

St Helena Human Rights Action Plan  
2012-2015

The St Helena Human Rights Action Plan  
Priorities for Action:  
2012-2015

## Foreword

By The Honourable Derek Thomas, Chair of the Home and International Committee.

As Chair of the Home and International Committee I am proud to present the first ever Human Rights Action Plan for St Helena.

Our new Constitution in 2009 enshrined a range of fundamental rights and freedoms for everyone on the island and most of the leading international human rights treaties have now been extended to St Helena. Promoting and protecting human rights is a key element of the third goal of the St Helena Government's Strategic Plan for 2012-2015. So this human rights plan will play an important part in achieving that goal. It identifies what must be done over the next 3 years to implement the rights in the Constitution and to make sure that everyone on St Helena knows what their rights are and how to claim them. The Home and International Committee will be monitoring progress as we go along.

The plan recognises that the St Helena Government has primary responsibility for promoting and protecting human rights, but also acknowledges that we all have a responsibility to respect and promote the rights of others in our daily lives. Employers have a responsibility to treat their staff well. Teachers have a responsibility to challenge bullying and protect children who are in their care. Parents and guardians have a responsibility to listen to their children and treat them well. We are all responsible for supporting each other.

This Action Plan is the result of the extensive consultations with individuals, groups and organisations which took place in June and July 2011 as part of the Challenge Fund project for building human rights capacity in the Overseas Territories. Many people gave us their views and ideas, including LegCo, the public sector, the private sector, civil society and individuals. We are grateful to everyone who took part.

This is your Plan. Read it and use it and tell your friends and family about it.

**Derek Thomas**  
**Chair of Home and International Committee**

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## 1. Introduction

### **Ensuring that human rights are protected on St Helena is essential to achieving the type of society that we all envision for its future.**

Human rights are vital to peace, security and sustainable development worldwide. In St Helena, as in the rest of the world, human rights should underlie our expectations about life, education, health and work, about our personal security, equal opportunity and fair treatment, about our ability to have a say and our system of government.

The St Helena Human Rights Action Plan builds on the substantial body of work and successes that have already been achieved over the last 5 years through the 'Building Human Rights Capacity in the British Overseas Territories of the Caribbean, Pacific and South Atlantic' and the 'Safeguarding Children' initiatives. In addition, its aim is to complement and strengthen key Saint Helena Government (SHG) objectives:

- Placing children and families at the heart of Government planning
- The Strategic Plan Objective of promoting strong institutions of governance, as well as underpinning goals 1 and 2 on the economy and social development
- Encouraging Saints living abroad to return and help with the construction of the airport.

The evidence and analysis presented in this report shows where St Helena is succeeding and identifies the areas in which we could do better, compared against the articles set out in the 6 human rights treaties which are already extended to St Helena. These are:

- UN International Covenant on Civil and Political Rights (ICCPR)
- UN International Covenant on Economic, Social and Cultural Rights (ICESCR)
- UN International Convention on the Elimination of All Forms of Racial Discrimination (CERD)
- UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- UN Convention on the Rights of the Child (CRC)
- European Convention on the Protection of Human Rights and Fundamental Freedoms (ECHR)

These international human rights treaties apply to everyone within the territory.

In addition the standards set out in 'The Convention on the Elimination of All Forms of Discrimination Against Women' were also considered, as St Helena is currently working towards its extension here.

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By acting now, the human rights of all St Helena's people can be strengthened over the next three years. This Action Plan for Human Rights sets out what is required to achieve measurable, sustainable improvements between 2012 and 2015.

### **1.1 Background Demographics**

During the ten years between the 1998 census and the one taken in 2008, the island's population declined from 5,644 to 4,255. This decline is due to economic migration, with many people of working age leaving to go to The Falkland Islands, Ascension and the UK. Often one or both parents of children will go overseas leaving their children with relatives or friends. This has led to a resident population which has an unusually high proportion of vulnerable people:

Under 18	885	21% of the total population
Over 65	703	16.5 of the total population
Disabled	104	2.5% of the total population
Children with at least 1 parent overseas <sup>1</sup>	185	20% of the total population

### **1.2 The Priorities**

The assessment has been carried out by examining existing statistics and gathering data through a series of consultation meetings. These were with elected and appointed officials, public & private sector employees, civil society representatives and the general public (see appendix 1).

This information was then compared against the standards laid down in the United Nations human rights treaties listed in the introduction and the recommendations made by the Treaty Monitoring Bodies. Account was taken of the United Kingdom's reservations to those treaties which affect St Helena. From this information, gaps were identified in legislation, procedures and implementation. These form the baseline of the National Action Plan.

The National Action Plan also includes the priorities and steps for addressing issues/gaps based on what, in the light of the research, the Human Rights Capacity Building Committee (HRCBC) judged to be urgent and on the availability of resources to tackle them.

Each priority has been designated high, medium or low risk based on the number of people affected and the severity of the outcome:

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<sup>1</sup> Latest figure from Social Services

<b>Number of people affected</b>	<b>Outcome</b>	
	Severe	Minimal
Many	High	Med
Few	Med	low

### ***1.3 Identifying the Priorities***

Before choosing each specific action we considered the following questions:

- How many people are affected?
- How serious will the consequences be if nothing is done?
- Is the action realistic, achievable and sustainable?
- Can the action be implemented or can implementation begin in the next three years?

The most pressing issues to emerge were those relating to:

#### **1. Children & Young people**

- Promote the rights of children.
  - i. Safeguard children from physical & sexual abuse.
  - ii. 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.

This issue is explained further in Section 2

#### **2. The Disabled**

- To integrate disabled people more fully into daily life on St Helena.
  - i. Improve integration of disabled people into work.
  - ii. Increase awareness of disabled-friendly practices.
  - iii. Progress towards the ratification of the Convention on the Rights of People with Disabilities (CRPD).

This issue is explained further in Section 3

#### **3. Domestic violence**

- To raise awareness of the unacceptability of domestic violence.
  - i. Reduce the incidence of domestic violence.
  - ii. Increase public awareness of the unacceptability of domestic violence.
  - iii. Increase support for survivors.

This issue is explained further in Section 4

#### **4. Prison and justice**

- To improve the care and rehabilitation of offenders.
  - i. A better prison building which meets minimum human rights requirements.
  - ii. Increase the range of viable sentencing alternatives for magistrates.
  - iii. Reduce recidivism rates.
  - iv. Increase the public awareness of rights and responsibilities of the police in their work with the general public and children in particular.

This issue is explained further in Section 5

## **5. Employment law**

- Improve employment rights on St Helena.
  - i. Increase awareness of the rights and responsibilities of both employees and employers.
  - ii. Implement the Employment Ordinance 2010.

This issue is explained further in Section 6

## **6. Civil Society**

- To strengthen and develop Civil Society on St Helena.
  - i. Assist Civil Society to become more effective in promoting the interests of their groups and in working together to challenge discrimination and injustice.

This issue is explained further in Section 7

## **7. Promotion of and education on human rights**

- Island wide understanding of our rights and responsibilities under our Constitution and the international treaties which have been extended to St Helena.
  - i. Increase public understanding and awareness of human rights.
  - ii. Keep the action plan in the public domain.

This issue is explained further in Section 8

## **8. A National Human Rights Institution (NHRI)**

- Set up an NHRI.
  - i. To protect and promote human rights on St Helena.

This issue is explained further in Section 9

Government strategies and policies are already acknowledging and addressing many of these areas. But the evidence is that in some crucial areas St Helena falls short of fully recognising and actively respecting the human rights of all of its people, will be demonstrated in this report.

## ***1.4 Implementation of the Action Plan***

This Action Plan proposes specific activities as steps to achieving the goals and objectives listed above. This report covers the research and background to the issues raised and the activities that will address the issues. The report is accompanied by a summary table (Appendix 2) which can be used to control and monitor the action plan. Under each priority heading are

- The goals and objectives to be achieved during the life of the plan.
- The activities which will help achieve the goals.
- The relevant agency responsible.
- A guide to the resources/costs involved.
- Completion target date.
- Performance indicators.

This is an Action Plan for the next three years. While some actions can be implemented immediately, with little cost, others will require detailed development and timelines and there will be budget implications. The responsibility for that work rests with the Government agencies and organisations that have the relevant

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statutory mandate. In some cases, the NHRI, once commissioned could take the lead role. Crucial steps towards implementing the suggested actions can also be taken by individuals or families, in their homes, by employers and employees at work, by parents, teachers and students in the schools and by Civil Society Organisations. We are all responsible for respecting the rights of others but it is Government that is held responsible, in international law for ensuring that all rights are protected.

Over the period of the plan, the Human Rights Capacity Building Committee, or later the NHRI, will work with the directorates and organisations responsible for priority actions. They will report annually to the Home and International Committee on progress in implementing the Action Plan and its impact on promoting respect for human rights.

### **1.5 Costs**

It has already been stated that many of the activities listed below will have little or no cost associated with them, while others will require a budget commitment. This budget cost needs to be considered against the costs of not taking action which are:

- Where a government is found not to have protected the rights of one of its people it may have to
  - Make financial restitution to the plaintiff.
  - Cover the costs of the legal proceedings.
  - Take action to ensure that the same circumstances will not happen again.
- The reputation of the country/ territory concerned is tarnished, which may affect tourism and investment.

In addition in St Helena's case there is a need to attract back to the island Saints who are living overseas. They will be better informed of their rights and more used to being able to exercise them fully. They may be less keen to return if they feel their rights will not be respected.

These costs will potentially exist whenever rights are found to have been violated. There will also be other costs e.g. the costs to society of people not contributing to the economy who otherwise could, sickness and depression caused by unemployment or stress due to lack of empowerment, which is happening now. This report will highlight specific areas where there is a cost of not taking action

## **2. Children & Young People**

### **Goal – To promote the rights of Children**

#### ***2.1 Introduction***

The Human Rights Capacity Building Committee identified human rights abuses against children and young people<sup>2</sup> as one of the greatest challenges facing St Helena. The most serious human rights abuses experienced by children and young people relate to physical and sexual abuse. Better protection of children and young people is a major human rights challenge for everyone. Children and young people live, learn and grow as part of families and communities. A society that meets the basic rights of its children and young people (to freedom from discrimination, education, health, an adequate standard of living and safety from violence) is building a future in which all its members are more likely to enjoy their human rights.

Outside the home, the most important places for realising the rights of children and young people are schools. Schools should be seen as human rights communities, involving students, their families and/or guardians, teachers, the Directorate and Committee of Education and Employment, and the wider community. These communities should promote learning about rights and responsibilities, and create an environment where there is freedom from violence, bullying and harassment, where individuality and diversity are respected, and where everyone is able to participate fully.

#### **2.1.1 Relevant Treaty Reservations**

St Helena has one formal reservation to the United Nations Convention on the Rights of the Child (CRC): the child's right to nationality (Art 24(3)). However the Safeguarding Children Ordinance 2009 protects the child's right to nationality so this reservation can now be removed.

Under the European Convention on Human Rights (ECHR) there is a reservation on corporal punishment in schools. This is now forbidden under the Education Ordinance 2008, therefore this reservation can now be removed.

#### ***2.2. Objective 1: Safeguard children from physical & sexual abuse***

According to the 2008 census 21% of our population are under 18 years old and 20% of them (approximately 185 children) have at least one parent living overseas. These children are particularly at risk of being targeted by predatory adults as they are

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<sup>2</sup> The phrase "children and young people" is used in this document to refer to people under the age of 18 years, in line with the definition of "children" in the United Nations Convention on the Rights of the Child

emotionally vulnerable. At the time of writing Social Services have 11 children listed on the At Risk register and 3 are in care.

Our research showed that children and young people find it difficult to discuss their problems and be open about the issues that affect them, due to St Helena being a small community, where almost everyone is a friend or family member. This makes access to medical advice, emergency contraception, and the police difficult. The children that were consulted were united in their concern about their lack of privacy, for example they felt they would be seen going into the hospital by someone who would tell their parents or into the police station, possibly by their abuser. There is also a clear perception that matters will not always be treated in confidence.

Too many children and young people in St Helena suffer from abuse which is able to continue only because it is ignored throughout society. There is a need to bring this aspect of life on St Helena out into the open and provide a safe and protective environment where children and young people can report the abuse and know that it will be dealt with in a caring, supportive and confidential way. The prison population at the time of writing is 5; of which 4 are convicted of sexual offences against vulnerable people; 3 of those with children.

The priorities chosen for this section are focused on prevention of child abuse and injury. Families and schools all have a crucial role to play in preventing violence against children and young people.

Government directorates and community projects like New Horizons are already working to improve child and youth safety through strategies such as the 'No Means No' campaign and general human rights awareness initiatives. The schools all have policies and programmes to reduce violence which are a good foundation on which to build. Developing schools as human rights communities can strengthen these programmes by providing a comprehensive approach to the rights and responsibilities of the child or young person.

### **2.2.1 Cost of not taking action**

Children who are sexually abused or bullied are more likely than others to become abusers or bullies themselves as adults. In addition research published in the American Journal of Psychiatry says that "childhood abuse doubles the risk of developing multiple and long lasting episodes of depression." These long term problems have long term costs:

- Prison costs.
- Counselling.
- Medical cost for treating the abused child's injuries and depression.
- Many who are abused or bullied self harm and/or attempt suicide.
- Members of the wider family may suffer stress related illness.
- Those who work for a bully may also sue or suffer stress.
- Abused children may not do well at school and this can affect their earning potential and employment prospects for the rest of their lives.

### **2.2.2 Priorities for action**

1. The passage and implementation of the 2011 amendment to the Safeguarding Children Ordinance 2008.
2. Rehabilitation and remedial counselling for offenders to reduce recidivism.
3. Renewal and extension of the 'No Means No' campaign and assertiveness skills development to increase awareness of the unacceptability of underage sex and to give children the ability to say no and the understanding they should say no.
4. Implementation of existing Safeguarding Children Ordinance: training for police and magistrates.
5. Publicity to create awareness of the Welfare of Children Ordinance and children's rights under it. Promote simple leaflets for children and for adults working or caring for them to publicise the safeguards in the Ordinance. These should be distributed widely in schools and youth programmes, and should also be issued to anyone under 18 who is taken into care or arrested or charged with a criminal offence.
6. Remove the reservation to CRC article 24(3) on the right to nationality.
7. Remove the ECHR reservation on corporal punishment.
8. Develop a programme of psychological support for the survivors of abuse.
9. Consider how to improve sexual offender training programmes to prevent recidivism.
10. Support schools to promote non-violent conflict resolution, combat bullying and harassment, and prevent sexual and other abuse.
11. Provide regular training for teachers, social workers, youth workers on the legislation and how to recognise signs of abuse and reporting mechanisms.
12. Initiate a Sex Offenders Register
13. Investigate the potential for mentoring and support links to UK social work teams.

### ***2.3 Objective2: 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.***

The HRCBC assessment report noted that the importance of participation rights is clearly stated in the CRC, however opportunities for genuine involvement in decision-making processes by children and young people on St Helena are currently limited. There is a need to more actively promote participation rights in government and non-governmental setting and to develop and promote educational resources, guidelines and other tools to involve children and young people in decision-making processes.

In order to participate fully in society, children and young people also need to know their democratic rights and responsibilities. They also have an important role to play in the island's future. They need to be encouraged to have a voice that is listened to and respected. Work has started in this area with the Youth Parliament and the introduction of Student Councils in the schools. The Education and Employment

Committee also invites the Head Girl and Head Boy from Prince Andrew School to their meetings which is an excellent example that should be encouraged in other relevant Council committees.

### **2.3.1 Costs of not taking action**

The biggest cost to the island would be children and young people feeling disenfranchised and disillusioned with an island that does not listen to them. Young people who feel that they are not being invested in have no reason to stay and invest in the island's future.

### **2.3.2 Priorities for action**

1. Continued support for Youth Parliament: Resources & promotion. SHG Committees to include YP members whenever possible.
2. Ensure that the child's voice is given due weight in court in any proceedings that affect them.
3. Reinvigorate the Student Councils in all schools.
4. Work with Student Councils & Youth Parliament to develop a Children's Charter.
5. Increase consultation with children on matters that affect them. This could include inviting representatives to Directorate meetings.
6. Ensure that government agencies assess the impact of proposed and existing policies and practices on children and young people.
7. Extend human rights education across all ages, starting at Key Stage 2, continuing throughout school and across subjects.
8. Increase the teaching resources and books/leaflets available in schools for teaching about and promoting human rights.
9. SHG to provide more comprehensive supply of human rights resources to school and public libraries.
10. 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.

## **3. Disabled People**

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

#### ***3.1 Introduction***

The research for this report identified the barriers that prevent disabled people from fully participating in society as a key human rights issue. As well as the limitations of their disability, disabled people may also experience additional disadvantages on the grounds of their age, gender or sexual orientation.

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One of the biggest issues is establishing an accurate assessment of the scope of the problem. This is because

1. A definition of the term 'disabled' has not been agreed because it has been interlinked to the benefit entitlements.
2. There is no data base of types of disability and how profound the effect of the disability is on the person concerned.
3. The estimates of the number of disabled people vary depending on who is being asked.

The 2008 census gives a figure of 104 people and Social Services have 80 people on their register but know they have more to add; this is the lowest figure we have been given.

There has been, in St Helena, a significant improvement in the access of disabled children to education in recent years and the support given to them has enabled every child to attend school at least part-time. However, when they come to join the workforce there are significant problems. Access to disability friendly transport, buildings, toilets and equipment is limited. Few even have the expectation of work. The SHAPE project should be applauded: this is a positive example of how Government and Civil Society can work together to produce something truly worthwhile. The clients at SHAPE are productive and happy. Many have improved their skills and are therefore making a positive contribution to island life. Disabled people may have physical, sensory, neurological, psychiatric, intellectual or other impairments; many of these impairments develop or worsen with age. Due to the economic migration of able bodied Saints of working age, St Helena has a disproportionately high number of disabled and elderly. An aging population means that increasing numbers of people have impairments. The outcomes and priorities for action in this section address issues affecting older people who experience disability as well as disabled people generally. Knowledge of the experience of disabled people is limited and indeed, as already mentioned no accepted definition of what constitutes disability exists on the island. This affects policy design and delivery, reducing the effective management of services.

### **3.1.1 Treaty reservation**

There are no reservations in place for St Helena with regard to the disabled.

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

The Constitution provides protection against discrimination for the disabled, but the infra-structure of the island, however, does not support this aim. There is a conflict of interests which exists, particularly in Jamestown where we have the best preserved Georgian Streets in the world. These are buildings of global significance and need to be protected. However protecting our heritage is making physical access to the island's biggest employers difficult. For example

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- The officer for the disabled at Social Services is housed on the top floor of a building only accessible by steps: there is no wheelchair access.
- There is a disabled toilet opposite the museum, but the key for this is kept at the Police Station which is only accessible up a flight of steps. Most government buildings have steps; few employers would be able to offer their employees disabled access toilets.

The collection and use of data also needs to be improved. It would be easier and more effective to prioritise support and measure progress if there were reliable figures about the numbers and types of disability on the island, how many disabled people are in employment and also whether that disability is physical, mental or sensory.

### **3.2.1 Costs of not taking action**

If the disabled do not work when it is possible for them to do so there is a loss of contribution to the economy and financial support has to be given. The investment in them and the personal progress made at school is lost: often people deteriorate without the routine provided by work or social contact. Disabled people have, like the wider society, a range of skills, talents and creative abilities which can benefit society as a whole. In addition to these costs a carer may have to stay at home to look after the disabled person. The carer is then lost from the economy and may have to claim benefits as well.

### **3.2.2 Priorities for action:**

1. Agree a cross-Directorate definition of disabled in plain English. This should be separate from registered disabled status for benefits.
2. A data base of the disabled including gender, age, level & type of disability, ability to work etc to be established.
3. Support for SHAPE to increase the number of clients that can be accommodated and the range of work to suit those clients.
4. SHG to set a target for the number of disabled people they employ and implement plan to reach this target.
5. Work with private sector to explore opportunities for increasing the number of disabled people they employ & produce an action plan for progress.
6. Develop an integrated transport policy to improve access to work opportunities and service provision for disabled people.
7. Improve transition from school to work for disabled people, drawing up plan for each person with regular reviews by case worker/manager, where possible including the individual or their representative in the process.
8. Investigate other ways to increase work and learning opportunities for the disabled, e.g. by having a centre of competence/person responsible for keeping up to date with available equipment, grant aid etc on an ongoing basis.

9. Improve direct involvement of disabled people in the monitoring and evaluation of the rights of the disabled.

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

Participation in decision making is not only a right in itself but also leads to better protection and promotion of other rights. Strengthening advocacy by and for disabled people is crucial to increasing participation, monitoring and addressing the full range of human rights. Society as a whole needs to understand more about what it means to be disabled: just because someone is in a wheelchair or has more difficulty than most communicating it does not mean that their opinions are less valid. Through the Disabled Aid Society, disabled people are currently consulted on some of the issues that directly affect them (for example the Clark Report) but are not systematically consulted on less obvious issues which also impact their lives (design of public buildings, parking etc).

#### **3.3.2 Priorities for action**

1. Strengthen advocacy by and for disabled people by providing the necessary knowledge, skills, support and resources to enable more disabled people to become advocates and self-advocates.
2. Review venues and transport to public consultation meetings for disabled access, not just for the disabled but to accommodate the blind, deaf and those with communication difficulties.
3. Public buildings to have clear signage for disabled access where available.
4. Set up consultation process with the disabled to discuss the challenges and barriers they face and how these might be overcome.
5. Increase links between the schools and SHAPE/Barn View to increase understanding from an early age.

### **3.4 Objective 3: Progress towards the ratification of the UN Convention on the Rights of Persons with Disabilities**

The purpose of this convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.

Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

#### **The principles of the present Convention are:**

- (a) Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons.
- (b) Non-discrimination.
- (c) Full and effective participation and inclusion in society.

- (d) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity.
- (e) Equality of opportunity.
- (f) Accessibility.
- (g) Equality between men and women.
- (h) Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

What this will mean for St Helena if it is to achieve this in full will require research and an action plan all of its own. The difficulties of balancing our cultural heritage with the needs of the disabled for physical access to historic buildings for example will require careful and informed consideration. At this early stage the scope of this part of the report is limited to what can be done easily without major costs.

### **3.4.1 Priorities for action:**

1. Research possibility of financial assistance from overseas for developing a holistic approach to achieving compliance with CRPD.
2. Review the Island's progress towards compliance with CRPD with a view to ratification and develop an action plan.

## **4 Domestic Violence**

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

#### ***4.1. Introduction***

The presence and tolerance of violence in homes is a key human rights concern in probably every country in the world. All forms of family violence, including partner, child and elder abuse, were identified as happening on the island. The nature of this problem is that it is kept hidden; therefore accurate figures are not easy to establish. Only the police keep figures on domestic violence and, as research elsewhere has demonstrated only a small percentage of such crimes are reported, the scale and scope of the problem on St Helena remains hidden.

Until there are the means to support the survivors of domestic violence and a cultural belief that it is unacceptable the scale and scope of this issue will not be understood.

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

The effect of raising the profile of domestic violence and starting to tackle it is that more incidences are reported so initially the expectation would be for the figures to increase sharply before they decrease. The figures provided by the police show that they recorded 13 cases of domestic violence in 2009/10 and 17 cases in 2010/11. Social Services have had 22 cases since January 1<sup>st</sup> 2011. Most international reports

agree that less than 10% of cases are actually reported to the police and there is no reason to assume it would be any higher here. That would indicate that there are at least 130 domestic assaults on this island each year.

#### **4.2.1 Costs of not taking action**

A perpetuation of the cycle of violence will take its toll on the mental health of all those involved. It will have a tangible cost in police time, prison and court costs, and hospital costs. The cost to the island of working days lost and reduced productivity will also be considerable.

#### **4.2.2 Priorities for action:**

1. Introduce zero tolerance policy by police to take a positive arrest policy and investigate all accusations of domestic violence, ensuring that all such cases are reported to the Attorney General.
2. Ensure clear and stringent sentencing policy including, where relevant, alcohol and anger management counselling as a condition.
3. Support schools & families to promote non-violent conflict resolution. This will not only stop children growing up to be abusers but will assist in reducing bullying and violence in general.
4. Collect and report statistics on domestic violence; the number and types of incidence, success of prosecution and sentence given.

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

To break the cycle of domestic violence it needs to be brought out into the open and discussed. People who have grown up in a household where violence is the norm accept it. Only when they understand that it is wrong will they understand the need to do something about it.

#### **4.3.1 Priorities for Action**

1. Introduce annual white ribbon campaigns on the International Day Against Violence against Women (25 November)
2. Increase publicity, newspaper articles and radio discussions.

### ***4.4 Objective 3: Increased support for survivors***

For the survivors to feel that they can come forward and ask for help they need to know that support will be available in a confidential and safe environment.

#### **4.4.2 Priorities for action**

1. Encourage civil society to form a support group for those affected by domestic violence.
2. Recruit a woman with domestic violence experience into the vacant mental health role.
3. Identify a place of safety for survivors.
4. Examine why the help line which used to be operated by social Services failed and how it might be successfully re-introduced.

## **5. Prison & Justice**

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

#### **5.1 Introduction**

The conditions at the prison have been widely reported. The Southern Oceans Prison Advisor, the Superintendent of Goals and the Prison Visiting Committee have all listed the various human rights that are violated by the standard of the accommodation in the island's only prison.

The prison has developed a range of new behaviour management policies which are showing real promise with regard to the rehabilitation of offenders. More prisoners are engaged in literacy and maths courses as well as learning carpentry and developing art skills. In addition the Deputy Superintendent of Goals has been working with magistrates to develop alternatives to custodial sentences and, in particular, properly managed and conditioned probation. The first parole hearing will also be held in August 2011.

Some issues have been raised with regard to the explanation and understanding of the rights of the prisoners, particularly when they are first sentenced, as they get a lot of information in a short space of time and at a time when they may well be shocked or upset.

##### **5.1.1 Treaty Reservations**

There is a reservation under the International Covenant on Civil & Political Rights (ICCPR) (Art 37(c)) relating to juvenile detention due to the limited availability of suitable facilities. Until the prison is moved to more suitable premises there is no prospect of lifting this reservation.

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

The prison building is not fit for purpose and fails to meet several human rights standards

- The accommodation is well over 100 years old.
- There are no fire exits.

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- The toilets for the arrested prisoners are in full view of other prisoners and staff, including the female staff.
- Cells are without natural light and adequate ventilation. They are very hot in summer especially if, as regularly happens, there are 3 or 4 people in the cell.
- Remand prisoners are kept together with convicted prisoners, as to do otherwise results in isolation for the remand prisoner.
- Arrested prisoners are kept separate but space and the layout means that this impacts on the freedom of the convicted prisoners who cannot access the exercise area when the security cells are occupied.
- Prisoners are often woken during the night as noisy, drunken people are transferred to the holding cells.
- Should there be more than one convicted female prisoner or any convicted juvenile the prison would not be able to accommodate them.
- Prisoners receiving sentences in excess of 6 years have to be accommodated in the UK at a heavy financial cost to SHG.

Southern Oceans Prison Adviser has recommended closing the current premises and moving to the existing Challenging Behaviour Unit at Sundale, Half Tree Hollow, which could be adapted. This proposal has political support but needs a commitment to funding in the immediate future.

### **5.2.1 Cost of not taking Action**

The prison population is likely to rise for 2 reasons:

1. The airport construction will mean that 300 workers will come to the island. This will mean an increase in drinking and associated crime, fights with locals etc. The men may also attract female attention and this could lead to prostitution and underage sex.
2. Some of the measures highlighted above, e.g. dealing with child abuse and domestic violence will result in a short term increase in the number of people prosecuted as people come forward and complain.
3. Saints are being encouraged to return from overseas to help with the airport development and their number is likely to include some with criminal records

More people in prison, especially from overseas increases the risk that someone with an understanding of their rights will make a formal complaint or that an incident will occur in the prison which requires an investigation. The consequences would be very expensive, both financially and to our reputation with tourists and potential investors.

### **5.2.2 Priorities for action**

1. Increase interaction between prison authorities and councillors.
2. Engage with public through media interviews and public meetings to increase awareness of the long term benefits of good offender management.
3. Secure the budget for the development of Sundale House into a new prison.
4. Then remove the reservation to ICCPR Art 10 on separation of juvenile prisoners/detainees because of a lack of suitable facilities.

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

At present the magistrates have only two courses of action easily available to them. They can fine someone found guilty or imprison them. Due to lack of trained personnel other sentencing options e.g. community service or probation are not handed down as they cannot be rigorously managed by the agencies concerned. Fines may not have a deterrent effect as they are not always commensurate with the crime and for the wealthier members of our society they are a “small price to pay”. Custodial sentences however are expensive to administer and if the prison is full there is a reluctance by the courts to add to the burden. Both community service and probation allow a sensible time element and behavioural conditions while allowing perpetrators to contribute positively to society.

#### **5.3.1 Cost of not taking action**

The cost of action here will be outweighed by the savings made within the prison. It costs less to manage someone on probation than it does to keep them in prison. In addition, studies in the UK, have demonstrated that sentences like community service and probation do act as a deterrent (more so than fines), therefore crimes are less likely to be committed and recidivism rates will be reduced.

#### **5.3.2 Priorities for action**

1. Develop the probation system within the prison as an alternative to custodial sentences.
2. Review the management of judicial cases, from arrest to conviction, to ensure that every effort is made to protect privacy before conviction.

### **5.4 Objective 3: Reduce Recidivism Rates**

Crime hurts the victims and costs society money, therefore hurting us all. One way of reducing the number of crimes is by dealing with those who do offend in a way that addresses their behaviour. Bringing about a change in criminal behaviour will reduce the costs to society. Helping those convicted to understand the rights of others and to understand the consequences of violating those rights is key to bringing about a change in behaviour. Respecting the rights of prisoners plays an important part in their developing an understanding of respecting the rights of others. Prisoners also need to learn how to take responsibility for themselves and on leaving prison need to be able to play the role in the community they have been rehabilitated for.

#### **5.4.1 Priorities for action**

1. Review prison procedures to ensure that the prisoner's handbook is made available to all prisoners on arrival

2. Review handbook contents in consultation with prisoners to update as necessary. Develop 1 page leaflets or posters as reminders
3. Ensure that the PVC mandate is more appropriate in the new Gaols Ordinance
4. Continue to develop a holistic approach to release on licence or parole with effective and managed conditions
5. Consider appointing a male social worker to work with boys and juvenile offenders.
6. Review government policies to identify more opportunities for the employment of prisoners on release
7. Promote private sector employment practices that ensure that spent convictions are understood and not considered in the selection process.

***5.5 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.***

We all have rights and responsibilities and we all need to be aware of how we deal with situations when we believe our rights have been violated. Clear, well publicised procedures should be in place. Children and adults with learning difficulties often have less confidence than others when dealing with authority. Therefore particular care needs to be taken when dealing with people in this category.

**5.5.1 Priorities for action**

1. Promote improved information to the public on how to make a complaint against the police.
2. Review training for police, prison and fire services to ensure it is compliant with human rights standards.
3. 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.

## **6. Employment Law**

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

#### ***6.1 Introduction***

There is currently little law in place on St Helena to protect employees in the private sector. Government and some of the larger employers do have employment policies which offer their employees some rights and protection. This situation is in the

process of being addressed. The 2010 Employment Ordinance has been passed by LegCo but has yet to be enacted as the statutory body for monitoring compliance has not been set up. A Senior Magistrate is to be appointed who will be responsible for this function. The terms of reference for this post have to be written and approved before the vacancy can be advertised.

Good employment law has several benefits to the employee, employer and wider society:

- Both parties have a clear understanding of the contract.
- Both parties have a clear and fair procedure for dealing with complaints.
- It prevents discrimination.
- It prevents unfair dismissal.
- These contribute to a vibrant economy

## ***6.2 Objective 1: To Increase awareness of the rights and responsibilities of both employees and employers***

As the 2010 Employment Ordinance is due to be enacted both private sector employees and employers need to be made aware of their rights and responsibilities under the Ordinance. They need to understand any transition arrangements etc that will be allowed and what to do if the Ordinance is not being adhered to.

### **6.2.1 Costs of not taking action**

Good employment legislation leads to greater protection for both employees and employers. People feel more secure, if they know their rights and responsibilities and are more confident in decision making at every level. This increases motivation and therefore productivity. This will not happen unless the legislation is implemented.

The SHG objective of encouraging Saints to return home from abroad will be compromised. A person with a job in the UK with protected rights, holiday pay, paid sick leave and a pension will not be keen to give it all up and come back to a job without benefits and protection.

### **6.2.2 Priorities for action**

1. Establish programme of work for public officials to make legislation and policies CEDAW-compliant.
2. Work with employee groups to support the development and reinvigoration of employee associations.
3. Review SHG employment practices and Code of Management to ensure there are no discriminatory policies.

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

This Ordinance has been passed but it requires a Labour Regulating Authority and an Employments Rights Committee before it can be implemented. However it is expected that all be in place for the start of financial year 2011/12. This legislation will ensure that those employed in the private sector have at least

- Minimum wage.
- Paid sick leave.
- Paid holiday.
- Written statement of employment.
- Appeals/enforcement processes.
- Unfair dismissal remedies.
- Protection for 'Whistle blowers'.

#### **6.3.1 Activities**

1. Appoint a Labour Regulatory Authority.
2. Set up an Employment Rights Committee.
3. Publicise the contents of the Ordinance in all workplaces, both SHG and private sector.
4. Set up a training programme on the Ordinance for Magistrates and Lay Advocates.

## **7. Civil Society**

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

#### **7.1 Introduction**

In an environment where there are no party politics and therefore there is no official opposition, Civil Society groups (Charities, NGOs, interest groups) have a major role to play in maintaining a democracy. Without their role in challenging decisions, creating awareness of need and providing a voice for those that have difficulty being heard, government decisions would not be rigorously challenged. It is therefore necessary for Civil Society groups to be well organised, well informed and mandated by their constituents. They must also be actively engaged with and consulted by government.

Our research has shown that some Civil Society groups felt that they were adequately consulted on issues which obviously affected them. For example during the building of the disabled toilet, the Disabled Aid Society was involved from the planning stage. But on other issues they are not consulted.

The other key area of concern raised is the lack of groups to represent some of the vulnerable members of our society. There are no trade unions or work based

associations, no children's charity, no victim support, no women's groups or rape/domestic violence crisis support. This was seen as being due to

- Lack of resources (human & financial).
- Lack of knowledge (how to be an effective group).
- Concern about "sticking your head above the parapet".

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

There are currently approximately 80 Civil Society groups, which include charities, faith-based groups, special interest groups and NGOs. These groups all have their specific mandates and constitutions and work hard to achieve them. However the groups that we spoke to all felt that they could be more effective, if they knew more about

- Their rights under the treaties
- How to lobby on behalf of their members
- What other groups with cross-over interests were doing so that they could work together.

#### **7.2.1 Priorities for Action**

1. Strengthen Civil Society individually and as lobbying group through political support and finance for Community Development Officer (CDO) and programme being developed by Civil Society Support Officer.
2. Build links with overseas groups to develop the knowledge base and understand best practice.
3. Training on rights issues and practical application for CDO & Civil Society Organisations.
4. Develop a resources library for CSOs
5. 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.
6. Encourage CSOs to submit shadow reports to Treaty Monitoring Bodies
7. Maintain an up to date register of CSOs.
8. Training in governance for civil society organisations.

## **8. 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**

#### ***8.1 Introduction***

During the consultation process (paragraph 1.2) it became clear that many people do not understand what rights they have and what to do if they have a complaint about their rights.

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

The Building Human Rights Capacity in the British Overseas Territories Project has broadened the concept of human rights across St Helena. Most people are aware of human rights, but not everyone understands what they are, and still fewer know how to exercise their rights. Many people said that they were afraid to speak out against things they thought unjust for fear of reprisals. At the heart of all the priorities listed above is creating a greater awareness and understanding of our rights and how we affect the rights of others. With awareness comes an understanding of the issues and the will to do something about them.

##### **8.2.1 Priorities for action**

1. All SHG communications with the public to be in plain English and, where possible, large print and audio versions should be available on-line.
2. Increase awareness by public officials on CEDAW requirements
3. Produce or obtain simple leaflets explaining all the relevant treaties.
4. Publicise the aims and working of the Legal Assistance Fund to the general public.
5. Establish programme of celebration of key human rights days to raise awareness.
6. Introduce equality and non-discrimination clauses in corporate procurement tenders.
7. Engage CSOs in formal process to prepare SHG report to ICCPR (2012), CRC (Jan 2013) and ICESCR (June 2013)
8. 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
9. 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.

10. Set up procedures to ensure that the correct data and statistics are gathered and analysed for UN Treaty Body reports.
11. Keep UN Common Core Document up to date.
12. Training and support to be provided to government officials involved in drawing up treaty body reports.

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

This action plan is for St Helena: everyone on St Helena. It is therefore important that everyone on St Helena is kept informed of and involved in its progress. It is SHG's responsibility to protect the rights of the people of St Helena and it is the people's right to hold the Government to account. The next Action Plan will need to build on the achievements of this plan and the writing of it should include as broad a range of people as possible.

#### **8.3.1 Priorities for action**

1. Review this action plan annually and publish progress reports
2. In year 3 hold a wide public consultation to prepare a new 3 year action plan

## **9. A National Human Rights Institution**

### **Goal – To set up a National Human Rights Institution for St Helena**

#### ***9.1 Introduction***

The Commonwealth Foundation's Challenge Fund supported the Citizenship Commission in developing a proposal for a National Human Rights Institution for St Helena which would be called the St Helena Human Rights Commission. As part of the project a wide consultation process was carried out with the general public, government officials, politicians, the private sector and civil society organisations. There was overwhelming support for the proposal.

It is recognised that this proposal will require an Enabling Ordinance and funding. A target date for the official launch has therefore been set as May 5<sup>th</sup> 2014 as this will be the 355<sup>th</sup> anniversary of the island's settlement and 180 years since the abolition of Slavery.

## **9.2 Objective 1: To protect and promote human rights on St Helena**

The key recommendations for the St Helena Human Rights Commission were that:

- It has a pool of 5 Commissioners and a Director/Office Manager.
- Its mandate covers the promotion of human rights, the investigation of human rights complaints and support for St Helena Government in the preparation of Treaty Monitoring Reports.
- An Appointments Panel is set up to ensure independence and autonomy in the recruitment and performance of the Commissioners.

As a first step it has been proposed that an enquiries office be set up to provide information and advice to members of the public. This would also help to establish the number and type of enquiry a full Human Rights Commission might encounter.

### **Priorities for action**

1. Set up enquiries office for human rights complaints
2. Pass Enabling Ordinance to set up NHRI (St Helena Human Rights Commission) and establish its mandate and powers
3. Allocate adequate human and financial resources for the NHRI
4. Set up Appointments Panel to recruit Commissioners, Director and/or Office Manager
5. Premises located and practical support provided to St Helena Human Rights Commission (SHHRC)
6. SHHRC strategy agreed and working practices established
7. Set up programme to develop staff capacity
8. Develop outreach programme to promote human rights on the island
9. In depth training programme for local Office Manager

## **10. Conclusion**

This plan is the first of its kind on St Helena and has been drawn up after extensive consultation. Many of the priorities for action have been kept deliberately simple and low-key in recognition of the need to build up support for the principle of a National Action Plan on Human Rights and to show that small steps can make progress. A large part of the action plan is about education – helping people to understand what human rights are and what issues on St Helena are about human rights.

But it will be important to maintain momentum and progress. Members of the Legislative Council have an important role to play here, both elected and ex-officio. They, and the senior levels of the St Helena Government, should lead by example, demonstrating political will to show the importance that is attached to human rights and by finding the resources to make this a reality.

## Appendix 1

### Those Consulted

We would like to thank the following groups and individuals who provided input and information for this research

HE The Governor  
The Elected Members  
The Home and International Committee  
The Citizenship Commission  
The Human Rights Capacity Building Committee  
The Education and Employment Committee  
The Directorate  
OCS  
The Education Director  
The Director of Health & Social Welfare  
The Attorney General  
The Deputy Crown Council  
Social Services  
Sundale House  
Elderly Care  
Hospital Staff  
The Chief of Police  
The Prisoners and Prison Staff  
The Public Solicitor  
The Justices & Magistrates  
A&NRD  
Staff and Students from Prince Andrew School  
Ann Muir  
SHAPE  
The Disabled Aid Society  
New Horizons  
Liz Johnson-Idan  
The respondents to the questionnaire  
Members of the public who did not wish to be named.

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Goal	Objective	Activity	Relevant Agency	Resources	Completion Target Date	Performance Indicator
<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	Passage of the 2011 amendment to the Welfare of Children Ordinance 2008	LegCo	cost neutral	Dec-11	Legislation enacted
	High	Rehabilitation & remedial counselling for offenders	Prison staff & Caroline Kewn	Already underway	Apr-12	Programme for sex offenders in place
	Medium	Renewal and extension of 'No Means No' campaign of awareness raising of the unacceptability of underage sex	Education Directorate, Sexual Health group, NHRI	Staff time & printing	Apr-12	Increase in reported incidents, reduction in under 16 pregnancy
	High	Implementation of existing Safeguarding Children Ordinance: training for police, magistrates	Police & Chief Magistrate	budget implication	Apr-12	No of people trained
	Medium	Training for healthcare workers at all levels including senior	Health & Social Welfare Directorate	budget implication	Apr-12	No of people trained
	Medium	Publicity to create awareness of the Ordinance and children's rights under it. Promote simple leaflets for children and for adults working or caring for them to publicise the safeguards in the Welfare of Children Ordinance 2008. These should be distributed widely in schools and youth programmes, and should also be issued to anyone under 18 who is taken into care or arrested or charged with a criminal offence	Education & Employment Directorate, NHRI	Staff time & printing	Apr-12	Increase in reported incidents and convictions,

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	Low	Remove the reservation to CRC article 24(3) on the right to nationality	Governor and AG	cost neutral	Dec-12	Reservation Removed
	Low	Remove the ECHR reservation on corporal punishment	Governor and AG	cost neutral	Dec-12	Reservation Removed
	High	Develop a programme of psychological support for the survivors of abuse	Health & Social Welfare & Caroline Kewn	Staff time & materials	Mar-13	Programme in place and being delivered
	High	Consider how to improve Sexual Offender Training Programmes to reduce recidivism	Prison staff & Caroline Kewn	Staff time and overseas training - possibly sending prisoners to UK for programme	Jun-12	Improved training programmes available which are in line with UK practice.
	High	Support schools to promote non-violent conflict resolution, combat bullying and harassment, and prevent sexual and other abuse	Health & Social welfare & Caroline Kewn	Staff time & materials	Apr-13	Programme in place and being delivered
	High	Train teachers and youth workers in recognising the signs of child abuse and what to do.	Education & Employment Directorate, Health & Social Welfare	Overseas trainer or distance learning	Mar-13	Programme in place. Mechanisms in place. No of people trained. Up to date at risk register
	High	Sex Offenders Register to be initiated	Police/Social Services/MAPPA	Already under consideration in the current review of the Criminal Code	Mar-13	Included in crime bill

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	High	Investigate potential for mentoring and support links to UK social work teams. Including annual audit to ensure procedures are in place and implemented.	Directorate of Health & Social Welfare	Staff time	Oct-12	Investigation completed & Decision made
	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	Education Directorate, New Horizons, NHRI	Staff time	Ongoing	Regular, well attended YP meetings and YP meetings with LegCo. Committee membership
	High	Ensure that the child's voice is given due weight in court in any proceedings that affect them	Judiciary	No cost	Apr-12	Court reports
	High	Reinvigorate the Student Councils in all schools	Education Directorate & School Heads	Staff time	Aug-12	Activity levels
	Medium	Work with School Councils & Youth Parliament to develop a Children's Charter	Education and Employment Directorate, Schools, New Horizons, Youth Parliament, NHRI	Staff time	Dec-12	Children's Charter in place and publicised
	Medium	Increase consultation with children on matters that affect them. This could include inviting representatives to Directorate meetings.	All Directorates & LegCo & CSOs	Time	Apr-12	Children attending consultation meetings. Children's comments included in reports
	High	Extend human rights education across all ages, starting at Key Stage 2, continuing throughout school and across subjects.	Education Directorate, NHRI	Staff time during curriculum planning	Sep-13	HR included in National Curriculum for ages 7+ and up

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	Medium	Increase the teaching resources and books/leaflets available in schools for teaching about and promoting human rights	Education Directorate, NHRI	Staff time and cost of materials (Commonwealth Foundation project to supply resources will contribute)	Aug-12	Quality & quantity of materials available
	Medium	SHG to provide more comprehensive supply of human rights resources to school and public libraries	Education & Employment Directorate	Commonwealth Foundation Project Funding	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	Home & International, Education Directorate, NHRI	Cost implication	Dec-12	Activity levels
<b>The Disabled</b>						
<b>To integrate disabled people more fully into daily life on St Helena</b>	<b>To improve integration of disabled people into work</b>					
	High	Agree a cross-Directorate definition of disabled. This should be separate from registered disabled status for benefits.	All Directorates & LegCo	Staff time may have effect on benefits paid	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	Education & Employment Directorate & Health And Social Welfare	Staff time	Dec-12	Data base established, policy for keeping it up to date in place.

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	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 & Health And Social Welfare with SHAPE	Staff time, cost implication for specialist equipment & transport, training	Ongoing but in place by Dec-12	Increase in the number of SHAPE clients, and range of suitable work available
	High	SHG to set a target for the number of disabled people they employ and implement plan to reach this target	Human Resources Directorate	Staff time	Target set by April 2013 Target achieved 2014	Target set & publicised. Target Achieved
	Medium	Work with private sector to explore opportunities for increasing the number of disabled people they employ & produce an action plan for progress	Education & Employment Directorate & Health And Social Welfare Disabled Aid Society	Staff time, cost implication for specialist equipment & transport	Action plan to commence 2013	Action plan agreed and work underway
	High	Develop an integrated transport policy to improve access to work opportunities and service provision for disabled people	Education & Employment Directorate & Health And Social Welfare	Small cost implication	Aug-12	Policy & procedure in place. Process happening
	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 & Health And Social Welfare; Disabled Aid Society; Chamber of Commerce	Staff time	Jan-13	Procedure in place. Increase in number of people moving from school to employment.

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	Medium	Improve direct involvement of disabled people in the monitoring and evaluation of the rights of the disabled	Health & Social Welfare Directorate	Staff time	Aug-12	Monitoring happening
	Low	Investigate other ways to increase work and learning opportunities for the disabled, e.g. by having a centre of competence/person responsible for keeping up to date with available equipment, grant aid etc on an ongoing basis	Education & Employment Directorate & Health and Social Welfare, Disabled Aid Society	Staff time	Dec-13	Increase in the number of disabled people employed
	Increase awareness of disabled friendly practices					
	High	Public buildings to have clear signage for disabled access where available	SHG	Cost of signs	Dec-12	Signage in place
	Medium	Set up consultation process with the disabled to discuss the challenges and barriers they face and how these might be overcome.	Education & Employment Directorate & Health And Social Welfare Disabled Aid Society	Staff time	Dec-14	Increased awareness of how people are affected by disability.
	Medium	Increase links between the schools and SHAPE/Barn View to increase understanding from an early age.	Education & Employment Directorate & Health and Social Welfare, Disabled Aid Society	Staff time	Dec-14	Programme of events/activities taking place
	High	Strengthen advocacy by and for disabled people by providing the necessary knowledge, skills, support and resources to enable more disabled people to become	VSO Civil Society Volunteer	cost neutral	Dec-14	No of Disabled Issues highlighted

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		advocates and self-advocates				
	High	Review venues and transport to public consultation meetings for disabled access, not just physically but to accommodate the blind, deaf and those with communication difficulties.	Public Works	cost neutral on transport (being replaced anyway), some cost at venues	Dec-14	Improved transport arrangements and meetings accessible to all.
	Progress toward ratification of CRPD					
	Medium	Research possibility of financial assistance from overseas for developing a holistic approach to achieving compliance with CRPD	HRCBC or NHRI	Time	Dec-13	Possibilities for funding identified
	Medium	Review Islands progress towards compliance with CRPD with a view to ratification and develop an action plan	NHRI	Funding required	Dec-14	Action plan developed
<b>Domestic Violence</b>						
To raise awareness of the unacceptability of domestic violence	Reduce the incidence of domestic violence					
	High	Introduce zero tolerance policy by police, including prosecuting abusers even when the victim is reluctant.	Police	Staff time & in house training. Widespread publicity for policy. Magistrate/Lay Advocate and court time.	Dec-12	Increase in reporting & conviction, followed by a decrease in incidence

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	High	Collect & report statistics on domestic violence: Number & type of incidents, successful prosecutions and sentences	Social Services/Police	Staff time	April-12,	Statistics available
	High	Ensure clear and stringent sentencing policy including, where relevant, alcohol and anger management counselling as a condition	Magistrates	Time	Dec-13	More sentences which include counselling conditions
	High	Support schools & families to promote non-violent conflict resolution. This will not only stop children growing up to be abusers but will assist in reducing bullying and violence in general.	Education & Employment Directorate, Social Services & PRU	Time & resources (Giselle Richards)	Dec-13	Workshops available
	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)	HRCBC or NHRI	Some resource implications	First promotion Nov 25th 2012	Programme of events & Campaigns
	Medium	Increase publicity through press & radio	HRCBC or NHRI	Some resource implications	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	Health and Welfare?	Seed funding may be required	Dec-12	Support group operating
	High	Identify a place of safety for survivors	Health & Welfare Directorate	will require a budget	Dec-14	Safe accommodation available
	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	Time and possible resource implication	Dec-12	Help line available

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Prison & Justice						
<b>To improve the care and rehabilitation of offenders</b>	Better prison building which meets minimum HR requirements					
	High	Increase interaction between prison authorities and councillors	SoG & H&I	Time	Apr-12	Increased awareness and political support
	High	Engage with public through media interviews and public meetings to increase awareness of the long term benefits of good offender management	SoG & H&I and PVC	Time	Dec-13	Reduced concern by Cow Path Residents
	High	Secure the budget for the development of Sundale House into a new prison	SoG & H&I	Time	Dec-14	Funding secured & plans underway
	Medium	Remove the reservation to ICCPR Art 10 on separation of juvenile prisoners/detainees because of a lack of suitable facilities.	Governor & AG	Time	Dec-14	Reservation Removed when new juvenile facilities are available
	Increase the range of viable sentencing alternatives for magistrates					
	High	Develop the probation system within the prison as an alternative to custodial sentences	DSOG & Magistrates	Time savings on prison costs will out weigh expenses.	Dec-12	Probation Orders in operation.
	Medium	Review the management of judicial cases, from arrest to conviction, to ensure that every effort is made to protect privacy before conviction.	Police, Prison, Court Officials	Time	Apr-12	Review completed. Privacy better protected
	Reduce recidivism rates					
	Medium	Review prison procedures to ensure that the prisoner's handbook is made available to all prisoners on arrival	SoG, DSoG, PVC	Time	Apr-12	Handbook available & Issued

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	Medium	Review handbook contents in consultation with prisoners to update as necessary. Develop 1 page leaflets or posters as reminders	DSoG & PVC	Time minimal costs	Dec-12	Handbook available & Issued
	Medium	Ensure that the PVC mandate is more appropriate in the new Gaols Ordinance	SoG, DSoG, PVC & Prisoners	Time	Dec-12,	Draft Ordinance with AG
	High	Continue to develop a holistic approach to release on licence or parole with effective and managed conditions	SoG & DSoG	Time costs outweighed by savings	Dec-12	Parole procedures in operation
	Medium	Review government policies to identify more opportunities for the employment of prisoners on release	HRD	Staff time	Dec-12	SHG jobs for prisoners
	Medium	Promote private sector employment practices that ensure that spent convictions are understood and not considered in the selection process.	Education & Employment Directorate	Staff time	Dec-14	Information available to private sector.
	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.	Police, Prison, Lay advocates, Public Solicitor	Time & possible printing costs	Dec-12,	Information available
	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.	Police	Time & possible printing costs	Dec-12,	Information available

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	High	Review training for police, prison and fire services to ensure compliant with human rights standards.	CoP	Time & Training costs	Dec-12,	Training received & documented
<b>Employment law</b>						
<b>To improve employment rights on St Helena</b>	Increase awareness of the rights and responsibilities of both employees and employers					
	High	Establish programme of work for public officials to make legislation and policies CEDAW-compliant	AG	Time & possibly some funding implications (following on from potential Commonwealth Foundation sponsored project)	Dec-12,	Review completed
	Medium	Work with employee groups to support the development and reinvigoration of employee associations.	HRD	Time & possibly some funding implications	Dec-13	Groups up and running
	High	Review SHG employment practices and Code of Management to ensure there are no discriminatory policies.	Human Resources Directorate	staff time	Dec-12	Review completed & changes appropriately notified
	Implement the Employment Ordinance 2010					
	High	Appoint a Labour Regulatory Authority	Governor	Time & budget implications	Dec-12	LRA in place
	High	Set up an Employment Rights Committee	Governor	Time & budget implications	Apr-12	ERC set up and meeting regularly
	High	Publicise the contents of the Ordinance in all workplaces, both SHG and private sector	Education & Employment Directorate	Time & budget implications	Apr-12	All employees aware of their rights under the Ordinance

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	Medium	Set up a training programme on the Ordinance for Magistrates and Lay Advocates	Chief Magistrate	Time & budget implications	Dec-12	Training completed by all Magistrates and Lay Advocates
<b>Civil Society</b>						
<b>To strengthen &amp; develop Civil Society on St Helena</b>	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	Funding Required	FY 2012/13	CDO appointed
	Medium	Training on rights issues and practical application for CDO & CSOs	Home & International Committee	Funding Required	FY 2012/13	Training completed
	Medium	Develop a resources library for CSOs	NHRI	Funding Required	FY 2012/13	Library available
	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	Time	FY 2012/13	Committees in place
	Medium	Encourage CSOs to submit shadow reports to Treaty Monitoring Bodies	NHRI/CCSO	Time	FY 2012/13	Shadow reporting underway
	High	Build links with overseas groups to develop the knowledge base and understand best practice.	NHRI/CCSO	Time	Dec-12	Links established

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	High	Maintain up to date register of CSOs.	NHRI/CCSO	Time	Dec-12	Register available & mechanism for updating in place
	High	Training in governance for Civil Society Organisations	NHRI/CCSO	Time & small budget	Dec-12	Training completed
<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 and audio versions should be available on line.	All directorates	Small cost implication	Jun-12	Plain English publications and disabled friendly information available on line
	Medium	Increase awareness by public officials on CEDAW requirements	All areas of SHG	cost neutral	Dec-12	
	Medium	Produce or obtain simple leaflets explaining all the relevant treaties	HRCBC	Cost of purchasing or printing	Dec-13	Leaflets available in Public Library and all schools and government offices
	Medium	Publicise the aims and working of the Legal Assistance Fund to the general public	AG & Public Solicitor	limited cost	Jun-12	Widespread understanding of what the fund is for and how to access it, including any changes made.
	High	Establish programme of celebration of key human rights days to raise awareness	HRCBC or NHRI	limited cost	Dec-12	Days being celebrated
	Medium	Introduce equality and non-discrimination clauses in corporate procurement tenders	Corporate Procurement Directorate	cost neutral	Dec-12,	Clauses in tender documents

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	High	Engage CSOs in formal process to prepare SHG report to ICCPR (2012), CRC (Jan 2013) and ICESCR (June 2013)	SHG - Central Admin	cost neutral	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	cost neutral	Dec-12	ICCPR report in public domain
	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.	Directors	cost neutral	Jun-12	appointments made
	High	Set up procedures to ensure that the correct data and statistics are gathered and analysed for UN Treaty Body reports.	OCS	limited cost	Apr-12	Process in place. Statistics gathered
	High	Keep UN Common Core Document up to date	SHG - Central Admin	cost neutral	Dec-11	CD up to date
	Medium	Training and support to be provided to government officials involved in drawing up Treaty Body Reports	OCS	budget implication	Jun-12	Training delivered
	Keep action plan in the public domain					
	High	Review this action plan annually and publish progress reports	H&IC/ NHRI	cost of printing and distributing report	ongoing	Progress reports published
	High	In year 3 hold a wide public consultation to prepare a new 3 year action plan	LegCo/NHRI	public consultation	Mar-14	New action plan written and agreed

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National Human Rights Institution						
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	Premises, staff and information	Apr-12	Numbers and types of enquiry
	High	Pass Enabling Ordinance to set up NHRI and establish its mandate and powers	AG / LegCo	Staff drafting and debating time	Dec-13	Ordinance in place
	High	Allocate adequate human and financial resources for the NHRI	LegCo	budget implication	Apr-12	Funding secured & plans underway
	High	Set up Appointments Panel to recruit Commissioners, Director and Office Manager	H&IC	Payment to panel members (time and transport)	Jan-14	Panel set up and recruitment completed
	High	Premises located and practical support provided to St Helena Human Rights Commission	SHG	budget implication	May-14	Premises and transport in place and SHHRC in operation
	High	SHHRC strategy agreed and working practices established	SHHRC	cost neutral	May-14	Strategy & procedures in place and publicised.
	High	Set up programme to develop staff capacity	SHHRC	budget implication	Jun-14	Training programme under way
	High	Develop outreach programme to promote human rights on the island	SHHRC	budget implication	Oct-14	Widespread knowledge of role and services of SHHRC. Increased numbers of people contacting the SHHRC
	High	In depth training programme for local Office Manager	Director SHHRC	budget implication	March-16	Office Manager takes over from Director

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