



APPENDIX G - GUIDELINES ON CHILD ABUSE, NEGLECT

1 - Defining abuse and neglect

Abuse may consist of physical, sexual or emotional abuse or neglect.

Physical abuse of a child is that which results in actual or potential physical harm from an interaction, or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents. The threshold of harm, at which you must report to Tusla under the *Children First Act 2015*, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being assaulted and that as a result the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

Emotional abuse is normally to be found in the *relationship* between a care-giver and a child rather than in a specific event or pattern of events. It occurs when a child's need for attention, affection, approval, consistency and security are not met. The *threshold of significant harm* is reached when abusive interactions dominate and become *typical* of the relationship between the child and the parent/carer. The threshold of harm, at which you must report to Tusla under the *Children First Act 2015*, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being assaulted and that as a result the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal or for that of others. (In this context, it should be noted that the age of consent to sexual intercourse is 17.)

It is worth noting that child abuse may occur over the internet. The internet may be used in such a way as to inflict emotional abuse and may also, in some circumstances, lead to physical and/or sexual abuse.

Sexual abuse to be reported under the *Children First Act 2015* (as amended by section 55 of the *Criminal Law (Sexual Offences) Act 2017*) is defined as an offence against the child, as listed in Schedule 3 of the *Children First Act 2015*.

Neglect can be defined in terms of an *omission of care*, where the child suffers significant physical harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care. *Harm* can be defined as the ill-treatment or the impairment of the health



or development of a child. 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 threshold of harm, at which you must report to Tusla under the *Children First Act 2015*, is reached when you know, believe or have reasonable grounds to suspect that a child's needs have been neglected, are being neglected, or are at risk of being neglected to the point where the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

2 - Guidelines on how to respond to suspected child abuse

When abuse is disclosed to a member of staff, student or volunteer engaged in Trinity activity or in activity recognised by or affiliated to Trinity, they must:

- React calmly, as over-reacting may alarm the young person and compound feelings of anxiety and guilt.
- Listen carefully and attentively; take the young person seriously.
- Reassure the young person that they have taken the right action in talking to you.
- Do not promise to keep anything secret.
- Inform whoever has made the disclosure that the information cannot be kept completely confidential as it will have to be passed on to the appropriate authorities.
- Do not ask the young person to repeat the story unnecessarily.
- Ask questions only for the purpose of clarification. Be supportive, but do not ask leading questions or seek intimate details beyond those volunteered by the child. Detailed investigative interviews will, if necessary, be carried out by Tusla staff or members of An Garda Síochána.
- Check with the young person to ensure that what has been heard and understood by you is accurate.
- Do not express any opinions about the alleged abuser.
- Record the conversation as soon as possible, in as much detail as possible (use the child's own words – do not synopsise).
- Sign and date the record.
- Explain and ensure that the young person understands the procedures which will follow (explanation should be age-appropriate).
- Inform the Child Protection Officer of the relevant College club, society or unit or the University Child Protection Officer about the disclosure immediately (not more than 24 hours afterwards). The Child Protection Officer of a club, society, or unit should treat the matter as an urgent priority and liaise with the University's Child Protection Officer. Where the disclosure is made in the context of an approved arrangement with a partner organisation in the wider community whereby Trinity students work with children as part of a formal placement or volunteer with children as part of the student's extra-



curricular activity, the Child Protection Officer of the partner organisation should be informed immediately.

- Treat the information confidentially, subject to the requirements of the legislation.
- Do not take any further action or discuss the matter further with anyone else unless advised otherwise.

3 – Signs and symptoms of child abuse, neglect

Guidance in relation to the signs and symptoms of child abuse or neglect may be found in Chapter 2 of *Children First National Guidance for the Protection and Welfare of Children (2017)* available here - <https://www.tusla.ie/children-first/children-first-guidance-and-legislation/>.

Guidance on the reporting of mandated concerns, and the criteria for reporting may be found in Chapter 3 of *Children First National Guidance for the Protection and Welfare of Children (2017)*.