

ACCESS TO JUSTICE FOR CHILDREN: DOMINICA

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I. What is the legal status of the Convention on the Rights of the Child (CRC)?

A. What is the status of the CRC and other relevant ratified international instruments in the national legal system?

Dominica¹ ratified the CRC on 13 March 1991.² The CRC has not been directly incorporated into Dominican law.³ As Dominica has a dualist legal tradition, treaties when ratified are not automatically incorporated into domestic law, and require the enactment of legislation.

B. Does the CRC take precedence over national law?

The CRC does not take precedence over national law. Nonetheless, courts can look to the CRC and other treaties for interpretive guidance, as regional courts that hold jurisdiction over Dominica have done.⁴

C. Has the CRC been incorporated into national law?

The CRC has not been directly incorporated into Dominican law.⁵ According to the government of Dominica, since ratification of the Convention certain legislation has been amended or enacted to conform to the provisions of the Convention, though in some instances there is a lacuna between the law, its practice and its enforcement.⁶ The Families and Children Act⁷ is under consideration for enactment.

D. Can the CRC be directly enforced in the courts?

Since the CRC has not been directly incorporated into Dominican law, it does not create enforceable rights in national courts.⁸ The CRC could in theory be cited by national courts for interpretive guidance, as regional courts that hold jurisdiction over Dominica have done.⁹

¹ Comments on this report provided by Cara Shillingford, attorney-at-law, Dominica, August 2015.

² UN Treaty Collection, 'Convention on the Rights of the Child', available at: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en.

³ CRIN, 'Dominica: national laws', available at: <https://www.crin.org/en/library/publications/dominica-national-laws>.

⁴ Ibid.

⁵ Ibid.

⁶ *Initial report of Dominica to the UN Committee on the Rights of the Child*, CRC/C/8/Add.48, 15 October 2003. Available at:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2f8%2fAdd.48&Lang=en.

⁷ Ibid., paras 31-32.

⁸ CRIN, 'Dominica: national laws'.

⁹ Ibid.

E. Are there examples of domestic courts using or applying the CRC or other relevant international instruments?

In *State v. Andrew Valmond*, the High Court of Justice at the Eastern Caribbean Supreme Court considered the CRC in light of the sentencing of a man convicted of sexually abusing his step-daughter in Dominica.¹⁰

II. What is the legal status of the child?

A. Can children and/or their representatives bring cases in domestic courts to challenge violations of children's rights?

Under the Civil Procedure Rules, children through their representatives are entitled to bring civil cases in the courts to challenge violations of their rights.¹¹

B. If so, are children of any age permitted to bring these cases by themselves in their own names/on their own behalf, or must the case be brought by or with the assistance of a representative?

The Civil Procedure Rules set out guidelines for the participation of minors and other protected parties in civil court proceedings in the High Court or Court of Appeal.¹² Minors are required to have a “next friend” to conduct proceedings on their behalf, unless the court decides otherwise at the request of the minor involved.¹³ If a court determines at a later date that it would be “desirable” for a next friend to conduct the proceedings on behalf of the minor, a next friend may again be appointed to represent the minor.¹⁴

If no next friend has been appointed by the court, a person may act as a minor’s next friend without a court order by filing an authorisation or certificate with the court.¹⁵ In order for this appointment to be successful, the requesting person must show that they can “fairly and competently” conduct proceedings on the minor’s behalf and that they have no interest adverse to that of the minor.¹⁶ Next friends may be changed by court order, and the appointment of a next friend ceases when the child reaches the age of 18.¹⁷

The Magistrate Code of Procedure Act makes provision for minors to sue and be defended by their next friend or guardian in the Magistrate Court, but the minor is liable to indemnify this person against costs properly incurred in the interest of the minor. No formal order is necessary for the appointment of a next friend or guardian but the Court shall satisfy itself that the person purporting to act in either capacity is a fit and proper person.¹⁸ “Next friend” is defined to include a person who in the opinion of the court is

¹⁰ CRIN, ‘State v. Valmond’, available at: <http://www.crin.org/Law/instrument.asp?InstID=1519>.

¹¹ Eastern Caribbean Supreme Court Civil Procedure Rules 2000, available at: <http://www.eccourts.org/wp-content/uploads/2014/02/CPR-2000-Revised-Edition-Feb-2014.pdf>.

¹² Ibid., Part 23.

¹³ Ibid., Rule 23.2.

¹⁴ Ibid.

¹⁵ Ibid., Rule 23.7.

¹⁶ Ibid., Rule 23.6.

¹⁷ Ibid., Rule 23.11.

¹⁸ Magistrate Code of Procedure Act, section 121.

not under a personal incapacity to sue, or an accounting party, and does not have an interest adverse to the minor or patient and is unconnected with the defendants.

C. In the case of infants and young children, how would cases typically be brought?

In the case of infants and young children, the child's parents, legal guardian, or other adult would typically initiate a lawsuit on behalf of the child as a next friend in the manner described above.

D. Would children or their representatives be eligible to receive free or subsidised legal assistance in bringing these kinds of cases?

Legal aid may be available for children from the Legal Aid Clinic, which was established to provide legal services to low income residents of Dominica at fees related principally to the ability of the individual to pay.¹⁹ Legal aid is provided in matters including family/maintenance (particularly where there is a threat of violence, where children are in need of protection and family support), and children in conflict with the law.²⁰ Legal aid is granted on the basis of a needs assessment, and priority is given to women and children.²¹

E. Are there any other conditions or limits on children or chosen legal representatives bringing cases (e.g., would a child's parents or guardian have to agree to a case being brought)?

A child's parents or guardian do not have to consent to that child or his or her next friend initiating legal proceedings.²²

While it is not a limit on a child or chosen legal representative bringing a case, it is notable that any proposed settlement, compromise or payment with respect to a claim by or on behalf of a minor must be approved by the court.²³

III. How can children's rights violations be challenged before national courts?

A. If there is a potential violation of the Constitution or other principles established in domestic law, or with the CRC or other relevant ratified international/regional instruments, how can a legal challenge be brought?

The Constitution of Dominica provides that any person may apply to the High Court for redress for violations of certain fundamental rights and freedoms, as specified in sections 2 to 15 of the Constitution.²⁴ These include: the rights to life, liberty, security

¹⁹ Government of the Commonwealth of Dominica, Ministry of Tourism and Legal Affairs, 'Legal aid clinic', 2014, available at: <http://tourism.gov.dm/about-us/departments/legal-aid-clinic>

²⁰ Ibid.

²¹ See UN Committee on the Rights of the Child, *Summary record of the 964th meeting: consideration of the initial report of Dominica*, CRC/C/SR.9644, June 2004. Available at: <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6OkG1d%2fPPRiCAqhKb7yhsialUb%2bZGftp59yZHGEX788JnEljBRX8wH7k1GRtUDbB0mV%2fLyPRyUmVGZ7cy030ydRBCa1znaz2pAwL8IN713i2%2f%2b4pWOpeW%2fmGGLXknHEX>.

²² Eastern Caribbean Supreme Court Civil Procedure Rules 2000, Part 23.

²³ Ibid., Rule 23.12(1).

²⁴ Constitution of Dominica, section 16, available at: <http://pdba.georgetown.edu/Constitutions/Dominica/dominica78.html>.

of the person and the protection of the law; protection from discrimination; protection from inhuman treatment; freedom of conscience, expression, assembly and association, and movement; protection for the privacy of one's home; and protection from slavery and forced labour.²⁵

Children and their representatives may initiate legal proceedings in civil courts to challenge violations of their rights under domestic law, following the Civil Procedure Rules, which apply to the High Court and Court of Appeal, or the Magistrate Code of Procedure Act, which applies to the Magistrate Court. Civil actions typically request compensation in the form of money damages, but may also seek an injunction ordering a party to carry out or cease a particular action.²⁶

Any person, group or body may make an application for judicial review if they have "sufficient interest" in the subject matter of the application. This includes any person who has been adversely affected by the decision which is the subject of the application.²⁷ Acts and decisions of public bodies, including Cabinet, can be subject to judicial review.²⁸

Inter-American Commission on Human Rights

Individuals or groups of individuals, including children, and NGOs may submit petitions to the Inter-American Commission on Human Rights (IACHR),²⁹ on their behalf or on behalf of third persons, regarding alleged violations of the American Convention on Human Rights.³⁰ A petition can only be lodged after domestic remedies have been exhausted, and normally must be filed within six months after the final judgment.³¹ The petition must include, amongst other things, the name of the person filing it or, in the case of an NGO, the name of the legal representative, the name(s) of the victim(s) if possible, and whether the petitioner wishes to remain anonymous and the respective reasons.³² The victim may designate a lawyer or other person to represent him/her before the IACHR, but this is not compulsory.³³ When a petition is declared admissible, the IACHR attempts to reach a "Friendly Settlement" between the parties concerned. If this is not possible, the IACHR will reach a decision on the merits, which

²⁵ Ibid., sections 1-15.

²⁶ Eastern Caribbean Supreme Court Civil Procedure Rules 2000, Part 23.

²⁷ Ibid., Rule 56.2,

²⁸ See, e.g., *Global Education Provider Ltd v. The Attorney General of Dominica*, Eastern Caribbean Supreme Court, available at:

http://www.eccourts.org/wp-content/files_mf/1359641902_magicfields_pdf_file_upload_1_1.pdf.

²⁹ The Inter-American Commission on Human Rights is one of two bodies within the Organisation of American States (OAS) for the promotion and protection of human rights. The other human rights body is the Inter-American Court of Human Rights. The Commission benefits from a "dual role" as its mandate is found in both the Charter of the Organisation of American States, and in the American Convention on Human Rights (ACHR). As an OAS Charter organ, the IACHR performs functions in relation to all OAS Member States. As an organ of the Convention, its functions are applicable only to States that have ratified the ACHR: Charter of the Organisation of American States, Chapter XV, available at:

http://www.oas.org/dil/treaties_A-41_Charter_of_the_Organization_of_American_States.htm; American Convention on Human Rights, 'Pact of San Jose, Costa Rica', Chapter VII, available at:

http://www.oas.org/dil/treaties_B-32_American_Convention_on_Human_Rights.htm.

³⁰ American Convention on Human Rights, Article 44.

³¹ Rules of Procedure of the Inter-American Commission on Human Rights, Articles 31-32, available at:

<http://www.oas.org/en/iachr/mandate/Basics/rulesiachr.asp>.

³² Ibid., Article 28.

³³ Ibid., Article 23.

consists of non-binding recommendations to the violating State, aimed at ending the human rights violations, making reparations, and/or making changes to the law.

B. What powers would courts have to review these violations, and what remedies could they offer?

The power and available remedies of the court would depend on the alleged violations.

In civil cases, the courts would have full power to review these violations and could offer civil remedies such as damages, declarations, injunctions and orders for specific performance.

In criminal cases, if the individual is convicted of an offence, the court may then sentence him/her to imprisonment, impose a fine payable to the state and/or order compensation to the virtual complainant (the minor).³⁴

With respect to violations of fundamental rights or freedoms under the Constitution, the High Court has original jurisdiction to hear and determine applications for redress, and determine any question arising in the case of any person which is referred to it by another court. The High Court has the power to make declarations and orders, issue writs and give directions as it may consider appropriate for the purpose of enforcing or securing the enforcement of any of the fundamental rights or freedoms under the Constitution. The High Court may decline to exercise its powers if it is satisfied that adequate means of redress for the violation alleged are or have been available to the person concerned under any other law.³⁵

Remedies in judicial review include: certiorari, for quashing unlawful acts; mandamus, for requiring performance of a public duty, including a duty to make a decision or determination or to hear and determine any case; prohibition, for prohibiting unlawful acts; injunctions; orders for the return of any property, real or personal; and restitution or damages.³⁶

Laws which are found to be inconsistent with the Constitution are subject to nullity.³⁷

C. Would such a challenge have to directly involve one or more individual child victims, or is it possible to challenge a law or action without naming a specific victim?

Civil proceedings may be brought by a representative claimant, which can be a body with a “sufficient interest” in the proceedings.³⁸ Every person to be represented must be either identified individually or by description (if it is not practicable to identify a person individually).³⁹

Similarly, an application for judicial review can be submitted by a group or body with

³⁴ Ibid.

³⁵ Constitution of Dominica, section 16.

³⁶ Eastern Caribbean Supreme Court Civil Procedure Rules 2000, Rule 56.1.

³⁷ ‘Dominica’s legal system’, available at:

https://www.oas.org/juridico/MLA/en/dma/en_dma-int-desc-sys.pdf.

³⁸ Eastern Caribbean Supreme Court Civil Procedure Rules 2000, Part 21.

³⁹ Ibid., Rule 21.2(3).

“sufficient interest” in the subject matter of the application.⁴⁰ Such an application must state the name, address and description of the applicant and, if the applicant is not personally or directly affected, what public or other interest the applicant has in the matter.⁴¹ However, there are no provisions requiring the naming of individual victims affected by the decision about which the complaint is made.

D. Is any form of collective action or group litigation possible, with or without naming individual victims?

Group litigation by means of appointing a representative claimant is allowed under Part 21 of the Civil Procedure Rules. An application for an order appointing a representative party may be made at any time, and must be supported by affidavit evidence and identify every person to be represented either individually or by description, if it is not practicable to identify a person individually.⁴²

E. Are non-governmental organisations permitted to file challenges to potential children's rights violations or to intervene in cases that have already been filed?

In addition to persons, any group or body may make an application for judicial review if they have “sufficient interest” in the subject matter of the application. This includes: any body or group acting at the request of a person(s) who has been adversely affected by the decision which is the subject of the application; any body or group that represents the views of its members who may have been adversely affected by the decision which is the subject of the application; and any body or group that can show that the matter is of public interest and that the body or group possesses expertise in the subject matter of the application.⁴³ This suggests that it is possible for non-governmental organisations to file applications for judicial review.

IV. Practical considerations. Please detail some of the practical issues, risks and uncertainties that might be involved in bringing a case to challenge a violation of children's rights, such as:

A. Venue. In what courts could a case be filed (e.g., civil, criminal, administrative, etc.)? What would the initial filing process entail?

Civil proceedings are commenced by filing a claim form and statement of claim in the court office, as well as an affidavit or other document where required by a rule or practice direction.⁴⁴ The claim form must: include a short description of the nature of the claim; specify any remedy that the claimant seeks; and give an address for service.⁴⁵ The claimant must include in the claim form or in the statement of claim a statement of all the facts on which the claimant relies.⁴⁶ To initiate high court proceedings in Dominica, these documents must be filed at the High Court Registry in Roseau.

Generally, proceedings may be commenced only in the court office for the Member

⁴⁰ Ibid., Rule 56.2.

⁴¹ Ibid., Rule 56.3(3).

⁴² Ibid., Part 21.

⁴³ Ibid., Rule 56.2.

⁴⁴ Ibid., Rule 8.1.

⁴⁵ Ibid., Rule 8.6.

⁴⁶ Ibid., Rule 8.7.

State, Territory or circuit where either the cause of action arose, or the defendant resides or carries on business.⁴⁷ Any person who alleges a violation of his/her fundamental rights or freedoms under the Constitution may apply to the High Court for redress.⁴⁸

A person wishing to apply for judicial review must first obtain leave, and an application for such leave must be considered by a judge of the High Court.⁴⁹ Rule 56.3(3) of the Civil Procedure Rules sets out the details that must be provided in the application.

In criminal cases, the court would hear the matter during a trial of the defendant. If the violation constitutes a summary offence, the case will be heard in the Magistrate Court. If the violation constitutes an indictable offence, the trial will be held before a jury in the High Court. There are certain offences which may be tried either in the Magistrate Court of the High Court depending on the decision of the accused person.

There are three magisterial districts comprising 13 courts with juvenile matters heard in each district. The magistrate in each of these districts has jurisdiction in juvenile matters. Juvenile court sessions are held in the same building where the magistrate court sits, though provision is made for juvenile matters to be heard at different times from those at which adult matters are heard. With the exception of one district, regular juvenile court sessions are not held. The main reason is that few matters are listed for hearing. The custom is that if a matter involving a juvenile comes up for hearing, the Magistrate Court sitting is adjourned and the juvenile court is opened by an announcement made by the Court crier. The district Magistrate Court is treated as a juvenile court after this announcement. There is no change of venue.⁵⁰ This, however, is contrary to the provisions of the Children and Young Persons Act which makes special provisions for sittings of juvenile courts.⁵¹

- B. Legal aid / Court costs. Under what conditions would free or subsidised legal aid be available to child complainants or their representatives through the court system (i.e., would the case have to present an important legal question or demonstrate a likelihood of success)? Would child complainants or their representatives be expected to pay court costs or cover other expenses?

See part II.D above.

- C. Pro bono / Financing. If legal aid is not available, would it be possible for child complainants or their representatives to obtain legal assistance from practising lawyers on a pro bono basis, through a children's rights organisation, or under an agreement that does not require the payment of legal fees up front?

There are lawyers in Dominica who provide legal services on a pro bono basis. This is left solely to the discretion of the individual lawyer.

- D. Timing. How soon after a violation would a case have to be brought? Are there any special provisions that allow young adults to bring cases about violations of their rights that occurred when they were children?

⁴⁷ Ibid., Rule 8.3.

⁴⁸ Constitution of Dominica, section 16.

⁴⁹ Eastern Caribbean Supreme Court Civil Procedure Rules 2000, Rule 56.3.

⁵⁰ Ibid.

⁵¹ *Initial report of Dominica to the UN Committee on the Rights of the Child*, para. 407.

The laws in Dominica usually include a statute of limitations provision, which varies from law to law. Moreover, the UK Limitation Act 1980 is applicable to Dominica.⁵² There does not appear to be any special provision that allows young adults to bring cases about violations of their rights that occurred when they were children.

Proceedings against public authorities/employees relating to their public duty, must be commenced within six months of the cause of action accrued pursuant to the Public Authorities Protection Act. Proving that the individual acted with mala fides is an exception to this rule. No limitation period applies to constitutional motions. Applications for judicial review must be made without unreasonable delay.⁵³

- E. Evidence. What sort of evidence is admissible/required to prove a violation? Are there particular rules, procedures or practices for dealing with evidence that is produced or presented by children?

The Civil Procedure Rules set out the kinds of evidence that are admissible in civil proceedings, including documents, physical evidence, photographs or video recordings, and witness statements or testimony. The rules also provide for the admission of expert testimony, which involves not only giving factual information, but also opinions based on that information.⁵⁴

If a child is called as a witness and, in the opinion of the court, does not understand the nature of an oath, his evidence may be received but not given upon oath. If, in the opinion of the court, the child possesses “sufficient intelligence” to justify the reception of the evidence and understand the duty of speaking the truth, the child’s evidence shall be deemed to be a deposition.⁵⁵ However, if a child gives false evidence in such circumstances that he/she would, if the evidence had been given under oath, have been guilty of perjury, he/she is guilty of an offence against the Children and Young Persons Act.⁵⁶

The court may direct certain persons to be excluded from the court when a child is giving evidence as a witness in criminal proceedings involving offences against “decency or morality”.⁵⁷ However, “bona fide representatives of a newspaper or news agency” may not be excluded from the court.⁵⁸ In a juvenile court, the law provides that no person other than the members and officers of the court and the parties to the case, their solicitors and counsel and other persons directly concerned in the case shall, except by leave of the court, be allowed to attend.⁵⁹

Additionally, the court has powers generally to allow a witness to give evidence without being present in the courtroom, through a video link or by any other means.⁶⁰

⁵² See *NBD v. Purple Turtle*, para. 6, available at:

<http://www.eccourts.org/national-bank-dominica-ltd-v-purple-turtle-development-co-ltd-et-al/>.

⁵³ See Eastern Caribbean Supreme Court Civil Procedure Rules 2000, Rule 56.5.

⁵⁴ *Ibid.*, Part 29.

⁵⁵ Children and Young Persons Act, section 28(1), available at:

<http://www.dominica.gov.dm/laws/chapters/chap37-50.pdf>.

⁵⁶ *Ibid.*, section 28(2).

⁵⁷ *Ibid.*, section 29(1).

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*, section 13(1).

⁶⁰ Eastern Caribbean Supreme Court Civil Procedure Rules 2000, Rule 29.3.

F. Resolution. How long might it take to get a decision from the court as to whether there has been a violation?

There have been recent reports of chronic delays and severe backlogs at all levels of the judicial system.⁶¹

G. Appeal. What are the possibilities for appealing a decision to a higher court?

The Children and Young Persons Act stipulates that an appeal shall lie from any decision or order of a juvenile court.⁶²

Decisions can be appealed to the Eastern Caribbean Supreme Court (ECSC), which has unlimited jurisdiction to decide civil and criminal cases and hear appeals from parties to legal proceedings in Dominica. The ECSC consists of two divisions: a High Court in Dominica (and other members of the Organisation of Eastern Caribbean States), and a single Court of Appeal, headquartered in St Lucia. An appeal to the High Court is made by issuing a fixed date claim form with a grounds of appeal attached.⁶³ An appeal to the Court of Appeal from the High Court or the Magistrate's or District Court is made by filing a notice of appeal within 42 days of the date of the judgment or order.⁶⁴

Finally, decisions in civil and criminal matters as well as decisions concerning fundamental rights under the Constitution can be appealed to the Caribbean Court of Justice (CCJ), which is the highest court of appeal for Dominica.⁶⁵ An appeal is commenced by filing a notice of appeal within 21 days of the grant of leave to appeal by the court below or special leave by the CCJ, depending on the nature of the case.⁶⁶ In all proceedings before the CCJ, a party must have an attorney-at-law on the record.⁶⁷ An applicant who is a "poor person" may be exempt from providing security for costs or paying any court fees.⁶⁸ Decisions of the CCJ are final and binding.⁶⁹

H. Impact. What are the potential short-term and long-term impacts of a negative decision? Is there a possibility for political backlash or repercussions from a positive decision?

The legal system of Dominica is based on English common law, therefore the doctrine of precedent is followed. Cases from the Eastern Caribbean Supreme Court are of

⁶¹ R. Valley, 'The cost of excessive delays in Dominica's justice system', *The Dominican*, 17 October 2012, available at: <http://www.thedominican.net/2012/10/cost-of-delays-in-justice-system.html>; US State Department, 'Dominica 2013 human rights report', available at: <http://www.state.gov/documents/organization/220648.pdf>.

⁶² Children and Young Persons Act, section 16(3).

⁶³ Eastern Caribbean Supreme Court Civil Procedure Rules 2000, Rule 60.2; for more information on the particular requirements, see Part 60.

⁶⁴ *Ibid.*, Rules 62.3, 62.6; for more information on the particular requirements, see Part 62.

⁶⁵ Agreement Establishing the Caribbean Court of Justice, Article XXV, available at:

http://www.caricom.org/jsp/secretariat/legal_instruments/agreement_ccj.pdf.

⁶⁶ *Ibid.*; Caribbean Court of Justice (Appellate Jurisdiction) (Amendment) Rules, 2008, Rules 10.1, 10.2, 11.1, available at: <http://www.caribbeancourtsofjustice.org/wp-content/uploads/2011/06/ccjapprules.pdf>.

⁶⁷ Caribbean Court of Justice (Appellate Jurisdiction) (Amendment) Rules, 2008, Rule 4.1.

⁶⁸ *Ibid.*, Rule 10.17.

⁶⁹ Agreement Establishing the Caribbean Court of Justice, Article XXII.

binding authority,⁷⁰ thus a negative decision from this court could have a potential long-term impact on the issue concerned.

High Court judges are generally regarded as independent, and are appointed by the regional Judicial and Legal Service Commission.⁷¹ Magistrates are regarded as less independent since they are employees of the state, usually employed on a contractual basis.

- I. Follow up. What other concerns or challenges might be anticipated in enforcing a positive decision?

Specific enforcement procedures are set out in Part 45 of the Civil Procedure Rules. No particular concerns or challenges with enforcement could be identified.

- V. **Additional factors**. Please list any other national laws, policies or practices you believe would be relevant to consider when contemplating legal action to challenge a violation of children's rights.

Relevant legislation

There is no comprehensive Children's Act in Dominican law, although the Children and Young Persons Act (Ch. 37:50) (amended in 1995) contains a significant proportion of the legislation relevant to children. Other relevant provisions can be found in a variety of laws including, but not limited to:

- Children and Young Persons Welfare Act (Ch. 37:51)
- Employment of Children (Prohibition) Act (Ch. 90:05)
- Employment of Women, Young Persons and Children Act (Ch. 90:06)
- Sexual Offences Act, No. 1 of 1998
- Offences Against the Person Act (Ch. 10:03)
- Age of Majority Act (Ch. 37:01)
- Adoption of Infants Act (Ch. 37:03)
- Guardianship of Infants Act (Ch. 37:04)
- Education Act, Act 11 of 1997 (amended in 2008)
- Government Training School Act (Ch. 12:34)
- Maintenance Act (Ch. 35:61) (amended in 1995)
- Social Security Maintenance Act (amended 2001)
- Commonwealth of Dominica Citizenship Act (Ch. 1:10)
- Protection Against Domestic Violence Act (No. 22 of 2001)

Child sexual abuse

In practice, there are many cases of child sexual abuse which are reported to the police and which are not investigated and/or prosecuted. Cases of sexual abuse of young boys are very often disregarded. Most of these victims come from underprivileged families.

This report is provided for educational and informational purposes only and should not

⁷⁰ 'Dominica's legal system'.

⁷¹ See Supreme Court Act.

be construed as legal advice.