



HONG KONG CHINA SWIMMING ASSOCIATION

Unit L, 9/F, MG Tower, 133 Hoi Bun Road, Kwun Tong, Kowloon

Tel: (852) 2572 8594 Fax: (852) 2591 0792 E-mail: info@hkgswimming.org.hk Web-site: www.hkgswimming.org.hk

保護兒童政策 Child Protection Policy

甲部 **Part A: 政策 Policy**

中國香港游泳總會 (泳總) 相信保護兒童免受傷害是我們所有執行會委員，委員會成員，註冊教練，裁判，義務工作人員及職員的責任。故此我們認為所有註冊運動員均有權在安全及受保護環境下受訓，免使受各種形式的身體或精神暴力、傷害或虐待、疏忽、虧待或剝削，包括性侵犯。

Hong Kong China Swimming Association (the Association) believes that the safeguarding of children is the responsibility of all persons working for the Association or on the Association's behalf, including all Executive Committee, Committee Members, registered coaches, officials, volunteer workers and staff members. All registered swimmers have an equal right to train in a safe and protected environment. Child abuse, including psychological abuse, physical abuse, neglect or sexual abuse, will not be tolerated.

政策聲明 **Policy Statement**

泳總致力謹守下列原則 The Association is committed to abide by the following principles :

1. 不論其他因素如何，保護青少年運動員及其福祉至為重要。
The protection and welfare of young athletes is paramount regardless of all other considerations.
2. 所有運動員均有權在安全、有動力及積極的環境下受訓。
All athletes have an equal right to train in a safe, motivating and positive environment.
3. 泳總會採取一切合理措施，保護兒童免受傷害。
The Association takes all reasonable steps to protect children from harm.
4. 所有涉及虐待的指控，均會嚴肅處理，並迅速給予恰當回應。
All suspicions and allegations of risky practice or abuse will be taken seriously and responded to appropriately



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5. 泳總聘用所有與兒童接觸的僱員時，均會考慮其是否適合負責有關工作，會就須知事項及保護兒童的規程，提供指引及/或培訓。

All of the Association employees who work with children are recruited with regard to their suitability for that responsibility, and are provided with guidance and/or training in good practice and child protection procedures.

6. 泳總會協助所有僱員，免其承擔可能被指虐待兒童（「虐兒」）的不必要風險。

The Association will assist all employees to avoid any unnecessary risks of abuse accusation.

虐兒定義 **Definition of Child Abuse**

1. 虐兒指危害兒童身心或對他們進行性侵犯的各種行為。這些行為較常見於一方獲得兒童信任或負責照顧兒童的關係中。虐兒個案可以發生在任何年齡、性別、種族及不同能力的兒童身上，施虐者可能是男性或女性。

Child abuse refers to any act that endangers or impairs a child's physical/ psychological health and development or sexually abusive behaviours towards a child. Child abuse is likely to be committed by trusted individuals or caregivers of children. Cases may happen to children regardless of age, gender, race or ability, while abusers may be male or female.

2. 虐兒情況主要分為四類：身體虐待、性侵犯、精神虐待及疏忽照顧。施虐者可能是家人，又或兒童在社區中（包括進行體育及康樂活動時）遇到的人。

Child abuse may take the following forms: psychological harm/ abuse, physical harm/abuse, sexual abuse and neglect. Abusers could be family members or acquaintances met in the community, including sports and recreation activities.

3. 殘障兒童由於需要倚靠不同人士照顧，遭受虐待的風險或會相應增加。心智殘障的兒童未必理解某些行為並不恰當，又或未必能夠向他人表達問題所在。

Children with disabilities may be at higher risk of abuse as they are dependent on multiple caregivers for intimate care. Children with intellectual disabilities may not be able to understand the inappropriateness of certain actions or have difficulties communicating and seeking help.



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4. 任何形式的虐待均會對不同年齡的兒童構成影響，該等影響可能導致心理上的傷害，若不加處理，該些影響可持續至當事人成年後的生活。

Any form of abuse may cause different levels of impact to children of different ages. Such impact, if not appropriately handled, may cause psychological harm to children which may even persist into adulthood.

虐兒種類 **Forms of Child Abuse :**

1. 身體虐待：指成年人對兒童造成身體上的傷害或創傷，例如擊打、搖晃、拋擲、腳踢、下毒、使窒息、灼傷等。而且有明確的資料可以肯定或合理地懷疑這些傷害並非意外造成的。

Physical harm / abuse: This refers to physical injury or suffering inflicted on a child by violent or other means (e.g. punching, kicking, striking with an object, poisoning suffocation, burning, etc.), where there is a definite knowledge, or a reasonable suspicion that the injury has been inflicted non-accidentally.

2. 精神虐待：指損害兒童情緒的重覆行為，又或危害或妨礙兒童心智發展的單一極端事件。經常批評兒童，可以構成精神虐待，其中包括向兒童表示他/她無用、沒有價值、不受喜愛或不夠好。經常惡意呼喝、恐嚇或嘲弄兒童，會令兒童感到驚嚇或自覺身處險境。精神虐待可導致兒童受驚或退縮，對兒童情緒發展造成長遠而嚴重的負面影響。

Mental abuse: This refers to repeated pattern of behaviour towards a child or extreme incident that endangers or impairs the child's emotional or intellectual development. Examples of mental abuse include constantly criticising children harshly, scolding them unreasonably, conveying to children that they are worthless, flawed, unwanted or unloved. Threatening, terrorizing and teasing children make them feel scared or insecure. Children suffering from mental abuse may feel frightened and withdraw themselves from others. It may cause serious damages to children's emotional development.

3. 心理傷害／虐待：指危害或損害兒童身心健康（包括兒童的情緒、認知、社交或身體發展）的重複的行為及／或照顧者與兒童之間的相處模式；或極端事件（如以羞辱作為激勵的方法）。

Psychological harm / abuse: This refers to a repeated pattern of behaviour and/or an interaction between carer and child, or an extreme incident that endanger(s) or impair(s) the child's physical and psychological health (including emotional, cognitive, social and physical development) (e.g. shaming as a form of motivation).



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4. 疏忽照顧指成年人忽視兒童的基本生理及/或心理需要，以致嚴重危害兒童健康及發展。有關事例包括沒有提供足夠食物、住所及衣服；沒有保護兒童免受身體損傷或危險又或沒有提供必需的醫療或護理。

Neglect: This refers to a lack of attention to a child's basic needs and/ or psychological needs that endangers or impairs the child's health or development (e.g. failing to provide adequate food, shelter, clothes, protection from injury or danger, or appropriate medical care).

5. 性侵犯指強逼或誘使兒童參與性活動，以對兒童作出性方面的利用或侵犯，而兒童並不同意或因心智發展未成熟而不能完全明白或理解發生在他／她身上的這些性活動。這些性活動包括與兒童有直接身體接觸的行為（如不當的觸碰）或沒有身體接觸的行為（如展示色情物品等）。

Sexual abuse: This refers to forcing or enticing a child to take part in any acts of sexual activity for sexual exploitation or abuse and the child does not consent to or fully understand or comprehend this sexual activity that occurs to him/her due to mental immaturity. The sexual activity may involve physical contact (e.g. inappropriate touching) or non-contact activities (e.g. showing of pornography).

乙 部分：規程 **Procedures**

1. 回應嫌疑及指控個案的規程

Procedures for responding to suspicions and allegations

1.1 首要原則 **Principle**

- a) 雖然調查或判斷是否存在虐兒個案並非本會人員的責任，但所有為本會工作或以任何名義代表本會的人員均有責任匯報懷疑虐兒個案

While it is not the responsibility of a person to investigate or decide whether or not child abuse has taken place, all persons working for the Association or on the Association's behalf have the responsibility to report any suspicion of child abuse.

- b) 不論任何情況，泳總首要關注的是涉案兒童的安全、需要、福祉及權益。

In all cases, the safety, needs and welfare of the child concerned shall be of top priority.

- c) 泳總所訂規程，旨在令涉案兒童不必向多個單位覆述案發資料。

The procedures aim to minimise the need for the child concerned to have to repeatedly report the information of the incident to multiple parties.



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d) 如不確定應採取哪些行動，可致電下列機構尋求協助和意見：

If you are not sure what to do, you may seek advice from the following organizations:

機構 Organizations	熱線電話 Hotline
<u>防止虐待兒童會 Against Child Abuse Ltd</u> 防止虐待兒童會是本港專門提供保護兒童服務的主要非官方機構，詳情可瀏覽該會網頁 www.aca.org.hk Against Child Abuse Ltd is the leading non-government organisation in Hong Kong specialising in child protection program. More information could be found at: www.aca.org.hk	2755 1122
<u>社會福利署 Social Welfare Department</u> 香港特別行政區社會福利署轄下保護家庭及兒童服務課負責提供有關的專業服務，詳情可瀏覽該署網頁 The Hong Kong Special Administrative Region SWD provides specialist services through the Family and Child Protective Services Unit. More information can be found at http://www.swd.gov.hk/tc/index/site_pubsvc/page_family/	2343 2255

1.2 接收懷疑虐兒的證據 When a report of a possible child abuse incident is received

懷疑虐兒的個案可經由不同途徑發現，例如親眼目睹、由第三者轉告，又或由當事人親自告知。當中可能涉及泳總董事局，職員，註冊教練/裁判，義務工作人員等。

A person may become aware of a possible child abuse incident by seeing it happen; hearing it from someone else; or hearing it directly from the child concerned. The incident may involve Executive Members, staff, registered coaches/officials or volunteer officials.



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1.3 如有兒童表示遭受虐待，應該：

A person hearing the incident directly from a child should take the following steps:

- a) 保持鎮定以免令該童受驚。
Stay calm so as not to frighten the child
- b) 肯定該童並無做錯，因為把事情告訴別人是正確的。
Reassure the child that he/she did the right thing in reporting.
- c) 聆聽該童說話，讓其知道你認真看待此事。
Listen to the child to show that he/she is being taken seriously.
- d) 盡量少問問題，讓所敘述內容得到清晰準確的理解。如要提問，只限用以澄清所敘述內容，但要謹記你並非調查人員。不要提出引導性的問題。
Keep questions to a minimum so that there is a clear and accurate understanding of what has been said. Only ask questions to clarify what has been said and avoid leading questions.
- e) 告訴該童你必須把所敘述的內容告知他人，以終止虐待情況。
Inform the child that to help stop the abuse from continuing, what he/she say will be repeated to other people.
- f) 該童的安全至為重要。如該童需要緊急醫療護理，應立即帶其前往就近醫院並向本會匯報。
If the child needs urgent medical attention, take him/her to a medical professional or call the emergency services immediately.

1.4 記錄 Recording

- a) 將所有資料記錄在附件 II 的表格上。
Record all the facts using the form in Appendix II.
- b) 準確記錄事實，分清哪些是個人所知情況，哪些是獲告知的事實。
Make accurate record of facts, distinguishing witness from hearsay.
- c) 不要加入個人意見。
Do not include personal opinions.
- d) 任何涉及刑事審訊的報告，均可能需要呈交法庭。
Relevant reports may be submitted to the court if there is a criminal trial.



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2. 本會處理虐兒投訴的機制 Procedure of handling Child Abuse

- 2.1 收到受害人或第三方提出的口頭或書面投訴後，本會將考慮虐兒行為輕微或嚴重性及投訴人的意願，由義務秘書委任的「調查小組」處理投訴。一切處理內容均須以書面記錄擬訂報告。

When a verbal or written complaint of a possible child abuse incident is received either from the child concerned or from a third party, the Association will consider the seriousness of the incident and the wishes of the complainant. An Investigation Group will be formed by Assistant Hon. Secretary delegation to handle the complaint. All proceedings shall be recorded in writing.

- 2.2 如證明涉事人士的虐兒行為屬實，而涉事人士乃屬本會有關人士，本會之相關委員會將會採取適當的紀律程序，對其進行紀律處分（如要求涉事者道歉、接受輔導、給予賠償、停職等，嚴重者有機會被解僱；視乎個案的嚴重程度，予以處分）。

If the abuse case is substantiated and the alleged perpetrator is a relevant individual from the Association, the Committee will conduct disciplinary proceedings and disciplinary sanctions will be given (such disciplinary actions may include making an apology, receiving counselling, compensation, work suspension and termination of work)

- 2.3 如虐兒的指控可能涉及刑事罪行，本會將考慮直接把有關投訴交由警方處理。

If there are criminal implications in respect of the abuse allegation, the Association may refer the complaint to Police for handling.

3. 處理虐兒投訴的原則 Principles of Handling Child Abuse

本會在處理虐兒事件時將秉持以下原則：

The Association shall handle suspected incidents of child abuse based on the following principles:

- 3.1 公平原則: 本會將以公正、公平的原則和程序處理查詢和投訴，確保投訴人和被指稱的施虐者均會得到公平的對待，給予雙方同樣的機會申述。

Fairness: Enquiries and complaints should be handled in a just and impartial manner to ensure that the person reporting the incident (the informant) and the alleged perpetrator are fairly treated, and that all parties have the chance to present their evidence.



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- 3.2 保密原則: 本會會向投訴人承諾，將所有與虐兒事件有關的資料和記錄保密，只按需要向處理有關投訴的負責人及被指稱的施虐者披露指控詳情。

Confidentiality: Assurance should be given to the informant that their identity and the information they provide will be kept confidential and will only be disclosed to relevant parties handling the incident and the alleged perpetrator on a need-to-know basis.

- 3.3 及時原則: 本會明白虐兒事件對投訴人及被指稱的施虐者均會帶來壓力，本會承諾在收到投訴後會立即處理和跟進事件。

Promptness: Child abuse incidents should be handled promptly because all parties concerned are under pressure. The Association pledges to deal with incidents without any delay.

- 3.4 保護原則: 本會承諾保護投訴人及證人，避免其因投訴事件而遭受較差待遇，包括報復；

Protection: Informants and witnesses should be protected against victimization, including retaliation and discrimination. Victimization means being treated less favourably after reporting an incident or acting as witness.

- 3.5 避免利益衝突: 若處理查詢／投訴的負責人，與投訴人或被指稱的施虐者有密切關係，如親屬關係，或被指稱的施虐者是處理虐兒查詢／投訴的負責人，本會則將把個案交由其他人士處理。

Avoiding conflict of interest: If the staff member who handles the enquiry / child abuse incident is closely related to the informant or the alleged perpetrator, or the alleged perpetrator is the person-in-charge of child abuse incidents, the incident should be handled by another person.

- 3.6 匿名投訴: 倘若收到匿名投訴，本會將視乎提出的證據及事件的嚴重程度，才決定會否就有關投訴進行了解及調查；若果投訴人是未成年人士，可由家長／監護人／親人陪同出席與處理有關投訴的會面，以保障未成年人士的權益。

Anonymous report: In case of an anonymous report, the Association will look into all provided evidence, assess the seriousness of the incident, and decide on any follow-up steps or investigation; In case the informant is underage, parents/ guardians/ relatives may accompany the informant concerned in any meeting during the proceedings.



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- 3.7 謹慎處理原則: 本會承諾體恤投訴人的感受(如避免投訴人重覆敘述痛苦經歷多次, 以及安排其信任人在場與調查人員接見投訴人等), 以確保處理投訴的過程不會讓投訴人不必要地承受更多困擾, 亦不讓其他有關人士遭到不必要的麻煩。

Discretion: Empathy shall be shown to the feelings of the informant (e.g. avoid asking the informant to repeat his/her story to multiple parties, arrange for the presence of a support person when investigators interview the informant etc.) to ensure that the informant and all related parties would not be unnecessarily distressed or humiliated

4. 泳總僱員 HKGSA Employees

泳總聘用所有與兒童接觸的僱員時, 均要求其進行性罪行定罪紀錄查核。

Prospective employees seeking child related work are required to apply for the Sexual Conviction Record Check.



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附件一

Annex I

保護兒童 須知 **Child Safeguarding Policy**

須知事項 Good Practice	避嫌事項 (備註) Risky Practice (see Notes)
1. 在公開的環境下工作 (例如避免私下共處或沒有其他人的場合，並應鼓勵開放的溝通) Always work in an environment open to observation (e.g. avoiding private or unobserved situations and encouraging transparent communication)	1. 不必要地花過多時間跟個別青少年運動員離群獨處 Unnecessarily spending excessive amounts of time alone with a young athlete away from others
2. 令訓練過程積極而有動力 Make the experience of training positive and motivating	2. 單獨用汽車接載青少年運動員 Transport a young athlete alone in a car
3. 提供專業、客觀及具建設性的回應 Always give professional, objective and constructive responses	3. 邀請青少年運動員單獨到其住處／住所 Invite a young athlete to one's home / place of residence alone
4. 平等對待並尊重所有青少年運動員 Treat all young athletes equally with respect and dignity	4. 出外時與任何青少年運動員共用一個房間 Share a room with a young athlete alone while on away trips
5. 首要關注青少年運動員的福祉，凌駕勝出比賽 Always put the welfare of the young athlete first, before competition	5. 跟青少年運動員進行激烈而有身體接觸的遊戲，包括胡鬧扭打 Engage in rough, physical games, including "horseplay" with young athletes
6. 避免與青少年運動員作不必要的身體接觸。如訓練過程中需要觸碰青少年運動員，應公開進行，並先知會及得到該運動員同意 Avoid unnecessary physical contact with young athletes. Where physical contact is required for training purpose, it should occur in an open	6. 任由青少年運動員使用不當言語 而不加制止 Allow young athletes to use inappropriate language unchallenged



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environment and with the informed consent of the young athlete	
7. 出外受訓或比賽前，須得到家長書面同意 Gain written parental consent for any away trips for training or competition	7. 對青少年運動員說出具性意味的言語或色情笑話 (即使只是玩笑性質) Make sexually suggestive comments or jokes to a young athlete, even for fun
8. 帶領男女混合的隊伍出外時，必須有男女教練各一名同行 Ensure that if mixed teams are taken on away trips, they are always accompanied by coaches of both genders	8. 令青少年運動員哭泣，作為操控手段 Reduce a young athlete to tears as a form of control
	9. 遇有青少年運動員提出指控時不予查問、不作記錄或毫無反應 Fail to respond, record and act upon allegations of abuse made by a young athlete.
	10. 以私人性質為青少年運動員做一些他們自己也能做到的事情 Make unnecessary offers of private nature to young athletes
	11. 成年人不應單獨進入青少年運動員的房間，亦不應邀請青少年運動員單獨進入自己的房間 Adults should not enter a young athlete's room alone or invite a young athlete to their rooms alone

備註：遇有無法避免的情況，例如必須單獨用汽車接載青少年運動員，事先必須知會該青少年運動員及其家長/照顧者，並徵得他們同意。

Note: In case of unavoidable circumstances e.g. one has to transport a young athlete alone in a car, prior consent must be gained from the parent/ carer and the young person involved.



HONG KONG CHINA SWIMMING ASSOCIATION

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附件二
Annex II

泳總有關指控虐待兒童報告 Allegation of Child Abuse Report

投訴人姓名 Informant's name		接到投訴日期： Date of complaint received:
角色/ 身份 Role/Status in report		
兒童姓名 Child's name		年齡 Age:
兒童聯絡電話 Child's contact number		
兒童地址 Child's address		
個案 / 投訴資料 Details of the incident / complaint		
被指控人士的姓名 Name of alleged perpetrator		
被指控人士身分 Relevance of alleged perpetrator to the Association (請在適當位置劃上剔號 please ✓ when appropriate)	☐ 泳總執行委員會委員 HKGSA Executive Committee Member ☐ 泳總執行小組委員會委員 HKGSA Committee Member ☐ 泳總註冊教練 HKGSA Registered Coach ☐ 泳總職員 HKGSA Employee ☐ 其他 Others _____	
接到投訴人士所採取的行動 Actions taken by the person receiving the complaint		
已聯絡防止虐待兒童會/ 社會福利署 Contacted	聯絡人姓名 Name of Contact Person:	



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ACA / SWD	聯絡時間 Time: 所提供意見 Advice provided:
已聯絡泳總 Contacted HKGSA	時間 Time: 日期 Date:
已填寫報告 Completed by	填表人姓名 Name: 填表人職位 Position:
簽署 Signed by	