

Workshop on “The role of Ombudsman and Mediators in monitoring the situation of children in conflict with the law and deprived of their liberty” organised by the Office of the Ombudsperson for Children, in collaboration with the International Ombudsman Institute, on 05 September 2023 at 09:00 hrs at Gold Crest, Quatre Bornes

Honourable Mrs Kalpana Koonjoo-Shah, Minister of Gender Equality and Family Welfare

Mr Dheerujlall Seetulsingh, Chairperson, National Human Rights Commission

Mrs Zahira Bibi Auladin Auckburally, Permanent Secretary, Ministry of Foreign Affairs, Regional Integration and International Trade

Mr Sabir kadel, Chief Executive Officer, Law Reform Commission

Ms Ronalgah Lerato Karabo Ozah, Director, Centre for Child Law, South Africa

Ms Heather Finata Harker, Children’s Advocate, Ombudsman Office, Namibia

Mrs Carmen Cesar, Legal Investigation Officer, Office of the Ombudsman Seychelles

Mrs Marie Therese Clair Brault, Adviser on Women’s Affairs, Rodrigues Regional Assembly

All protocol observed

Ladies and gentlemen

A very good morning to you all.

It gives me immense pleasure to be in your midst for the opening ceremony of this significant two-day workshop.

I thank the Ombudsperson for Children Mauritius for the invitation.

I would also like to extend, on behalf of the Republic of Mauritius, our heartfelt appreciation to the International Ombudsman Institute, and all the participating institutions, especially our foreign counterparts.

During the workshop, participants will discuss the role of ombudsperson and mediators in monitoring the situation of **children in conflict with the law and deprived of their liberty from a child rights perspective**, and to share experiences and good practices.

I am sure that at the end of these two days, you will have a broader perspective of the issue of children in conflict with the law as per the UN Convention on the Rights of the Child and the UN Guidelines on Juvenile Justice.

Furthermore, during your deliberations you are expected to share experiences and good practices on the threats and challenges in monitoring the implementation of the provisions made in those instruments of the United Nations.

Ladies and gentlemen

Ombudspersons for Children are, without doubt, those whose interventions are always motivated by the best interests of the child while they are also the primary promoters of the principles and rights enshrined by the various instruments for the protection of the Child.

They all advocate for children's rights and their mandate is to protect the best interests of the child in all circumstances.

The Ombudperson for children's office of Mauritius which was set up in 2003 is the first of its kind in Africa. I must seize this opportunity to commend the dedication of Mrs Rita Venkatasawmy, our Ombudsperson for Children who has always promoted the interests of children in both the public and private spheres, and with paying close attention to changes in the conditions of childhood development.

I would like to specify that she is given enough mechanisms to exercise her mandate in the context of achieving the mission.

Mauritius endeavours as far as possible to uphold its international obligations within the country's domestic realities.

In line with international Conventions and treaties to which we are party, a number of policies, action plans and programmes have been adopted in order to ensure that children in conflict with the law are treated with dignity and respect, that their rights are protected, and that they are given every opportunity to rehabilitate and reintegrate into society.

One of the most notable measures in this regard is certainly the Children's Act 2020, together with the Children's Court Act 2020 and the Child Sex Offender Register Act 2020.

These three pieces of legislations aim to harmonize the Mauritian legislation with the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child.

Another salient feature of these new acts is the creation of new institutions, the most important being the Children's Court.

Dear participants

The topic of the workshop includes “**Children in conflict with the law**”. At the very outset, we must understand that children who break the law do not do so of their own free will, but rather as a result of restricted opportunities available for their development.

We must try to understand why Children are in conflict with the law. Whenever we encounter children misbehaving, we must be able to see beyond their actions and attempt to understand what they are trying to communicate to us.

At times, children do make mistakes which are beyond familial, institutional or communal powers. However there may be reasons to explain this behaviour and why they are in conflict with the law.

Family has always been the pillar of every society. Parents are always being encouraged to educate their children at a very young age on what is right and what is wrong. Few years back, parenting used to be a communal responsibility.

But today all this has changed. Some parents fail to caution children about immoral behaviour and its implication.

Another reason is **School Drop out**. Education is the key to success and knowledge is power. When children attend school they not only learn basic education but are safe from harm while street children are idle and become easy victims to the scourges of society.

Lack of Counselling can also be a reason explaining the behaviour of these children. Currently, many parents have zero communication with their children. Children who are not counselled can never uphold values nor respect their peers. Children are innocent but when guided properly at a tender age, they will conform to social norms.

Every child who comes in contact with the juvenile justice system is a child in difficult circumstances who has fallen out of the protective net at some point and has been robbed of an opportunity of a safe and secure childhood.

Children in conflict with law should be treated as children in difficult circumstances and the approach of the juvenile justice system should be aimed at addressing the vulnerabilities of children and ensuring their rehabilitation.

So, ladies and gentlemen,

I believe this workshop comes at a crucial juncture, as we seek to strengthen our efforts with regards to the challenges faced by children in conflict with the law and those deprived of their liberty.

I understand, as per the agenda, discussions will also be focused into the psychological impact on children deprived of their liberty, the importance of a child rights-based approach to juvenile justice, and how we can enhance the training of law professionals on this crucial matter.

Together, we can ensure that the rights of every child are upheld, their futures are protected, and their potentials are nurtured.

With these words, I once again express my gratitude to the Office of the Ombudsperson for Children, the International Ombudsman Institute, and all participants.

I look forward to the productive discussions and outcomes that will undoubtedly emerge over the next two days.

Thank you for our attention.