

Safeguarding in National Child Protection Systems

The Heart of the System

[Interactive summary](#)

Acknowledgements

We would like to thank Porticus, and the members of the independent review committee, for their support and contributions which made this event possible.

Thank you to all the speakers for sharing their knowledge and to all the participants for their commitment to continue to strengthen child safeguarding in their organisations around the world.

Between 28 - 30 March 2023, Keeping Children Safe hosted a global online summit on Child Safeguarding in National Child Protection Systems.


With 24 expert speakers from academia, civil society, government and the judiciary, the event was an opportunity for participants to expand their knowledge on the international child safeguarding standards and the importance of integrating child safeguarding in national child protection systems.

Child safeguarding is at the heart of national child protection systems and it has an impact on society more broadly. Where children as rightsholders are at the centre and their cooperation and agency is respected and encouraged. It contributes to the establishment of strong governance and democratic institutions where a culture of abuse and impunity is not accepted and is proactively discouraged.

The event provided participants with an array of good practices, case studies and theory, as well as identifying key challenges and ways forward.

This document is a summary of all the contributions made by participants and speakers during the conference. It is not an endorsement by Keeping Children Safe of any of the statements.

To produce this outcome document, speakers were asked to submit a summary of their presentation covering the main points addressed and key takeaways. Panel summaries were produced by moderators or Keeping Children Safe staff.

The complete Safeguarding in National Child Safeguarding Systems summit is available online for free on-demand view! 

Requires registration.

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28 March 2023

The International Child Safeguarding Standards: a child friendly version to empower children and communities



Sarah Blakemore
Keeping Children Safe

Chief Executive Officer



Welcome to this online conference on Child Safeguarding in Child Protection Systems. I am delighted to report that we have over a thousand people attending this event today. Thank you to all of you for taking part, we hope to have an even broader audience since the presentations and materials from this conference will remain online as a resource for practitioners across the world.

If this is the first time you have had any contact with Keeping Children Safe, we are an independent, international non-governmental organisation (NGO) solely focused on child safeguarding and we work with tens of thousands of organisations of all types and sizes, from national governments to schools, community libraries, relief and development organisations, militaries and peacekeeping forces. Our work is guided by our International Child Safeguarding Standards and our Independent Committee of expert child safeguarding practitioners.

Treating children and young people with dignity and respect, and listening to their ideas and concerns is an essential part of building a safer organisation, so an important priority for us is helping children and young people understand

their right to be safe in organisations across the world, to have their views listened to and taken seriously as well as not to be discriminated against in any way. This is essential in the organisations that make up national child protection systems and it is for this reason we are developing a child and youth friendly version of the International Child Safeguarding Standards. The aim is to help children and their families understand their right to be safe in organisations and exactly what staff should do to protect them from abuse.

I am pleased to announce that the first draft of the Standards is available on our conference website and that we will be holding a series of consultations with children around the world on both the content and the format. The plan is to develop the material in different formats, such as video and animation, as well as open online training courses for children and families.

The final version will be translated into different languages and shared with our global network of partners around the world. If you or your organisation are interested in collaborating with us to develop this further, please get in touch at info@keepingchildrensafe.global.

Child safeguarding and integrated child protection systems



Margaret Tuite
Keeping Children Safe

Independent Review Committee



Margaret Tuite, a member of the Keeping Children Safe Independent Review Committee, discussed several important aspects of child safeguarding and integrated child protection systems (CPS). This presentation highlighted that a vast majority of violence against children goes undetected and unreported, with only a small number of child abuse cases resulting in conviction. Iceland was cited as a benchmark, where the prevalence of child abuse is similar to other countries worldwide, but the country's well-functioning child protection system leads to greater confidence in the system and increased reporting. Other countries need to calculate the percentage of child abuse cases that should come before the courts, based on their own child population, in order to see the stark difference.

Impunity for child abusers not only fails to deliver justice for child victims but also allows offenders to continue harming more children.

The United Nations Convention on the Rights of the Child (UNCRC) Articles, including Article 19, are legal requirements on states and are recognised in case law, including from the European Court of Human Rights in Strasbourg. Resources such as General Comment No. 13 of the United Nations Committee on the Rights of the Child and the 2006 World Report on

Violence against Children should be used to prevent and respond to violence against children.

A definition of integrated child protection systems was provided, the importance of mandatory child safeguarding in all organisations working with children, as well as mandatory reporting and monitoring of implementation by states. There is a need for sanctions or closure of organisations that fail to implement child safeguarding, particularly where policies are donor-driven without organisational engagement.

The provision of child-friendly safeguarding materials and burnout prevention in child protection, including sectors where children frequent, and NGOs working with and for children, are important. All summit participants should take action to keep children safe.

During the Q&A, participants raised questions on achieving coherence nationally, regionally, and cross-border, working in areas with severely under-developed child protection systems, children caught up in conflict, changing mindsets in reporting, and consent forms for photos and videos. They were invited to continue these discussions after the summit.

The key role of child safeguarding in national child protection systems



Alexander Dressler

Keeping Children Safe

Head of Standards and Learning



National child safeguarding systems are made up of laws, policies, regulations and services needed across all social sectors to support prevention and response to protection-related risks.

Historically, such systems have focused on particular issues or on specific groups of vulnerable children. While there is a growing move toward developing integrated child protection systems, they may still be dysfunctional as long as organisations that make up a national child protection system – for example, schools and police – are allowed to abuse children.

All the components of such a system need to have child safeguarding policies and procedures in place to make national child protections systems effective and sustainable.

Bringing transparency to judicial child protection decision making in Ireland



Maria Corbett

Child Law Project

Chief Executive



This presentation begins with an overview of the steps taken in Ireland to strengthen its legal framework on child safeguarding. This includes introducing vetting requirements, some mandatory reporting, and a requirement that certain organisations undertake a risk assessment and publish a child safeguarding statement. It then explores the Keeping Children Safe 'do no harm' principle within the context of court hearings.

Citizens need to know and understand how laws passed by the politicians they elect work in practice. One of the main arenas the workings of the law are seen in is the courts. Child protection (care) cases in Ireland are heard in camera (closed to the media and public) to protect the family's privacy. However, this approach hinders transparency and accountability and means there is no information to counter myths or to know what reforms are needed.

In response to such criticisms, Ireland 'opened up' these courts to limited media reporting and funds a specialist reporting project – the Child Law Project. The Project attends and reports on child-care proceedings across the country. Twice a year they publish summaries of individual hearings, which are then widely covered in the

media. These reports show how their laws, the courts and social services are working, revealing both good and poor practice.

The project operates under a protocol to protect the anonymity of the child and their family. They also publish periodic analytical reviews in which they draw out findings and trends from court reporting.

In terms of safeguarding within court buildings, children rarely attend child protection hearings. The views of the child are usually communicated to the court by their social worker or guardian ad litem. In a small number of cases the child will meet with the judge at a time outside of the regular court sitting. However, in some cases the parent attending court may themselves still be a minor or a parent may bring a young child to court as they have no one to mind that child. As the courts do not expect children to attend, to date they have not put in place child-friendly facilities.

Communicating with children in the care and protection and youth justice systems



Anthony Joseph FitzGerald

Auckland District Court

District, Family and Youth Court Judge



Judge Anthony Joseph FitzGerald opened his presentation with his pepeha (how a person introduces themselves in accordance with te ao Māori – the Māori world view) and gave a brief introduction about his background and experience as a judge in Auckland for 24 years. He emphasised that in New Zealand, judges working in the Youth Court, and in care and protection proceedings in the Family Court are required by law to communicate with children in a manner that is easily understood by them. He explained that the term ‘child’ refers to anyone below the age of 14 and ‘young person’ applies to those between 14 and 17-years old.

He presented three main points:

1. Language

The use of legal terminology often makes communication with children a challenging task. To address this issue, FitzGerald shared his experience of working with an organisation called Talking Trouble, which has helped him to simplify and clarify his language when communicating with children. This approach is particularly beneficial for children with learning difficulties or processing challenges.

2. Manner

FitzGerald stressed the importance of being respectful and creating an environment that is as comfortable as possible during court proceedings. For example, he mentioned that seating arrangements should be designed to avoid making the child feel intimidated, and that the child is always the first and last person he speaks to during the process. He also highlighted the need for clear signposting to help children understand each stage of the process, as well as the importance of providing the outcome of the sentencing at the beginning of the sentencing process to reduce the child's anxiety and uncertainty.

3. Mary

While FitzGerald acknowledged the difficulty of delivering serious sentences to children, he emphasised the importance of providing child-respectful judgements. He shared a personal experience about a young girl named Mary who had been let down by the child protection system. FitzGerald tried to interpret Mary's micro-expressions and understand her anxiety during her court appearance where she was unable to communicate verbally. When they met again months later, Mary expressed her gratitude for the judge's respect and care during her court appearance. She advised the judge to ‘be respectful, do what's right and show them you care’.

Overall, FitzGerald's presentation highlighted the importance of creating a child-friendly environment during court proceedings and the use of clear and respectful language when communicating with children.

Child-friendly justice from text to practice



Poder Judicial
URUGUAY

Maria Fatima Boné

Specialised Family Court of First Instance, Uruguay

Judge



This presentation brings together a series of the speaker's experiences in the performance of her duties as a judge who specialises in Family Law in Montevideo, Uruguay, as well as a series of ‘good practices’ in the resolution of conflicts involving children and adolescents.

Four main points were developed in the presentation:

- The theoretical and normative framework of accessible language, where the speaker discusses international and Uruguayan standards.
- The context of application, where she addresses the situations in which children and adolescents may find themselves, such as migration, disability and poverty.
- A brief introduction on what good practices imply and how the speaker has been developing them in the childhood field within her practice as a judge.
- Finally, the speaker invites everyone to rethink the communication models for a correct use of the language, bridging the gap between the judge and the justiciable.

The speaker also develops the idea that an accessible ruling contains value in itself. She finalises by asserting it would not make sense to state that the child is a subject of rights if there is no correlative - it is the duty of the judge to put the resolutions forward in a child-friendly language.

Resources:

[Judge Ruling – International Return of Child \(in Spanish\)](#)

[Judge Ruling – Case of Adoption \(in Spanish\)](#)



29 March 2023

International human rights law, and child protection and safeguarding



Rosa Freedman

University of Reading

Professor of Law Conflict and Global Development



The talk focuses on why and how national laws, policies and systems on child protection and child safeguarding are needed to uphold and implement children's human rights. It explains what human rights are, who holds those rights, and who is obligated to protect and implement the rights. This includes understanding why there are specific rights that focus on children and their needs, as they have particular risks or vulnerabilities where it comes to human rights law. The Convention on the Rights of the Child is central to child safeguarding, and to ensuring that states and all actors involved with national child protection are fulfilling their legal obligations.

The talk and Q&A explain the difference between child protection and child safeguarding, which can be summarised in that child protection is a legal definition that looks at the laws within a country, how those laws protect children from harm or provide accountability, remedy or redress when harm has been caused. That may be harm within a family, so child protection may be about identifying harm or risk of harm and removal of children from families or from homes, it might be about protecting them within an education setting again from specific forms of harm and legally when a child may be removed from that or when an education facility might be closed down. Child safeguarding is about organisations themselves

and recognising that every organisation, whether they are coming into contact directly with children in a school or whether it's an organisation like a national government policy office, has a duty to implement safeguarding and to recognise that there are risks whether or not a child walks into that room. Harm can happen to children through all forms, it might be that you are sitting next to someone who is accessing child abuse online even though no child has walked into your office. Safeguarding will tell you what you need to do in that situation - whether you need to report that legally, whether there is mandatory reporting duties in your country, whether you need to speak to your line manager, who you need to tell within the organisation and what the organisation needs to do to minimise the risk of that happening again, as well as to provide accountability regarding the harm that was caused. Safeguarding really addresses the gap between children's rights at a human right, international level, children's rights as an ideal and the practice on the ground of how children are protected in all situations.

It also further explains why child protection cannot fully be implemented without robust and evidence-based child safeguarding, and how individuals and organisations can and should fulfil their responsibilities for child safeguarding in all organisations and institutions. The talk and Q&A emphasised the human rights obligations for child safeguarding and also the consequences where such safeguarding is not implemented or is not in line with international human rights law.

Responding to past incidents of abuse



Jan Folda

SOS Children's Villages International

Team Leader Child Safeguarding



SOS Children's Villages International is a federation of legally independent, autonomous member associations, operating in 137 countries and territories. It operates various alternative care programmes, youth care, family strengthening, educational, medical and emergency response programmes.

When the organisation learns of an alleged child-safeguarding incident, depending on the nature of a reported incident, it may be required to inform relevant state authorities. In such cases, the organisation still provides support to the affected individuals, while the State authorities conduct their own criminal investigation. If the incident is not of a criminal nature or the state authorities are not willing to take it up and conduct their own investigation, SOS Children's Villages conducts an internal investigation. However, it can be very challenging, if not impossible, to organise such an investigation in the case of past incidents of abuse.

SOS Children's Villages defines past incidents of abuse as incidents where:

- The affected individual is not in care or supported by the organisation anymore, and
- The subject of complaint does not work for the organisation anymore.

For many people, it is difficult to share their experience of abuse with others. Many reports come many months, years, or even decades after the abuse actually happened. This makes it difficult or even impossible to organise standard, evidence-based investigations.

Responding to reported incidents of abuse always includes providing support to the affected individuals. In case of peer-to-peer abuse, it includes both the child affected by abuse and the child who displayed or initiated abusive behaviour.

In case of past incidents of abuse, the process is organised as follows:

- The reporter is accompanied by a person of trust ('contact person'): the main task of this role is to guide the reporter throughout the process, support them in the contact with the organisation, and help them to understand the process and the various steps.
- SOS Children's Villages organises an assessment of the reported complaint, rather than an investigation. A psychologist or a mental health practitioner leads the assessment, but a case manager coordinates the overall response to the reported allegation.
- The assessment focuses on whether the submitted complaint is consistent, verifies there are no significant gaps, and also on the impact of the abuse on the life, health and social well-being of the reporter.
- The reporter is given the benefit of the doubt – they are not required to provide any specific evidence. It is the role of the organisation to collect the necessary information. Depending on the outcomes of the

assessment, the person affected by the past abuse can receive various forms of support:

- Immediate support (provided as soon as possible after the initial report)
- Psychological counselling
- Longer-term support (described in the individual support plan)
- Legal support.

In case the assessment concludes, a senior manager representing the organisation hands an apology letter over to the reporter. The letter includes acknowledgement of the past abuse and an apology for the experience.

In the next step, a case manager, together with the reporter, drafts an individual support plan. The individual support plan is based on the assessment of the individual's needs so that the reporter is able to fulfil their ambitions and to achieve self-reliance. It is important for the individual support plan to address the consequences of the abuse.

The case manager shares a draft, individual, support plan with relevant internal or external experts (such as the socio-economic experts, psychologists or coordinators for social work), to determine implementing partners (for example, schools and training centres) and to calculate costs. The person affected by the abuse and the caseworker then review and approve the calculated plan. A senior manager signs the plan on behalf of the organisation; then, as a final step the reporter signs the plan.

If any significant changes occur in the life of the affected individual after the plan has been signed, which could have an impact on the effectiveness of the plan, its content can be reviewed and discussed.

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Safeguarding challenges and power dynamics in delivery partnerships with local child protection authorities

Angelique Robold

Lumos

Global Safeguarding Lead



The organisation focuses on children at risk of or living in orphanages or institutions, where they often lack individual care and attention and are deprived of their basic rights, due to poverty, conflict and discrimination. Lumos collaborates with local partners, including government authorities, to reform care systems, reunite families and safely transition children to community-based care, redirecting resources to family and community services.

The institutionalisation of children is perpetuated by a lack of systems and services that prevent unnecessary family separation, such as social protection, inclusive education and community-based health services. Working with national and local child protection authorities is crucial to influencing change.

Safeguarding is a critical part of care reform. It is crucial that the return of children to community-based care is carried out safely, with appropriate risk management and always in the best interests of the child. Awareness-raising for professionals and children regarding safeguarding rights is a key component, as is ensuring accessible and trusted reporting channels to raise concerns.



Lumos has encountered a variety of challenges when working with government partners. The first of which is around power dynamics. As an NGO, it can be difficult to approach government agencies with safeguarding standards that may differ from how they currently operate, or feel are beyond their current resources. Additionally, there is a power dynamic linked to histories of imperialism and colonialism. Recognising and discussing power dynamics can help establish a more equal and positive working relationship.

A second theme that often arises is resistance to change. Government partners may not always see the importance of investing in strengthening safeguarding mechanisms and there can be resistance to working with NGOs. Government employees who support or work within institutions can fear losing their jobs or not want to recognise evidence of harm or abuse within those systems. Lack of resources, support or commitment are also challenges. True partnerships mean collaboration and sharing of knowledge, not positioning one party as the experts.

In order to effectively manage challenges when implementing safeguarding with a government partner, Lumos uses a systematic approach that ensures safeguarding is embedded as a shared principle from the beginning of the work.

Before partnering they first seek to understand the context. Using a context mapping tool to analyse the legislation and regulations that are currently in place regarding the protection and safeguarding of children, as well as the extent of implementation. They also explore barriers to implementation within the context, including

known harmful practices, beliefs, or behaviours that may cause harm. Additionally, details of informal community-based safeguarding and key protection actors are gathered. This living document is regularly updated and reviewed

Next, Lumos assesses the safeguarding capacity of a government partner through a tailored due diligence process for safeguarding; their current safeguarding policies, procedures, and mechanisms, what is working well and what are the key gaps. Safeguarding is embedded as a golden thread throughout the entire project, including the memorandum of understanding, training, MEAL frameworks and programme design.

When implementing safeguarding with a government partner, it is important to: 1) Set clear mutual expectations for safeguarding at the beginning, 2) Build trust, 3) Position oneself as a collaborator on safeguarding and protection, 4) Highlight the need and benefits, 5) Respect boundaries and autonomy, 6) Demonstrate and discuss the importance of mutual transparency, 7) Recognise and discuss power dynamics and barriers, 8) Set safeguarding goals and KPIs for programme delivery together, 9) Co-develop capacity strengthening training on safeguarding, 10) Appropriately tailor for different groups, 11) Engage children, families, professionals and others as key stakeholders to collaborate on safeguarding, 12) Discuss accountability, feedback, reporting and escalation processes, 13) Regularly review progress, discussing challenges and providing feedback on lessons learned.

Lumos has a number of tools and resources that they use when implementing safeguarding with government partners, including: 1) Government

partner due diligence process, 2) Implementing Safeguarding Toolkit, 3) Awareness-raising materials, 4) Activity checklists, 5) Audit and spot-check tools, 6) Programme visit guidance, 7) Complaints and feedback processes that are child and young person friendly, 8) Ethical content gathering and storytelling policy, and child-friendly informed consent cards, 9) Safe recruitment checklists, 10) Child and youth participation toolkit, 11) Guidance on safeguarding children and young people from institution-related trafficking.

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A hemispheric study on prevention, eradication, and punishment of abuse and all forms of violence against children and adolescents

Esteban de la Torre
Inter-American Children's Institute
Coordinator

Maria Leandra Enriquez
Inter-American Children's Institute
Legal Specialist



This presentation focuses on the 'Hemispheric study on prevention, eradication, and punishment of abuse and all forms of violence against children and adolescents', which is a supplement to and further analysis of the 2021 Regional Study on Violence. The Inter-American Children's Institute for the Organisation of American States (IIN - OAS) conducted this study by delving into three significant variables that emerged from the Regional Study on Violence, 2021: the collection, systematisation, and analysis of information and data; training and education; and regional normative harmonisation.

To obtain the data analysed in the report, an open consultation was conducted with over 278 children and adolescents in the Americas, a consultation was sent to OAS member states (14 states responded) and a literature review was conducted. As a result, this Hemispheric Diagnostic provides an updated and detailed description of the various types of violence prevalent in the region; it examines the state of the art regarding the collection and analysis of relevant data on the subject; it highlights

the status regarding training in public and private organisations and in society in general; it highlights relevant instruments on the subject (global and regional), as well as national regulatory frameworks; and reviews some of the regional challenges and opportunities.

The study's main conclusions with respect to the analysed variables are:

- 1) improving the collection, systematisation, and analysis of reliable data related to violence against children and adolescents
- 2) expanding training on issues related to violence against children and adolescents to different audiences
- 3) generating or improving general and specific regulations linked to and managing the eradication of violence.

The study recommends creating an 'Inter-American Observatory for the eradication of violence against children and adolescents' within the framework of the Inter-American Programme for the eradication of all forms of violence (United Nations Sustainable Development Goals Target 16.2). The Observatory would focus on managing the three indicators analysed in the report: data collection, systematisation and analysis; training; and the generation or improvement of general and specific regulations.

Promoting child-friendly multidisciplinary and interagency protocols at the local level: the experience in Naples

Claudia De Luca

Prosecutor's Office for Children in Naples (Italy)
Public Prosecutor

Pippo Costella

Defence for Children Italia
Director

Caterina Parodi

Defence for Children Italia
Advocacy and Child Safeguarding Officer



Defence for Children Italia Odv (DCI Italy) has been working towards promoting a multidisciplinary and inter-agency approach among public and private stakeholders in Italy to prevent and safeguard children who are victims of violence and abuse. This approach highlights the need for a system reform that complies with the United Nations Convention on the Rights of the Child (UN CRC), as well as other regional standards, including the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) and, the European Union (EU) Directives on combating child sexual abuse, sexual exploitation of children and child pornography, and Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime.

Over the past four years, DCI Italy and the

Italian Ministry of Justice have undertaken an action /research process together to reinforce the capacities and skills of professionals and practitioners, analyse the strengths and opportunities of the child protection and justice systems and identify areas that require reform. This process revealed a systemic weakness in child-centred services for children who are victims of violence and abuse in the child welfare and justice systems. The complexity of the legislative system, as well as the fragmented incorporation of European and international law, has led to an inconsistent implementation with significant gaps in the prevention, response and protection from revictimisation of children who experience any form of violence.

Together with the Ministry of Justice and the local Juvenile Prosecution Office, DCI Italy has undertaken a specific action in the city of Naples (Campania region) to develop a strong multidisciplinary and interagency network for the protection of child victims of crime. After a detailed territorial mapping work and the establishment of an inter-institutional group, an analysis report, as well as a Policy Orientation Document with practice-oriented guidance to inform the future territorial protocol, has been elaborated and shared. This process has seen a gradual involvement and active participation of all relevant institutions that arrived at a mutual definition of an Operative Protocol of intervention that intends to optimise the efforts available on the spot.

The Protocol aims to define an integrative 'device' of the already existing procedures for taking charge and protecting child victims of crime, discipline and regulate the cooperation between

Promoting child-friendly multidisciplinary and interagency protocols at the local level: the experience in Naples

different actors, establish the modalities for the transmission of relevant information and its concrete use, in compliance with the investigative secrecy and the needs related to the investigative activity. Additionally, the Protocol values the existing child-friendly space available at the Police Headquarters in Naples, an environment that has been recently designed to put at ease child victims during the delicate moment of reporting through dedicated spaces.

Another significant innovation of the process is the designation of the Social Services of the Ministry of Justice as coordination of the 'device' considering that it can access contextual information useful to outline the protection action plan, it is the bearer of the investigative secret, and can act as an intermediary between the judicial bodies and the other territorial services, ensuring the continuity of assessments and the necessary services during all the stages of the proceedings and even after the criminal proceedings have been concluded. The real added value of the whole process has been the active participation of all institutional actors, from the judicial to the law enforcement to the social services both at local and ministerial level.

The Protocol includes various organisations such as the Centre of Juvenile Justice of the Region of Campania – Ministry of Justice, the Office of the Social Services for Children of the Region of Campania, the Juvenile Court of Naples, the Juvenile Prosecutor Office at the Juvenile Court of Naples, the Ordinary Prosecutor Office at the Court of Naples, the *Questura* (Police Headquarters) of Naples, the Carabinieri Provincial Command of Naples, the Region of Campania (Council), the Social

Services of the Municipality of Naples, Regional Health Service - ASL Napoli 1, and Defence for Children International Italia Odv for technical assistance and training.

The Protocol has received approval from the Presidency of the Region and is set to be signed and launched in the coming weeks. In conjunction with the Protocol's development process, a regional law was created to establish the conditions and tools needed to enforce prevention and protection measures. This will be achieved by promoting the formulation of child safeguarding policies in agencies that work for and with children, thereby strengthening the Protocol's scope.

Defence for Children International (DCI) has been active in Italy, advocating for a multidisciplinary and interagency approach that involves both public and private stakeholders. Such an approach is considered a critical measure in preventing and protecting children who are victims of violence and abuse. DCI has also highlighted the need for a system overhaul to comply with the United Nations Convention on the Rights of the Child and other regional standards, such as the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) and EU Directives 2011/92/EU and 2012/29/EU. These directives respectively address the combating of child sexual abuse and exploitation, child sexual abuse material, and the establishment of minimum standards for victims of crime.

Contact the speakers at:
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Robert Shilling
Keeping Children Safe
Trustee



The 'Assume Nothing' presentation on child safeguarding in national child protection systems highlighted the responsibility of organisations to protect children with whom they come into contact.

The prevalence of sexual abuse scandals involving organisations that parents have trusted, such as the USA Gymnastics, the University of Southern California, the Catholic Church and the Boy Scouts of America, has exposed the need for robust child safeguarding policies that protect children from harm.

The objective of the presentation was to raise awareness of child safeguarding risks across national child protection systems and all actors involved. The session aimed to promote better understanding of the fact that sexual abusers can be anyone, including those in positions of trust and authority and that robust child safeguarding policies must be followed without exception. Participants were reminded that child safeguarding is not a choice but a responsibility that must be taken seriously, as a jury would agree.

The presentation emphasised that it is impossible to tell a sexual abuser by looking at them, highlighting the need to assume nothing and verify everything. Participants were encouraged

to adopt a multidisciplinary approach and work collaboratively to prevent and respond to child abuse and neglect.

By the end of the presentation, the following outcomes were achieved:

- Participants better understood that you can't tell a sexual abuser by looking at them.
- Participants understood that sexual abusers can be people in positions of trust and authority, like police officers, teachers, peacekeepers and clergy.
- Participants understood the need for a robust child safeguarding policy that is followed without exception.
- Participants understood why you assume nothing and verify everything.
- Participants understood that child safeguarding is not a choice; it's a responsibility and a jury will agree.

Valentina Mirabolano
Keeping Children Safe
Advocacy and Research Manager



Since the launch of the Child Safeguarding Standards in 2002, there has been a growing recognition that, as well as risks to children from staff and associates, inappropriately designed programmes and poor operational management can also create risks to children.

Keeping Children Safe (KCS) represents a commitment by those working across sectors to ensure that their organisations 'do no harm' and that they meet the responsibilities set out in the UN Convention on the Rights of the Child to protect children from all forms of abuse, neglect, exploitation and violence. Drawing on the knowledge and experience of experts, KCS developed International Standards, supported by a comprehensive toolkit for implementing them.

Paulo Sergio Pinheiro, the independent expert for the UN study on violence against children, acknowledged the importance of the toolkit, stating that: 'It offers an excellent opportunity not only for the improvement of the quality and professionalism of those working with children, but most importantly, it will help to achieve a greater impact for children.' Since it was first published, thousands of organisations and professionals worldwide have used it. The increasing demand for the toolkit reflects the growing recognition

by organisations, which work with, impact on, or come into contact with children, that they have a responsibility to keep them safe.

The four KCS International Standards outline the key elements that should be in place to keep children safe and lists requirements that will help meet them.

Standard 1: Policy – The organisation develops a policy that describes how it is committed to preventing and responding appropriately to, harm to children.

Standard 2: People – The organisation places clear responsibilities and expectations on its staff and associates and supports them to understand and act in line with these.

Standard 3: Procedures – The organisation creates a child-safe environment through implementing child safeguarding procedures that are applied across the organisation.

Standard 4: Accountability – The organisation monitors and reviews its safeguarding measures.

As a result of implementing the Keeping Children Safe Standards:

1. Children are protected: No standards can offer complete protection for children but following these minimises the risk of harm to children.
2. Organisation staff and associates are protected as it will be clear how they are expected to behave with children and what to do if there are concerns about the safety of a child.
3. The organisation is protected as it makes clear their commitment to keeping children

safe and they will help them to move towards best practice in this area. There are enormous variations in local practice and circumstances but experience in applying the Standards in different contexts demonstrates that they do not need changing or diluting because of cultural or contextual differences. Nor do practices that are harmful to children have to be tolerated or condoned. Organisations should discuss how best to apply the International Standards in the local context, what behaviour they should demand of their own staff and partners, and what accountability mechanisms and support must be provided to victims and survivors.



30 March 2023

Roundtable: Identifying good practices and challenges in national settings



Panelists

Tasha Ebanks Garcia, [Cayman Islands Government Office \(United Kingdom\)](#), Representative

Theresa Obot, High Court of Akwa Ibom State (Nigeria), Judge

Bridget Moya, Ministry of Community Development and Social Services (Zambia), Director of Child Development

Moderator

Alexander Dressler, Keeping Children Safe, Head of Standard and Learning

During the panel discussion, Alex Dressler began by defining child protection and child safeguarding, drawing on the United Nations Children's Fund (UNICEF)'s definition of child protection systems as 'a set of laws, policies, regulations, and services across all social sectors, especially social welfare, educations, health, security and justice to support prevention and response'. He further explained that child safeguarding involves the responsibility of organisations to protect children they come into contact with, through their programmes, staff and operations from harm.

The discussion then moved on to the panellists sharing their country contexts and some of the child protection issues they are facing. Honourable Justice Theresa Obot highlighted Nigeria's laws aimed at protecting children, including the [Child's Rights Act of 2003](#), which defines the rights of children, parents' responsibilities and actions that should be taken

to redress child abuse. However, she noted that not all states have accepted the act and that challenges remain in enforcing it, such as a lack of compliance by police forces who detain children in adult facilities. She highlighted that a child under the age of 13 cannot be called an accused person, cannot be named in the court, cannot be sentenced to death and are only provided with rehabilitative sentences. Alex Dressler then highlighted that the [United Nations Convention on the Rights of the Child](#) has not yet been ratified by all states in Nigeria.

Tasha Ebanks Garcia shared the Cayman Islands' approach to child safeguarding, which involves a [multiagency safeguarding hub](#), aimed to promote the safety and welfare of children by providing a single point of referral, a Child Safeguarding Board, chaired by the head of the civil services, and comprised of individuals and the most senior levels of government ministries and the development of a National Safeguarding Plan through consultation with representatives from 80 organisations across all sectors. She highlights how useful the Keeping Children Safe [Standards](#) were for engaging participants and explaining the importance of national standards. A key example of this was the engagement of national ports and helping cruise ships understand they had a responsibility to safeguarding the children coming off their ships.

Bridget Moya discussed Zambia's introduction of the [National Child Policy in 2015](#), with the overall vision for children to survive, thrive, and reach their full potential and the development of the National Plan of Action for Children, which mandated the coordination of a unified plan across all sectors through the creation

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of a central set of legislations. A key tactic was creating one central codified set of legislations, such as [The Children's Code Act, 2022](#), that was vital due to different regions having different definitions of a child. In 2023, Zambia will be launching the National Child Safeguarding Framework. A key development was the minimum age for criminal responsibility being increased from 8 to 12, with a caveat included for constant review.

The panellists then discussed the challenges of advancing child safeguarding in their sectors. Theresa Obot addressed the limited compliance by police forces, the lack of training for judicial experts and the overburdening of the courts. Tasha Ebanks Garcia highlighted the challenge of coordinating different sectors and engaging leaders, which was addressed through consultation and engagement with key stakeholders. Moya discussed the limited number of staff, the lack of training, and the need for capacity building and awareness raising.

To what extent is your country moving from children's homes to fostering or kinship care?

Tasha Ebanks Garcia explained the Cayman Islands have always focused on these two areas. Although there is a female and a male home, the aim has always been to create family structures for children. Theresa Obot explained that the courts place a huge emphasise on foster care and attempt to raise awareness that individuals can go to the court and apply. Historically, adoption had been taboo in Nigeria, but it is now becoming and accepted and prevalent practice. Alex Dressler highlighted that children's

homes often turn into businesses that rely on international donors and do not care about the best interest of the child. A case as a number, but for the child it is their whole life. Federally, locally, internationally, we need to work together and include children in the equation.

Therapeutic Jurisprudence and child protection: examples of good practices on a national and international level



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Therapeutic Jurisprudence

Tinia Apergu

Therapeutic Jurisprudence (TJ) is an approach to law that emphasises the impact of legal rules, procedures and practices on the well-being of individuals involved in legal proceedings. In the context of child protection, TJ can be applied in several ways to promote the best interests of children and their families by promoting psychological wellbeing, reducing harm and enhancing legal outcomes.

First, TJ can be applied to promote child-centred decision making. Legal decisions and processes

should be designed to meet the unique needs and circumstances of each child and ensure that their voices are heard, and their rights are protected. This may involve using child-friendly language, providing age-appropriate information and involving children in the decision-making process to the extent possible. In this sense the law can be therapeutic by empowering children and families to participate actively in the legal process and have a say in decisions that affect their lives.

Second, TJ can be used to promote collaborative approaches to child protection. All stakeholders should work together and communicate to address the underlying issues that contribute to child protection and welfare concerns and provide comprehensive support to children and their families.

Third, TJ can be used to promote trauma-informed approaches to child protection. This means that all involved professionals should be trained to recognise the impact of trauma on children and families and work to promote healing and recovery through trauma-informed services.

Finally, the law can be therapeutic by promoting the use of evidence-based practices in child protection and safeguarding. This means using interventions that have been shown through research to be effective in achieving positive outcomes for children and families and focus both on reparation and prevention of child maltreatment and traumatic experiences in the process and context of child protection.

Therapeutic Jurisprudence can contribute to influence law reform in child protection by promoting systemic changes that prioritise the well-being of children through legal reforms that

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make it easier to come forward and report abuse, increase the penalties for perpetrators and provide access to support services and resources and can help to shape public discourse around child abuse and child protection.

As an example and good practice of an initiative that looks to address several of the above, such as, recognition of abuse, reparation, prevention and advocacy for change in legislation, one can review the European political initiative that works to support and promote national and international goals for the victims of child abuse via campaigns to raise awareness and change at the level of the European Commission.

An introduction to Restorative Justice

Panagiota Kanellopoulou

Restorative justice is an approach to justice that focuses on the needs and rights of the victims, the motivations of the offenders and the role of the local community. It facilitates a proactive process of preventing harm as well as ensuring that people are responsible for their choices and actions and can be held accountable for them. Restorative Justice is a process in which the offender, the victim (only with their consent) and, where appropriate, other individuals and members of the community participate actively together in the resolution of matters arising from the offence. Practices include mediation, conferencing or restorative circles.

The main values of restorative justice are justice, solidarity and responsibility, respect for human dignity and truth. In practice several principles are applied such as voluntary participation,

fair and equal treatment, 'multipartial' facilitation, implementation of agreements and confidentiality. It is a tailor-made process that promotes authentic communication.

It can be used within the criminal and civil justice system, in conflict resolution at schools and communities or in disputes within the family, at any stage of the process. It involves the parties affected from the conflict, a facilitator /mediator and where appropriate other members of the community. The primary consideration regarding the location is that the selected space should be able to give a sense of safety to both parties. There are no time limitations, however the parties can stop the process whenever they want, feel or need to do so.

Restorative justice is a safe practice and considered a priority by the Committee on the Rights of the Child in reaction to crime (General Comment No.24). Restorative justice practices can be used in schools to prevent conflict and crime, but also to create a stronger sense of belonging, solidarity and responsibility within the school community.

While the past years have seen a growth in Restorative Justice in practice, the focus has often been on adults. From our work directly with children through Child Advisory Boards, we can safely say that children themselves believe that a restorative approach is usually preferable and they are less reluctant compared to adults. Using this momentum, now is the best time to adopt a child right's perspective to promote a tailored Restorative Justice response to protect the full range of children's rights.

Such a perspective requires the use of a holistic and participative child-centric approach, where all key actors work together to improve the experience of the child.

In order to ensure and promote a coherent and balanced application of restorative justice for children, there must be an ideological shift from retribution to reconciliation, promoting a culture that has the concept of restoration at its heart. The professionals working with children in the justice system must be supported and the State must expand the restorative approach to justice, by introducing legislation focusing on restorative justice, funding and staffing the relevant services and by providing the necessary structures and guarantees, such as formal, continuous and mandatory training and protocols. It is essential that the development of restorative justice with children goes hand-in-hand with the development of policies for child victims and offenders and greater awareness of children's rights among the relevant authorities, professionals and the public.

Terre des Hommes Hellas is currently implementing a project titled '[i-RESTORE 2.0: Accessible Quality Restorative Justice Processes for Children in Contact with the Law](#)'. iRESTORE 2.0 project (2022-2024) builds on the [i-RESTORE project \(2019-2021\)](#), which focused on promoting the use of restorative justice in cases involving child victims of crime and strengthening the capacities of justice professionals. As a result of this project, i-RESTORE 2.0 was drafted to go a step further and create accessible, quality, restorative-justice processes for children in contact with the law. The project supports practitioners,

policy makers and children in contact with the law. Whereas it focuses on Romania, Estonia, Greece and the Netherlands, its tools and materials will be disseminated across Europe.

Learn more:

[i-RESTORE European Research](#)

[i-RESTORE 2.0 Joint Rapid Needs Assessment Report for Greece and the Netherlands](#)

[i-RESTORE 2.0 Joint Rapid Needs Assessment Report for Romania and Estonia](#)

[i-RESTORE e-learning course](#)

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Policy brief on child safeguarding and child protection in Guatemala

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Keeping Children Safe

Senior Child Safeguarding Adviser



Today, many organisations and institutions around the world that work with and serve children and adolescents have recognised that their interventions generate risks to the population they seek to benefit, either inadvertently or purposefully. To reduce these risks, they have implemented the International Child Safeguarding Standards.

These Standards provide a series of tools for organisations and institutions to recognise and identify the risks they pose to children and adolescents, as well as guidelines to prevent and respond appropriately to situations of child abuse and neglect.

In Guatemala, there are efforts to interrelate the obligations of the State of Guatemala and strategic actions through a series of legal frameworks such as the Law for the Integral Protection of Children and Adolescents and the ratification of the United Nations Convention on the Rights of the Child, aimed at improving the living conditions of children and adolescents, particularly in the area of protection in the face of an eminently adult-centric culture.

However, the institutions implementing these actions put at risk the population they are

supposed to serve, and the doctrine of irregular situation still permeates, under which children and adolescents are still seen as objects, and are treated under a punitive approach that does not distinguish between those who need protection and shelter from adolescents in conflict with the law.

These elements have slowed down the achievement of a substantial impact on the recognition of the rights of children and adolescents and on the appropriation and high institutionalisation of the comprehensive protection approach.

This presentation points out the necessity to institutionalise a safeguarding approach to shift the paradigm from the irregular situation doctrine to an integral protection approach and how the legal framework in Guatemala could look like.

Roundtable: Child safeguarding in the context of peacekeeping



Panelists

Ian Duddy, [Scottish Human Rights Commission](#), Chair

Gonzalo Mila, [Uruguay's National Support System for Peace Operations](#), Special Advisor on Peace Operations

María Paz, [Uruguayan Army](#), Platoon Commander and Operations Officer

Moderator

Valentina Mirabolano, [Keeping Children Safe](#), Advocacy and Research Manager

In this talk, panellists offered their views on why child safeguarding is important in the context of peacekeeping and the key role of safeguarding policies and training considering the case of Uruguay, the first country in the world with a Child Safeguarding Policy and training in line with the International Child Safeguarding Standards.

Ian Duddy opened the panel and commented on the important distinction between child protection and child safeguarding and explained what a Human Rights Based Approach is which is used and promoted by the Scottish Human Rights Commission to designing policies and programmes, with examples to the panel topic.

A Human Rights Based Approach entails 5 'PANEL' principles:

Participation (P): those whose rights are most affected by the policies and programmes should have an opportunity to participate in and

influence the decisions that will affect them from the design.

Accountability (A): there should be effective monitoring of human rights standards, and identification of those responsible for ensuring those rights are protected.

Non-discrimination and Equality (N) how you identify marginalised groups, ensure universal access and ensure that the needs of the entire population are considered so that you genuinely do not discriminate either directly or indirectly against sectors of the population.

Empowering people (E) in that people should understand their rights and helping marginalized and vulnerable groups understand how that can claim their rights and advocate for change.

Law (L) as human rights are recognised in law, they are legally enforceable.

Gonzalo Mila described the situation of peacekeeping contingents and children in conflict zones: in conflict areas, the population is affected in different ways and the social structure is destroyed, with a lack of state authority or weak states, other power groups come in and affect the local population.

He stressed that contingents are constantly in contact with children: in the base, during routine activities or patrolling, during their personal free time in places like the market and emphasised that peacekeepers must know how to protect children in those situations, recognising that they can affect them with their actions: training on safeguarding allows them to focus on this aspect.

Roundtable: Child safeguarding in the context of peacekeeping

Gonzalo Mila highlighted that the pillar of the current safeguarding training for Uruguayan peacekeepers is risk assessment, mitigation, and information management as nowadays everybody has an opportunity to take pictures or record audios. He reflected that as there is a lot of room for mistakes, so it is crucial to teach everyone in the contingents how to prevent harm. Although some military can say it is already being done, he admitted that they don't. He also highlighted that when they were first approached by Keeping Children Safe and the British Embassy in Montevideo with training on child safeguarding, they discovered that there is still a lot to learn and they are still learning.

María Paz followed sharing her experience as a Uruguayan peacekeeper, she commented on Uruguayan idiosyncrasy and the challenges that it presented. Even with good intentions, potential harm can be caused. She stressed that during missions, it is important that everyone is aware of the rules of the mission, the local culture, and what incidents need to be reported and how to do it as there is a high level of contact with the local population, including children. A key aspect for missions, she commented, is working together with other organisations to improve everyone's work, including international organisations, police and other military forces.

The panel then moved on to comment on the specifics of the journey that led to the development of a child safeguarding policy in Uruguay for personnel deploying in peacekeeping missions, an introductory training session on the policy and several other child safeguarding courses at the National Peacekeeping School delivered by Keeping Children Safe with the

support of the British Embassy in Montevideo. The panel also considered some of the challenges, including the process of supporting others to understand the issue and to understand the importance of training on the subject, as it is different from the child protection training already available. Gonzalo Mila also highlighted that this type of training on child safeguarding should not only be available for peacekeeping missions but should be part of the armed forces training for domestic operations.

As part of the closing remarks, Ian Duddy reinforced the idea of applying a human rights-based approach to designing policies and protocols, but also the importance of monitoring and evaluating them. He invited the attendees to not be afraid to update protocols in order to achieve meaningful actions, as it is an ongoing learning process in a fast-changing world. Gonzalo Mila encouraged other countries to incorporate and take this training on child safeguarding as it is something all countries can do to improve their performance in peacekeeping operations. Lastly, María Paz closed by reinforcing the idea that we are all still learning in this journey.

Disclaimer

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