CHILD PROTECTION POLICY

March 2023

The Cayman Rugby Football Union (CRFU), as the governing body for the sport of rugby in the Cayman Islands, has adopted the government policy on child protection within the operational confines and structure of the organisation.

This policy framework, therefore, sets out the process to be followed by all those employed and/or delivering rugby under the auspices of CRFU. The policy seeks to meet the reporting requirements of the Children Law (2012 Revision) and to provide for the minimum standards for the vetting of officials of all rugby playing associations affiliated to CRFU.

Definition of Child Abuse

"Child Abuse" is defined as:

a) Sexual abuse of a child; or

b) Physical or emotional abuse or neglect of the child which:

I. causes a child to suffer or is likely to cause a child to suffer physical or psychological injury which is detrimental to the child's wellbeing; or

II. places the child's physical or psychological development in jeopardy.

A "child" is defined as someone under the age of 18 years.

Legal Requirement to Notify – Children Law (2012 Revision) (Section 32A):

Hereafter, the word "Official" shall include any coach, volunteer, umpire or any other official engaged by CRFU, including Child Protection Officers.

Section 32A of the Children Law (2012 Revision) makes it mandatory for certain people, including Officials, to report suspicions of child abuse to the Department of Children and Family Services ("DCFS"). This policy sets out the process for reporting.

A person who contravenes section 32A of the Children Law, commits an offence and is liable on summary conviction to a fine of five thousand dollars or to imprisonment for a term of one year or both.

Appointments of Child Protection Officers

CRFU shall appoint at least one Child Protection Officers (CPO) who shall be responsible for facilitating the reporting of suspicions of child abuse from any Official or member of CRFU, to the Department of Children and Family Services ("DCFS").

The CPO is required to complete Child Abuse Prevention Training (including Darkness to Light and Safeguarding) through DCFS. They, along with all other staff, are required to provide Police Clearance and background check and clearance from DCFS.

CRFU shall publish the name and contact details of its Child Protection Officers and ensure that all of its members are aware of this information.

Process for Reporting Suspicions of Child Abuse

If an Official has a reasonable suspicion that a child has been or is being abused or neglected, and the suspicion is formed in the course of the Official's work with CRFU or a Member Club, that Official shall:

(a) notify the Child Protection Officer of the suspicion as soon as practicable after he/she forms the suspicion. This should generally be on the same day that the suspicion is formed.

(b) provide the Child Protection Officer with a written statement of the observations along with information and opinions on which the suspicion is based. The Child Protection Officer will supply a form for recording this information.

(c) Provide the Child Protection Officer with the Official's contact details. Such details are to be kept confidential and may only be passed on to DCFS.

Upon receiving a notification from an Official, the Child Protection Officer shall:

(a) Supply the Official with the DCFS approved form (Appendix 1) for recording details of notifications for the Official to complete.

(b) Assist the Official to complete and compile the information required for the notification form.

The CRFU Child Protection Officer shall:

(a) Make contact with DCFS via a telephone referral to the Intake Unit at DCFS or by email to CFSIntake@gov.ky as soon as practicable and in any event, on the same day as the notification is received from the Official. Any telephone referral must be followed by the notification form within 24 hours.

(b) Ideally make contact with DCFS in the presence of the Official. However, if this is not possible, the Child Protection Officers must immediately notify the Official that the notification has been forwarded to DCFS. This would ideally be by way of the Official being copied in on any email to DCFS.

(c) Immediately report to the Technical Director and President (or Vice President in the absence of the President) that a notification has been made to DCFS, but not the details of the notification.

If the instance should arise that the incident or suspected abuse is made against a member of staff a volunteer or Board member, said individual will be temporarily suspended whilst the matter is investigated by DCFS and internal disciplinary procedures will be followed (Appendix 3).

Further Information About Reporting Suspicions of Child Abuse

In deciding whether or not to report an incident or situation of suspected abuse to the Child Protection Officer, it is not required that the person making the report have proof that abuse has occurred. Any uncertainty in deciding to report suspicion should be resolved in favour of the child and a report should be made immediately.

The requirement to notify suspicion of child abuse applies whether or not the information was initially extended in confidence. This requirement also applies whether the information comes directly from the child or indirectly, from another Official or other member of the Association.

It is an Official's duty to report incidents or suspicions of child abuse; it is not the official's responsibility to investigate. In speaking with the child, the Official will take careful note of what is said and the context in which it is said. Care will be taken not to ask leading or unnecessary questions. Documentation of what is said (or of any injuries) is important. The child's own words must be used as much as possible.

There should be no attempt by the Child Protection Officer to question the child, as the role of investigation lies with DCFS and/or Family Support Unit (FSU) of Royal Cayman Islands Police Service (RCIPS). The child should be protected from repeated disclosures.

The Official referring the suspected case of child abuse must not unilaterally contact the parents. It is not the Official's responsibility to inform the parents of any report of suspected child abuse. Once a report is made to the DCFS, they will determine how the parents will be informed.

Given the sensitive nature of child abuse referrals, the Official and Child Protection Officer should expect only limited feedback following referral to DCFS. They may to be contacted by the FSU and RCIPS as part of the investigative process.

Section 32B of the Children Law provides protection to the notifier and requires that the receiver of notification of suspected child abuse (DCFS) shall not disclose the identity of the notifier to any other person other than in the instance of communicating to another person acting in the course of official duty. Only in cases when the court is satisfied that the evidence is of critical importance in the proceedings and that failure to admit it would prejudice the proper administration of justice will a notifier be called to provide evidence. In these instances, CRFU will support the Official by assigning another professional to accompany them at such hearing, subject to the authorisation of the Court.

CRFU shall ensure that all CRFU Officials are provided with information and training annually that will enable them to carry out their duty to report suspected child abuse or neglect (and will be integral to all licensing of coaches, umpires and officials of rugby delivered by CRFU).

In cases where the child has been escorted directly to the hospital, the Official will liaise with the medical authorities who will make the report to DCFS. The Official should still report to the Child Protection Officer that a notification has been made. The Official's role will then become one of child support.

Responsibilities of CRFU after referring cases of suspected Child Abuse

Following any report of suspected child abuse, the Official will assume a role of player support and advocacy as required. CRFU will co-operate with DCFS and RCIPS throughout any investigation

CRFU shall assist DCFS by providing an appropriate interview space and arranging discreetly for the child to be interviewed. The DCFS worker may request that a CRFU staff member be present during an interview to offer support to the child.

If it is necessary for DCFS staff to remove the child from a CRFU session during the investigation, CRFU will be provided with parental consent (either written or direct verbal). Following investigation, CRFU will participate if appropriate/required in DCFS case conferences and liaise with DCFS staff on behalf of the child as requested.

All information related to suspected child abuse cases shall be treated confidentially. CRFU must provide a secure cabinet for the filing and maintaining of confidential information related to child abuse referrals. All documentation related to child abuse reports or investigations shall be data protected.

When following procedures for reporting suspected cases of child abuse, the safety and welfare of the child will always dictate which course of action is to be pursued. Any uncertainty should always be resolved in favour of the child's best interest.

Due diligence as part of the Child Abuse Policy

This policy seeks to address the requirements of the Children Law once an incident of abuse is suspected. The policy also recognises that the prevention of abuse in the first instance is the preferred option. Therefore, the following steps shall been taken by CRFU:

1. An application form will be completed and signed by all Officials in its organization (Appendix 1).

2. Completed application form must be accompanied by the following documents:

a. For Officials under the age of 18 years, CRFU will obtain:

- Two character references from a professional person in the Cayman Islands who is a non-family member. The reference provider must have known the applicant for a minimum of five years. Professionals include: Teachers, Justices of the Peace, Senior Public Servants, Doctors, Lawyers and or Members of the Legislative Assembly or Lawyers.

- A clearance from the DCFS confirming that the applicant has not been or is not now the subject of any inquiry that would suggest that he or she poses a safety risk in working with children.

b. For adult Officials over the age of 18, CRFU will obtain:

- A police clearance certificate.

- Two character references from a professional person in the Cayman Islands who is a non-family member. The reference provider must have known the applicant for a minimum of five years. Professionals include: Teachers, Justices of the Peace, Senior Public Servants, Doctors, Lawyers and or Members of the Legislative Assembly.

- A clearance from the DCFS confirming that the applicant has not been or is not now the subject of any inquiry that would suggest that he or she poses a safety risk in working with children.

- For adults who have lived in a jurisdiction other than the Cayman Islands for more than six months, CRFU will:

    o Obtain criminal record/police clearance certificate from that jurisdiction; and

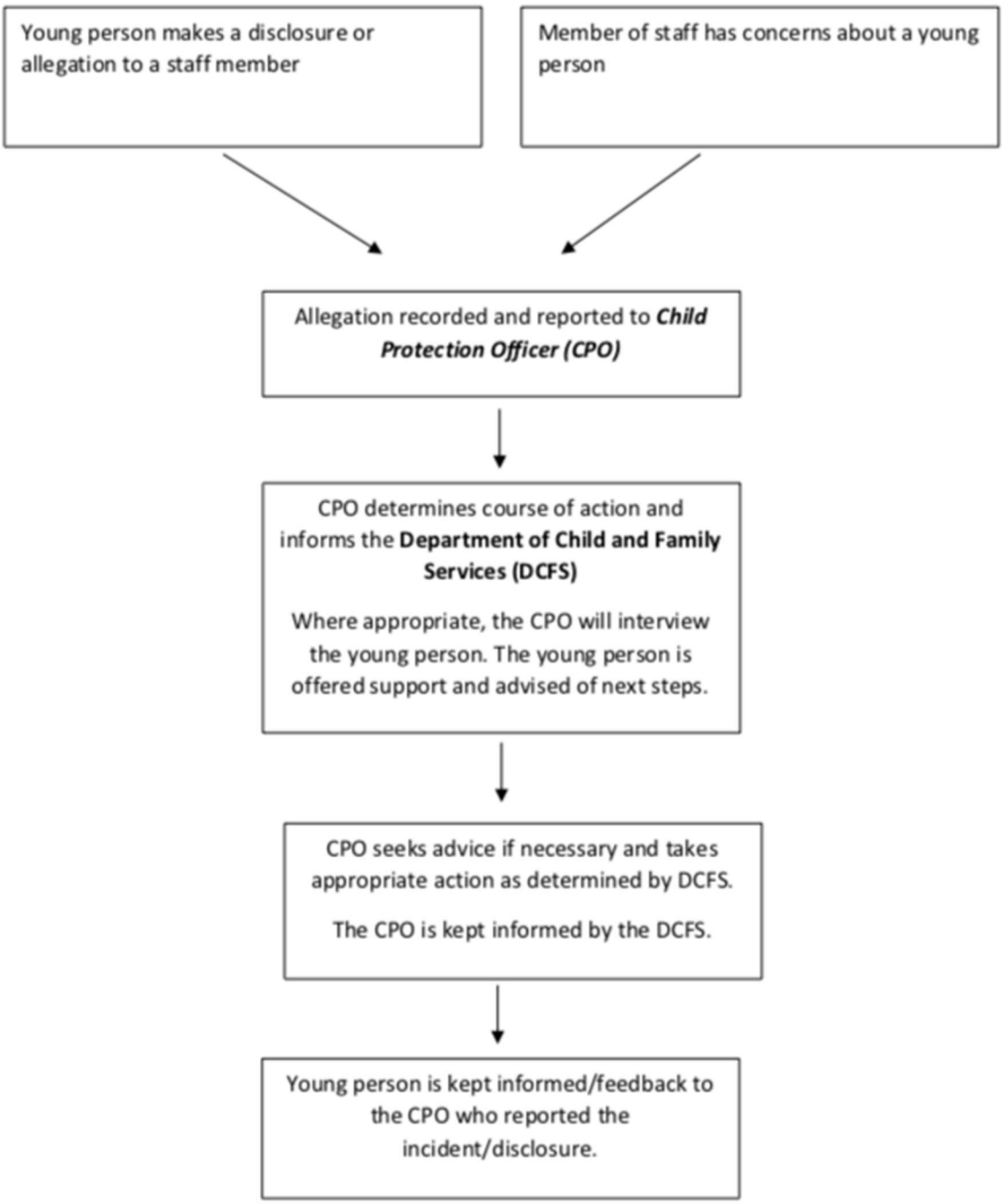
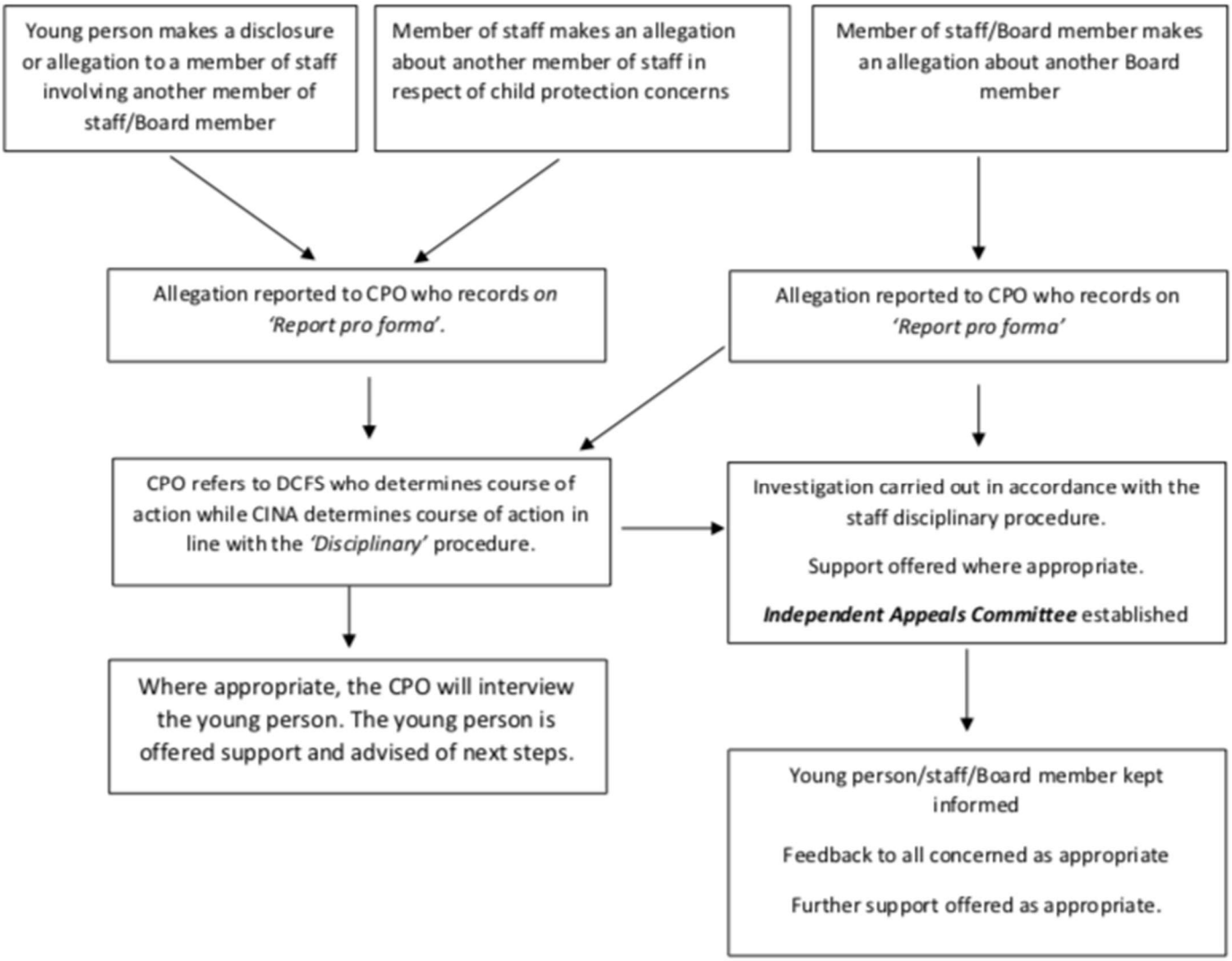
    o Conduct a check of the sex offenders' registry in that jurisdiction where such a registry exists.

Appendix 1: Form to be completed by Official reporting reasonable suspicion that a child has been or is being abused or neglected

Name of child where reasonable suspicion there has been or is abuse or neglect	
Date	
Official making disclosure	
Position/role in the organisation	
Tel/mobile number	
Email address	
Name(s)/address of parents/guardian of above child and contact details	
Please describe, with as much detail as possible, the incident or situation:	
CPO notes	
CPO signature	

Appendix 2: Child Protection Policy procedural flow chart

Procedures to be followed in relation to a young person



Appendix 3: Internal procedures to be followed in the event that allegations are made against a volunteer, member of staff or Board member