

CHILD PROTECTION POLICY

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Statement of Commitment

The most effective way to safeguard children is to have a comprehensive and effective child protection policy. Child Matters values children and is committed to the prevention of child abuse and to the protection of children and recognises that keeping children safe is everyone's responsibility. This commitment means that the interests and the welfare of the child are the prime considerations when any advice is given, or when any decision is made about suspected child abuse. Child Matters are committed to supporting and empowering families, and the community, to act to keep children safe.

Section One Introduction

➤ Purpose

- 1.1 The purpose of this policy is to ensure that all staff, volunteers and professionals visiting from other agencies, and working with Child Matters, operate in ways which ensure that children are protected from harm. This involves being able to recognise and identify signs of abuse and to know how to respond appropriately.
- 1.2 The commitment to child protection is demonstrated by the inclusion of this statement in all contracts made with Child Matters:

Child Matters' commitment first and foremost is to the safety and welfare of children and Child Matters' staff are required to act to protect a child whenever they have concerns about the safety of any child. Should, as part of undertaking this contract, a member of Child Matters' staff receive any information that gives rise to concerns about the safety of a child, Child Matters will require the person to act on those concerns immediately. Such action could include making a report of concern to Oranga Tamariki or the Police.

- 1.3 This Child Protection Policy confirms the commitment of Child Matters to the protection of children and proceeds to:
 - outline the standards and principles by which all staff will abide
 - define child abuse
 - outline the action to be taken by staff where any form of abuse or ill-treatment is known or suspected
 - establish what action is required when allegations are made against staff
 - outline expectations regarding staff training
 - outline expected behaviour of staff

➤ Guiding Principles

- 1.4 Working with children and families/whanau where child protection is a concern raises complex issues of values, rights and potentially conflicting interests. It is therefore important to be guided by a set of principles as well as by professional knowledge.
- 1.5 The decisions and actions of Child Matters in response to any child protection concern will be guided by the principle of *“the welfare and best interests of the child”*
- 1.6 Child Matters asserts that all children have equal rights to protection from abuse and exploitation regardless of their gender, race, religion, political beliefs, age, physical or mental health, sexual orientation, family and social background, and culture, economic status or criminal background.
- 1.7 All services provided by Child Matters for the safety and wellbeing of children adhere to the principles of partnership, protection and participation, and the rights and responsibilities accorded by Te Tiriti o Waitangi.

➤ **Scope**

- 1.8 This policy covers all Child Matters staff.
- 1.9 For the purposes of this policy, “staff” includes the Child Matters Board of Trustees.

➤ **Legislation**

- 1.10 This policy has been written with the United Nations Convention on the Rights of the Child in mind and in accordance with the following legislation:
 - Care of Children Act 2004
 - Crimes Act 1961
 - Domestic Violence Act 1995
 - Employment Relations Act 2000
 - Health and Safety Act 1956
 - Health and Safety at Work Act 2015
 - Human Rights Act 1993
 - Oranga Tamariki Act 1989
 - Privacy Act 1993
 - Vulnerable Children Act 2014
 - Vulnerable Children (Requirements for Safety Checks of Children’s Workers) Regulations 2015

➤ **Review**

- 1.11 This Policy will be reviewed annually and updated regularly, to ensure it is kept up to date with changes that may have been made to legislation, related policies and procedures, and in light of operational experience.
- 1.12 The overall responsibility for this Policy rests with the Chief Executive and the National Services Manager.

➤ **Definitions**

- 1.13 For the purposes of this Policy the following definitions apply:

“Child” means any person under 18 years of age.

“Child Abuse” is the harming (whether physically, emotionally, sexually), ill treatment, abuse, neglect, or deprivation of any child.

“Emotional Abuse” is any act or omission that results in impaired psychological, social, intellectual and/or emotional functioning and development of a child.

“Family Violence” can take many forms and includes not only acts of physical violence, but also intimidating behaviour such as threatening to harm people, pets or property. Children are always affected either emotionally or physically where there is family violence even if they are not personally injured or physically present.

“Neglect” is any act or omission that results in impaired physical functioning, injury and/or development of a child.

“Physical Abuse” is a non-accidental act on a child that results in physical harm. This includes, but is not limited to, beating, hitting, shaking, burning, drowning, suffocating biting, poisoning or otherwise causing physical harm to a child. Physical abuse also involves the fabrication or inducing of illness.

“Sexual Abuse” is an act or acts that result in the sexual exploitation of a child, whether consensual or not. Sexual abuse can be committed by a relative, a trusted friend, an associate, or someone unknown to the child.

“Staff” includes, but is not limited to, any person employed directly by Child Matters, any person individually contracted, and volunteers working on behalf of Child Matters. For the purposes of this Policy, “staff” also refers to any Child Matters Board of Trustee members.

Section Two **Child Protection Procedures**

- 2.1 The procedures set out in section two of this policy provide staff guidelines to assist with identifying and responding appropriately to concerns of abuse and neglect, whether these concerns are their own or are the concerns of a third party.

➤ **Roles and Responsibilities of Staff**

- 2.1 Child Matters recognises that all staff have a full and active part to play in protecting children from harm. It is the primary responsibility of staff to be vigilant, have knowledge and awareness of the indicators of neglect and abuse, whether actual or potential, and to report any concerns, suspicions or allegations immediately. Staff have a responsibility to ensure that any concern, suspicion or allegation raised is taken seriously.

➤ **Identification of Abuse**

- 2.2 Child Matters staff are uniquely placed to recognise and respond to concerns for the wellbeing of children. Any member of staff may directly witness child abuse or have allegations, made by a child or an adult, relayed to them.
- 2.3 Staff should be alert and aware of the fact that child abuse can occur in many different settings and forms and may come to light in a variety of different ways. These can include, but are not limited to:
- Direct or indirect disclosure by the child;
 - Direct or indirect disclosure from someone known to the child;
 - Suspicions of abuse by those involved with the child;
 - Allegations and/or direct observations or signs displayed in the child's physical or emotional behaviour;
 - Direct witnessing of abuse.
- 2.4 The signs and indicators of abuse to a child may not be immediately obvious or identifiable. Appendix One of this policy sets out a non-exhaustive list of signs and indicators to help identify abuse.
- 2.5 If a member of staff is unsure about what might constitute child abuse, they should ask for advice and guidance from the Child Matters Chief Executive. If the Chief Executive is unavailable for advice and guidance, then staff should consult with the National Services Manager. At any time, staff may seek advice directly from Oranga Tamariki (0508 326 459) regarding child protection concerns.

➤ **Specialist Advice and Support**

- 2.6 Child Matters staff may be consulted by a third party for advice about what action to take when child abuse is suspected. Child Matters may be contacted for advice via telephone, email, in person on Child Matters premises or in a training environment.
- 2.7 Authorised Child Matters' staff may provide specialist advice and support for those who seek help when concerned about a child who may be at risk of harm. Those authorised to provide advice and support on child protection are strictly limited to:
- Chief Executive
 - National Services Manager
 - Child Protection Consultants
- 2.8 In the event that an authorised member of staff is not available when a third party seeks advice, staff will encourage the third party to seek other avenues for help.
- 2.9 Advice given by authorised staff to people seeking information about a child abuse situation may cover, but is not limited to:
- Helping the concerned person decide whether abuse is suspected and providing guidance as to the next steps to take.
 - Explaining how to appropriately respond to a child.
 - Outlining what to record, and how to keep that information safe.
 - Discussing responsibilities and time frames for all actions.
 - Detailed guidelines about reporting.
 - How, when, and by whom should the parents be informed.
 - Rights of alleged offender.
 - Meeting legal requirements – particularly in a case of abuse by a staff member.
 - How to access support for all staff and other children, and family members.
 - Getting help for oneself after dealing with a stressful situation of abuse to a child.
- 2.10 If it is considered that a Report of Concern or referral needs to be made to the Vulnerable Children's Hub, Police or Oranga Tamariki, authorised staff will advise the third party to report their concerns, and how to go about doing so.

➤ **Responding to Child Abuse/Suspected Abuse**

- 2.11 Child Matters will respond to allegations of child abuse in a manner which ensures the child's safety is the first and paramount consideration.
- 2.12 In a situation where any staff member believes that a child is in immediate danger, or in a situation where they believe that a third party is not prepared to secure the child's safety by contacting a statutory service, the staff member in consultation with the Chief Executive or National Services Manager will inform Oranga Tamariki or the Police of their concerns. Child Matters staff will not collude to protect an adult or an organisation. Records of these Reports

of Concern will be kept in the Child Protection Register currently held in a secure locked cabinet overseen by the National Services Manager.

- 2.13 Child Protection Procedures must be followed regardless of whether the alleged offender is a member of the public, a participant of training, or a member of Child Matters staff.
- 2.14 Child Matters staff will not act alone about concerns of abuse but will consult with either the Chief Executive or the National Services Manager who will be committed to taking action as outlined in the procedures. Staff will not act in a way that is outside their knowledge, capacity or role.
- 2.15 All concerns and information will be recorded factually and held confidentially. All documentation relating to concerns and information will be held in the Child Protection Register.

➤ **Responding to Disclosures**

- 2.16 Disclosures of abuse may come directly from a child. It is important that staff take what the child says seriously. This applies irrespective of the setting, or the member of staff's own opinion on what is being said. If there is information disclosed regarding actual or suspected child abuse staff must:
 - stay calm
 - listen and hear
 - give time to the child to say what they want
 - reassure them that they were right to tell
 - tell the child that they are being taken seriously and that they are not to blame
 - explain that they have to pass on what the child has told them as soon as they are aware that the child is making a disclosure
 - give an age appropriate explanation to the child of what the child can expect to happen next
 - record in writing what was said as soon as possible, using the child's own words where possible.
 - Report the concern to the appropriate statutory agency, in consultation with the Chief Executive or the National Services Manager.

Staff must not:

- make the child repeat the story unnecessarily
 - promise to keep secrets
 - enquire in to the details of the alleged abuse
 - ask leading questions
- 2.17 Under no circumstances should a member of staff attempt to conduct an investigation or deal with concerns of abuse themselves.

➤ **Reporting Procedures**

- 2.18 All Child Matters staff must report concerns or allegations of child abuse to the Chief Executive at the first possible opportunity to best ensure the safety of the child. If the Chief Executive is unavailable, then consultation should occur with the National Services Manager. A decision will be made as to whether to notify Oranga Tamariki. If an immediate response is required to ensure the child's safety, staff should contact Oranga Tamariki and/or the NZ Police directly.
- 2.19 All concerns or allegations of sexual abuse must be reported to Oranga Tamariki and /or the NZ Police.
- 2.20 When reporting an incident staff should:
- Inform the Chief Executive as soon as possible (or the National Services Manager in their absence)
 - Record in writing all conversations and actions taken and keep these records securely in the Child Protection Register.
- 2.21 Effective documentation, including referrals and notifications, must include the following:
- A record of facts, including observations, with time and date
 - What was said and by whom, using the person's words
 - What action has been taken, by whom and when
- 2.22 All decisions, including if the concern does not require notifying Oranga Tamariki or the Police, must be recorded in writing and kept securely in the Child Protection Register with the reasons clearly identified and explained.

➤ **Keeping the Child's Family Informed and Involved**

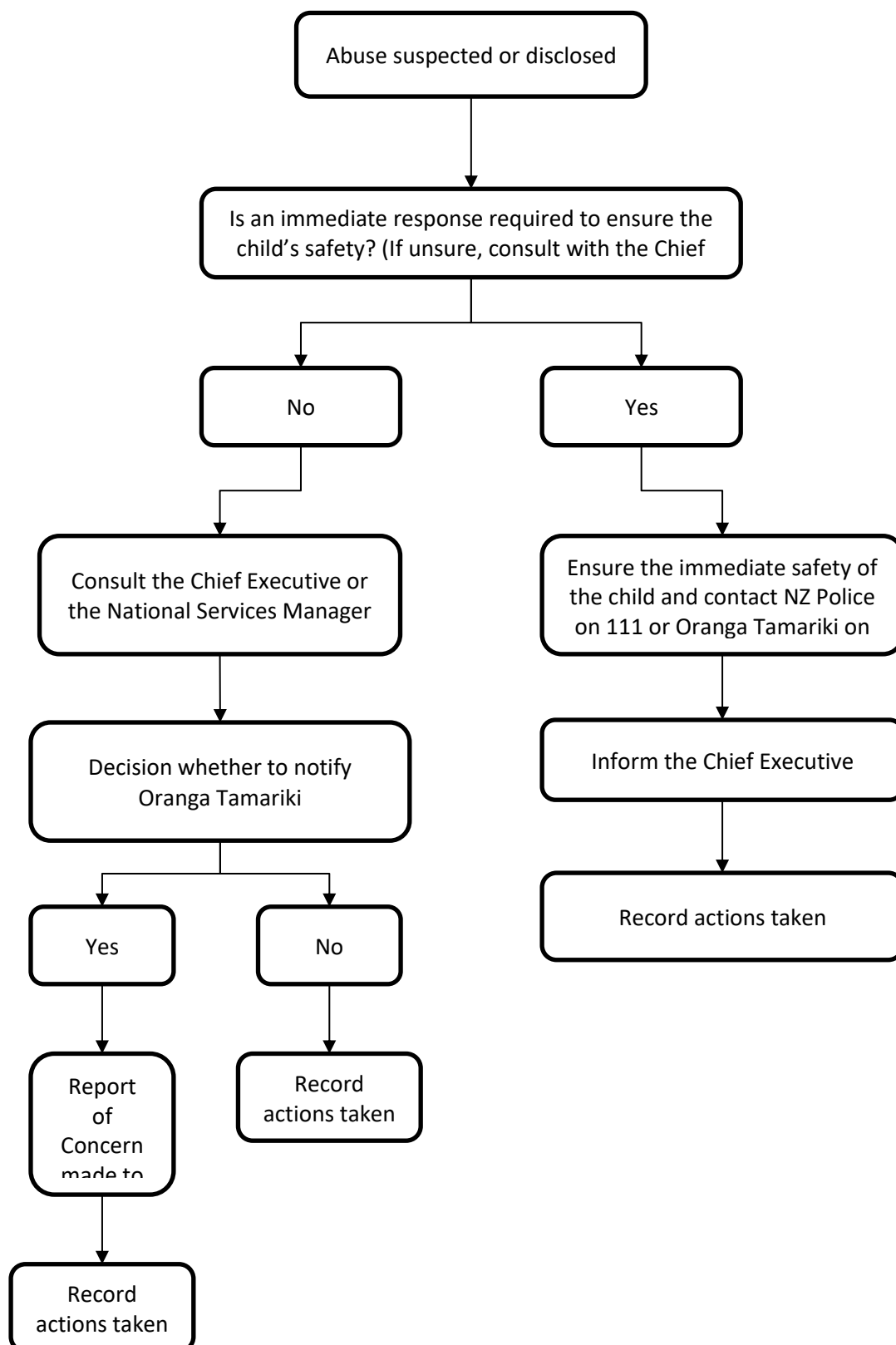
- 2.23 Although the parent or caregiver of the child will usually be informed of concerns, there may be times when those with parental responsibility may not be initially informed. This may happen in circumstances when:
- the parent or caregiver is the alleged perpetrator
 - it is possible that the child may be intimidated into silence
 - there is a strong likelihood that evidence will be destroyed
 - the child does not want their parent or caregiver involved and they are of an age when they are competent to make that decision

➤ **Confidentiality and Information Sharing**

- 2.24 Under the Privacy Act 1993, the giving of information to protect children is not a breach of confidentiality. Principle 11 of the Privacy Act, 1993, states sharing of personal information is allowed if "disclosure of the information is necessary to prevent or lessen a serious threat".
- 2.25 Under the Oranga Tamariki Act 1989, if a member of staff raises a legitimate concern in good faith about suspected child abuse, which proves to be unfounded on investigation, no civil, criminal or disciplinary proceedings may be brought against that staff member.

➤ **Relationships with Statutory and Specialist Agencies**

- 2.26 Child Matters will maintain good working relationships with agencies who have the statutory powers and skills to intervene in cases of child abuse. This includes maintaining a good working relationship with Oranga Tamariki and with Police, and be familiar with the laws that serve to protect children from abuse. Staff will consult with Oranga Tamariki, Police, and with other appropriate agencies who have specialist knowledge to help protect children from abuse.
- 2.27 Child Matters believes that in order to keep children safe, people who suspect or uncover abuse should not be tempted to deal with cases by themselves, but to report and seek help as necessary. When there is a relationship of trust and understanding with the statutory agencies, people are more likely to report and enable professional investigation to ensue.
- 2.28 Child Matters will also maintain relationships with NGOs and organisations that provide services to children, families and whānau throughout the country.



Section Three

Staff Employment, Training, Support and Supervision

➤ **Employment**

- 3.1 Child Matters is committed to applying employment and selection processes which emphasise the importance of child protection, and which ensure that every member of staff is safe and suitable to be associated with an organisation committed to the protection of children.
- 3.2 Before making any appointment, Child Matters will complete a robust safety checking process to ascertain the candidate's suitability and safety to work in Child Protection and all appointments will follow the requirements of the Staff Selection Policy and the Child Protection Consultant Selection and Recruitment Policy.
- 3.3 Further information regarding safety checking and the recruitment of staff is found in the Child Matters Employment Policy.

➤ **Staff Training**

- 3.4 Child Matters ensures that everyone in the organisation has adequate and appropriate information about child abuse in order to protect children and to recognise and respond when children are at risk. All new staff will be required to be familiar with the organisation's policies on child protection, and to undertake training on child protection.
- 3.5 All new paid staff will be required to undertake an induction programme that includes reading promotional material and information about child abuse.
- 3.6 All Child Protection Consultancy staff will complete the Child Protection Studies Programme as part of their induction programme if they haven't previously completed this training course. The opportunity to complete the Child Protection Studies Programme is also available to other staff and volunteers, and will be undertaken in agreement with the Chief Executive. This training will be available to staff within usual work hours and all costs will be covered by Child Matters.
- 3.7 Opportunities for staff in-house child protection training are provided.
- 3.8 Staff will be given opportunity for further professional development in line with their Annual Performance Review and Professional Development Plan.
- 3.9 All training required under this policy, and the time to undertake it, will be funded by Child Matters.

➤ **Staff Support and Supervision**

- 3.10 It is recognised that working within Child Protection can have an impact on the wellbeing of staff. Support is therefore provided through access to supervision for all staff, as per the Child Matters Supervision Policy.
- 3.11 All staff responsible for the provision of advice, support and training to people with concerns for the safety of children will be provided supervision on a monthly basis.

Section Four

Safe Working Practices

- 4.1 Clear boundaries are important in maintaining professional behaviour. This policy reinforces the need for high standards of staff behaviour in order to protect children from abuse and at-risk situations, and to protect staff from unwarranted suspicion.
- 4.2 All staff are expected to behave in a manner consistent with the Child Matters “Code of Conduct”.

➤ **Computer, Internet and Phone Use**

- 4.3 All staff will follow procedures as set out in the “Use of Information Technology Policy”.

➤ **Supervision of Children**

- 4.4 Children are welcome to visit the Child Matters premises, and all efforts are made to ensure that a child safe environment is provided.
- 4.5 Children visiting the Child Matters premises must be accompanied, and supervised, by a parent or caregiver at all times. The parent or caregiver of any child visiting Child Matters will be solely responsible for that child. Parents and caregivers will undertake all toileting and changing of their own children.
- 4.6 Any parent or caregiver bringing a child to Child Matters training must inform a staff member or tutor that the child is present. Children are not permitted to visit training premises during teaching hours. Exceptions may be made for babies to attend training with their parent or caregiver. This will be assessed on a case by case basis and approval will be provided by the National Services Manager.

Section Five

Allegations against Members of Staff

Any internal disciplinary investigation should be conducted separately from Section Eight of this policy. Any internal disciplinary action should not contradict Section Eight of this policy

- 5.1 Concerns may be raised regarding members of staff. These may be as a result of behaviour within the workplace, or of behaviour within their home environment.
- 5.2 All staff have a responsibility to understand what constitutes appropriate behaviour in relation to child and to maintain this behaviour.
- 5.3 Allegations, suspicions or complaints of abuse against staff will be taken seriously and reported to the Chief Executive who will deal with them immediately, sensitively and expediently within the procedures outlined in this policy.
- 5.4 Any concern of abuse of a child will follow the Child Protection Procedures outlined in this policy under Section Two. In the event of an allegation of abuse by a staff member a report of concern will be made to the Police and Oranga Tamariki.
- 5.5 When there are suspicions of abuse by a staff member, both staff and children's rights are to be attended to. This means that the safety of the child is of first concern, and that the staff member must have access to legal and professional advice, in accordance with the Employment Relations Act.
- 5.6 The Chief Executive must immediately assess risk before allowing contact with the person making the allegation. A risk assessment must be undertaken to determine what level of access that person should have, if any, to members of the public in their capacity as an employee of Child Matters.
- 5.7 In all child protection cases, Child Matters will co-operate fully with both Oranga Tamariki and the Police in their investigations and assessments.
- 5.8 If the Police decide to undertake a criminal investigation then the member of staff may be suspended. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice the criminal or Oranga Tamariki investigation.
- 5.9 If there is insufficient evidence to pursue a criminal prosecution, then an internal disciplinary investigation may still be undertaken subject to internal disciplinary procedures.

Appendix One

Indicators of Abuse

The indicators for child abuse and neglect fall into three general categories:

- **Physical indicators:** Injuries to a child that are severe, occur in a pattern or occur frequently. These injuries range from bruises to broken bones to burns or unusual lacerations and are often unexplained or inconsistent with the explanation given
- **Behavioural indicators:** The child's actions, attitudes, and emotions can indicate the possibility of abuse or neglect. Behavioural indicators alone are much less reliable than physical indicators, as a child's behaviour may be the result of a variety of other problems or conditions. When observing changes in behaviour, look for the frequency and pattern of the new behaviour, as well as a child's age and stage of development. For example, it is normal for younger children to be wary of adults, as they may have been taught not to talk to strangers. Look for a combination of physical and behavioural indicators.
- **Caregiver indicators:** Caregivers who abuse, neglect or exploit children are either unable or unwilling to provide care and protection in an appropriate way. Those who are unable to provide care and protection may be physically unable due to their own medical or health condition. They may be overly stressed, tired, or working under the influence of drugs or alcohol which limits their abilities. Caregivers who are unwilling to provide children with the appropriate level of care and protection are more aware that what they are doing is wrong but continue to act in that way. These caregivers may not view the child as someone who has feelings and emotions and often have the need to control others or have displaced aggression towards weaker persons.

The indicators alone do not prove child abuse or neglect. Likewise, the absence of indicators does not exclude the possibility that abuse is occurring. If you have any concerns about the wellbeing of a child or young persons, seek advice from your Designated Person for Child Protection, Principal or Oranga Tamariki.

➤ Emotional Abuse Indicators

- Physical Indicators
 - Bed wetting or bed soiling with no medical cause
 - Frequent psychosomatic complaints (e.g. headaches, nausea, abdominal pains)
 - Non-organic failure to thrive
 - Pale, emaciated
 - Prolonged vomiting and/or diarrhoea
 - Malnutrition
 - Dressed differently to other children in the family
- Behavioural Indicators:
 - Severe developmental lags with obvious physical cause
 - Depression, anxiety, withdrawal or aggression

- Self-destructive behaviour. This can include self-harm, suicide, alcohol and drug abuse
 - Overly compliant
 - Extreme attention seeking behaviours or extreme inhibition
 - Running away from home, avoiding attending at school
 - Nightmares, poor sleeping patterns
 - Anti-social behaviours
 - Lack of self esteem
 - Obsessive behaviours
 - Eating disorders
- Caregiver Indicators:
 - Labels the child as inferior or publicly humiliates the child (e.g. name calling)
 - Treats the child differently from siblings or peers in ways that suggest dislike for the child
 - Actively refuses to help the child
 - Constantly threatens the child with physical harm or death
 - Locks the child in a closet or room for extended periods of time
 - Teaches or reinforces criminal behaviour
 - Withholds physical and verbal affection
 - Keeps the child at home in role of servant or surrogate parent
 - Has unrealistic expectations of child
 - Involves child in adult issues such as separation or disputes over child's care
 - Exposes child to situations of arguing and violence in the home

➤ **Neglect Indicators**

- Physical Indicators:
 - Dressed inappropriately for the season or the weather
 - Often extremely dirty and unwashed
 - Severe nappy rash or other persistent skin disorders
 - Inadequately supervised or left unattended frequently or for long periods
 - May be left in the care of an inappropriate adult
 - Does not receive adequate medical or dental care
 - Malnourished - this can be both underweight and overweight
 - Lacks adequate shelter
 - Non-organic failure to thrive

- Behavioural Indicators:
 - Severe developmental lags without an obvious physical cause
 - Lack of attachment to parents/caregivers
 - Indiscriminate attachment to other adults
 - Poor school attendance and performance
 - Demanding of affection and attention
 - Engages in risk taking behaviour such as drug and alcohol abuse
 - May steal food
 - Poor social skills
 - No understanding of basic hygiene
- Caregiver Indicators:
 - Puts own need ahead of child's
 - Fails to provide child's basic needs
 - Demonstrates little or no interest in child's life - does not attend school activities, social events
 - Leaves the child alone or inappropriately supervised
 - Drug and alcohol use
 - Depression

➤ **Physical Abuse Indicators**

- Physical Indicators:
 - Bruises, welts, cuts and abrasions
 - Burns - small circular burns, immersion burns, rope burns etc
 - Fractures and dislocations - skull, facial bones, spinal fractures etc
 - Multiple fractures at different stages of healing
 - Fractures in very young children
- Behavioural Indicators:
 - Inconsistent or vague explanations regarding injuries
 - Wary of adults or a particular person
 - Vacant stare or frozen watchfulness
 - Cringing or flinching if touches unexpectedly
 - May be extremely compliant and eager to please
 - Dresses inappropriately to hide bruising or injuries
 - Runs away from home or is afraid to go home
 - May regress (e.g. bedwetting)
 - May indicate general sadness
 - Could have vision or hearing delay
 - Is violent to other children or animals
- Caregiver Indicators:

- Inconsistent or vague explanations regarding injuries
- May appear unconcerned about child's wellbeing
- May state the child is prone to injuries or lies about how they occur
- Delays in seeking medical attention
- May take the child to multiple medical appointments and seek medical treatment without an obvious need

➤ **Sexual Abuse Indicators**

- Physical Indicators:
 - Unusual or excessive itching or pain in the genital or anal area
 - Torn, stained or bloody underclothing
 - Bruises, lacerations, redness, swelling or bleeding in genital, vaginal or anal area
 - Blood in urine or stools
 - Sexually transmitted infections
 - Pregnancy
 - Discomfort in sitting or fidgeting as unable to sit comfortably
- Behavioural Indicators:
 - Age-inappropriate sexual play or language
 - Bizarre, sophisticated or unusual sexual knowledge
 - Refuses to go home, or to a specific person's home, for no apparent reason
 - Fear of a certain person
 - Depression, anxiety, withdrawal or aggression
 - Self-destructive behaviour. This can include self-harm, suicide, alcohol and drug abuse
 - Overly compliant
 - Extreme attention seeking behaviours or extreme inhibition
 - Dresses inappropriately to hide bruising or injuries
 - Eating disorders
 - Compulsive behaviours
- Caregiver Indicators:
 - May be unusually over-protective of the child
 - Accuses the child of being sexually provocative
 - Misuses alcohol or drugs
 - Invades the child's privacy (e.g. during dressing, in the bathroom)
 - May favour the victim over other children

➤ **Family Violence Indicators**

- Indicators in the Child:
 - Physical injuries consistent with the indicators of Physical Abuse
 - Absenteeism from school
 - Bullying or aggressive behaviour
 - Complaints of headaches or stomach aches with no apparent medical reason
 - Talking or describing violent behaviours
- Indicators in the Victim:
 - Physical Injuries including: bruising to chest and abdomen, injuries during pregnancy
 - Depression and/or anxiety
 - Inconsistent explanations for injuries
 - Fearful
 - Submissive
- Indicators in the Offender:
 - Isolates and controls partner and children
 - Threatens, criticises, intimidates, uses aggressive and physical abuse towards partner and children
 - Minimises and denies own behaviour, or blames victim for the perpetrators own behaviour