

GRENADA

International Instrument	Signature	Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)	Entry into Force
UN Convention on the Rights of the Child		5 Nov 1990	
UN Optional Protocol on the Sale of Children, Child prostitution and Child Pornography		6 Feb 2012 a	
Protocol to Prevent, Suppress and Punish Trafficking in Persons		21 May 2004 a	
UN Optional Protocol on the Involvement of Children in Armed Conflict		6 Feb 2012	
UN Convention for the Protection of All Persons from Enforced Disappearance	6 Feb 2007		
Hague Convention on International Child Abduction			

In Grenada, there are 6 laws that refer directly or indirectly to missing children:

1. Criminal Code of 1958 (amended in 2007);
2. Status of Children Act of 1991 (amended 1993);
3. Domestic Violence Act of 2010 (amended 2011);
4. Child (Protection and Adoption) Act of 2010 (amended in 2011) (replaced earlier Child Protection Act of 1998);
5. Criminal Code Amendment Act of 2012; and
6. Trafficking in Persons (Prevention) Act of 2014.

General Child Protection

A 2017 UNICEF situational analysis on children in Grenada noted that 1,907 child abuse cases were reported to the authorities between 2011-2015.¹ The most commonly reported were cases of sexual abuse (32%), physical abuse (32%), and neglect/abandonment (28%).²

In Grenada, some protection for children from abuse and violence is provided for under the Child (Protection and Adoption) Act of 2010, the Domestic Violence Act of 2010, the Criminal Code of 1958, and the Criminal Code Amendment Act of 2012.³

¹ UNICEF, *Situational Analysis on Children in Grenada 12*, at https://www.unicef.org/easterncaribbean/ECA_GRENADA_SitAn_Web.pdf (last visited Aug. 13, 2019).

² *Id.*

³ Grenada: 2015 Child Protection Statistical Digest 8, UNICEF, at https://www.unicef.org/easterncaribbean/ECAO_GRENADA_Child_Protection_Statistical_Digest_2015.pdf (last visited Aug. 13, 2019) (on file with the International Centre for Missing & Exploited Children).

Article 34 of the Domestic Violence Act creates a legal obligation for health practitioners, social workers, and teachers to immediately notify a police officer when they suspect abuse of a child.⁴ Mandatory reporting is further reiterated by Article 27 of the Child (Protection and Adoption) Act and broadens the parties obligated to report when they suspect a child is in need of care to include hospital administrators, school principals, guidance counselors, child care service owners, operators, and employees, and any person who is responsible for the care of a child by virtue of their occupation.⁵

The Child Welfare Authority of Grenada was created in October 1998 as a result of the Child Protection Act of 1998 to ensure the care and protection of children in Grenada.⁶ When it was created, the responsibilities of the Child Welfare Authority were limited to the placement and supervision of children in child care homes and foster homes.⁷ Its responsibilities did not include the general care and protection of children being abused or who were at risk of being abused. In an effort to strengthen child protection, the Child (Protection and Adoption) Act of 2010 was passed, which in turn created the Child Protection Authority as the primary agency responsible for handling all aspects of child protection including receiving reports, conducting investigations, and processing cases of adoption and foster care.⁸ The goal of encompassing all child protection issues under one agency was to improve response time and case management, and better advocate on child protection matters.⁹

In addition to the Child Protection Authority, the Grenada National Coalition on the Rights of the Child was created in 1993 and is made up of 24 partners, including government ministries, non-governmental organizations, and service organizations. The Coalition advocates for children's rights, as well as promotes the protection and development of all children in Grenada and Carriacou & Petit Martinique (Southern Grenadines).¹⁰

General Missing Child Issues

Grenada lacks legislation that specifically addresses the issue of missing children. However, the country has legislation relating to child abandonment¹¹, kidnapping¹², child stealing¹³, and prostitution of minors.¹⁴

Definition of "Missing Child"

Grenada does not expressly define a "missing child" in its legislation. The Child (Protection and Adoption) Act does, however, define a "child" as a person under the age of 18 years.¹⁵ Article 25 of the same Act also provides a definition for a "child in need of care and protection" including neglect, abandonment, and exposing a child to violence.¹⁶

⁴ Domestic Violence Act of 2010 (amended 2011), Article 34 – Obligation to report ill-treatment of a child, at <http://laws.gov.gd/> (last visited Aug. 15, 2019) (on file with the International Centre for Missing & Exploited Children).

⁵ Child (Protection and Adoption) Act of 2010 (amended 2011), Article 27 – Mandatory Reporting, at <http://laws.gov.gd/> (last visited Aug. 15, 2019) (on file with the International Centre for Missing & Exploited Children).

⁶ Grenada: 2015 Child Protection Statistical Digest, *supra* note 3, at 17.

⁷ *Id.*

⁸ *Id.* at 9.

⁹ *Id.* at 17.

¹⁰ Grenada National Coalition on the Rights of the Child, *Grenada National Coalition on the Rights of the Child*, at <http://gncrc.weebly.com/> (last visited Aug. 13, 2019).

¹¹ Criminal Code of Grenada of 1958 (amended 2007), Article 193 – Abandonment of infant; Criminal Code Amendment Act of 2012, Article 216 – Exposing child to grievous harm, at <http://laws.gov.gd/> (last visited Aug. 13, 2019) (on file with the International Centre for Missing & Exploited Children).

¹² Criminal Code of Grenada of 1958 (amended 2007), at Article 184 – Kidnapping.

¹³ Criminal Code of Grenada of 1958 (amended 2007), *supra* note 11, at Article 184 – Child stealing.

¹⁴ Criminal Code Amendment Act of 2012, Article 188 – Procurement, at <https://www.gov.gd/egov/docs/legislations/criminal-code-amendment-act-2012.pdf> (last visited Aug. 16, 2019) (on file with the International Centre for Missing & Exploited Children).

¹⁵ Child (Protection and Adoption) Act, *supra* note 5, at Article 2 – Interpretation.

¹⁶ Child (Protection and Adoption) Act, *supra* note 5, at Article 25 – Child in need of care and protection.

Abandonment

Article 193 of the Criminal Code of 1958 and Article 216 of the Criminal Code Amendment Act of 2012 address abandonment. Article 193 states that “whoever, being bound by law or by virtue of any agreement or employment, to keep charge of or to maintain any child under five years of age, or being unlawfully in possession of any such child, abandons the child by leaving it at a hospital, or at the house of any person, or in any other manner, shall be liable to imprisonment for two years”.¹⁷ Article 216 states that “a person who unlawfully exposes or abandons any child under seven years of age, in such a manner that any grievous harm is likely to be caused to the child, commits an offence and is liable on summary conviction to a term of imprisonment not exceeding five years.”¹⁸

From 2009 to 2013, the number of child neglect and abandonment cases in Grenada increased by more than 300%.¹⁹ In response to the prevailing issue of abandonment and neglect, REACH Grenada was founded in 2006, which aims to improve the emotional and social well-being of abused and abandoned children through the provision of training, support, and wellness programs for children and their caregivers.²⁰

Kidnapping and Abduction

Grenada has several provisions within its Criminal Code that cover child stealing, kidnapping, and abduction. According to Criminal Code Article 184, the penalty for kidnapping any person is 10 years imprisonment.²¹ Anyone who “steals any person under twelve years of age whether with or without his consent” is liable to 10 years of imprisonment.²² A person also can be imprisoned for a term not exceeding 10 years for the abduction of any male or female.²³ Kidnapping and abduction are further defined under Articles 198²⁴ and 199²⁵ of the Criminal Code Amendment Act of 2012.

Article 189 of the Criminal Code Amendment Act criminalizes the forcible taking or detaining of any person of any age against their will with intent to marry or have sexual intercourse with that person and imposes a penalty of imprisonment not exceeding 10 years.²⁶

No cases of kidnapping of any kind were recorded in Grenada between 2013-2017.²⁷

Parental Abduction

Grenada is not a party to the Hague Convention on the Civil Aspects of International Child Abduction.²⁸ While Grenadian law does not specifically use the term “parental abduction,” several Criminal Code articles are directly related. Article 200 concerning child stealing states that “it is not necessary to prove that the person stolen had been taken from the possession, care or charge of any person, if it is shown that some person, other than the accused person, was entitled to the control or possession of the person stolen.”²⁹ Article 201 of the Criminal Code contains special provisions regarding child

¹⁷ Criminal Code of Grenada of 1958 (amended 2007), *supra* note 11, at Article 193 – Abandonment of infant.

¹⁸ Criminal Code Amendment Act of 2012, Article 216 – Exposing child to grievous harm, at <https://www.gov.gd/egov/docs/legislations/criminal-code-amendment-act-2012.pdf> (last visited Aug. 16, 2019) (on file with the International Centre for Missing & Exploited Children).

¹⁹ Grenada: 2015 Child Protection Statistical Digest, *supra* note 3, at 18.

²⁰ *Id.* at 45.

²¹ Criminal Code of Grenada of 1958 (amended 2007), *supra* note 11, at Article 184 – Kidnapping.

²² Criminal Code of Grenada of 1958 (amended 2007), *supra* note 11, at Article 185 – Child-stealing.

²³ Criminal Code Amendment Act of 2012, *supra* note 18, at Article 186 – Abduction.

²⁴ Criminal Code Amendment Act of 2012, *supra* note 18, at Article 198 – Definition of kidnapping.

²⁵ Criminal Code Amendment Act of 2012, *supra* note 18, at Article 199 – Definition of abduction.

²⁶ Criminal Code Amendment Act of 2012, *supra* note 18, at Article 189 – Forcible taking or detaining of person to have sexual intercourse.

²⁷ U.S. Department of State, Overseas Security Advisory Council (OSAC), *Barbados and Grenada 2018 Crime and Safety Report*, at <https://www.osac.gov/Content/Report/361e3bc6-3324-44e9-b921-15f4ae5e3230> (last visited Aug. 13, 2019).

²⁸ U.S. Department of State, Bureau of Consular Affairs, *International Parental Child Abduction Grenada Information*, at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/International-Parental-Child-Abduction-Country-Information/Grenada.html> (last visited Aug. 13, 2019).

²⁹ Criminal Code of Grenada of 1958 (amended 2007), *supra* note 11, at Article 200 – Definition of Child-stealing.

stealing and abduction and states that “a person is not guilty of stealing or of abduction of another person by anything which he does in the belief that he or she is entitled by law as a parent or guardian, or by virtue of any other legal right, to take or detain the other person for the purposes for which he or she takes or detains him or her, but this rule shall not be construed to exempt a person from liability to punishment on the plea that he did not know or believe, or had not the means of knowing, that the age of the other person was under twelve or sixteen years, as the case may be; nor to exempt a person from liability to punishment as for stealing or abduction if he or she took or detained the other person for any immoral purpose.”³⁰

The Status of Children Act of 1991 removed the distinction that had previously existed in the law between the status of children born in wedlock and the status of children born out of wedlock. The Act provided that the status, rights, privileges, and obligations were – from that point forward – the same whether the child was born out of or in wedlock, so that all children share equal status.³¹

When applying for a Grenadian passport for a child under the age of 16, the application must be made by or with the written consent of the legal guardian of the passport holder (i.e., the parent or the individual who has legal custody).³² Proof of legal custody is required in order to complete the passport application form. The form must be submitted to either an Embassy, Consulate, or Mission Office.³³

Reporting Mechanism

While there is no specific reporting mechanism for missing children, a report of a missing child can be made to the local police. When calling the Royal Grenada Police Force in an emergency, an individual should dial 911.³⁴ If the line is engaged, the call will automatically be transferred to the Communications Center at the Royal Grenada Police Force headquarters in St. George’s.³⁵ The Special Victims Unit also operates a hotline that was launched in collaboration with the Royal Grenada Police, Ministry of Social Development, Housing and Community Empowerment, and private stakeholders in September 2018.³⁶ The Commissioner of Police, Edwin Martin, stated that the hotline would focus specifically on sexual offenses, domestic violence, and child abuse.³⁷

Investigation of Missing Child Cases

There is no law or policy mandating an immediate investigation of missing children’s cases. It is unclear whether the Royal Grenada Police Force has a specific procedure when investigating missing children cases.

National Database

There is currently no database in place dedicated to missing children. It is unclear if there is a centralized national database that records missing people generally. However, the Criminal Records Office of the Royal Grenada Police Force can produce criminal records when a request has been submitted.³⁸

³⁰ Criminal Code of Grenada of 1958 (amended 2007), *supra* note 11, at Article 201 – Special provisions as to child-stealing and abduction.

³¹ Status of Children Act of 1991 [Act No. 39] (amended 1993), Article 3, at <http://laws.gov.gd/> (last visited Aug. 15, 2019) (on file with the International Centre for Missing & Exploited Children).

³² Government of Grenada, *Instructions for the Completion of Caribbean Community Grenada Passport Application Form*, at https://www.gov.gd/egov/eforms/immigration/passport_form.pdf (last visited Aug. 13, 2019) (on file with the International Centre for Missing & Exploited Children).

³³ *Id.*

³⁴ See, *From the Royal Grenada Police Force*, GRENADA BROADCAST, at <https://www.grenadabroadcast.com/featured/from-the-royal-grenada-police-force/> (last visited Aug. 15, 2019) (on file with the International Centre for Missing & Exploited Children).

³⁵ *Id.*

³⁶ *The RGPF Launches Special Victims Unit*, THE GRENADA INFORMER, Sep. 21, 2018, at <https://www.thegrenadainformer.com/news/item/4905-the-rgpf-launches-special-victims-unit> (last visited Aug. 14, 2019).

³⁷ *Id.*

³⁸ *Police Clearance Certificate PCC from Grenada*, Real Scan Biometric, at <https://www.fingerprintexpert.in/police-clearance-certificate-pcc-from-grenada.html> (last visited Aug. 13, 2019).

Grenada has been an INTERPOL member country since October 1986 with its National Central Bureau (NCB) located in St. George's.³⁹ The NCB contributes national crime data to INTERPOL's databases and cooperates on cross-border investigations, operations, and arrests.⁴⁰

Case Management System

It is unclear whether law enforcement or any of the child protection institutions have a case management system in place dedicated to missing children. The Royal Grenada Police Force does publish a list of missing children on its website, its Facebook page, and in the media.⁴¹

Alert Mechanism

Grenada does not have an alert mechanism or a rapid notification system for informing the public about missing children. However, many news outlets alert the public when people go missing. For example, the news website called "Now Grenada" often posts news articles for missing people.⁴² Furthermore, the Royal Grenada Police Force has a Facebook page where they inform the public of ongoing criminal cases, including cases regarding missing children.⁴³

Awareness-Raising Initiatives

The Grenada Coalition on the National Rights of the Child has designated the month of April "Child Abuse Awareness and Prevention Month."⁴⁴ During this month activities are organized to highlight the problem of child abuse.⁴⁵ So far, these efforts have been extremely successful and are considered to be partly responsible for the increase in reported cases of child abuse.⁴⁶

The Grenada National Organization of Women has launched multiple awareness programs. One of these programs was themed "Protecting Minds and Bodies" and was aimed at raising awareness among children and teens about sexual abuse.⁴⁷

Trafficking

While no reports were identified to suggest that Grenada is a source, destination, or transit country for victims of human trafficking,⁴⁸ it has been posited that there are traffickers moving individuals within the country for the purpose of sexual exploitation.⁴⁹

³⁹ INTERPOL Member Countries, *Grenada*, at <https://www.interpol.int/en/Who-we-are/Member-countries/Americas/GRENADA> (last visited Aug. 14, 2019).

⁴⁰ *Id.*

⁴¹ Royal Grenada Police Force Facebook Page, at <https://www.facebook.com/rgpf.gd/>; See also, *Missing Person Found!*, MTV NEWS GRENADA FACEBOOK, Jun. 1, 2016, at <https://www.facebook.com/mtvnewsgd/photos/missing-person-foundthe-royal-grenada-police-force-wishes-to-thank-the-general-p/826452150832550/> (last visited Aug. 15, 2019).

⁴² *Missing Person: Jerrol Redhead*, NOW GRENADA, Jan. 24, 2018, at <http://www.nowgrenada.com/2018/01/missing-person-jerrol-redhead/> (last visited Aug. 13, 2019).

⁴³ Lyndon Andrew Cyrus, *Royal Grenada Police Force Katie Couric - You can watch #GenderRevolution right here...*, at <https://www.facebook.com/rgpf.gd> (last visited Aug. 13, 2019).

⁴⁴ Grenada National Coalition on the Rights of the Child, *Grenada National Coalition on the Rights of the Child*, at <http://gncrc.weebly.com/> (last visited Aug. 13, 2019).

⁴⁵ *Grenada describes child abuse as a national tragedy*, JAMAICA OBSERVER, Apr. 4, 2018, at http://www.jamaicaobserver.com/news/grenada-gg-describes-child-abuse-as-national-tragedy_129614?profile=1373 (last visited Aug. 13, 2019).

⁴⁶ *Id.*

⁴⁷ Donella Hosten, *GNOW Raises Awareness About Sexual Abuse*, NOW GRENADA, Feb. 15, 2017, at <http://www.nowgrenada.com/2017/02/gnow-raises-awareness-sexual-abuse/> (last visited Aug. 14, 2019).

⁴⁸ *Id.*

⁴⁹ *Human Trafficking Legislation to Be Brought to Life*, NOW GRENADA, Sep. 8, 2015, at <http://www.nowgrenada.com/2015/09/human-trafficking-legislation-brought-life/> (last visited Aug. 13, 2019) (on file with the International Centre for Missing & Exploited Children).

CARICOM began a study on human trafficking in the CARIFORUM region in July 2019.⁵⁰ The study is intended to provide a better understanding of the problem of human trafficking within and across the borders of the region including Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Jamaica, Montserrat, Saint Lucia, St. Kitts and Nevis, St. Vincent and the Grenadines, Suriname, and Trinidad and Tobago.⁵¹ The results of the study will inform development of evidence-based interventions on prevention, protection, and prosecution. The research will further provide information on the types, patterns and routes of trafficking, profiles of trafficked persons, border and law enforcement issues, information about traffickers, and current anti-trafficking efforts.⁵²

In 2014, Grenada passed the Prevention of Trafficking in Persons Act.⁵³ This Act prohibits all forms of forced labor including the sale or trafficking of children. The law establishes penalties of imprisonment of 25 years, a fine, or both; the law requires the use of force, threats, abuse of power, or other forms of coercion to carry out the offense.⁵⁴

Grenada's Criminal Code Amendment Act also contains provisions prohibiting abduction when there is an intent to sell the abducted individual into prostitution or marriage. According to Article 188:

Whoever—

- (a) procures any male or female under twenty-one years of age to have sexual intercourse with any other person within or outside this State;
 - (b) procures any male or female to become, either within or outside this State, a common prostitute;
 - (c) procures any male or female to leave this State, with intent that he or she may for the purposes of prostitution, become an inmate of or frequent, a brothel elsewhere; or
 - (d) procures any male or female to leave her usual place of abode in this State with intent that she may for the purposes of prostitution, become an inmate or frequent a brothel, in any country,
- commits an offence and is liable on conviction on indictment to a term of imprisonment not exceeding ten years.”⁵⁵

Article 189 states that any individual who uses force to take away or detain a person to have sexual intercourse with that person, or cause that person to be married or have sexual intercourse with any other person is liable on conviction on indictment to imprisonment up to 10 years.⁵⁶

Article 190 criminalizes the act of any individual who unlawfully detains a person with intent to have sexual intercourse with a penalty of five years imprisonment.⁵⁷

⁵⁰ CARICOM, *CARIFORUM Embarks on critical Human Trafficking study*, Jul. 29, 2019 at <https://www.caricom.org/media-center/communications/press-releases/cariforum-embarks-on-critical-human-trafficking-study> (last visited Aug. 16, 2019) (on file with the International Centre for Missing & Exploited Children).

⁵¹ *Id.*

⁵² *Id.*

⁵³ Prevention of Trafficking in Persons Act 2014, at https://caribbeanmigration.org/sites/default/files/repository/act_no_34_of_2014_prevention_of_trafficking_in_persons_act_-_grenada.pdf (last visited Aug. 13, 2019).

⁵⁴ U.S. Department of State, *2018 Country Reports on Human Rights Practices – Grenada*, at <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/grenada/> (last visited Aug. 13, 2019) (on file with the International Centre for Missing & Exploited Children).

⁵⁵ Criminal Code Amendment Act of 2012, *supra* note 18, at Article 188 – Procuration.

⁵⁶ Criminal Code Amendment Act of 2012, *supra* note 18, at Article 189 – Forcible taking or detaining of person to have sexual intercourse.

⁵⁷ Criminal Code Amendment Act of 2012, *supra* note 18, at Article 190 – Unlawful detention of a person with intent to have sexual intercourse.