

**CHILD PROTECTION**  
**+**  
**VOLUNTEER AND YOUTH**



## **1. Introduction**

The Malaysian Red Crescent Society recognizes that children form one of the most vulnerable groups in our community. Malaysian Red Crescent Society acknowledges that working with children is a critical responsibility of our staff and volunteers and at all times, children have right to be safe and to be protected. Through implementing this policy, the Malaysian Red Crescent Society aims to provide the safest possible environment to any children with whom it works. Malaysian Red Crescent Society has a duty of care towards children with whom we work and a responsibility to keep them safe. The Malaysian Red Crescent Society is obliged to abide by local criminal laws and international conventions relating to child rights and protection. Malaysian Red Crescent Society will protect all children regardless of their nationality, culture, ethnicity, gender, religious or political beliefs, socio-economic status, family or criminal background or physical or mental health.

This policy applies to all Malaysian Red Crescent Society staff, members and volunteers, and in some circumstances extends to partners, contractors and agencies with whom Malaysian Red Crescent Society works.

## **2. The Purpose**

The Child Protection Policy aims to protect children (defined as any person below 18 years, as stipulated in the Child Act 2001). Child Protection refers to strategies and activities to prevent and respond to neglect, abuse, violence and exploitation of children. Its purpose is to help MRC to:-

- ❖ Understand the importance of child protection issues
- ❖ Know their responsibilities
- ❖ Ensure compliance under legal and policy obligations with and outside their work environments.



- ❖ Uphold dignity and respect of children.
- ❖ To ensure a safe environment for children is created through preventative measures.
- ❖ Provide guidance to lead or manage on child protection and good practice.

### **3. Basic Principles**

This policy is formulated by recognizing the following principles and obligations:-

- ❖ Malaysian Red Crescent Society staff, members and volunteers shall not abuse, neglect or undermine the dignity of children with whom they work.
- ❖ Malaysian Red Crescent Society's staff, members and volunteers are obliged to report any act of violence, abuse or neglect against a child that is committed by a Malaysian Red Crescent Society staff, members or volunteer to the Child Protection Focal Point (HR) and Secretary General.
- ❖ Malaysian Red Crescent Society's staff, members and volunteers should be supported by MRCS to refer generalized Child Protection issues that exist in the community to the local child protection authority or NGO.

### **4. Objectives**

The main objectives are as follows:-

- ❖ To prevent exploitation, abuse and neglect of children being committed by member of the community.
- ❖ Raise awareness and commitment of Malaysian Red Crescent Society staff, members and volunteers about their obligation to protect children as a shared responsibility.
- ❖ Creating a safe and child-friendly environment.



- ❖ Encourage organizations connected directly and indirectly with children to develop a policy for Child Protection.

## **5. Definitions**

Children are defined as a person under the age of 18.

Child Protection refers to strategies and activities to prevent and respond to neglect, abuse, violence and exploitation of children. As mentioned section 17 (1) (a) - (k) Child Act 2001. (ANNEX A)

## **6. Obligations**

To achieve the above objectives, strategies were formulated based on key aspects of advocacy, prevention, support and research and development. These strategies are as follows:-

Zero tolerance on the violations of the Child Protection Act by Malaysian Red Crescent Society Staff, members and volunteers.

- ❖ All staff, members and volunteers will be screened and sign a code of conduct committing them not to commit abuses against children in the community with whom they work.
- ❖ All staff is obliged to report any reported, alleged, suspected or actual child protection violation committed by a Malaysian Red Crescent Society staff, members or volunteer to the Child Protection Focal Person (HR) or Secretary General.



- ❖ Anyone who is, through a fair investigation, found to have violated this policy will be terminated from employment, membership and discontinuation of volunteer services.

### *Advocacy*

- ❖ Adopt and promote awareness of the importance of the responsibility to protect children from all walks of life including creating partnerships (smart partnership) with the media and non-governmental organizations (NGOs), including the private sector and community organizations, and referring to general abuse to such agencies dealing with Child Protection.
- ❖ To ensure that those dealing directly with children are able to identify and report cases of neglect, abuse, violence and exploitation, through annual training of staff, members and volunteers.
- ❖ Encourage the provision of healthy and safe environment for children.
- ❖ Encouraging each partner or contractor, organization to establish policies and regulations on the protection of children.

### *Prévention*

- ❖ Create a system of screening (through HR). Training for all staff, members and volunteers who deal directly with children.
- ❖ Ensuring staff members and volunteers know their obligations and not to violate child protection policy.



## **7. Beneficiary and Accountability**

- ❖ Malaysian Red Crescent Society branches and chapters should establish a community feedback and complaints mechanism (such as a phone hotline, posters) that effectively allows adults and children to report any abuse by Malaysian Red Crescent staff, members and volunteers to the Child Protection Focal Point (HR).
- ❖ MRCS to ensure partnership and networking with local expert, child safety and Child Protection agencies for referrals of children in need of help.

## **8. Responsibilities**

- ❖ Any act of violating the Child Protection Policy by the employees, members, volunteers of the MRCS will result in termination of services.
- ❖ A staff, members and volunteers must know and sign this policy.
- ❖ All staff, members and volunteers are obliged to report any suspected or alleged violation of this policy committed by a Malaysian Red Crescent Society staff, member or volunteers to their manager, or to the Child Protection focal points (HR) or the Secretary General.
- ❖ All Managers must ensure their own staff, members and volunteers uphold (and know) this policy and will support attendance at annual training and all managers must report any Child Protection violations that are reported to them to the Child Protection focal point (HR) and Secretary General.
- ❖ The HR Department will establish a system of check (including asking previous employers whether the person has a record of Child Protection violations) and a record of staff, members and volunteers who have signed this policy and keep a record of staff attendance at training on Child Protection.



- ❖ HR Department, Secretary General will establish a free and fair investigation mechanism to investigate whether a violation of this policy has occurred (in conjunction with policy, Ministry and other relevant of agencies).
- ❖ Staff must report but must not themselves investigate, it is for HR to do so.
- ❖ HR department to assign a Child Protection focal point (Female) to undergo specific training on Child Protection issues, investigations, procedures and protocols.
- ❖ To maintain the privacy and confidentiality of the child.

## **9. Reviewing and Monitoring**

Monitoring application of the Child Protection Policy is the responsibility of all staffs, in particular, the Human Resource Department and the Secretary General.

The MRC's is responsible to review every 5 years or earlier if there are changes to relevant national and international legislation so that it remains current, effective and appropriate.



LAWS  
OF  
MALAYSIA

AKTA KANAK-KANAK 2001  
(Act 611)

CHILD ACT 2001  
(Act 611)

PART V

CHILDREN IN NEED OF CARE AND PROTECTION

CHAPTER 1

GENERAL

**Meaning of child in need of care and protection**

17. (1) A child is in need of care and protection if—

- (a) the child has been or there is substantial risk that the child will be physically injured or emotionally injured or



sexually abused by his parent or guardian or a member of his extended family;

- (b) the child has been or there is substantial risk that the child will be physically injured or emotionally injured or sexually abused and his parent or guardian, knowing of such injury or abuse or risk, has not protected or is unlikely to protect the child from such injury or abuse;
- (c) the parent or guardian of the child is unfit, or has neglected, or is unable, to exercise proper supervision and control over the child and the child is falling into bad association;
- (d) the parent or guardian of the child has neglected or is unwilling to provide for him adequate care, food, clothing and shelter;
- (e) the child—
  - (i) has no parent or guardian; or
  - (ii) has been abandoned by his parent or guardian and after reasonable inquiries the parent or guardian cannot be found,and no other suitable person is willing and able to care for the child;
- (f) the child needs to be examined, investigated or treated—
  - (i) for the purpose of restoring or preserving his health; and
  - (ii) his parent or guardian neglects or refuses to have him so examined, investigated or treated;
- (g) the child behaves in a manner that is, or is likely to be, harmful to himself or to any other person and his parent or guardian is unable or unwilling to take necessary measures to remedy the situation or the remedial measures taken by the parent or guardian fail;



(h) there is such a conflict between the child and his parent or guardian, or between his parents or guardians, that family relationships are seriously disrupted, thereby causing him emotional injury;

(i) the child is a person in respect of whom any of the offences specified in the First Schedule or any offence of the nature described in sections 31, 32 and 33 has been or is suspected to have been committed and his parent or guardian—

(i) is the person who committed such offence or is suspected to have committed such offence; or

(ii) has not protected or is unlikely to protect him from such offence;

(j) the child is—

(i) a member of the same household as the child referred to in paragraph (i); or

(ii) a member of the same household as the person who has been convicted of the offence referred to in paragraph (i),

and appears to be in danger of the commission upon or in respect of him of a similar offence and his parent or guardian—

(aa) is the person who committed or is suspected to have committed the offence;

(bb) is the person who is convicted of such offence; or

(cc) is unable or unwilling to protect him from such offence;

(k) the child is allowed to be on any street, premises or place for the purposes of—

(i) begging or receiving alms, whether or not there is any pretence of singing, playing, performing or offering anything for sale; or

(ii) carrying out illegal hawking, illegal lotteries, gambling or other illegal activities detrimental to the health and welfare of the child.



(2) For the purposes of this Part, a child is—

- (a) physically injured if there is substantial and observable injury to any part of the child's body as a result of the non-accidental application of force or an agent to the child's body that is evidenced by, amongst other things, a laceration, a contusion, an abrasion, a scar, a fracture or other bone injury, a dislocation, a sprain, haemorrhaging, the rupture of a viscus, a burn, a scald, the loss or alteration of consciousness or physiological functioning or the loss of hair or teeth;
- (b) emotionally injured if there is substantial and observable impairment of the child's mental or emotional functioning that is evidenced by, amongst other things, a mental or behavioural disorder, including anxiety, depression, withdrawal, aggression or delayed development;
- (c) sexually abused if he has taken part, whether as a participant or an observer, in any activity which is sexual in nature for the purposes of—
  - (i) any pornographic, obscene or indecent material, photograph, recording, film, videotape or performance; or
  - (ii) sexual exploitation by any person for that person's or another person's sexual gratification.