MILL HILL MISSIONARIES

ST. JOSEPH'S MISSIONARY SOCIETY

The Policy on Protection and Safeguarding of Children and Vulnerable Adults in the Democratic Republic of Congo (DRC)

Policy for the Protection of Children and Vulnerable Adults by/for Mill Hill Missionaries in DRC

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MISSIONNAIRES DE MILL HILL
Société Missionnaire de St. Joseph
"Aimer et Servir"

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PROTECTION OF CHILDREN AND VULNERABLE ADULTS

Policy Statement

The Mill Hill Missionaries strongly believe that every human being is created in the image and likeness of God.[1] Therefore, we are committed to ensuring that every child and vulnerable adult is equally respected and protected regardless of age, ethnicity, nationality, religion, disability, gender, identity, race, belief and sexual orientation.[2]

Every Mill Hill Missionary working, living or visiting the Democratic Republic of Congo (DRC) is invited to commit him/herself to the safeguarding and well-being of children and vulnerable adults.

Every Mill Hill Missionary has the responsibility and obligation to keep children and vulnerable adults safe and protect them from all forms of abuse. These include physical, emotional and sexual abuse, as well as neglect.

Every Mill Hill Missionary in DRC affirms their obligation to ensure that they respect, protect and promote the fundamental rights of children and vulnerable adults.

Scope

This policy is meant for Temporary, Perpetual and Associate Members of the Mill Hill Missionaries, living, working in, or visiting DRC.

It applies to all students of the Society, whether they are studying, on mission experience or on holiday

It applies as well to all people who are employed by the Mill Hill Missionaries and those who volunteer to work with us, whether in formation houses, in parishes under the care of the Mill Hill Missionaries, in the guesthouses or in any other institutions of the Society in DRC.

1. ELUCIDATION OF TERMS

1.1. ***Safeguarding***: for this policy, the term safeguarding means protecting the health, welfare and human right of every child and vulnerable adult and enabling them to live free from harm, abuse, exploitation and neglect. [3]

1.2. Child: the term child means any person below the age of 18.[4]

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[1] Genesis 1:26-27

[2] Cf. La Loi n° 09/001 du 10 janvier 2009 de la RDC and Article 42 of the DRC' s Constitution.

[3] Cf. Article 123, section 16 of the DRC' s Constitution and Danish *Refugee Council 's Child Safeguarding Policy of 26 September,* 2019.

[4] Cf. The United Nations Convention on the Rights of the Child 1889 (article 1), *L'article 2 de la Loi Portant Protection de l'Enfance en RD Congo and CONSTITUTION DE LA REPUBLIQUE*

1.3. Vulnerable Adult: This term refers to any individual unable to protect him/herself against significant harm or exploitation. It includes young women over 18 and nuns exploited by priests or lay people who take advantage of their needs by providing them with money and then abusing them. Other examples include people with a mental or physical disability, vulnerable age, illness or any temporary disorder.

1.4. Child or Vulnerable Adult Abuse: These two terms cover any type of abuse of a child or a vulnerable adult. These include "all forms of physical and emotional ill-treatment, sexual abuse, neglect, and exploitation that results in actual or potential harm to the child's health, development or dignity."[5]

1.5.Allegation: This is the claim that a child or a vulnerable adult has been abused or there is a risk of a child or vulnerable adult being abused, though there is no authenticating evidence that has been produced.[6]

1.6. Mill Hill Missionaries: this policy uses the term Mill Hill Missionary to mean any temporary, perpetual or associate member of the Mill Hill Missionary Society (St Joseph's Missionary Society of Mill Hill) who is living in, working in, or visiting DRC. It also includes all the students of the Mill Hill Missionaries, workers and volunteers working with the Mill Hill Missionaries in DRC.

2. FORMS OF ABUSE

2.1. ***Physical Abuse:*** this is a form of abuse comprised of hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or in short causing physical harm to a child or vulnerable adult.[7]

2.1.1. ***Signs of Physical Abuse***: These include in any part of the body of a child or vulnerable adult any inexplicable and untreated injuries, bruises, finger marks, scars, bald patches, scratches, burn marks, scalds or fractures.[8]

2.2. ***Emotional Abuse*:** This form of abuse is "any act including confinement, isolation, verbal assault, humiliation, intimidation, infantilization, or any other treatment which may diminish the sense of identity, dignity, and self-worth."[9]

DEMOCRATIQUE DU CONGO, (Article 41*)* Modifiée par la Loi n° 11/002 du 20 janvier 2011 portant révision de certains articles de la Constitution de la République Démocratique du Congo du 18 février 2006.

Author: Dulce Gonzalez, Arian Bethencourt Mirabal, Janelle D. McCall, *The World Health Organization (WHO),* 2019.

[6] *Australian Family Law*, Act 1975.

[7] Physical abuse – *Safeguarding Network*, online accessed 19/08/2022

[8] *The Policy on Protection & Safeguarding of children and Vulnerable adults for Kenya*, 2015.

[9] Tracy, N. *Emotional Abuse: Definitions, Signs, Symptoms, Examples*, 2021, December 17.

2.2.1. ***Signs of Emotional Abuse*: This is** when a child or vulnerable adult has some delayed physical or mental development. Other signs include over-reaction to personal or other people's mistakes, being underweight, continuous tiredness, withdrawing all the time from people, always seeking attention from others and having some irrational behaviours. These irrational behaviours include speech disorders, self-harm and the desire to commit suicide.

2.3. ***Sexual Abuse*:** This is a form of abuse where a child or vulnerable adult is forced to take part in sexual activities with or without consent. These can be physical contact, whether a penetrative act, for example rape, or a non-penetrative act, for example oral sex. Sexual abuse consists of involving a child or vulnerable adult in making or looking at pornographic materials, or in watching or participating in pornographic acts or videos, as well as behaving in sexually inappropriate ways towards a child or a vulnerable adult.

2.3.1. ***Signs of Sexual Abuse***: Signs of sexual abuse include pregnancy in a child or vulnerable adult, damage to the private parts of their body, presence of a sexually transmitted disease, anorexia, drug abuse and self-mutilation.

2.4. ***Neglect:*** this is a form of abuse where any person who is in charge of, or who has the responsibility for, or the custody and care of a child or vulnerable adult, nevertheless fails to meet their psychological and physical needs. This abuse can lead in a serious impairment of a child or vulnerable adult's physical and intellectual growth.

2.4.1. ***Signs of Neglect***: These include such signs as neglected appearance, inappropriate dress, poor hygiene, persistent tiredness, a short tempered personality and compulsive stealing.

2.5.***Psycho-spiritual Abuse***: this is a form of abuse where someone uses spiritual/religious beliefs or one's psychological weaknesses to hurt, scare or control you. Take intimidation, coercion, bullying, ridicule, humiliation, gaslighting, harassment, infantilization, as examples.

NB. It is believed that all these forms of abuse can result in issues of secrecy, fear, guilt, powerlessness and mistrust.[10]

3. GENERAL GUIDELINES OF THE PROTECTION POLICY

The DRC's Government holds that all persons and bodies have to safeguard and promote the welfare of children and vulnerable persons and improve their outcomes.[11]

[10] *The Policy on Protection & Safeguarding of children and Vulnerable adults for Kenya*, 2015.
[11] *La Loi Portant Protection de l'Enfance en RD Congo.*

The DRC's procedures for safeguarding children and vulnerable adults are based on working together. Effective safeguarding arrangements should aim to meet the following principles concerning what we should do and what we should not do:

3.1. What we ought to do

- ✓ The Mill Hill Missionaries hold that safeguarding is every Mill Hiller's responsibility: for services to be effective, every Mill Hill Missionary should play his/her full part.
- ✓ The Mill Hill Missionaries believe in a child- and vulnerable adult- centred approach: for services to be effective, they should be based on a clear understanding of their needs and views.
- ✓ The Mill Hill Missionaries pledge to ensure that they protect all children and vulnerable adults wherever we work or live from maltreatment;
- ✓ The Mill Hill Missionaries pledge to prevent impairment of children's and vulnerable adults' health or development;
- ✓ The Mill Hill Missionaries pledge to ensure that children grow up in circumstances consistent with the provision of safe and effective care.
- ✓ The Mill Hill Missionaries believe that a child and vulnerable adult's needs are paramount, and therefore every child and vulnerable adult should receive the support they need before a problem escalates; this may mean the parent's wishes and needs are secondary.
- ✓ The Mill Hill Missionaries pledge to share appropriate information in a timely way. Failure to share information, or not doing so in a timely way, is a factor repeatedly identified as a significant learning point in serious case reviews.
- ✓ The Mill Hill Missionaries pledge to ensure that they support and train the people whom they work with in order to understand and respond to this policy, so that they can treat all children and vulnerable adults with respect, dignity and equality.
- ✓ The Mill Hill Missionaries pledge to challenge and report all potentially abusive behaviours.
- ✓ The Mill Hill Missionaries pledge to help children and vulnerable adults to develop a culture where they will be able to express themselves in public and openly express their worries, and to be supported to develop their own sense of right.
- ✓ The Mill Hill Missionaries pledge to make sure that they implement this policy.

3.2.What we ought not to do:

- ✓ We should not engage in sexual activity with a child or vulnerable adult.
- ✓ We should not sexually, emotionally, physically or psycho-spiritually abuse a child or vulnerable adult or neglect them.
- ✓ We should not engage in any commercially exploitative activities with children and vulnerable adults, including child labour or trafficking.
- ✓ We should never develop any relationship which can be exploitative and abusive.

- ✓ We should not be under the influence of alcohol or drugs when working or dealing with children and vulnerable adults.
- ✓ We should not condone and participate in behaviour with children and vulnerable adults which is illegal, unsafe or abusive.
- ✓ We should not act in any way that will shame, humiliate, belittle or degrade a child or vulnerable adult.
- ✓ We should never show favour to particular children and vulnerable adults to the exclusion of others.
- ✓ We should never engage in harmful traditional practices, or ritualistic or spiritual abuse.
- ✓ We should not give monetary or material gifts to a child or vulnerable adult without the consent of parents or guardians.
- ✓ We should not spend too much time alone with a child or vulnerable adult, away from others, especially in our offices, rooms or homes.
- ✓ We should not enquire about any mobile number, email or any other social network account of a child or vulnerable adult without the consent of parents or guardians.
- ✓ We should neither take nor publish images and/or videos of children and vulnerable adults without the consent of parents and guardians.

4. IMPLEMENTATION OF THE POLICY

It is vital to note that every child or vulnerable adult has the right to express themselves, to be listened to, heard and believed. Therefore, as members of our Society, it is our obligation to commit and respond effectively and sensitively to all allegations and suspicions of a child or vulnerable adult's abuse.

4.1. The Obligations of Local Leadership

Firstly, the DRC's contact person (or the Society Representative and his council in DRC) should ensure that there are plentiful copies available of this policy.

Secondly, the local leadership have responsibility for training their members in matters concerning the protection and safeguarding of children and vulnerable adults by providing resources and professional support. In the event of there being limited professional expertise within the DRC, they can seek the help of other professionals outside DRC through video conferencing.

Thirdly, good use should be made of different ways of meeting, such as assemblies, visitations and workshops, for the training of members in implementing this policy.

Fourthly, they will ensure that each member of the Society in DRC signs a copy of the Code of Conduct for dealing with children and vulnerable adults and abides by the standards of the Code.

Lastly, support systems must be provided for victims and perpetrators, including professional support mechanisms and Psycho-spiritual interventions

4.2. The Obligations of Individual Mill Hill Missionaries

Each member should make good use of this policy by internalising and applying it.

Every member should attend any session that is organised for the safeguarding of children and vulnerable adults.

Every member has the responsibility of training his/her employees either in a parish run by Mill Hill Missionaries, or in a guesthouse or other institution.

NB. All the members in DRC are expected to lead by example, setting the tone and conveying a clear expectation of behaviour.

4.3. Obligations of the designated officers

It will be necessary to:[12]

- Ensure understanding of, and adherence to, this policy by all Mill Hill members, associates and students working and residing in DRC;
- Ensure understanding of, and adherence to, this policy by those employed by the Mill Hill Missionaries;
- Ensure that appropriate structures are set in place in the parishes run by the Mill Hill Missionaries and that the parish personnel concerned with the care of children be appropriately trained and informed;
- Be responsible for following up suspicions or allegations of child neglect or abuse or abuse of a vulnerable person;
- Take the lead role in the conduct and follow-up of child protection referrals to the Authorities (local Children's Officer) in DRC;
- Inform the General Superior of the Mill Hill Missionaries of any suspicions or allegations of child/vulnerable person neglect or abuse by one of its members, associates or students;
- Ensure that, once an accusation of abuse has been made, the alleged victim(s) of abuse is (are) not left at risk/in danger of harm by the accused;
- Act in liaison with the local Authorities in DRC in matters relating to child protection and protection of vulnerable persons;
- Act as resource persons to the organisation providing support and guidance in matters relating to child and vulnerable person protection.

[12] This is taken from *The Policy on Protection & Safeguarding of Children and Vulnerable Adults for Kenya* and *the child Protection Policy of Uganda*.

5. ENABLING REPORTS[13]

5.1. Reporting Procedure in relation to Allegations or Concerns about abuse of a Child or Vulnerable Adult.

It is the responsibility of all to take seriously any rumour, allegation or accusation of child abuse or abuse of a vulnerable person.

- According to the DRC's policy, if an abuser is found in action, the case should be dealt with immediate effect according to the regulation of the society.
- Anyone encountering a concern, suspicion or allegation of abuse must act immediately and refer the matter to one of the named designated officers of the Mill Hill Missionaries. In dioceses in DRC, one needs to immediately inform the Judicial Vicar of the diocese, or other designated Diocesan officer.
- If the rumour or allegation concerns a member or associate of the Mill Hill Missionaries, then the matter must be reported directly to *the General Superior* of the Mill Hill Missionaries as well as to the relevant designated officer.
- No guarantee of absolute confidentiality should ever be given to the one who discloses the information, as all suspicions, allegations and concerns must be reported to the designated officer, who in turn will report the matter to the local Authorities. It should be explained to the person disclosing the information that the disclosure may be used as evidence to the Authorities and in the Court of Law.
- It is not the responsibility of the reporting person, or the responsibility of the designated officer, to investigate the allegation. This is the role of the local Authorities that are trained to carry out child/vulnerable person protection investigations.
- Whenever possible and appropriate, written notes should be taken during the reporting of the concern, suspicion or allegation of abuse. Permission to do so should be sought first and if the child/adult does not feel comfortable with note taking, notes should be written as soon as practicable following the report.
- It needs to be remembered that it is the responsibility of all members, associates and students of the Mill Hill Missionaries, as well as those employed by, or working voluntarily for, the organisation, to safeguard and protect children and vulnerable persons by:
    - ✓ Being familiar with, and adhering to, the above procedure;
    - ✓ Maintaining the best interests of the child as paramount at all times;
    - ✓ Ensuring that all allegations and suspicions of child abuse are treated seriously and with the utmost professional integrity**.**

[13] This is taken from *The Policy on Protection & Safeguarding of Children and Vulnerable Adults for Kenya*

6. CONSEQUENCES OF MISCONDUCT

6.1. Mill Hill Missionaries in DRC

- Any allegation or accusation made against a member of the Society - temporary, perpetual or associate - should be dealt with in line with the Society's *Protocol on Dealing with Abuse of Children and Vulnerable Adults*.

6.2. Students:

- Should any student of the Society act against the safeguarding and well-being of children and vulnerable adults will suffer appropriate measures by the formation staff after consultation with the General Council.

6.3. Employees and Volunteers:

- Should any employee or volunteer act contrary to the safeguarding or well-being of children and vulnerable adults will suffer appropriate measures by the contact person or society representative, and his council will take appropriate measures in line with *DRC's Labour Code*.

7. STRUCTURES FOR SAFEGUARDING CHILDREN AND VULNERABLE PERSONS IN THE PARISH[14]

7.1.1. Safeguarding Practices

Each parish will ensure that included in its policy will be guidelines for operating safe activities for children. The policy will clearly outline the procedures, including the parental consents that are required to operate any activity for children outside of the parish on a parish-based activity for a designated time.

Each parish under the care of the Mill Hill Missionaries will, where there is no active Diocesan Child and Vulnerable Person Protection or Safeguarding Policy, implement their own policy based on the policy of the Mill Hill Missionaries in DRC. This policy will be posted in a public place in the parish for all to see, and will be written in English and French.

All parish employees and volunteers who are in contact with children or vulnerable persons on behalf of a parish in the care of the Mill Hill Missionaries must be informed of, and trained in, the Policy on Protection and Safeguarding Children and Vulnerable Persons and to have agreed in writing to adhere to it. No one can be allowed to work with children or vulnerable persons on

[14]This section is taken from 'The Policy on Protection & Safeguarding of Children and Vulnerable Adults for Kenya' who copied the same section from the 'Safeguarding Children Policy' of St. Patrick's Missionary Society in Kenya'

behalf of the parish who has not first been vetted to ascertain his/her suitability for the responsibility, and who has not understood and agreed to the Policy on Protection and Safeguarding Children and Vulnerable Persons.

7.1.2. Committees for the Safeguarding of Children and Vulnerable Persons

Within parishes run by the Mill Hill Missionaries, the Parish Pastoral Council will establish a Committee for the Safeguarding of Children and Vulnerable Persons. The Chairperson of the Parish Pastoral Council will chair this Committee.

The Committee for Safeguarding Children and Vulnerable Adults will appoint one or more Designated Officers (each with an assistant) within the parish whose role will be to receive any allegations of Child/Vulnerable Person Abuse against any employee or volunteer working in the parish.

In the event of an allegation being made, the Designated Officer and assistant will formally meet with the person making an allegation (the complainant) as soon as possible. They will also inform, through the Chair, the Safeguarding Committee that an allegation has been received. On meeting the complainant, the Officer and Assistant will first advise him/her of his/her right to take the complaint to the Authorities, explain that any information disclosed may be used as evidence to the Authorities and in Court, and then assure him/her that the allegation will be taken seriously. They will listen carefully and sympathetically to the details of the allegation and write a report of the meeting which they will then check for accuracy with the complainant. This report will be signed by the Designated Officer and Complainant. It is advisable that the Complainant be accompanied at this meeting. The Designated Officer will then, as soon as possible, give the written report to the Safeguarding Committee.

If the Committee has any concern that there is a credible basis to the allegation and that an abuse may have taken place, then it will report the matter immediately to the Authorities and submit any written documentation. It is the responsibility of the Committee for Safeguarding Children and Vulnerable Adults to inform the employee or volunteer that an accusation has been made against him/her and to withdraw the Accused from any contact with children/vulnerable persons in the parish until the resolution of the issue.

Once an accusation of abuse has been made, then it will be the responsibility of the designated officer to ensure that the alleged victim(s) of abuse is (are) not left at risk/in danger of harm by the accused.

Absolute confidentiality is required of the Committee for Safeguarding Children and Vulnerable Adults and of the designated Officers and Assistants in dealing with any allegation as the good name of individual persons is involved.

FURTHER READING

- LOI N°09/001 DU 1O JANVIER 2009 PORTANT PROTECTION DE L'ENFANT EN RDC
- Guide Pratique des Droit des Enfants et Elèves
- CONSTITUTION DE LA REPUBLIQUE DEMOCRATIQUE DU CONGO Modifiée par la Loi n° 11/002 du 20 janvier 2011 portant révision de certains articles de la Constitution de la République Démocratique du Congo du 18 février 2006.

APPENDIX

The designated officers of the Mill Hill Missionary Society in DRC

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