

CATHOLIC CHURCH - SIERRA LEONE

CHILD PROTECTION POLICY

2012

FOREWORD

To the Clergy
Religious Brothers and Sisters
Faithful People of God

Mindful of the dignity God has imprinted in our being by creating us in His own image (Gen 1, 27), and by sharing in our human condition through incarnation (John 1, 14), we can now contemplate His divine face in the presence of every individual who walks with us down the path of life. This faith conviction should be sufficient to guarantee the respect due to every individual. Yet we are painfully aware that this has not always been the case. The commandment left by Jesus as his own legacy that we love one another as He loves us (John 15, 12) has been violated even through the harm done in various ways to the "little ones", the children He always welcomed so affectionately (Mk 13, 13-16).

We, the bishops, take the lead in preventing such abuses to minors, vulnerable people, and to bring to justice the culprit once discovered, and in healing the victims. As a way of accomplishing our duty we offer this *Child Protection Policy* as a tool, dear priests, Religious Brothers and Sisters and the faithful of the Catholic Church in Sierra Leone, enabling us all to treat our minors and vulnerable groups with the respect demanded by their lofty condition of children of God, their being our little brothers and sisters in Christ, and the most vulnerable members of our society.

We are asking you to study it carefully and to make it known and understood far and wide. It is to be followed by all who have contact with children and vulnerable groups in places of worship, in schools, groups, associations, clubs of any kind, hospitals, counselling offices and any other place and circumstance in which children and vulnerable groups are present.

We hope and pray that, by the power of God, everyone will faithfully implement this policy. I invoke upon us all the blessing and the Grace of God.

+ P. A. Koroma

Patrick D. Koroma, Bishop of Kenema
President of the Bishops' Conference of Sierra Leone and The Gambia

CATHOLIC CHURCH - SIERRA LEONE

CHILD PROTECTION POLICY

1 - NATURE OF THIS POLICY

This policy abides by THE CHILD RIGHTS ACT 2007 approved by the Government of Sierra Leone, and elaborates on it to assure its accurate implementation by the members of the Catholic Church, and by the personnel this is employing. Church and State Law for the protection of children shall always be enforced.

References to The Child Rights Act are reported in brackets.

2 - GOAL OF THIS POLICY

This policy is being established for all Catholic Church institutions in Sierra Leone to ensure that children are treated with dignity, respect, sensitivity and fairness. (Cf S. 3 - The Child Act 2007)

3 - REASONS FOR THIS POLICY

Children are to be protected from unfair treatment, abuse and exploitation. Therefore, Administrators, Staff Members, Employees and any other personnel in direct contact with them must conduct themselves with utmost professionalism and integrity at all times. Hence the need for a policy setting adequate standards of conduct.

4 - GENERAL PRINCIPLES

Duty to protect

4.1 - All children have equal rights to protection from abuse and exploitation which may result from sexual exploitation, physical

or emotional abuse, neglect, harm from bad practice or undue pressure that affects the child's health and development. [cf. S. 26(2); S. 33(1)]¹

To help development

4.2 - All children should be encouraged to fulfil their potential in the areas of spiritual, intellectual, emotional, and physical growth.

To support

4.3 - Everybody has a responsibility to support the care and protection of children. [cf S. 23(2)]²

5 - PREVENTION

Background screening

5.1 -All those appointed or hired for work in the institutions of the Catholic Church in Sierra Leone, who have significant contact with children, shall complete a self declaration about previous convictions, and will be subject to safeguarding checks if deemed necessary.

No hindrance to reporting

5.2 -Each administration shall establish ways by which employees can raise concern, with assurance of confidentiality if necessary, about unacceptable behaviour on the part of other Administrators, Teachers, Carers, Employees.

Supervision of children

5.3 - The Administration will ensure that activities are organized and responsibilities are distributed in such a way that children are adequately supervised and protected at all times.

Avoidance of unnecessary contact

5.4 - All employees shall avoid unrequested and unnecessary physical contact with children.

¹ 26,2. Every child has the right to life, dignity, respect, leisure, liberty, health, including immunisation against diseases, education and shelter from his parents.

33,1. No person shall subject a child to torture or other cruel, inhuman or degrading treatment or punishment, including any cultural practice which dehumanises or is injurious to the physical and mental welfare of a child.

² 23,2. It shall be the primary responsibility of parents to provide support to their children in the enjoyment of the right referred to in subsection (1) but they may be assisted by the State in case of need.

Culture of respect

5.5 – Each Administration shall promote a culture that ensures children are listened to and respected as individuals.

6 – ACTION

General awareness of children's rights

6.1 – All employers and employees of the Catholic Church in Sierra Leone shall be mindful of the fact that all children have equal rights to protection regardless of age, sex, ethnical and social background, abilities, religious belief and political persuasion.

Resolving cultural conflicts

6.2 – Each Administration shall put in place mechanism(s) for resolving differences between culturally accepted behaviour and what is considered acceptable behaviour by the law of the country. [cf S. 44(1)]³

Total exclusion of violence

6.3 – All disciplinary measures/sanctions taken against children shall not be violent nor humiliating. [cf S. 33]⁴

Supporting informants

6.4 – Each Administration shall inform all persons concerned about the necessary steps to take following an incident or allegation of abuse.

Knowing where to report

6.5 – Children shall be provided with information on where to go for help and advice in relation to abuse, harassment and bullying.

Avoidance of all form of discrimination

6.6 – Discrimination, which can be manifested through prejudice, oppressive behaviour or language in relation to race, culture,

³ 44.1. The guidance of the child from parents, relatives and service providers shall include the use of tradition and cultural standard to foster the development of a sense of responsibility in the child, subject to his evolving capacities.

⁴ 33. (1) see note N° 2. - (2) No correction of a child is justifiable which is unreasonable in kind or in degree according to the age, physical and mental condition of the child and no correction is justifiable if the child by reason of tender age or otherwise is incapable of understanding the purpose of the correction.

age, sex, disability, religion, or political persuasion shall not be accepted. [cf S. 41(1)]⁵

Improper exploitation of child labour

6.7 – The demand of unpaid manual labour from children for personal benefit or interest, by exploiting a position of authority or under promise of rewards in other areas, shall not be accepted. [cf S. 32]⁶

Extra help to disabled children

6.8 – The Administration shall recognise the particular risks faced by disabled or handicapped children to obtaining help by removing the extra barriers which risk marginalising them. [cf S. 30(2)]⁷

7 – PROTECTION FROM SEXUAL ABUSE

General reason for this section

7.1 – Great emphasis is being placed on protection of children from sexual abuse due to its viciousness, and to the devastating effects it can have especially on the victims.

Goal of this section

7.2 – The goal of this section is to address the need for prevention through the education of parents and children and of those who work with children, the response to allegations, the administrative investigation of the same, and a definition of the terms being used for a thorough common understanding.

⁵ 41.1. A child shall be brought up and educated to take pride in his culture and national identity.

⁶ 32. (1) No person shall subject a child to exploitative labour as defined in subsection (2). - (2) Labour is exploitation of a child if it deprives the child of its health, education or development.

⁷ 30 (2). A disabled child has a right to special care, education and training wherever possible to develop his maximum potential and be self-reliant.

Particular reason for this section

7.3 - Human dignity originates in our being made in the image of God. Sexual abuse against children violates this dignity. It is both a criminal and a sinful act that results in great harm to the physical, emotional, and spiritual integrity of those who have been abused. We are therefore committed to safeguarding children through cooperation with civil authorities and compliance with laws and other statutes that mandate the reporting of suspected sexual abuse. We are committed to the process for all including those who might be falsely accused.

7.4 - Prevention

Need of adequate specific knowledge

7.4.1 - The first step to be taken is to prevent sexual abuse from taking place. Everyone in each community must be aware of the causes and signs of sexual abuse, the steps to take to protect the children and the procedures to follow if sexual abuse is suspected or observed.

Informing

7.4.2 - Administrators shall inform all staff members of this policy and its requirements.

In-service sections

7.4.3 - Child sexual abuse shall be addressed in the in-service programmes offered for all employees and awareness raised among all other employees who have significant contact and unsupervised access to children.

Who should work in preventing sexual abuse

7.4.4 - In implementing this Policy, only those persons who have been trained in child sexual abuse prevention and recognition shall implement child sexual abuse prevention sections. In the impossibility of gaining their service, the heads of institutions will invite other suitable and well prepared individuals to cover such need.

7.5 - Screening

Whom to screen

7.5.1 - Persons who serve children as Administrators, Teachers, Counsellors, Carers, Employees or Volunteers, are among the

community's most valuable assets. They contribute to the intellectual, emotional, spiritual and physical well being of children. In appointing or hiring them we must take due precautions to ensure that only qualified persons who are psychologically and temperamentally fit are chosen to work with children. Reasonable effort should be made to ensure that applicants are screened appropriately and thus deemed suitable for such work.

No hiring of known sex offenders

7.5.2 - Applicants for employment with a history of a sexual offence conviction shall not be considered for placement or hire.

Verification of information

7.5.3 - Applicants for employment shall supply the names of two references, and the hiring agents will make reasonable efforts to verify their suitability with specific questions on the child protection area.

7.6 - Reporting

Who should report

7.6.1 - Any Administrator, Teacher, Employee or others acting in an official or professional capacity, who know or have reason to suspect that a child has been sexually abused shall report such knowledge or suspicion to the competent authorities.

Where to report

7.6.2 - The civil law for reporting crimes shall always be followed. [cf S. 38 (6)]⁸

What to include in the report

7.6.3 - Reporting should be made according to the following information. However lack of this information will not prevent the immediate reporting of the alleged sexual abuse to the competent authority.

- + Name, address and age of child
- + Name, address and age of alleged perpetrator
- + Child's relationship to the person making the report

⁸ 38 (6). Any service provider, parent and community member, shall report sexual and other forms of abuse to family support units of the Sierra Leone Police who shall be required to maintain a register of child abusers and to take special measures to protect children from such persons.

- + Name, address, and telephone number, if possible, of the child's parents or guardians
- + Whereabouts of the child
- + Whether the family is aware of the allegations
- + Nature and extent of the alleged sexual abuse
- + Where the alleged sexual abuse occurred
- + Whereabouts of the alleged perpetrator
- + Whether the alleged perpetrator is aware of the allegations
- + Whether the alleged perpetrator has current access to the child or other children
- + Steps the employing authority have taken (interviews, notification, etc.)
- + Any information that supports or questions the credibility of the allegation
- + Any other helpful information

Reporting to the Cath. Church Authority
 7.6.4 – The knowledge or suspicion of child abuse shall also be reported without delay to the immediate Catholic Church Authority. Notification to this Office will not be a reason to delay notification to civil authorities.

Protection of the other children
 7.6.5 – If the suspected offender still has access to children, the Catholic Church authority shall make immediate provision for the children's protection.

7.7 – Responding

Why to respond
 7.7.1 – When sexual abuse occurs, it has very harmful effects not only on the victim and his/her family, but on the community as well. Therefore the alleged offender shall be called to respond to the accusation and to review the evidence.

How to respond
 7.7.2 – The healing of victims, their families and the community from the effects of sexual abuse by a teacher or employee begins with the way in which the allegations of such sexual abuse are received. Frequently, victims have difficulty trusting others

fearful that they will be blamed for the sexual abuse. Therefore, when alleged victims decide to disclose sexual abuse, it is important that the response they receive is compassionate and non-judgemental.

How to receive the information
 7.7.3 – Anyone receiving an allegation of sexual abuse shall respond in a supportive manner, leaving investigative concerns to those who serve in that role.

7.7.4 – An allegation shall be received without initial judgement as to the truth of the complaint. No intimation of blame for the alleged victim or the alleged offender will be made by the initial recipient of this information.

Supporting the reporter
 7.7.5 – Individuals making allegation of sexual abuse shall be supported positively in their decision to disclose without regard to the accuracy of these allegations.

7.8 – Pastoral care

Educating to respond
 Catholic Church authorities shall provide seminars and/or workshops, when and where deemed necessary, that address the need for healing. Included will be education of the broader community in the dynamics of sexual abuse and the role the community plays in preventing and promoting recovery from such sexual abuse. These opportunities must include principles of restorative justice as well as a response to criminal behaviour that emphasizes healing the wounds of victims, offenders and community.

7.9 – Administrative Investigation (cf S. 62. 63. 64)⁹

Who is to investigate
7.9.1 – Whenever an allegation is made that a child has been sexually abused, the Administration shall order an administrative investigation of that allegation. This investigation will commence as soon as reasonably practicable. This however does not replace, nor is it intended to discourage any investigation by civil authorities.

7.9.2 – The administrative investigation shall proceed regardless of whether civil or criminal action is pending.

Confidentiality and privacy
7.9.3 – The administration shall give the investigator full cooperation. All administrative investigations shall be handled with due regard for confidentiality and privacy.

Reporting to the Cath. Church Auth.
7.9.4 – A report of the status of the investigation will be submitted to the Catholic Church Authority within fifteen days.

Notification to the accused
7.9.5 – The Catholic Church Authority shall provide notice of an allegation of sexual abuse to the accused person.

⁹ 62 (1). If the district council has reasonable grounds to suspect child abuse and need for care and protection of a child, it shall direct a probation officer or social welfare officer accompanied by the police to enter and search the premises where the child is kept to investigate.

(2) The district council shall direct the probation officer or the social welfare officer to refer the matter to a Child Panel established under section 71, if child is not in immediate need of care and protection.

(3) If after the investigation it is determined that the child has been abused and is in need of immediate care and protection, the district council shall direct the probation officer or social welfare officer accompanied by the police to move the child to a place of safety for a period of no more than seven days.

(4) Before the expiry of the seven day period referred to in subsection (3), child shall be brought before a Family Court by the probation officer or social welfare officer or other suitable person.

63. This section deals with 'Care order of Family Court'.

64. This section deals with 'Supervision order of Family Court'.

Final report to the Cath. Church Authority
7.9.6 – Upon completion of the investigation, the investigator will submit a comprehensive report along with all supporting documents and any other evidence to the Catholic Church Authority. If the evidence make credible the offence, the still alleged offender will be, nonetheless, suspended.

Notification to the entire Institution's personnel
7.9.7 – The Catholic Church Authority after determining that a violation of this policy has been established and proven, and that the accused has to be removed from his/her position, shall notify the administration and all other employees of the institution in which the accused provided service, that he/she is being removed pursuant to this policy on sexual abuse of children. Care shall be taken in all instances to protect the identities of victims.

Restoration of reputation, if necessary
7.9.8 – The need for the restoration of the reputation of an accused who is the subject of an accusation that was not confirmed by the investigation, shall be carefully analysed. If deemed necessary, the Catholic Church Authority shall formulate and carry out a plan tailored to each particular case, so that every step possible will be taken to restore the good name of the accused.

7.10 - DEFINITIONS

For the purpose of Section 7 of this Policy the following terms are defined:

- 7.10.1 – *Child* means any person who is under eighteen years of age.
- 7.10.2 – *Sexual abuse* of a child includes *sexual contact*, or *sexual conduct* with a child, or attempted sexual conduct with a child. It will also include, but it is not limited to, engaging in the following conduct with a child: to solicit, request, or demand nudity, sexual contact or sexual conduct; to view, photograph, film or videotape a minor in a state of nudity, for the purpose of sexual gratification or profit; to pay, coerce or otherwise cause a minor to engage in sexual contact or sexual conduct for hire.
- 7.10.3 – *Sexual conduct* means intercourse of heterosexual or homosexual nature, and the simulation of it with the use of any instrument or apparatus.
- 7.10.4 – *Sexual contact* means any touching of an erogenous zone of another, for the purpose of sexually arousing or gratifying either person.
- 7.10.5 – *Response* is the initial and continuing responsibility of the Institution's authority to aid in the healing of all who are impacted by allegations of sexual abuse [victims, families, community, alleged offender].
- 7.10.6 – *Restorative justice* is a systematic response to criminal acts that emphasizes healing the wounds of victims, offenders and the affected community. It is a process whereby parties with stake in a specific offence resolve collectively how to deal with the aftermath of that offence and its implications for the future. Reparation, restitution and healing are critical elements in the process.