



POLICY OF THE JESUITS CONFERENCE OF AFRICA AND MADAGASCAR ON SAFEGUARDING CHILDREN AND VULNERABLE ADULTS

September 2023

INTRODUCTION

Preamble

The Jesuit Conference of Africa and Madagascar (JCAM) brings together the Jesuits in charge of six provinces:

- Central Africa (ACE),
- Eastern Africa (AOR),
- North-West Africa (ANW),
- West Africa (AOC),
- Madagascar (MDG),
- Southern Africa Province (SAP) and one region:
- Rwanda-Burundi (RWB).

JCAM is presided over by a president, currently Fr. Jose Minaku SJ, who is responsible to the Superior General of the Society of Jesus, Fr. Arturo Sosa SJ.

From its Secretariat in Nairobi, Kenya, JCAM coordinates and oversees the activities of the following institutions:

- Hekima University College (HUC)-Nairobi
- Institut de Théologie de la Compagnie de Jésus (ITCJ)-Abidjan
- Arrupe Jesuit University (AJU)-Harare
- Jesuit Historical Institute in Africa (JHIA)-Nairobi
- African Jesuit AIDS Network (AJAN)-Nairobi
- The Justice and Ecology Office (JEO) and Justice and Ecology Network of Africa (JENA)-Nairobi
- JCAM Development Office (JDO)-Nairobi
- JCAM Tertianship-Zinkwazi, KZN

MISSION

The Mission of the Jesuit Conference of Africa and Madagascar (JCAM) is to “build up the Society of Jesus in Africa and Madagascar into a prayerful and discerning community of apostolic men, and to foster union, communication, effective leadership and planning towards a common vision and the universal mission of the Society.” (Statutes 2.1).

SCOPE AND PURPOSE OF THE POLICY

This Policy applies to JCAM employees, officials, volunteers, collaborators, consultants, and partners on permanent and temporary engagement in the Secretariat. This Policy applies alongside the local legislation except where the latter is inadequate.

This Policy lays out the commitment of JCAM to create and sustain a safe environment for children and vulnerable adults and provides guidelines for ensuring effective action is taken on all concerns.

BACKGROUND

In his *Motu Proprio*, “*Vos Estis Lux Mundi*” (7 May 2019), Pope Francis declares that abuses of whatever kind committed against minors and vulnerable people inflict “physical, psychological and spiritual damage to the victims and harm the community of the faithful.” To ensure that such phenomena “never happen again, a continuous and profound conversion of hearts is needed, attested by concrete and effective actions that involve everyone in the Church, so that personal sanctity and moral commitment can contribute to promoting the full credibility of the Gospel message and the effectiveness of the Church’s mission.”(Paragraph 2). Francis’ call echoes his previous declaration that “no effort must be spared to create a culture able to prevent such situations from happening, but also to prevent the possibility of their being covered up and perpetuated. The pain of the victims and their families is also our pain, and so it is urgent that we once more reaffirm our commitment to ensure the protection of minors and of vulnerable adults.” (Introduction of the “Letter to the People of God,” 20 August 2018).

Furthermore, the 36th General Congregation of the Society of Jesus (2016) mandated Father General Arturo Sosa and all Jesuits “to continue working with Major Superiors and Conferences to promote, within the communities and ministries of the Society, a consistent culture of protection and safety for minors, in keeping with the suggestions of the Congregation regarding formation, community life, ministries and governance.”

Father Sosa has defined a consistent culture of protection as “a normal, habitual way of living, relating, working, in which those whom we serve, particularly children, always feel respected, safe, and loved.”(Letter 2018/18 of 16 October 2018 to All Major Superiors, paragraph 6.) This understanding aligns with Pope Francis’s wishes to create a culture of care. In the words of Francis, “The Church loves all her children like a loving mother but cares for all and protects with a special affection those who are smallest and defenceless. This is the duty that Christ himself entrusted to the entire Christian community as a whole.

Aware of this, the Church is especially vigilant in protecting children and vulnerable adults.” (Apostolic Letter “As A Loving Mother” of Pope Francis of 4 June 2016 Issued Motu Proprio).

At JCAM, we aim to rediscover cultural values and build on good practices to create and enhance a culture of care, protection and safeguarding. This vision aligns perfectly with the universal apostolic preferences of the Society of Jesus to guarantee “a healthy environment for children and young people and create conditions that allow all to develop their full potential as human beings.” The successful realisation of this vision will depend on effective ongoing collaboration among Jesuits, collaborators and partners in mission.

GUIDING PRINCIPLES

Protection of children and vulnerable adults is the responsibility of all in public ministry. As such, JCAM will consistently take measures to ensure that protection is “a habitual way of life” for all its employees, officials, volunteers, collaborators, consultants and partners.

In developing this Policy, JCAM is further informed by the obligation to protect children's inherent dignity and rights as provided in Article 3 of the Convention on the Rights of the Child (UNCRC), Canon Law and civil legislation.

JCAM subscribes to the principle that children and vulnerable adults have inherent rights to dignity, bodily integrity and protection, and everyone must ensure these rights are realised and protected.

STATEMENT OF COMMITMENT

The Jesuit Conference of Africa and Madagascar (JCAM) is committed to promoting a consistent culture of protection and well-being of children and vulnerable adults within all the communities, formation houses and works under its direction.

Such a culture will always be one in which those JCAM welcomes in whatever context, particularly children, feel respected and safe.

This will be achieved through safe recruitment, regular training of all employees, officials, volunteers, collaborators, consultants, partners and members of the Society of Jesus, promoting observance of international, national and ecclesiastical policies for the protection of minors and ensuring effective response to all concerns and allegations.

Everyone at JCAM has a role in creating this consistent culture of protection, and all are encouraged to take the responsibility seriously.

A Code of Conduct is in place to ensure staff are appropriately guided (*Appendix 1*). Further, JCAM requires all Jesuits, collaborators, and volunteers to abide by good practices and commit to keeping children safe and vulnerable adults from harm when relating to and dealing with them. Thus, they are required to sign A Self-declaration Form (*Appendix 2*). *Appendix 3*, titled ‘JCAM Policy on use of Visual Images’, provides guidelines on using visual images.

DEFINITIONS

1. **Allegation:** A claim of abuse that is yet to be substantiated.
2. **Alleged respondent:** A person against whom an allegation of abuse has been made.
3. **Child:** A child is defined as anyone under 18 years of age.
4. **Child abuse:** Any form of maltreatment of a child caused by an action or failure to act to prevent harm to the child.
5. **Child Protection:** Programming aimed at protecting children against rights violations.
6. **Complainant:** The person who has made an allegation of abuse. This could be the child or any other person reporting on their behalf.
7. **Minor:** A minor includes children and adolescents under 18 years, but also persons with mental, cognitive, and other disabilities that may limit their defence mechanisms.
8. **Safeguarding:** The responsibility to ensure staff (organisation representatives), operations and programmes do not harm children and adults nor expose them to abuse or exploitation. This includes preventing inappropriate behaviour such as bullying, harassment or other behaviour stipulated in civil laws.
9. **Survivor:** A child or an adult who is abused.
10. **Vulnerable adult:** Any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally limits their ability to understand or to want or otherwise resist the offence. People in religious life, particularly those in obedience, such as novices and all those in formation, also fall into this category.

PROCEDURES FOR CREATING SAFE ENVIRONMENTS

SAFE RECRUITMENT

JCAM recognises the need for procedures for selecting and recruiting employees, officials, volunteers, collaborators, consultants, partners and Society members who are in direct or indirect contact with children. All JCAM personnel must be carefully vetted before being placed in a position which gives them direct access to children and vulnerable adults.

The recruitment process will include the actions listed below:

- All job advertisements will include JCAM's commitment to safeguarding children and vulnerable adults and require candidates to commit to preserving screening processes.
- Criminal history, national police or 'working with children' check. A police check for all staff and volunteers will be carried out before employment. Where this is not possible, employees, officials, volunteers, collaborators, consultants, partners and members must be supervised in their work.
- Standardised interviewing processes.
- All successful candidates must sign personal declarations certifying they are free of criminal convictions and commit to adhering to the safeguarding policy.

POLICY AWARENESS

A copy of the Safeguarding Statement is posted on the walls of the JCAM offices and website to make people aware of our commitment to safeguarding the well-being of children and vulnerable adults we get into contact with.

Contact details of the Designated Officer are displayed. A copy of this Policy and local child protection resources, national helplines and emergency contact details (e.g., police and social services) are readily available.

CODE OF CONDUCT

While JCAM's employees, officials, volunteers, collaborators, consultants, and partners are required to adhere to the Code of Conduct (*Appendix 1*) in their interaction with children and vulnerable adults, they are also encouraged to go beyond the expected standards of behaviour and do everything possible to create a safe and welcoming environment.

FORMATION AND TRAINING

Regularly, JCAM will hold training sessions for all employees, officials, volunteers, collaborators, consultants, partners and members of the Society. Emphasis will be given to those new using an induction to this Policy and Code of Conduct. This includes training on reporting concerns or suspected abuse within the institution.

All employees, officials, volunteers, collaborators, consultants, partners and members of the Society will be given opportunities to learn more about safeguarding through workshops or seminars, including online methods.

It is emphasised that everyone within JCAM has a special responsibility for keeping children safe and for giving children information about how to access specialist advice, support and counselling.

POLICY MONITORING AND REVIEW

The Designated Officer will lead the implementation of this Policy and will provide periodic progress reports to the President.

The Policy will be reviewed after three (3) years unless there are significant changes in the civil or ecclesiastical laws, in which case the review may be done earlier.

APPROVAL AND ADOPTION

Signature



Date: Friday, 01 September 2023

R.P. Jose Minaku, SJ

JCAM PRESIDENT

Appendix 1: CODE OF CONDUCT

The following forms a code of conduct for JCAM collaborators, officials, volunteers, collaborators, consultants, partners, and members of the Society. Failure to follow the code can lead to disciplinary action for employees, officials and collaborators, withdrawal of volunteer status for volunteers and review of contracts for consultants and partners.

It is essential for anyone in contact with children and vulnerable adults to:

- Be aware of situations that may present risks and manage them.
- Plan and organise the work and the workplace to minimise risks.
- Be visible to others when working with children and vulnerable adults whenever possible.
- Create and maintain a non-defensive attitude and an open culture to discuss issues or concerns.
- Foster a culture of mutual accountability so any potentially abusive behaviour can be challenged.
- Respect each child's boundaries, help children develop a sense of their rights and know what they can do if they feel there is a problem.
- In general, it is inappropriate (unless you are parents, family, or guardians) to:
 - spend excessive time alone with children away from others.
 - take children to your own home, especially where they will be alone with you.
 - beat or hit children.
 - have a child or children to stay overnight at your home unsupervised.
 - sleep in the same room or bed as a child.
 - do for children things of a personal nature that they can do for themselves.
 - You would need to explain your actions if necessary.

Anyone in contact with children or vulnerable adults must never:

- engage in inappropriate touch or actions that can be deemed to breach the personal space of the child or vulnerable adult.
- develop sexual relationships with children or vulnerable adults.
- develop relationships with children or vulnerable adults that could in any way be deemed exploitative or abusive.
- contact a child by phone, email, or social media without express consent of the parents or guardians.
- act in ways that may be abusive or place a child at risk of abuse.
- engage in actions or behaviour that could be construed as poor practice or potentially abusive. For example, one should never:
 - use language, make suggestions, or offer inappropriate, offensive or abusive advice.
 - behave physically in a manner that is inappropriate or sexually provocative towards a child or vulnerable adult.
 - condone or participate in children's behaviour which is illegal, abusive or exposes the child to danger.
 - act in ways intended to shame, humiliate, belittle, or degrade children.
 - discriminate against, show different treatment, or favour children to the exclusion of others.
 - contact a child by phone, email, or social media without express consent of the parent or guardian.

The guiding principle is that protecting the child is always the overriding consideration. Please note that all countries where we work subscribe to the UN definition of a child as a person under 18.

Appendix 3: JCAM POLICY ON USE OF VISUAL IMAGES

General

In our use of visual images, both photographic stills and video, the overriding principle is to maintain respect and dignity in our portrayal of children, families, and communities.

Background

JCAM supports the United Nations Convention on the Rights of the Child, which makes the best interests of the child a primary consideration (Art. 3) and states that every child has the right to privacy (Art. 16) and protection from all forms of exploitation (Art. 36). Whilst we acknowledge that images are an essential element in portraying our work to the public and other constituencies and for raising funds, we strive to maintain the dignity of everyone with whom we work. We will not use images that are disrespectful or demeaning.

Policy

In our use of visual images, we adhere to the following principles:

1. We respect the dignity of the subject. We will always seek to ask permission when taking photographs or video footage of individuals. Consent for taking and using pictures and case studies will be sought from parents and those with parental responsibility or from the children directly when they are of sufficient age and understanding. Special consideration will be given to photographs depicting children with disabilities, refugees, and those in situations of conflict and disasters to portray context and maintain dignity accurately. Wherever possible, we explain to the subject the likely use of the images. We never take pictures of people who say they don't want to be photographed.
2. We do not exploit the subject. We do not manipulate the subject to distort the situation's reality (e.g., we do not ask them to cry for the camera). If necessary, the names of children and families will be changed to protect confidentiality. Never would a child's full name and contact details be published.
3. We aim to provide a balanced portrayal of reality in the developing world. We show people helping and working for themselves, not as victims.
4. We use images truthfully. Case histories/descriptions are not fabricated, although they may be adapted or edited to preserve the dignity and confidentiality of the subject. Where possible, we use a balance of images (e.g. positive and negative) to reflect the reality of a situation. We do not use an image that deliberately misinterprets the actual situation.
5. We maintain standards of taste and decency consistent with our values and those of our supporters. We do not use images which are erotic, pornographic, or obscene. We do not make gratuitous use of images of extreme pain and suffering.

Practical guidance

During the process of seeking consent, the purpose of photographs and case studies should be explained and, if possible, samples of publications in which the photograph or case study may appear shown to parents and children, preferably by a local staff member known to the family. Explaining and seeking consent should apply to photographs and case studies used for the website.

Consent

I hereby agree to the above conditions and guidelines:

Signed:

Date

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