



GUIDELINES

IN CASES OF THE MALTREATMENT OR ABUSE OF MINORS

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1. PREAMBLE

Staff working on behalf of the ISMU Foundation, in carrying out their work activities, and particularly when this concerns interviews or activities related to minors, are called upon to assume a moral and legal obligation in order to prevent and report possible situations of abuse and maltreatment of minors.

Professionals working for ISMU have specific skills for performing their duties and may, due to the nature of their work, find themselves in a position to be able to detect early warning signs suggesting a lack of well-being or highlighting a situation of neglect, maltreatment or, at worst, possible psychological or physical abuse.

The purpose of these guidelines is to provide those professionals working for ISMU (who work with children) with information and operating procedures to be applied in the various situations of psychological and physical discomfort in children, in order to protect as far as possible the child's well-being as a whole and its development, enabling staff to implement suitable strategies for the various situations to which a child may be exposed.

The term "abuse" refers to all forms of physical and psychological violence against a minor. "Maltreatment includes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity" (WHO, 1999).

Definitions

For the definitions of the crime figures provided by the Criminal Code and the Criminal Procedure Code of the Italian legal system, refer to the Glossary delivered to ISMU collaborators, containing basic principles to guide them when working on cases in which the suspicion of significant criminal activity arises.

2. INDICATORS OF POSSIBLE MALTREATMENT, NEGLECT AND ABUSE

Child maltreatment, neglect and abuse can be detected through the careful and accurate observation of certain physical and behavioural signs.

Below is an approximate and non-exhaustive list of possible indicators of maltreatment and/or abuse.

A) PHYSICAL MALTREATMENT

Physical signs of skin lesions:

- Marks (bruises, hematoma) on the arms, legs, face, sometimes in the “shape” of an object used to strike the child e.g. hands, belt, shoelaces, sticks etc.;
- contusions, wounds, scars, scratches in parts of the body accidentally exposed;
- bite marks;
- burn or scald marks on the legs, arms or other parts of the body covered by clothes and accidentally exposed by the child;
- marks from being whipped or beaten with a belt;

Clothing that is unsuitable for the season/weather conditions may also be significant, suggesting a desire to hide signs of abuse (e.g. long sleeves, scarves or high-necked tops).

B) NEGLECT

Inadequate hygiene

- children consistently dressed inappropriately for the season, in clothes either too big or too small or unsuitable to protect them from cold or heat;
- children who are often dirty, smell and rarely wash to the point of causing difficulties in their relationships with classmates;
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Absence or lack of health care

- children with lice or other parasites who are left untreated;
- children with dental, hearing or visual difficulties who are left untreated
- children suffering from obvious dehydration and/or malnutrition

C) SEXUAL ABUSE

- Wounds, bruises and scratches (even very slight)
- Wounds to the mouth
- Pregnancy in very young girls (where the paternity is hidden)
- Difficulties walking, conducting physical activity or sitting down

Accompanied by emotional signs of possible sexual abuse:

Pay particular attention to:

- Traumatic experiences of sexuality;
- Sense of impotence;
- Hostility and particular distrust towards the adult.

3. RULES OF CONDUCT FOR STAFF

If during an interview or in performing his/her work on behalf of ISMU, operators should notice or become aware of cases of abuse, or maltreatment, or if what the child says can corresponds with even one of the types of offence (described in the aforementioned Glossary), they must proceed with particular caution.

In particular, they must address the child using language suitable for their age and with sensitivity in order to respect their cultural and linguistic norms.

If during the interview or conversation it becomes clear that the child has been the victim of a crime, and these facts have not yet been reported, they must suggest a break as required.

They must only continue the interview if the child is not distressed in any way and, otherwise more specific support must be sought (e.g. psychological support).

Should the operator notice or become aware of cases of abuse, maltreatment or other types of offences perpetrated against the minor, they must immediately file an Urgent Report including the following information and circumstances:

1. Date and place of the meeting with the child;
2. Name and surname of the child;
3. Date and place of birth;
4. Gender;
5. Full home address;
6. Their own telephone number or that of an adult not involved in the situation being reported;
7. Details of the event being reported (what happened, who did what including the gender of the people involved);
8. When and where the events took place;
9. Any other information useful or deemed important by the operator to clarify the facts and the persons involved.

This Urgent Report must be sent immediately and without delay to the appropriate ISMU Foundation manager so that they can then coordinate the next steps for submitting a complaint to

the relevant authorities regarding the facts reported.

It is also helpful for the operator with the child to reassure them by explaining that the facts described amount to a crime that must be reported to the relevant authorities, that it takes time for the justice system to be set in motion and that, in the meantime, any problems may be referred to the national associations for child protection.

Finally, operators are asked to explain to the minor the legal consequences of the complaint that will be forwarded to the relevant authorities. If necessary, they must provide information on the support services available.

4. FILING A REPORT: INSTRUCTIONS

In order to receive useful suggestions both as regards the evaluation of cases and the procedure to be followed, operators/collaborators must inform the managers of the ISMU Foundation. ISMU will notify the three agencies upon receipt of the referral of a case from the field and before any action is taken towards the competent authorities.

In situations where an adult's behaviour constitutes a prosecutable offence (serious maltreatment, sexual abuse etc. - see glossary), ISMU Foundation managers are instructed to lodge a complaint to the public prosecutor at the ordinary court and to report the situation to the public prosecutor at the juvenile court to implement the necessary protective measures, using the reporting and complaint methods provided by the Foundation.

The effect of the complaint is, first of all, to initiate criminal proceedings to ascertain the culpability of the perpetrator.

If operators become aware of information that, if true, would constitute a crime, even if only indirectly through third parties, then it is good practice to file a complaint.

They are not obliged to report information and/or signs (for example, sexualised behaviour of the child that is not associated with explicit indications of violence and/or maltreatment, abuse and neglect etc.) that may indicate an injurious situation, but in themselves do not constitute crimes. In such cases, further investigations are recommended, with the additional involvement of expert professionals. Neglect and negligence must be reported in any case.