



LAW ASSOCIATION OF TRINIDAD AND TOBAGO

MEDIA RELEASE

ALLEGED ABUSE OF CHILDREN WITH DISABILITIES MUST BE INVESTIGATED

The Human Rights Committee of the Law Association of Trinidad and Tobago has noted with concern the investigative report contained in the Sunday Guardian dated August 30th, 2020 into the alleged abuse of children with disabilities at the Lady Hochoy Home. The shocking and disturbing allegations highlighted in this report are an affront to all notions of humanity, decency, fairness, equality and human rights and justice. Our Constitution records our belief in the ideals of fundamental human rights and freedoms, the dignity of the human person and the equal and inalienable rights of all members of the human family. These ideals apply in equal measure to persons with disabilities.

The abuse of persons with disabilities is expressly prohibited by UN Convention on the Rights of Persons with Disabilities (UNCRPD), Article 15 which provides that no person shall be subjected to torture, cruel, inhuman or degrading treatment or punishment. Article 16 of the UNCRPD calls upon State Parties to protect persons with disabilities from all forms of exploitation, violence and abuse by, *inter alia*, ensuring that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities. Further the UN Convention on the Rights of the Child (UNCRC), Articles 2 and 23 prohibit discrimination against children on the basis of disability and require State Parties to ensure that children with disabilities enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate their participation in the community. Both the UNCRPD and the UNCRC have been signed and ratified by this country and represent binding international law commitments. On the domestic level, the abuse of children is specifically outlawed by the Children's Act Chap. 46:01, section 4, which makes it a criminal offence for any person who has responsibility for a child to assault, ill-treat, neglect, abandon or expose the child in a manner that can cause suffering or injury to his/her physical, mental or emotional health. Further, under the Children's Authority Act, Chap 46:10, the Children's Authority is cast as the guardian of the children of this country and is required to investigate all complaints or reports of mistreatment of children.

We therefore call upon all relevant officials including the Children's Authority and the Child Protection Unit of the Trinidad and Tobago Police Service to launch an immediate investigation into the allegations levelled against staff at the Lady Hochoy Home. It is also of urgent and pressing importance that this matter engage the attention of the Ministry of Social Development and Family Services which is the line ministry with responsibility for disability issues; as well as the Archdiocese of Port-of-Spain given that the Lady Hochoy Home operates under the auspices of the Corpus Christi Carmelite Sisters.

Shankar Bidaisee
Secretary

8th September, 2020