



Medical Clinics * Micro Business * Rice Bank
Feeding Programs * Orphanage

Draft Standardized Love In Action Training Centre Child Protection Policy Document

1. Statement of Commitment:

- 1.1. The Love In Action Training Centre is committed to the welfare and rights of children throughout Cambodia. It seeks to provide holistic support to children in difficult circumstances so that they can have a hope and a future. This includes all children under 18 years. It does this through encouraging the sharing of information, involvement in advocacy initiatives and active cooperation and networking of its staff.
- 1.2. The Love In Action Training Centre is committed to encouraging its staff to develop their own child protection policy to protect and provide a safe environment for children and staff. This is also to protect the organization and encourage donors to have confidence in the organization.
- 1.3. The Love In Action Training Centre is committed to upholding the law on child rights and welfare in order to provide what is in 'best interest of the child'. This includes the UN Convention on the Rights of the Child which was adopted by the Royal Cambodian Government in 1992, the Convention on the Minimum Age of Working Children No 138 in 1999, the declaration of the World Summit on Children in Stockholm in 1996 and the follow up World Congress in Japan in 2001 which led to Cambodia's MoSALVY's 5 Year Plan Against Trafficking and Sexual Exploitation of Children 2000-4. The Constitution also has two relevant articles 41 & 42*. The Love In Action Training Centre is also committed to challenging the Government to reform and introduce new law where gaps are identified.
- 1.4. The Love In Action Training Centre encourages all its staff to give respect and dignity to all children in their care. Child carers are encouraged to be good role models, spending time with each child, listening to them, encouraging children when they do something well and giving good explanations on why they should not do something else. They should keep their promises. They should provide discipline firstly through verbal means.
- 1.5. In consultation with staff (2003) different forms of child abuse are described:
 - 1.5.1. Physical Abuse: Any punishments and physical abuse to children like beating including with a stick or other implement, poisoning, shaking and smothering or forcing the child to work in an unsafe way/environment. These are things that deliberately negatively affect the physical well-being of children.

- 1.5.2. Mental Abuse: Any actions (gestures, words and behaviours) that deliberately affect a child's mental/emotional well-being for example by making them afraid, anxious, annoyed or discouraged.
- 1.5.3. Neglect: Any actions that deliberately neglect to provide the four essential rights of children (right to live, right to learn, right to participate and the right to speak).
- 1.5.4. Sexual Abuse: Any actions with sexual intent towards children such as touching children's genitals, forcing child to watch or take part in pornography or coercing the child to have sex .

2. Communicating the issue:

- 2.1. All children have a right to protection from abuse irrespective of race, social background, age, gender, skin color, disability, religion or beliefs.
- 2.2. The Love In Action Training Centre (LIA) is committed to informing children, decision makers, and the public through the media that **child abuse is wrong**. Keeping silent is also wrong.
- 2.3. Child protection policies provide a safe and positive environment for children and are foundational in the education, research and advocacy initiatives that the LIA is involved in.
- 2.4. The LIA is committed to educating its staff about the importance of Child Protection so that both children are protected from abuse by staff and others but also so that preventive measures can be made to protect staff and member organization's integrity.
- 2.5. The LIA provides opportunities in its meetings to discuss and learn about child abuse and neglect with all its staff and with other groups and networks.
- 2.6. Where possible children are also included as key stakeholders because the LIA believes that children have the right to speak and be heard. Involving them in the process also enables them to know their right to protection.
- 2.7. The LIA therefore actively encourages the development of child protection policies and active implementation of these policies for all NGO's in Cambodia.
- 2.8. All staff agree to this policy. It will be reviewed every 3 years.

3. Behavioural Protocols:

- 3.1. All Staff, volunteers, interns, consultants, visitors, donors, sponsors and other guests of staff of the Love In Action Training Centre are expected to treat all children and other staff staff with respect and dignity.
- 3.2. Each individual must sign a statement to say that they have read the policy, will respect it and understand that action will be taken in cases of inappropriate behavior.
- 3.3. There will be careful regulations about what forms of discipline can be used, encouraging primarily verbal and withdrawing privileges. Staff are strongly encouraged to inform their director if feel that physical discipline is appropriate. Non-violent and non-humiliating discipline is encouraged.

- 3.4. There will be careful regulations about not being alone with a child in the project area or outside it. i
- 3.5. Adults will always be responsible for their behavior and cannot blame the child even if the child 'provokes' or acts in a 'seductive' way.
- 3.6. If protocols are broken the person involved will be disciplined and may lose their job. Information on the child protection policies must be introduced before and on acceptance of employment.
- 3.7. Communities and children with whom LIA staff work will be informed of the protocols and will be assured that project support will not be discontinued if they report suspicious behavior. Also Staff will not be asked to leave for reporting suspicious behavior.
- 3.8. Where children are placed in communities then care is taken to ensure careful screening and training of foster parents to ensure safe and adequate care.

4. Recruitment and Screening

- 4.1. Screening is equally important for volunteers/interns, Board staff and consultants.
- 4.2. On applying for a position a form must be signed agreeing to the Child Protection Policy and stating that they have not had any previous convictions for abuses against children or violent behavior. Also that if dismissed for abuse, then their future employers will be informed.
- 4.3. References should be checked preferably by telephone to give previous employees an opportunity to express concerns verbally.

5. Responses to Allegations

- 5.1. Procedures must be set out by the organizations to ensure that all staff know what to do if an allegation is made, either by a child, parents, staff member or visitor.
- 5.2. The Love In Action Training Centre encourages all staff to adhere to Cambodian Law including the Labor Code, 1997.
 - 5.2.1. Article 83 says that Abusive language, threat, violence or assault of the employer or worker against the employer or other workers is considered to be a serious offense. In which case according to Article 83 the employer can ask the employee to leave without notice.
 - 5.2.2. Article 172 under Child Labor law says that all forms of sexual violation (harassment) is strictly forbidden.
 - 5.2.3. Article 177 says that the minimum allowable age for any kind of employment which...could be hazardous to health, safety or morality of an adolescent, is eighteen years.
 - 5.2.4. Article 180 says that in orphanages and charitable institutions.... occupational or vocational training for children less than fourteen years old must not exceed three hours per day. A record must be kept indicating the date of birth, manual labor conditions for

- children and daily schedule i.e. the assignment of hours of study, manual labor, rest and meals.
- 5.3. All members of the Love In Action Training Centre will encourage their staff to be open in discussing the potential of abuse in their organization.
 - 5.4. Where an allegation has been made that a staff member/visitors to the organization has abused a child then the Director of LIA will investigate and take the appropriate action to deal with the situation.
 - 5.4.1. There should be a designated person whose responsibility is to be responsible for dealing with child protection issues in the organization.
 - 5.4.2. Relationships with other organizations are encouraged for accountability and support in times such as these.
 - 5.4.3. Both victim (and perpetrator) will be treated with respect from the start of the process to the end.
 - 5.4.4. Children rarely lie in situations like this so their story must be heard and believed unless proved otherwise. They may also require extra protection if the perpetrator has not been arrested.
 - 5.4.5. The organization will have a reporting procedure where the Director is informed and then others as the need arises.
 - 5.4.6. Records should be made of all facts related to the investigation and these should be carefully and confidentially filed.
 - 5.4.7. If a foreigner is involved the relevant Embassy should be informed.
 - 5.4.8. Designating someone to deal with the media and the police. Where possible consideration will be made beforehand by the organizations leadership about how the police and media will be informed/involved.
 - 5.4.9. Where the organization is inexperienced asking for help from other child rights organizations is encouraged.

*** Royal Government of Cambodia Constitution – unofficial translation**

Article 41: Causing wounds on purpose:

- Anyone who beats/fights another person on purpose resulting in permanent disability must be punished by putting them in prison for 1 to 5 years.
- If they cause temporary disability less than 6 months they must be punished and put in prison for 6 months to 2 years.
- If it doesn't cause disability they are to be punished by putting them in prison for 2 months to 1 year.
- If using any kind of weapons must be punished 2 times more.

Article 42: Rape

- Anyone who rapes another, even the same sex or opposite sex by touching or actions involving sex must be punished to put in prison for 1 year to 3 years.

- If the rape is conducted by coercing a victim younger than 16 years old then the person who commits this must be punished 2 times more.
- Anyone who tries to persuade or cheat a minor into working as a prostitute or exploiting from a minor's prostitution even if they agree must be punished and put in prison for 2 to 6 years.
- This policy has been accepted and approved for use within the framework of Love in Action Training Centre.



Ruth Golder
Director

Lindsay Ham
Witness