



Rights of the Child Commission (RCC) Complaint Process



The Rights of the Child Commission (RCC) is an independent, quasi-governmental body with constitutional powers, established under Article 212G (1)(d) of the Constitution of Guyana.

Under Article 212J(2)(d)(e)(f) and 212V (c)(e)(f), the Commission was granted jurisdiction to investigate and resolve complaints on violation and omission of the Rights and Interest of the Child. Moreover, the Government of Guyana acceded to the International Bill of Rights consisting of the International Covenant on Economic (ICESCR), Social and Cultural Rights; International Covenant on Civil and Political Rights (ICCPR); also the Convention on Rights of the Child (CRC).

Therefore, in accordance with the Laws of Guyana and the UNCRC, the Rights of the Child Commission (RCC) has setup a complaint mechanism to ensure children or organizations have the effective means of redress if their rights and interest are violated or omitted.

The Chairperson of RCC explicitly stated that you can make a complaint no matter where you live in Guyana and it does not cost anything to make a complaint. The steps in the complaint process are outlined herein.

◆ How to make an enquiry

If you are unsure if you can make a complaint about something, you can contact the Commission's Complaint Information Desk by phone on **231-5281** or by email to **child-comm@yahoo.com**

We can send you a complaint form to start the process. If we can't help you, we will try to refer you to someone or agency who can.

◆ How to make a complaint

- A complaint must be in writing. You can fill in a complaint form and walk it in, send it by post, email (childcomm@yahoo.com) or fax it back to us.
- You can make a complaint in your preferred language (dialect) and we can help you write down your complaint if necessary.
- You do not need a lawyer to make a complaint but if you are under the age of 16 yrs. old you will need to be accompanied by someone over the age of 18 yrs. old.
- If we cannot accept your complaint, we will explain why.

COMPLAINT PROCESS

Lot 66 Peter Rose & Anira
Street
Queenstown
Georgetown
Guyana

Phone:
592-231-5298/231-5281

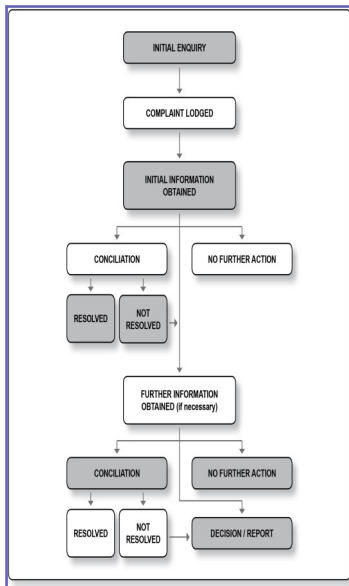
Fax:
592-231-5391

E-mail:
childcomm@yahoo.com



Rights of the Child Commission

Complaint Process



◆ The Investigative Procedures

- We will contact you to talk about your complaint and we may ask you to provide more information.
- Generally, the Commission will contact the person or organisation you are complaining about, provide them with a copy of your complaint and ask for their comments and other relevant information. We will let you know what they have said in response to your complaint.

- In some cases we may decide not to continue to deal with your complaint. If this happens, we will explain why.

- We may talk to you about trying to resolve the complaint by conciliation.

◆ Conciliation Process

- Conciliation means that we try to help you and the person or organization you are complaining about try to find a way to resolve the matter.

- Conciliation can take place in a face-to-face meeting called a 'conciliation conference' or through a telephone conference. In some cases complaints can be resolved through an exchange of letters or by passing messages by phone or email through the conciliator.

- Complaints can be resolved in many different ways. For example by an apology, a change of policy or compensation.

◆ Possible Court Action

- If your complaint is not resolved or is discontinued for some other reason, you can take the matter to court. The court can decide if your rights were violated.
- You have 60 days from when the Commission finalises the complaint to make an application to the Courts of Guyana.
- The Commission cannot take the matter to court for you or help you present your case in court.
- You may need to talk with a lawyer or legal service (Legal Aid) if you want to go to court.

Decisions The Commission Can Make

If the complaint is not resolved or discontinued for some other reason, the Chairperson of the Commission will decide if the **rights and/or interest of the child was violated or omitted**. This might involve the Chairperson holding a public hearing where each side presents their version of events and answers questions.

If the Chairperson is satisfied that the child rights were violated or omitted, the Chairperson will report the matter to the DPP. In the report, the Chairperson can recommend compensation for any loss or injury a person has experienced.