

## Factsheet 6

### Understanding Child Protection

#### What is child protection?

Child protection involves legislation, policies and practices to keep children safe from harm, to protect them from people who are unsuitable to supervise or work with children and to ensure that a child's wellbeing and best interests are paramount considerations.

#### What is child abuse?

Child abuse relates to children at risk of harm, usually by adults and often by those they know and trust. It is usually a pattern or cycle of behaviour, not a one-off incident. Although definitions vary slightly from state to state and from country to country, child abuse is recognised as falling into four categories:

**sexual abuse/sexual misconduct** — any sexual act or sexual threat imposed on a child including exposure to pornographic material, sexual touching, voyeurism and child prostitution. Sexual abuse often involves a progression in behaviour from fondling to intercourse.

**physical abuse** — non-accidental injury to a child. This may include severe shaking, bruising, biting, scalding, throwing a child, injury caused by excessive discipline, poisoning, suffocation or strangulation.

**emotional abuse** — behaviours that may psychologically harm a child. This behaviour tends to be a chronic behavioural pattern that undermines a child's self esteem or impairs a child's wellbeing or development. It may include constant criticism, rejection, withholding praise and affection, threats or unreasonable demands.

**neglect** — where a child is harmed by the failure to provide them with the basic physical and emotional necessities of life. This may include inadequate supervision of young children for long periods, failure to provide adequate and proper food, clothing, personal hygiene or medical attention.

#### What are the legal requirements?

Every person and organisation has a legal duty of care to ensure anyone who participates in the organisation's activities is given an adequate (reasonable) level of protection from all reasonably foreseeable risks of harm or injury. What constitutes 'reasonable' will be determined objectively by a court and will depend on the individual circumstances of each case.

This duty of care is a common law responsibility that covers both action taken **and** inaction. This means that committee members, managers, coaches, staff members and volunteers have a role in providing children with a safe environment in which to participate.

There are also responsibilities under child protection legislation in each state and territory for both organisations and individuals that work or have contact with children. These responsibilities, such as checking and screening processes, mandatory and voluntary reporting and the investigation of child abuse vary slightly from state to state.

It's important that people working in sport understand and comply with the child protection legislative requirements in their state/territory.

Comprehensive information about child protection legislation can be obtained from state Commissions for Children and Young People and/or Departments of Family Services. Further information, in a sport context, is available from the ASC Sport Ethics ([www.ausport.gov.au/ethics](http://www.ausport.gov.au/ethics)) and *Play by the Rules* ([www.playbytherules.net.au](http://www.playbytherules.net.au)) websites.

### Organisational protective practices

To assist in providing child-safe sport environment, sporting organisations should consider implementing the following:

- openly communicating the risk of child abuse and the organisation's commitment to reducing the risk of child abuse to members.
- developing and implementing a policy on child protection. This can be a separate policy or incorporated into a broader anti-harassment and abuse policy, such as a member protection policy. It is important that the organisation's constitution, regulations and by-laws support the policy and allow it to be enforced.
- codes of conduct for all staff, members and parents so that everyone is clear on what is and is not acceptable behaviour. Ensure the codes adequately address child protection and require everyone to sign the code.
- adopting thorough recruitment practices such as having job descriptions for all delivery roles (paid or voluntary); interviewing applicants, conducting police check and checking references for paid and voluntary positions.
- appointing a contact officer (member protection officer) who should be the first point of contact for issues, concerns and complaints. This person should be appropriately trained and their contact details and role should be well advertised within the organisation.
- using accredited coaches and officials and checking that their accreditation is current.
- promoting child protection to affiliated associations, encouraging a culture of awareness and action, and ensuring associations understand reporting requirements (to government authorities and to the national sporting organisation).
- providing information to coaches and others working with children about how to recognise child abuse and giving them directions on what to do if abuse is reported or suspected.
- ensuring all personnel and affiliated associations understand and comply with legal requirements.
- managing suspected incidents of child abuse including any allegation or complaint.
- knowing where to go for further advice.

Information on individual protective practices can be found on the ASC's sport ethics web site.