



International Detention Coalition

Human rights for detained refugees,
asylum seekers and migrants

CHILD PROTECTION POLICY

PURPOSE

IDC is committed to the safety and well-being of all children. IDC takes its duty of care seriously and will aim at all times to provide the safest possible environment for children. This will be achieved by identifying and managing risks that may lead to harm, and dealing immediately with concerns and reports if they arise.

IDC believes that all children have a right to be safe at all times, and that all children have equal rights to protection from all forms of abuse, regardless of their gender, nationality, religious or political beliefs, family background, economic status, legal status ability, physical or mental health or criminal background, and that any form of child abuse or exploitation is unacceptable.

IDC recognises the United Nations Convention on the Rights of the Child (UNCRC), to which Australia is a signatory country. The UNCRC is the main international human rights convention for children, with the four fundamental principles of survival & development, best interests of the child, non-discrimination, and children's participation. A majority of the 52 articles within the UNCRC are concerned with children's rights to protection from all forms of abuse, neglect and exploitation.

In countries where IDC staff travel and work, the organisation will adhere to local and international child protection legislation, and international laws and conventions in relation to all forms of child abuse and child exploitation, including but not limited to: child sex tourism, child sex trafficking, child labour and child pornography.

POLICY

(i) Who is this policy for?

This policy is addressed to all IDC staff, contractors working on an on-going basis, interns, volunteers, consultants, the Governance and Finance Committee, IDC Members and IDC Partners (as defined in the IDC Partnership Policy). All groups and individuals engaged by the IDC will be made aware of the child protection policy and their responsibilities as stated in the policy during their induction. Where there is reference to the Director, it should be noted that the role is responsible for the coordination, oversight and development of the IDC Secretariat and Coalition, with a focus on strategy, technical advice and institutional and partner development, and working with the Board on governance and finance issues, and working with the team leaders and staff on operational implementation.

This policy is compliant with [AusAID Child Protection Policy](#) and the [ACFID Code of Conduct](#).

(ii) Definitions

Child Abuse: Abuse happens to male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion. Child abuse includes physical, sexual and emotional abuse, neglect, bullying, discrimination, child labour and domestic violence. Abuse can be inflicted on a child by men or women, as well as by children and young people themselves.

Child or young person: A child or young person is regarded to be any person under the age of 18 years, unless a nation's laws recognise adulthood earlier. However, for the purposes of this policy, IDC will always consider a child to be anyone under the age of 18.

Child Protection: Child protection relates to the responsibility and duty of care that an organisation has to protect children with whom they come into contact with. This includes organisational procedural guidelines, such as a Child Safe Code of Conduct (Appendix I) outlining behaviour expected from staff and others; an organisational reporting structure and guidance; and clear responsibilities for reporting and following up within an organisation. In its broadest sense, child protection is a term used to describe the actions that individuals, organisations, countries and communities take to protect children from acts of maltreatment (abuse) and exploitation e.g., domestic violence, child labour, commercial and sexual exploitation and abuse, HIV, and physical violence, to name but a few.

Child-Safe Environment: A child-safe environment is one where all children are protected from all forms of harm, and there are clear, established guidelines and procedures for conduct, reporting abuse and follow-up.

Commercial or other exploitation of a child: Refers to the use of the child in work or other activities for the benefit of others, this includes, but is not limited to, child labour. These activities are to the detriment of the child's physical or mental health, education, moral or social-emotional development. Children being recruited into the army or a non-state armed group would also come under this category.

Discrimination: Discrimination includes the exclusion of, mistreatment of, or action against an individual based on social status, race, ethnicity, colour, religion, gender, sexual orientation, age, marital status, national origin, political affiliation or disability.

Duty of Care: Duty of Care is a common law concept that refers to the responsibility of the organisation and individual to provide children with an adequate level of protection against harm. It is the duty of the organisation and its individuals to protect children from all reasonably foreseeable risk of or real injury.

Emotional abuse: Emotional abuse occurs when a child is repeatedly rejected or frightened by threats. This may involve name calling, being put down or continual coldness from parent or caregiver, to the extent that it affects the child's physical and emotional growth.

Neglect: Neglect is the persistent failure or the deliberate denial to provide a child with clean water, food, shelter, sanitation or supervision or care to the extent that the child's health and development are placed at risk.

Physical abuse: Physical abuse occurs when a person purposefully injures or threatens to injure a child or young person. This may take any form of physical treatment including but not limited to slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take any form including but not limited to bruises, cuts, burns or fractures.

Protection: Protection includes ensuring that individual basic human rights, welfare and physical security are recognised, safeguarded and protected in accordance with international standards.

Sexual abuse: Sexual abuse is actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions.

Sexual exploitation: Sexual exploitation is any abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the sexual exploitation of another. Sexual exploitation includes using one's position of authority, influence or control to pressure, force or manipulate someone to do something against their will knowingly or unknowingly, by threatening them with negative repercussions such as withholding project assistance, not approving an employee's work support requests, threatening to make

false claims about an employee in public etc. Child prostitution and trafficking of children for sexual abuse and exploitation are two examples.

(iii) Context

Child abuse is a global problem that affects both boys and girls. It has existed since the beginning of time and is deeply rooted in cultural, economic and social practices. Children can be abused physically, sexually, emotionally and through neglect and discrimination.

In 2001 the United Nations General Assembly requested the Secretary-General to conduct an in-depth study on the scope, scale and nature of violence against children in countries around the world. The final report, released in 2006, concludes that:

“violence against children happens everywhere, in every country and society and across all social groups. Extreme violence against children may hit the headlines but children say that the daily, repeated small acts of violence and abuse also hurt them, eroding their self-esteem, well-being and trust in others. While some violence is unexpected and isolated, most violent acts against children are carried out by people they know and should be able to trust: parents, boyfriends or girlfriends, spouses and partners, schoolmates, teachers and employers.

Most violence against children remains hidden; children who face violence, as well as those who witness it, often remain silent for fear of retribution and because of the stigma that violence carries for both victim and perpetrator. Many people, even children, accept violence as an inevitable part of life. Often, children who have suffered violence or those who are aware of such violence keep quiet because there are no safe or trusted ways to report the violence or get help.”

Worldwide, there is a chronic lack of data on violence against children, which undermines understanding and action. The available numbers almost certainly understate the problem. For example:

- Using a range of studies and 2000 population data, WHO estimates that the prevalence of forced sexual intercourse and other forms of violence involving touch, among boys and girls under 18, is 73 million (7 per cent) and 150 million (14 per cent) respectively.
- In 16 developing countries reviewed by a Global School-Based Health Survey from WHO and the US Centers for Disease Control and Prevention, the percentage of school-aged children that reported having been verbally or physically bullied at school in the previous 30 days ranged from 20 per cent in some countries to as high as 65 per cent in others;
- Each year, as many as 275 million children worldwide are estimated to witness domestic violence. This exposure has both short and long-term negative impacts on children's development.¹

While most child abuse occurs within families and communities, children may experience abuse and exploitation in organisations which provide them with support and services. Physical and emotional abuse and neglect in organisations and institutions is often unintended, and is the result of poor conditions, lack of clear guidelines for behaviour and reporting abuse, and negligent management. However child abuse, in particular sexual abuse in organisations, may also be planned and premeditated. Child sex offenders target organisations working with children, in particular organisations where their abuse may go undetected, including those with inadequate recruitment and supervision practices.

¹ 2006 United Nations Study on Violence against Children

(iv) Child Protection and Risk Management

The IDC recognises that there are a number of potential risks to children in our work, particularly in those programs where staff or others come into contact with children. In recognising these risks, staff and others will proactively assess and manage risks to children to reduce the risk of harm.

All partners receiving funding from IDC are required to have their own child protection policy or be in compliance with the IDC Child Protection Policy. Staff will assist partners to conduct assessments of child protection needs and implement relevant child protection strategies as required. Programs that involve direct work with children are considered a higher risk, and therefore require more stringent child protection procedures.

(v) Use of Children's Images

IDC material will at all times portray children in a respectful, appropriate and consensual manner. Guidelines on the use of children's images are included in Appendix 1 Child Safe Code of Conduct.

(vi) Employment of Staff and Volunteers

The IDC is committed to child safe recruitment, selection and screening practices. These practices aim to recruit the safest and most suitable people to work with IDC. Our child safe recruitment practices are included in Appendix 2.

The IDC requires all staff to comply with the Child Protection Policy and Child Protection Code of Conduct throughout their period of employment. Failure to do so may result in a transfer to other duties, suspension or dismissal, or barring from volunteer participation, depending on the nature of the offense. Criminal behaviour will be immediately reported to the proper authorities.

(vii) IDC Child Safe Reporting Procedures

It is mandatory for any allegation, belief or suspicion of sexual, physical or emotional abuse or neglect (past or present) by an IDC staff member, donor, member or partner to be reported immediately to the IDC Director and where applicable, to the relevant organisation Director (if an IDC member or partner organisation). The internal reporting process is outlined in Appendix III.

A child or person reporting an incident must be taken seriously and listened to carefully. Once an allegation is made there should be an immediate response that protects the child from further potential abuse or victimisation. The family of the child victim should be informed of the allegation and action proposed and they should be consulted where possible as to the process to be followed.

Where appropriate, the matter should be referred to police and other NGOs, organisations or state authorities with a mandated child protection role.

Action taken following the reporting of an incident will be in accordance with IDC policy and procedures and may lead to disciplinary or other action.

(viii) Managing Disclosures of Child Abuse

When a child discloses they have been abused, harmed or exploited it is important to:

- Consider the best interests of the child as the primary consideration in any action taken;
- Give the child positive feedback about their courage in disclosing this evidence and reassure them that they have not done anything wrong;
- Seek professional assistance, including contacting relevant police / child protection services;

- Refrain from asking the child too many or leading questions. In situations which may require police intervention this may “contaminate” evidence necessary in criminal prosecutions; and
- Advise management immediately.

(ix) Educating the Organisation

The IDC is committed to providing child protection training for staff and others. The child protection policy is included in the orientation of all new staff. refresher sessions will be provided at staff meetings.

I have read this Policy and its appendices and I agree to abide by it at all times to protect myself and the children I may come in contact with through my work for the IDC.

Name:

Signed:

Date:

IMPLEMENTATION

The Director, in conjunction with senior management, is responsible for the administration, revision, interpretation, and application of this policy. The policy will be reviewed annually and revised as needed.

The processes for compliance with this policy are outlined in the supporting documents and forms referred to at relevant clauses throughout the policy and can be found in the appendices.

REFERENCES/RELATED DOCUMENTS

[UN Convention on the Rights of the Child](#)

[ACFID Code of Conduct](#)

[ACFID Guidelines for the Development of a Child Protection Policy](#)

[AusAID Child Protection Policy](#)

[12 Steps to a Child Safe Organisation \(Child Wise\)](#)

[Keeping Children Safe: A Toolkit for Child Protection](#)

[UN Study on Violence Against Children](#)

APPENDIX I: CHILD SAFE CODE OF CONDUCT

The International Detention Coalition (IDC) wishes to protect the children we come into contact with as well as protecting staff, volunteers and those associated with the IDC's programs and activities.

I, _____ (*insert name*), engaged by _____
(*organisation*), agree that while engaging in activities representing the IDC, I will:

- Treat children with respect regardless of race, colour, gender, language, religion, political or other opinion, national, ethnic or social origins, property, disability, birth or other status.
- Conduct myself in a manner consistent with my position as a positive role model to children and as a representative of the IDC.
- Follow organisational policy and guidelines around the safety of children as outlined in the Child Protection Policy.
- Follow relevant local, state and national law pertaining to working with children.
- Refrain from hiring children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.
- Not engage children under the age of 18 in any form of sexual intercourse or sexual activity including paying for sexual services or acts.
- Not use physical punishment on children.
- Never use any computers, mobile phones, or video and digital cameras inappropriately, and never to exploit or harass children or to access child pornography through any medium.

If as part of my role I am required to work with children in any capacity, I will ensure that:

- I am not placed in a position where I am alone with children, by ensuring that there is always another adult present when working in the proximity of children.
- I avoid any physical contact with children unless necessary for their own safety or with the parents/caregivers permission.
- I use language and topics appropriate to the situation avoiding suggestive comments to a child, even as a joke. Avoid any actions or words intended to humiliate or belittle children.
- I avoid rough physical games or interactions with children that can be misinterpreted. Physical punishment of children is prohibited.
- My relationships with children are not exploitative or abusive.
- I immediately report concerns or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures.
- I immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during my association with IDC that relate to child exploitation and abuse.

Photographs of children/adults must not be taken without following the IDC's Photos and Images Procedures (Appendix II).

Any breaches of this Code of Conduct by IDC representatives or others, including all concerns regarding suspected child abuse and exploitation must be immediately reported in accordance with appropriate procedures.

Photos and Images Procedures

When photographing or filming a child for work related purposes, an IDC representative must:

- Before photographing or filming a child, assess and endeavour to comply with local traditions or restrictions for reproducing personal images.
- Before photographing or filming a child, obtain consent from the child or a parent or guardian of the child. This includes explaining how the photograph or film will be used.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure images are honest representations of the context and the facts; ensure file labels do not reveal identifying information about a child when sending images electronically.

Name:

Signed:

Date:

APPENDIX II: CHILD SAFE RECRUITMENT PRACTICES

The IDC engages the following child safe recruitment practices:

- Promoting our child safe commitment on our website and in all job advertisements.
- Providing copies of our website links to the child protection policy to all job applicants.
- Assessing all positions for level for risk in relation to contact with children.
- Providing job descriptions for all staff and others engaged to work for the IDC which describe key selection criteria and outline tasks and accountabilities.
- Conducting interviews for all positions, ideally face-to-face, but telephone interviews may be necessary in the international context.
- Including behavioural-based questions at interviews and asking for examples of the candidate's past behaviour and experiences. In positions working directly with children, the panel will explore the candidate's motivations for working with children, which will include value-based questions seeking information about the candidate's attitudes to children, professional boundaries, accountability, team work and how they have responded to ethical dilemmas.
- Requiring a minimum of two reference checks for all preferred candidates, including short and long term positions, volunteers on placement and consultants. The candidate's most recent employer/supervisor must be one of these referees. The IDC will verify the identity of the referee and make direct contact with each of these referees. Written references will not be accepted. The IDC reserves the right to request additional references.
- Requiring all staff, as well as others who work directly with children, to provide an Australian Federal Police Check or a relevant criminal history check (this may depend on the country or countries of most recent residence).
- Requiring candidates who may be working directly with children in Australia to provide a Working with Children Check (depending on the jurisdiction).
- Requiring all staff and others undertaking police checks to provide original documents for proof of identify including birth certificate, passport, drivers licence and relevant qualifications.
- Ensuring that all positions include a probationary period (depending on the length of the contract).
- Including identifying issues relating to child protection training in staff performance reviews.
- Requiring all staff to read and sign the Child Safe Code of Conduct during their orientation session and within two weeks of employment/engagement. The preferred applicant will be made aware of this requirement prior to employment.
- All current staff and volunteers will be issued a copy of the child protection policy and required to sign the Child Safe Code of Conduct within two weeks of receipt.
- Reserving the right to refuse employment to or terminate any person's employment if they may pose a risk to children.

APPENDIX III: CHILD REPORTING FRAMEWORK

HOW TO RAISE CONCERNS - A FRAMEWORK FOR ACTION

If you are concerned about the safety of a child:

If you see or suspect abuse

If an allegation of abuse is made

If a child discloses abuse

Discuss your concerns with your line manager: Team Leaders with the Director; Coordinators with their Team Leader; and other staff with their Coordinator.

If this is the person at the centre of your concerns, discuss with the next most appropriate person.

Discussions should focus on:

- Nature of concerns
- Risks to children
- Action/Next steps

Concerns should be reported in the same working day.

Ensure detailed written records are made of all events and what the child has said in their own words (where this applies).

Where possible the matter should be discussed with the IDC Director when assessing concerns, accessing support and planning any subsequent action. If the concern is related directly to the IDC Director, the President of the Governance and Finance Committee will assume authority.

Where serious concerns exist and there is immediate risk to the child, ACT! It is essential to avoid delay as inaction may place the child at further risk.

Where for any reason it is not possible to discuss the matter with the Director, or where immediate action is essential due to the risk to the child/ren, the Director should be informed as soon as possible after the event.

APPENDIX IV: CHILD PROTECTION INCIDENT REPORTING FORM

The IDC will take all concerns and reports of child abuse seriously and immediate action will be taken. Staff members reporting child protection concerns will be supported by the IDC throughout the process of assessing the claim.

This form should be used to report if you see or suspect abuse, if an allegation of abuse is made, or if a child discloses abuse. The information you provide here will be kept confidential and all steps will be taken to ensure you are supported by management and that your protection is considered in any actions taken.

Step One: About You

Name:

Your role in IDC:

Details of any other organisation involved:

Your relationship to the child or young persons concerned:

Step Two: About the Child

Name(s):

Male/female:

Age:

Address:

With whom does the child or young person live with?

Step Three: About Your Concern

How did you come to have a concern: was abuse observed or suspected?

Was an allegation made? Did a child disclose abuse?

Date, time and place of any incident(s) reported to you:

Nature of concern/allegation:

Observations made by you (e.g. child's emotional state, any physical evidence):

Write down exactly what the child said and what you said (or another informant said):

(continue on a separate sheet of paper if necessary)

Any other relevant information? *(e.g. disability, language)*

Were other children involved or aware?

Time and date of reporting:

Person(s) to whom report was made: *(name of supervisor/manager/staff)*

Advice given by that person:

Action taken:

Named:

Signed:

Date:

Note: Please remember that all information contained in this report must be kept confidential and must not be revealed to anyone except the person you reported to. You will be informed of next actions that will be taken