



# TABITHA FOUNDATION AUSTRALIA

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## TFA Child Protection Policy

Tabitha Foundation Australia (TFA) is committed to the protection of all children from all forms of harm. In particular the safety and wellbeing of the children coming into contact with Tabitha programs is a paramount concern. The reputation of Tabitha Foundation Australia and Australian volunteer efforts in overseas countries is also important. Tabitha also supports the rights and welfare of all our staff and volunteers and encourages their active participation in ensuring safe and respectful environments whilst on any assignment. The Tabitha Australia Child Protection Policy has four guiding principles:

**Zero tolerance of child abuse:** Child abuse is not tolerated by Tabitha Australia, nor is possession of or access to child pornography.

**Recognition of children's interests:** Tabitha Australia is committed to upholding the rights of children and recognises that some children, such as children with disabilities and children living in areas impacted by disasters (natural or conflict based), are particularly vulnerable.

**Sharing responsibility for child protection:** To effectively manage risks to children, Tabitha Australia requires the active support and cooperation of its staff and volunteers. Tabitha Australia staff and volunteers must comply with this policy and will be held accountable for complying with it.

**Use of a risk management approach:** Careful management can reduce the incidence of child abuse associated with aid activities. This policy introduces strategies for minimising a range of recognised risks to children.

This policy provides guidance to staff and volunteers on the acceptable behaviours and appropriate boundaries when coming into contact with children.

Although Tabitha participants are typically not required to work directly with children, it is inevitable that volunteers will be in contact with children whilst engaged in Tabitha projects. This policy is applicable to all situations when such contact is made.

Tabitha Australia will review this policy every three years or earlier if warranted.

Tabitha Australia will remove any staff member or volunteer from any aspect of Tabitha's operations when it considers that the relevant staff member or volunteer poses an unacceptable risk to children's safety.

This policy supports AusAID Child Protection Policy (March 2008) requirements for NGOs.

**Definition of a child:** A child is regarded to be any person 18 years and under, regardless of the age of consent locally.

### Information on Australian legislation relevant to child protection

- *Crimes Act 1914 Part IIIA (Child Sex Tourism)*. Under this Act, it is a crime for Australians to engage in, encourage, or benefit from sexual activity with persons under 16 years of age while overseas. The law provides for penalties of up to 17 years imprisonment for individuals and up to \$561,000 in fines for companies
- *Criminal Code Act 1995, Division 474 (Telecommunications Offences, Subdivision C)*. This Act includes a penalty of 10 years imprisonment for possession of child pornography depicting a person under 18 years of age, and up to 15 years imprisonment for online grooming of a person under 16 years of age

### Tabitha staff and volunteers will:

- Treat every child with dignity and respect regardless of differences of ethnicity, religion, age, ability, gender, sexual orientation, race, colour, language, political or other opinion, national or social origin, property, disability, birth status, and economic circumstances
- Conduct themselves in a manner consistent with their position as a positive role model to children and as a representative of Tabitha
- Immediately raise and report any concerns for the safety or wellbeing of a child with the Tabitha Cambodia Director or the Tabitha Foundation Australia Director, as the circumstances may require, in accordance with the Tabitha Volunteer Code of Conduct
- Be visible when working with children
- Avoid being alone with children and, wherever possible, ensure that other adults are present when working in the proximity of children
- Comply with all relevant Australian and local legislation, including labour laws in relation to child labour

### Photography or filming involving children

- Photographing or filming of children is generally not required for Tabitha's project related purposes.
- Volunteers should be mindful of the following if they are photographing or filming a child
  - Assess and endeavour to comply with local traditions or restrictions for reproducing personal images. If in doubt, queries are to be directed to the project team leader in the first instance or the Tabitha Cambodia Director.
  - Wherever possible, obtain consent from the child and a parent or guardian of the child. The intended use of the photograph or film should be explained to the parent or guardian of the child
  - Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner.
  - Ensure images are honest representations of the context and the facts
  - Ensure photograph or film labels do not reveal identifying information about a child when sending images electronically

### Tabitha staff and volunteers will not:

- Engage in any behaviour that is intended to shame, humiliate, belittle or degrade children
- Use language, make suggestions, offer advice or engage in any behaviour that is inappropriate, offensive, harassing, sexually provocative, demeaning, culturally inappropriate or abusive
- Do things of a personal nature that a child can do for him/herself, such as assistance with toileting or changing clothes
- Take children to their own accommodation unless they are at immediate risk of injury or in physical danger

- Sleep in the same room or bed as a child unless absolutely necessary, in which case, the project team leader's permission must be obtained, and another adult must be present wherever possible
- Physically punish or discipline any child
- Engage any child or children in any form of sexual activity or acts, including paying for sexual activity or acts, where under the law(s) applicable to the child (including Part IIIA of the Australian Crimes Act 1914 (Cth) (as amended), the child is below the age of consent or the act(s) are an offence under relevant laws
- Act in ways that may be abusive or place a child at risk of abuse
- Behave physically in a manner that is inappropriate or sexually provocative towards a child
- Condone, or participate in, behaviour towards children which is illegal, unsafe or abusive
- Act in a way that shows unfair differential treatment, or favouring particular children to the exclusion of others
- Record or publish any child's name or any address details with photographs.
- Hold, kiss, cuddle or touch a child in an inappropriate, unnecessary or culturally insensitive way. Touching should only be in response to the need of the child; be only with the child's permission (except in an emergency situation); avoid the breasts, buttocks and groin; and be open and non-secretive.
- Use any computers, mobile phones, or video and digital cameras inappropriately, or access child pornography through any medium
- Hire 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



## Cambodia's Future