

# Office of Ombudperson for Children –(OOC) Mauritius -.

*The Role and Mandate of Children's Ombudsman Offices –*  
Understanding how these offices advocate for children's rights

# Mandate

- The Ombudsperson for Children Act 2003.
- **Establishment of the office of Ombudsperson for Children**
- The office of Ombudsperson for Children was established in 2003
- The Ombudsperson for Children(OC) shall be a person who has a wide knowledge of the issues and the law relating to children in Mauritius.
- The OC shall take before the President the oath specified in the Schedule before assuming the duties of his office.

# Appointment of Ombudsperson for Children

- (1) The Ombudsperson for Children shall be appointed by the President of the Republic acting after consultation with the Prime Minister, the Leader of the Opposition, the Minister and such other persons as he considers appropriate.
- (2) The terms and conditions are defined by the President .
- (3) The Ombudsperson for Children shall hold office for 4 years and shall be eligible for reappointment for only a second term of 4 years.

# Appointment of OC (ctd)

- (4) The President may remove the Ombudsperson for Children from office for inability to perform the functions of his office, whether arising from infirmity of body and mind or any other cause, or for misbehaviour.
- (5) The OC shall not engage in any trade, business, profession or political activity.

# Republic of Mauritius

Mainland :Mauritius(1.3 million )

Rodrigues(34 thousand)

Agalega(200 )

# 5. Objects of the OOC

- The Ombudsperson for Children shall –
- (a) ensure that the rights, needs and interests of children are given full consideration by public bodies, private authorities, individuals and associations of individuals.
- (b) promote the rights and interests of children;
- (c) promote compliance with the Convention(CRC) and the African Charter

# Duties

- In carrying out the duties of his Office, the Ombudsperson for Children shall –
- (a) make proposals to the Minister on legislation, policies and practices regarding services to, or the rights of, children
- (b) advise the Minister on public and private residential placement facilities and shelters established for the benefit of children
- (c) advise public bodies and other institutions responsible for providing care and other services to children on the protection of the rights of children;

# Duties (ctd)

- (d) take such steps as he may deem necessary to ensure that children under the care of, or supervision of, a public body are treated fairly, properly and adequately;
- (e) propose measures to ensure that the legal rights of children in care are protected and that the placement facilities promote the safety of children and conform with such norms
- (f) initiate an investigation whenever the Ombudsperson for Children considers that there is, has been or is likely to be, a violation of the rights of a child;



# INVESTIGATIONS

- (g) investigate cases relating to the situation of children in the family, in schools and in all other institutions, including private or public bodies, as well as cases of **abandoned children or street children;**
- (h) investigate any **suspected or reported case of child labour**
- (i) **investigate cases concerning a child who is a citizen of Mauritius and**  
**who may be abroad at the time of the investigation, or a child who is not a citizen of Mauritius but who is residing in Mauritius;**

# Investigations and Recommendations

investigate complaints made by a child, or any other person, in relation to the rights of any child;

(k) advise the Minister on the establishment of mechanisms to afford children the ability to express themselves freely, according to their age and maturity, especially on all matters concerning their individual or collective rights;

(l) advise the Minister on the creation of partnerships with parents, teachers, non-governmental as well as governmental organisations, local authorities and any other stakeholders committed to the promotion of children's rights.

# Staff of OOC

- OC (1)
- Secretary to Office(1)
- Investigators(5)
- Finance Officer
- Procurement and Supply Officer
- Support staff (CS,OME,OMA,MSO)
- Ancillary staff

# Process involved in Investigations

- Complaints received
- In person
- By letter
- Email
- Press
- Messages forwarded to office
- Cases processed on specific files as well as on Excel sheet(monthly updates more easily reported for continuous follow-up)by Investigators
- All cases escalated to OC for guidance and way ahead as well as

# Procedure

- Complaints recorded
- Enquiry carried out by contacting the different Ministries/Organisations/institutions concerned
- Info gathered from the Child Development Unit, enquiries carried out by the Police
- Analysis of the issues prior to decision to be taken in the  
BEST INTEREST OF THE CHILD

# Own –motion Enquiry

- Based on

info as per media ,including social media, anonymous correspondences etc

- . Observations while visiting RCIs or any other alternate care bodies
- . General happenings :eg issues related to bullying and harassment in and outside schools, violence amongst youth etc

# Other Activities

- Sensitisation campaigns in Citizen Advice Bureau, schools ,request from NGOs ,or any other organisation/institution on relevant topics
- Celebration of Children's days ,CRC ,day of Girl child etc
- Networking with partners (national and International)
- Setting up of Jeune Ambassadeurs des Droits des Enfants(JADE)  
 , platform for Voice of the Youth

OC and Investigators invited to attend workshops organised by different Ministries,organisations or institutions(abortion,Sexuality Education ,data protection )

.2 Annual missions to Rodrigues

# Skills required

Enquiry skills

Interpersonal skills

Communication

Analytical

Problem solving

EMPATHY



# Process wrt Recommendations

- Field visits to Residential Care Institutions, CYC, RYC, probation centres etc. (mostly surprise visits)
- Accordingly report back on improvements to be carried out with a time frame
- Work in close collaboration with All NGOs involved in the alternate schooling, non formal education as well as those safeguarding of children's rights ( eg PedoStop, Dis-Moi)
- Special Report to HE President of the Republic for most Urgent issues
- Annual Report to be handed to HE President on 30 September, his Office forwards same to be tabled in National Assembly.

# Financing

- Salaries and running costs by the state
- An annual sum granted for holding of workshops/seminars /sensitisation campaigns etc (programme based Budgetting)
- Funds by donors eg EU to carry out identified projects
- Partial sponsorship by IOI ,AOMF,AOMA, to attend international conferences

# Launch of Annual Report

All stakeholders invited ranging from UNRC,  
High Commissions, Embassies, Senior Officials of the  
Ministry of Gender Equality and Family Welfare, Social Security  
Law Reform Commission, office of Director of Public Prosecutor  
Attorney General office, NGOs, Managers of RCIs

Soft copy handed for dissemination and uploaded online

Website: <https://oco.govmu.org>

# CHALLENGES

- Delay wrt reports from police and other Ministries  
(inspite of several Reminders )
  - >Coordinating mechanism for cases which involve multistakeholders
  - >Constraints related to Limited Budget(virtual connections with International bodies)AOMA,AOMF,IOI
  - > Capacity building and Professional Development of Staff
  - >KPIs to be set
  - > No Monitoring and Evaluation by External partners
  - >Identification of Strengths and weaknesses of the system
  - >22 years since setting up of OOC ,time to review its mandate due to emerging contemporary issues

- ThankYou

- MERCI

- GRACIAS

- SHUKRAN .....