  | Medium                                | Introduce equality and non-discrimination clauses in corporate procurement tenders   | Corporate Procurement Directorate | Dec-12,               | Clauses in tender documents                    | Working with Paul Macginerty  |
|  | High                                  | Engage CSOs in formal process to prepare SHG report to ICCPR (2012), CRC (Jan 2013) and ICESCR (June 2013)   | SHG - Central Admin               | Dec 2012 and Dec 2013 | Process in place. Contributions made to report |   |
|  | Medium                                | Publicise Government UN Treaty Body Reports in the media and Public Library, along with recommendations of the Treaty Monitoring Committees & any follow up communication e.g. in newspapers, on radio, SHG website                                    | SHG - Central Admin               | Dec-12                | ICCPR report in public domain                  | No  |
|  | High                                  | Appoint someone to be responsible for human rights aspects in each directorate and to coordinate with other directorates to build awareness among public sector staff of their responsibilities and duties. Articles to be written for HRD Newsletter. | Directors                         | Jun-12                | appointments made                              | Will attempt to persuade the directors once they are all settled.                 |
|  | High                                  | Set up procedures to ensure that the correct data and statistics are gathered and analysed for UN Treaty Body reports.   | Secretariat                       | Apr-12                | Process in place. Statistics being gathered    | This was in place but due to Susan's untimely death it needs to be re-established |
|  | High                                  | Keep UN Common Core Document up to date  | SHG - Central Admin               | Dec-11                | CD up to date                                  |   |
|  | Medium                                | Training and support to be provided to government officials involved in drawing up Treaty Body Reports   | Secretariat                       | Jun-12                | Training delivered                             |   |
|  | Keep action plan in the public domain |  |                                   |                       |  |   |

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|                   |  |   |                                |          |                              |  |
|-------------------|--|---|--------------------------------|----------|------------------------------|--|
|                   | High   | Review this action plan annually and publish progress reports | H&IC/ HRCBC HRF                | on-going | Progress reports published   |  |
|                   |  |   |                                |          |                              |  |
| To set up an NHRI | To protect and promote human rights on St Helena |   |                                |          |                              |  |
|                   | High   | Set up Enquiries Office for human rights complaints           | Home & International Committee | Apr-12   | Numbers and types of enquiry |  |

## Appendix 2

### Queries April 2012 – March 2013

| Subject                         |     | Subject                           |   |
|---------------------------------|-----|-----------------------------------|---|
| Access to Medical Records       | 2   | Immigration                       | 3 |
| How can a death be investigated | 1   | Freedom of expression             | 3 |
| Road Access                     | 3   | Right to return to school @16+    | 3 |
| Private Sector Employment       | 12  | School Uniform                    | 1 |
| Freedom of Information          | 15+ | Beauty Pageants (SHG sponsorship) | 1 |
| Access to treatment/ medicine   | 4   | Sectioning                        | 1 |
| Burial Rights                   | 1   | Housing                           | 2 |
| SHG Employment                  | 6   | Benefits/pensions                 | 3 |
| Media Standards                 | 2   | Overseas enquiries                | 7 |
| Childs rights                   | 2   | Police not taking action          | 1 |
| Pets in PL housing              | 1   | Privacy v Article 57              | 1 |

## Appendix 3

### Human Rights Office Jamestown

Receipts & Payments Account for the Period  
01 April 2012 to 31 March 2013

|                            | £                |
|----------------------------|------------------|
| Opening Balance            | 0.00             |
| <br>                       |                  |
| <b><u>RECEIPTS</u></b>     |                  |
| SHG Budget                 | 10,800.00        |
| Community Development Fund | 0.00             |
| Donations                  | 0.00             |
| Fund Raising               | 0.00             |
| Other Income               | 0.00             |
| Interest                   | 0.00             |
| <b>Total: Receipts</b>     | <b>10,800.00</b> |
| <hr/>                      |                  |
| <b>TOTAL RECEIPTS</b>      | <b>10,800.00</b> |
| <hr/>                      |                  |
| <b><u>PAYMENTS</u></b>     |                  |
| Facilitator Salary         | 4,850.00         |
| Travel Expenses            | 1,203.60         |
| Electricity                | 43.38            |
| Rent                       | 1,332.26         |
| Telecoms                   | 521.41           |
| Stationery                 | 83.84            |
| Office Equipment           | 2,063.90         |
| Sundries                   | 56.00            |
| Advertising                | 0.00             |
| Exhibitions Displays       | 0.00             |
| Books/DVDs                 | 0.00             |
| <b>Total: Expenses</b>     | <b>10,154.39</b> |
| <hr/>                      |                  |
| <b>TOTAL PAYMENTS</b>      | <b>10,154.39</b> |
| <hr/>                      |                  |
| <b>TOTAL NET</b>           | <b>645.61</b>    |
| <hr/>                      |                  |
| Closing Balance            | 645.61           |

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