

DEALING WITH ALLEGATIONS OR CONCERNS OF ABUSE

The GAA, Ladies Gaelic Football Association, the Camogie Association, GAA Handball Ireland and the GAA Rounders all actively work in the promotion of our Games amongst young people and must be alert to the possibility that children with whom we are working may be suffering from abuse or neglect.

We all have a legal duty of care to children and young people. This means that we have an obligation to provide them with the highest possible standard of care and safety as we promote their well-being and safeguard them from abuse and in doing so we have a responsibility to report allegations or concerns of abuse that may be known to us to the relevant statutory authorities.

As organisations that provide a service to children we will assist our members and employees in whatever way possible should they wish to report suspected matters of abuse to the statutory authorities whether it has been reported in or outside of our Associations at our activities or elsewhere.

This section of the Code, Dealing with Allegations or Concerns of Abuse, gives a broad outline as to our roles and responsibilities in relation to reporting abuse, what is the role of the Associations Mandated Person and of the DLP, while Appendix 4 of this Code outlines definitions and types of abuse.

More detailed instruction and directives in relation to reporting are contained in the joint policy booklet '**Guidance for Dealing with and Reporting Allegations and Concerns of Abuse**'. The primary purpose of the Guidance is to ensure that reporting procedures are known to our members and staff, that guidance and assistance is available for those who wish to report concerns of abuse and neglect and that our Associations adhere in full to our legal obligations in respect of reporting abuse or neglect to the statutory authorities.

**The safety and well-being of the child must take priority over concerns about adults against whom an allegation may be made.
The welfare of the child shall always be paramount**

REASONABLE GROUNDS FOR CONCERN

The term 'Reasonable Grounds for Concern' is used whereby if an individual has such grounds for concern that a child may have been, is being, or is at risk of being abused or neglected they should inform the relevant statutory authorities. Similarly, if an individual had such concerns about an adult they should report such matters to the relevant statutory authority.

It is not necessary for an individual to prove that abuse has occurred when they wish to report such matters. It is the role of the statutory authority to carry out their enquires and assess each case on its own merits. The Associations Mandated Person or the Club Designated Liaison Person may assist an individual in making a report or passing on a concern or if they so wish.

Reasonable grounds for a child protection or welfare concern include:

- Evidence, for example an injury or behaviour, that is consistent with abuse and is unlikely to have been caused in any other way
- Any concern about possible sexual abuse
- Consistent signs that a child is suffering from emotional or physical neglect
- A child saying or indicating by other means that he or she has been abused
- Admission or indication by an adult or a child of an alleged abuse they committed
- An account from a person who saw the child being abused

CONFIDENTIALITY

It is important that all parties dealing with concerns of allegations of abuse have a clear understanding as to what constitutes Confidentiality and what is permissible in the exchange of information.

- All information regarding concern or assessment of child abuse or neglect should be shared on 'a need to know' basis in the interests of the child
- No undertakings regarding secrecy can be given. Those working with a child and family should make this clear to all parties involved, although they can be assured that all information will be handled in a confidential manner taking full account of legal requirements.
- The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection.
- It must be clearly understood that information gathered for one purpose must not be used for another without consulting the person who provided that information.
- All persons involved in a child protection and welfare process (the child, his/her parents/guardians, the alleged offender, his/her family, coaches) should be afforded appropriate, fairness, support and confidentiality at all stages of the procedure
- Information should be stored in a secure place, with limited access internally only by the relevant Designated Persons or Association Mandated Person
- Breaches of confidentiality shall be deemed a serious matter and dealt with accordingly within the GAA, Ladies Gaelic Football Association, the Camogie Association, GAA Handball Ireland and GAA Rounders

ROLE OF THE DESIGNATED LIAISON PERSON

The Club or County Chairperson automatically assumes the role of DLP unless another person is chosen and ratified by the relevant Committee to undertake the role. The DLP should be ratified by their Club or County Committee on an annual basis.

THE DESIGNATED LIAISON PERSON SHALL:

- Have knowledge & be committed to the Guidance for Dealing with and Reporting Allegations and Concerns of Abuse', the Code of Behaviour (Underage) and Children First (ROI) and/or NI Legislation
- Receive child protection and welfare concerns
- Act as a liaison with outside agencies and a resource person to any staff member or volunteer who has child protection concerns.
- Be responsible for ensuring that the standard reporting procedure are followed
- Make a formal report to the statutory authorities as required and make a report with the Mandated Person, where requested
- Have a knowledge of categories and indicators of abuse
- Undertake training in relation to child protection
- Be familiar with and able to carry out Gaelic Games/Statutory reporting procedures
- Communicate with parents and/or agencies as appropriate
- Be easily contactable

Club Executive Committees and County Boards shall appoint a Designated Liaison Person. The Club or County Chairperson automatically assumes the role of DLP unless another person is chosen and ratified by the relevant Committee to undertake the role.

MANDATED PERSON

While the appointment of a Mandated Person may be a new initiative each of the Gaelic Games Associations previously had a person in place that fulfilled this role.

The Mandated Person now has a legal and Association role in that if they know, believe or have reasonable grounds to suspect that a child has been harmed, is being harmed, or is at risk of being harmed, they must report that knowledge, belief or suspicion, as the case may be, to the Tusla. (A similar directive applies in our Associations to reporting such matters to Gateway Services teams in Northern Ireland).

The mandated person must report concerns of harm above a particular threshold under to the statutory authorities.

The Mandated Persons in our Gaelic Games Associations may be contacted at:

GAA/Rounders	mandatedperson@gaa.ie
LGFA	mandatedperson@lgfa.ie
Camogie	mandatedperson@camogie.ie
Handball	mandatedperson.handball@gaa.ie

- **Appendix 4 of this Code outlines types of child abuse and how they may be defined.**
- **Appendix 5 contains contact details for Tusla Child and Family Agency**
- **Appendix 6 contains Standard Report Forms for Reporting Child Protection and/or Welfare Concerns to Tusla**
- **Appendix 7 contains contact details for Health and Social Care Trusts NI**

Underage sports activity has a positive impact on the lives of thousands of young people many days of the week and every week of the year. The range of activities offered by the GAA, Camogie and Ladies Football Clubs and by our Handball and Rounders colleagues, to young people in particular, caters for more than their sporting needs.

The social and friendship surroundings of our Associations for children in particular, the opportunity to meet and to make new friends, the community ethos of our Associations and the general developmental opportunities that these surroundings present for young people, all contribute to their general wellbeing during some of the most developmental phases of their lives.

While sports organisations are recognised for the overall developmental opportunities they give to young people we are not immune to instances of poor or unacceptable behaviour that would be deemed as unacceptable and may in fact be deemed by us as breaches of our Code of Behaviour. A notable example of unacceptable behaviour that occurs in many walks of life is that of Bullying. Unfortunately, Bullying may occur in schools settings, in communities, in the work place, via social media interaction or within our sports associations where a small cohort of people may choose or even direct others to engage in Bullying behaviour.

HOW DO WE DEFINE BULLYING?

Bullying behaviour can be defined as unwanted negative behaviour be it verbal, psychological or physical, conducted by an individual or group against others and which is repeated over time. This includes cyber bullying and identity based bullying such as homophobic bullying and racist bullying.

Our duty and our challenge as Club leaders, coaches or parents is to challenge, counteract and eliminate such unacceptable behaviour through awareness, education and proactive measures that are based on inclusivity and respect for all in our Clubs.

Our aim should be to:

- Understand Bullying and its possible impact within the context of our local Club
- Identify a range of approaches in relation to preventing Bullying
- Equip ourselves to deal with incidents of Bullying.
- Introduce and implement an Anti-Bullying Policy to our Clubs
- Implement 'a whole club approach' to any instances of Bullying

SIGNS OF BULLING MAY BE NUMEROUS AND COULD INCLUDE:

- Fear of going to training , games or to school
- Poor or deteriorating schoolwork, inability to concentrate
- Withdrawn behaviour
- Depression
- Loss of confidence
- Reluctance to go out
- Shortage of money
- Torn clothes, broken glasses, missing schoolbooks
- Repeated signs of bruising and injuries

ANTI-BULLYING STATEMENT/POLICY

Each Club should adopt an Anti-Bullying Statement that could include the following:

“We aim to create a supportive environment where any form of Bullying is unacceptable.

We adopt ‘a whole organisational approach’ to addressing Bullying and are committed to implementing structures and relevant training to deal with allegations of Bullying. Incidents of Bullying are regarded as serious breaches of our Code of Behaviour and Code of Best Practice in Youth Sport.

We are committed to achieving an ethos of respect so as to maximise the potential of all our members when playing or participating in our Gaelic Games”.

GAA ANTI-BULLYING POLICY STATEMENT

The GAA aims to create a supportive environment where any form of bullying is unacceptable. We adopt a whole organisational approach to addressing bullying and are committed to implementing structures and relevant training to deal with allegations of bullying. Incidents of bullying are regarded as serious breaches of our Code of Best Practice in Youth Sport - Our Games Our Code. We are committed to achieving an ethos of respect so as to maximise the potential of all our members when playing or participating in our Gaelic Games.

DEFINITION

Bullying is defined as repeated aggression, be it verbal, psychological or physical, conducted by an individual or group against others.

THE GAA SEEKS TO ENSURE THAT:

- Incidents of bullying behaviour are addressed appropriately
- All persons in membership of the Association or attending our games or activities are aware that bullying behaviour is unacceptable in the GAA.

DEALING WITH BULLYING

The Code of Behaviour when working with underage players provides good practice guidance in relation to the prevention of bullying.

If you are aware of or have a concern that bullying behaviour is happening within your Club you should report the matter to your Club Children's Officer.

We recognise that incidents of bullying are a breach of the Code of Behaviour and of our Give Respect - Get Respect initiative and all such incidents will be dealt with accordingly.

Club Children's Officer

Date

Name of Club

IT IS WIDELY ACCEPTED THAT BULLYING CONTAINS SEVEN KEY FEATURES:

- An intention to be hurtful
- This intention is carried out
- The behaviour harms the target
- The bully overwhelms the target with his/her power
- There is often no justification for the action
- The behaviour repeats itself again and again
- The bully derives a sense of satisfaction from hurting the target

Bullying can happen from any one person to another and from a young person to an adult or from an adult to a young person, from adults to adults and from a young person to a young person.



CYBERBULLYING can take place when instant messages, emails, text messages, webpages and other communication apps. are used to spread rumours, make threats or harass. It can include written messages, photographs, videos or voice messages.

If you are a victim of Cyberbullying or believe you may be targeted by a Cyberbully you should:

- Sign off on your computer.
- Don't respond or retaliate.
- Block the Bully.
- Save and print out Bullying messages.
- Talk to a friend.
- Tell a trusted adult.
- Report the Bullying to the Gardaí/Police

HOW TO PREVENT BULLYING IN YOUR CLUB:

- Implement the joint **Code of Behaviour (Underage)** which highlights good practice and clarifies that instances of Bullying are deemed to be a breach of the Code
- Create a supportive environment for all where it is not acceptable to Bully and highlight that the Club has a 'zero tolerance for Bullying
- The ethos of the club should be that it is 'ok to tell' the Club Children's Officer or team coach of incidents of Bullying. Underage players should be made aware of the telling policy that 'its ok to tell' and they should be supported if they report any incidents of Bullying.
- Publicise the Club Anti-Bullying Statement and display Anti-Bullying Posters - available from the GAA
- Ant Bullying is a 'whole club responsibility' and is part of the Give Respect Get Respect initiative. It's everybody's responsibility

WHAT DOES A WHOLE CLUB APPROACH INVOLVE?

- A recognition that Bullying can be tackled by all in the Club – Players, Coaches, Parents, Referees....
- Promoting policies and procedures which aim to prevent Bullying in the first instance and intervene when appropriate
- A shift from a problem based focus to a solution based focus
- Creating a supportive environment where its 'ok to tell'
- An awareness and implementation of good practice in this area

PROCEDURES FOR DEALING WITH BULLYING INVOLVING YOUNG PEOPLE/ADULTS

Incident should be dealt with as a breach of the Code of Behaviour as follows:

- Report the matter to the Club's Children's Officer
- Confidentiality must be maintained
- Initial assessment by the Club Children's Officer
- Children's Officer collates relevant information
- Club Children's Officer uses the acid test to determine whether this is an incident of Bullying
- Club Children's Officer informs the alleged bully and target as to what procedures will follow

Bullying is considered a breach of the Code of Behaviour (Underage) and is dealt with as per the relevant Section 4 of the Code (**Dealing with Alleged Breaches of the Code of Behaviour**).

APPENDICES

- 1. Child/Youth Membership Application Form**
- 2. Coach and Mentor Application**
- 3. Incident/Accident Reporting Form**
- 4. Definitions of Child Abuse**
- 5. National Contacts for Tusla Child and Family Agency Standard Report Forms for reporting child protection and/or welfare concerns to Tusla Child and Family Agency**
- 6. Standard Report Forms**
- 7. Health and Social Care Trusts NI**
- 8. Contact details Gaelic Athletic Association, Ladies Gaelic Football Association, Camogie Association, Rounders and GAA Handball Ireland**
- 9. Glossary of Terms**

APPENDIX 1

CHILD/YOUTH MEMBERSHIP APPLICATION FORM

This template Child/Youth Membership Form, which may be amended as required, seeks that certain information be made available in relation to your child (e.g. medical data, permission for medical treatment, parent/guardian contact details). This information is only required at Club level and not for general registration purposes. Other options include use of photography and general club activity notification which should also be brought to the attention of those registering their children in the Association.

Ainm/Name: _____

Seoladh/Address: _____

Date of Birth: _____

Gender: _____

I hereby apply to _____ Club ('the Club') for membership of the Club and the Association (Association e.g. Cumann Lúthchleas Gael, Ladies Gaelic Football Association, Camogie Association, Rounders or Handball)

I subscribe to and undertake to further the aims and objectives of (Association) to abide by its Rules including the Code of Behaviour (Underage), which is available at: <http://gaa.ie/the-gaa/child-welfare-and-protection/>

Sínte/Signed _____ Dáta: _____

Print Name: _____

Parent or Guardian's Contact Phone Number: _____

Parent or Guardian's Contact Email (If available): _____

Please outline any medical information (i.e. allergies, conditions, medication) which may impact on your child's health, welfare or behaviour while participating in our activities.

- ☐ I consent to the processing of the personal medical data as outlined above for the purpose of administering medical assistance to my child if required.
- ☐ In the event of illness/injury, I give permission for medical treatment to be administered by a nominated first aider, or by suitably qualified medical practitioners.
- ☐ If I cannot be contacted and my child requires emergency hospital treatment, I authorise a qualified medical practitioner to provide emergency treatment or medication.

Parent(s)/Guardian(s), on behalf of the above named:-

- We/I consent to the above Application and to undertakings given by the Applicant.
- We/I understand the personal data on this form will be used by the Club and the Association for the contractual purpose of registering (or re-registering) and maintaining the Applicant's Membership.
- We/I understand that the Personal Data will be retained by the Club and the Association for such period as the Applicant's Membership subsists and for a reasonable period thereafter.
- We/I understand that I can resign the Applicant's Membership by writing to the Club or the Association and their Personal Data will then be erased except where the Club or the Association has a clear justification to retain such Personal Data (e.g. for child safeguarding purposes).
- We/I understand that the Applicant's Personal Data will also be used for administrative purposes to maintain their Membership including club and team administration, registrations, teamsheets, referee reports, disciplinary matters, injury reports, transfers, sanctions, permits and for statistical purposes.

- We/I understand that if I do not provide the Applicant's Personal Data their Membership cannot be registered with the Club and the Association.

Sínte/Signed _____ (Parent/Guardian) Dáta: _____

Print Name: _____

I have read the important Data Protection information on the reverse of this form and have given my consent, by ticking the boxes and signing below, for my information to be used as follows: (Please tick as appropriate)

- ☐ To provide me on my own behalf and on behalf of my child with updates regarding Club activities such as games, training, meetings and club events
- ☐ I am aware that my child's photograph or video image may be taken whilst attending or participating in games or activities connected with the Club and I consent to it being used in the promotion of Gaelic Games in print, online/digital and social media mediums of communication

My contact preferences are as follows:

- Email ☐ SMS text message ☐ Other ☐

I understand that I can withdraw my consent at any time by writing to the [Club or my Association].

I understand my rights under Data Protection legislation, as outlined on later on this form

Sínte/Signed: _____ Parent/Guardian) Dáta: _____

Print Name: _____

For Official Use only:

Registered in Central Membership Database on _____

Membership Identification Number: _____

Upon election, your membership details will be entered on the Association's membership database in accordance with Rule

***NB:** If Clubs decide to collect medical data on membership forms, this should not be added for example to the Servasport system. Only personal data requested on the master template should be included.

IMPORTANT NOTIFICATION AS IT WOULD APPLY TO THE GAA

The following Privacy Information is being provided to you as outlined in the General Data Protection Regulation. It is intended to inform you of how the Personal Information provided on this form will be used, by whom and for what purposes. If you are unclear on any aspect of this form, or want any further information, please contact the GAA's Data Protection Officer (01 8658600 or dataprotection@gaa.ie).

Who is the data controller?

The Club and the GAA are Joint Data Controllers of the Personal Data and contact details for the Club are as follows [Club Name, Address, Phone / email].

Who is the Data Protection Officer for the GAA and the Club?

Details of the GAA's Data Protection Officer are available on the GAA's website gaa.ie/dataprotection. You can contact our Data Protection Officer by emailing dataprotection@gaa.ie or by calling 01 8658600, if you have any questions or wish to make any request in relation to your personal data.

What is the purpose of processing my Personal Data?

The purpose for processing your Personal Data is that it is necessary for the performance of a contract in order to register and maintain your membership with the Club and the GAA. The purpose is also to keep you informed of GAA events and fundraisers. We will only use your personal data for this second purpose if you have provided your explicit consent for this by ticking the boxes on this form and indicated your contact preferences and signed below those boxes.

Will anyone else receive a copy of my Personal Data?

Your Personal Data can be accessed by certain members of the County Committees, Provincial Councils and the Central Council of the Gaelic Athletic Association in connection with their administrative functions. This will be done in accordance with our data protection policy only.

In the event of an injury or insurance claim, details of your claim which will include your Personal Data will be passed to the GAA's Insurance underwriters, Willis Towers Watson Insurance, Elm Park, Merrion Road, Dublin 4, Ireland.

Where is your Personal Data stored?

Your personal data will be stored in the Club and electronically on the GAA Membership Database which is provided by Servasport Ltd, 11th Floor, Causeway Tower, 9A James Street South, Belfast, BT2 8DN.

Who is Servasport Limited?

Servasport Limited is a "data processor" who hosts the database on which your information is stored. We have a contract in place with Servasport Limited to ensure your Personal Data is stored safely and securely.

How long will your Personal Data be stored for?

Your Personal Data will be held for the duration of your Membership and it will be deleted by us shortly thereafter in the event that you resign your Membership or you are expelled in accordance with the Official Guide. However, we may retain your Personal Data after your Membership ceases if we decide that it is strictly necessary and proportionate to do so in the circumstances in accordance with our data retention policy.

How can I obtain a copy of the Personal Data held by the Club/GAA?

You have the right to request a copy of all of your Personal Data and can do so by contacting us. This information will be provided to you within one month.

What are my privacy rights relating to my Personal Data?

You also have the right to have your Personal Data updated, rectified, or deleted if you so wish. You have the right to object to your Personal Data being processed and to withdraw your consent to processing - You can do so by contacting us at the details above.

Where can I get further information?

Further information regarding your rights can be obtained through the Data Protection Commission, Canal House, Station Road, Portllington, Co. Laois, or on the website www.dataprotection.ie

How do I make a complaint or report a breach?

Should you wish to make a complaint or report a breach in relation to your Personal Data, you can do so by emailing the Data Protection Commission using the following email address: info@dataprotection.ie. However, we would ask that you firstly raise any complaints or concerns with the GAA's Data Protection Officer.

APPENDIX 2

COACH AND MENTOR APPLICATION FORM

1 Surname: _____ Forename: _____

Previous name (if any): _____

2 Address: _____

Email: _____

Home telephone number: _____ Mobile number: _____

3 Role applied for? _____ Club _____

4 Child Safeguarding Vetting, Training and Coaching Qualification

Have you completed the vetting process in accordance with Association procedures?

☐ Yes ☐ No

Have you attended Child Safeguarding Training relevant to your role as approved by your Association?

☐ Yes ☐ No

Do you possess a coaching qualification as required by your Association for your role?

☐ Yes ☐ No

5 Please outline why you wish to become involved in our club?

Please give details of any previous involvement in sports including coaching experience and relevant qualifications:

6 Do you suffer from any illness or medical condition which may at times affect your ability to work with young people in this role? If so, please give details:

7 Have you ever been asked to terminate your involvement in any Sporting or Community Organisation? (If yes we will contact you in confidence):

☐ Yes ☐ No

8 Please supply the name, address, and a contact telephone number of two people (non-relative), who from personal knowledge are willing to support your application. If you have a previous involvement in a sports organisation one of these two named person (below) should be from that sports organisation

Name 1: _____ Name 2: _____

Address: _____ Address: _____

Tel No: _____ Tel No: _____

Professional Relationship with Referee: _____ Professional Relationship with Referee _____

Declaration:

- I confirm that nothing within my personal or professional background may deem me unsuitable for a position which involves working with children/young people in sport.
- I declare that the above information is true and agree to abide by The Code of Behaviour (Underage) when working with underage players
- I agree to abide by the Rules of the Association.

Signed: _____

Date: _____

This form should be returned to and retained by the Club Secretary or Registrar.

FOR CLUB USE ONLY

Checked by phone ☐ Visit ☐ Letter ☐ Date: _____

Checked by: _____

Signed: _____

APPENDIX 3

INCIDENT/ACCIDENT REPORTING FORM

This form should be used for each occasion of

- Accidental fall/injury
- Aggressive behaviour
- Verbal abuse
- Destruction of equipment or property (or threats of)
- Physical assault (or threats of)

Name of person completing this form:
Role/Position of person completing this form:
Signature of person completing this form:
Date:

INCIDENT/ACCIDENT

Date and time of incident:
Name/s of person/s involved in the incident and their Clubs/Associations:
What activity was taking place when the incident occurred?
Description of incident:
What action, if any, did Club personnel take during or after the incident?

Witnesses (include contact details):

REPORTING OF THE INCIDENT TO CLUB/ASSOCIATION

Incident Reported to:	Date:
How was the incident/accident reported? e.g. using this form, in person, email, phone.	

FOLLOW UP ACTION

Description of actions to be taken:

CLUB/ASSOCIATION NOTES ONLY:

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APPENDIX 4

DEFINITIONS OF CHILD ABUSE

TYPES OF CHILD ABUSE AND HOW THEY MAY BE RECOGNISED

This section is based on the Children First National Guidance for the Protection and Welfare of Children, published by the Department of Children and Youth Affairs in December 2017. The Guidance booklet directs us in much of our work with children and young people and these practices and principles, while referencing guidance and statutory authorities in Ireland are equally transferable and applicable to all units of our Associations, regardless of jurisdiction.

In this section' and throughout the Code of Behaviour (Underage) 'a child' or 'young person' or 'underage' means a person under the age of 18 years of age, who is not or has not been married

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger, and can be an adult or another child. In a situation where abuse is alleged to have been carried out by another child, you should consider it a child welfare and protection issue for both children and you should follow child protection procedures for both the victim and the alleged abuser.

The important factor in deciding whether the behaviour is abuse or neglect is the impact of that behaviour on the child rather than the intention of the parent/carer.

The definitions of neglect and abuse presented in this section are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

NEGLECT

Child neglect is the most frequently reported category of abuse, both in Ireland and internationally. Ongoing chronic neglect is recognised as being extremely harmful to the development and well-being of the child and may have serious long-term negative consequences.

Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety. Emotional neglect may also lead to the child having attachment difficulties. The extent of the damage to the child's health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of positive influence in the child's life as well as the age of the child and the frequency and consistency of neglect.

Neglect is associated with poverty but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violence, and parental mental illness and disability.

A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.

The following are features of child neglect:

- Children being left alone without adequate care and supervision
- Malnourishment, lacking food, unsuitable food or erratic feeding

- Non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation
- Failure to provide adequate care for the child's medical and developmental needs, including intellectual stimulation
- Inadequate living conditions – unhygienic conditions, environmental issues, including lack of adequate heating and furniture
- Lack of adequate clothing
- Inattention to basic hygiene
- Lack of protection and exposure to danger, including moral danger, or lack of supervision appropriate to the child's age
- Persistent failure to attend school
- Abandonment or desertion

EMOTIONAL ABUSE

Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional abuse is not easy to recognise because the effects are not easily seen.

A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer.

Emotional abuse may be seen in some of the following ways:

- Rejection
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation (e.g. fun and play)
- Lack of continuity of care (e.g. frequent moves, particularly unplanned)
- Continuous lack of praise and encouragement
- Persistent criticism, sarcasm, hostility or blaming of the child
- Bullying
- Conditional parenting in which care or affection of a child depends on his or her behaviours or actions
- Extreme overprotectiveness
- Inappropriate non-physical punishment (e.g. locking child in bedroom)
- Ongoing family conflicts and family violence
- Seriously inappropriate expectations of a child relative to his/her age and stage of development

There may be no physical signs of emotional abuse unless it occurs with another type of abuse. A child may show signs of emotional abuse through their actions or emotions in several ways. These include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, risk taking and aggressive behaviour.

It should be noted that no one indicator is conclusive evidence of emotional abuse. Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors.

PHYSICAL ABUSE

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/or development is, may be, or has been damaged as a result of suspected physical abuse.

Physical abuse can include the following:

- Physical punishment
- Beating, slapping, hitting or kicking

- Pushing, shaking or throwing
- Pinching, biting, choking or hair-pulling
- Use of excessive force in handling
- Deliberate poisoning
- Suffocation
- Fabricated/induced illness
- Female genital mutilation

The Children First Act 2015 includes a provision that abolishes the common law defence of reasonable chastisement in court proceedings. This defence could previously be invoked by a parent or other person in authority who physically disciplined a child. The change in the legislation now means that in prosecutions relating to assault or physical cruelty, a person who administers such punishment to a child cannot rely on the defence of reasonable chastisement in the legal proceedings. The result of this is that the protections in law relating to assault now apply to a child in the same way as they do to an adult.

SEXUAL ABUSE

Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography.

Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and in some instances occurs over a number of years. Child sexual abuse most commonly happens within the family, including older siblings and extended family members.

Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult, and/or by physical symptoms.

It should be remembered that sexual activity involving a young person may be sexual abuse even if the young person concerned does not themselves recognise it as abusive

Examples of child sexual abuse include the following:

Any sexual act intentionally performed in the presence of a child

- An invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of a child or the involvement of a child in an act of masturbation
- Sexual intercourse with a child, whether oral, vaginal or anal
- Sexual exploitation of a child, which includes:
 - » Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means]
 - » Inviting, coercing or inducing a child to participate in, or to observe, any sexual, indecent or obscene act
 - » Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse
- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and an underage person

An Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within the wider objective of child

welfare and protection. The safety of the child is paramount and at no stage should a child's safety be compromised because of concern for the integrity of a criminal investigation.

In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not necessarily be regarded as child sexual abuse. Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in Chapter 3 of this Guidance.

BULLYING

It is recognised that bullying affects the lives of an increasing number of children and can be the cause of genuine concerns about a child's welfare.

Bullying can be defined as repeated aggression – whether it is verbal, psychological or physical – that is conducted by an individual or group against others. It is behaviour that is intentionally aggravating and intimidating, and occurs mainly among children in social environments such as schools. It includes behaviours such as physical aggression, cyberbullying, damage to property, intimidation, isolation/exclusion, name calling, malicious gossip and extortion. Bullying can also take the form of abuse based on gender identity, sexual preference, race, ethnicity and religious factors. With developments in modern technology, children can also be the victims of non-contact bullying, via mobile phones, the internet and other personal devices.

While bullying can happen to any child, some may be more vulnerable. These include: children with disabilities or special educational needs; those from ethnic minority and migrant groups; from the Traveller community; lesbian, gay, bisexual or transgender (LGBT) children and those perceived to be LGBT; and children of minority religious faiths.

There can be an increased vulnerability to bullying among children with special educational needs. This is particularly so among those who do not understand social cues and/or have difficulty communicating. Some children with complex needs may lack understanding of social situations and therefore trust everyone implicitly. Such children may be more vulnerable because they do not have the same social skills or capacity as others to recognise and defend themselves against bullying behaviour.

Please note that Section 9 of this Code of Behaviour titled Dealing with Bullying in your Club includes an Anti-Bullying statement and examines how to be proactive about the threat of bullying or how to address such matters should they arise.

(Based on CHILDREN FIRST National Guidance for the Protection and Welfare of Children)