



Children's Code Act 2022

# Agenda: – Children’s Code Act 2022

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- What is Safeguarding – quick refresher
- What is the law (Children’s Code Bill 2022)
- What does the law mean?
  - What is reasonable grounds?
- What is YOUR responsibility
- Where do you go for help
- Q&A

# What is Safeguarding?

- Protection of Children and Vulnerable Adults
- Prevention of harm to Children and Vulnerable Adult's health and wellbeing
- Ensuring all live in a safe environment free from risk of harm or abuse. Such as physical, sexual, emotional abuse and neglect, trafficking and exploitation
- Responding appropriately and taking action when concerns are raised or there is a suspicion someone is at risk or suffering harm or abuse

**SAFEGUARDING IS EVERYBODY'S RESPONSIBILITY**

# What does Safeguarding include?

- **Safe Recruitment Processes** ensure people are working with vulnerable adults and children are committed to creating a safe and free from harm environment
- **All staff and volunteers undergo mandatory induction safeguarding training.** Regular supervision and ongoing refresher training to ensure safeguarding remains at the front of their minds.
- **Agree to a Codes of Conduct** and ethical standards with a human rights approach. (Healthy wellbeing, rights and welfare)
- **Designated Safeguarding Principle** is appointed for all projects undertaken in communities
- **Ensuring facilities are safe to use** and follow health and safety guidelines.

# Benefits of safeguarding

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## OUTCOME



## PRIORITY AREA

- Reduce criminal activity
- Reduce child pregnancies
- Reduce cases of early child marriage
- Reduce maternal mortality
- Increase awareness of risk/signs of abuse
- Empower communities
- Ensure safe reporting/ whistleblowing process

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## PART II Section 18

(1) A person shall not subject a girl child to female genital mutilation.

(2) A person shall not subject a child to—

(a) child marriage; or

(b) cultural rites, and religious or traditional practices, that are likely to negatively affect the child's life, health, social welfare, dignity, and physical or psychological development.

## PART II Section 19

A person shall not—

(a) subject a child to sexual abuse or sexual exploitation;

(b) use a child in prostitution

(c) induce or coerce a child to engage in sexual activity; or

(d) expose a child to obscene or pornographic material.

**S.25(2)** A child witness or child victim giving evidence to a law enforcement officer or other authorised officer shall not come into contact with an alleged perpetrator of a crime or be made to confront the alleged perpetrator of a crime.

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## **Mandatory Reporting Duty**

### **Part XII Section 168**

(4) A person, or an institution that has reasonable grounds to believe a child is in need of care and protection shall report the matter to an authorised officer

**Always seek advise and report internally to OCA**

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## Reasonable Grounds

- A reasonable person in the same circumstances would consider there was a reasonable basis for the decision
- A reasonable person in your position would also suspect the information indicates misconduct or a breach of the law.
- More likely than not that a specific event has occurred or will occur
- Having reasonable grounds is more than having a hunch or suspicion, but less than being able to show a balance of probabilities.



# Which of these are **reasonable grounds** to believe a child is being abused?

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## SITUATION

- Skinned/grazed knees
- Burns or significant bruising to body
- Injury to genitalia

## RESPONSE

- Unlikely. No Reasonable Grounds
- Possibly. Requires further info by gentle open questions
- Highly likely.

**IF IN DOUBT SEEK ADVICE**

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## Part XII

### Section 167

- (1) For the purposes of this Act, **a child is in need of care and protection** if that child—
- (h) being a female, is subjected or is likely to be subjected to female genital mutilation;
  - (i) is likely to be subjected to child marriage or to customs and practices prejudicial to the child's life, education and health
  - (k) is exposed to gender-based violence or a serious offence has been committed against the child
  - (m) is born to a child of a child
  - (q) is sexually abused or is likely to be exposed to sexual abuse and exploitation, prostitution or pornography;

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## Authorised Officer

- a Child Development Officer
- a Child Welfare Inspector
- a Probation Officer
- a Police Officer
- or any other officer authorised by the Director of Child Development or Director of Social Welfare for the purposes of this Act

**If you do not know anyone you can report to – report to an OCA manager**

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## Internal reporting

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### WHAT YOU MUST REPORT

- Abuse: including sexual, physical, financial, and emotional abuse
- Things overheard
- If someone shares community gossip regarding abuse
- Others' concerns that someone is being abused

### WHY MUST YOU REPORT

- Safety of all people, including staff and those we work with
- OCA adherence to the law
- Your own adherence to the law
- Encourages reporting everywhere with proper engagement with the law

**You would not be in trouble for asking for advice.  
You **can** be in trouble for not reporting abuse.**



*Rural Health Partners*

Any  
Questions?

PLEASE FEEL FREE TO COME  
TO US WITH ANY COMMENTS,  
QUESTIONS OR PROBLEMS