



## Child Protection Policy

MaD Child Protection Policy statement:

The MaD has a duty of care to safeguard all children it supports. All children have a right to protection, and the needs of disabled and disadvantaged children and others who may be particularly vulnerable must be addressed.

MaD is a Child Safe and Child Friendly Organisation... we have adopted a Child Protection Policy (CPP) as sanctioned by Childwise, Australia and in line with the UN Convention on the Rights of the Child.

Definitions: Throughout this document:

*'MaD' refers to MaD for Good! A CNGO.*

*'Child' refers to any young person in the care, supervision or contact of MaD at orphanages, schools, homes or communities under the age of 18, as defined by the United Nations' Convention of the Rights of the Child*

*The appropriate MaD representative is deemed to be:*

*The MaD Onsite Coordinator or a MaD Director*

## **Child Protection Policy**

Children the world over are at risk from exploitation, sexual, physical and emotional abuse, neglect and other forms of inappropriate interactions perpetrated by adults and older children. Cambodian children are especially at risk as the country adapts to rapid changes, movements of people, a lack of robustness in the legal process and booming inbound tourism industry. This last is a special problem as doubtless an element of such inbound tourism is motivated by or results in inappropriate sexual behaviour; so called sex tourism.

**MaD is committed to protecting children from any form of exploitation or abuse.**

MaD is especially aware of the constant risks and remains vigilant to threats arising towards children. All employees will be trained in child protection issues such as awareness, identification and where to seek additional help and volunteers will be informed of relevant child protection issues prior to their placement with MaD.

In addition MaD has adopted the following Child Protection Policy that must be read and signed by all persons employed by or offering their services as sub contractors and or voluntary services to MaD. The signing and observation of the policy form an integral part of any contract of employment or written or verbal agreement between MaD and volunteers.

### Article 19 of the United Nations' Convention on the Rights of the Child (UNCRC):

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programs to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement. (<http://www.unicef.org>)

Setting the Standards, the United Kingdom's guidelines on child protection for International Non Government Organizations' (NGOs), Standard 1 states:

Any International NGO should have a child protection policy if its direct or indirect beneficiaries include individuals under the age of 18.

(<http://tilz.tearfund.org/webdocs/Tilz/Topics/Child%20Protection%20Policy.pdf>)

Cambodia Specific background:

Cambodia is a signatory of the UNCRC and so has developed a series of laws for the protection of children. Sexual abuse of children carries a penalty of up to 30 years imprisonment.

Various countries have also passed extra-territoriality laws that allow them to prosecute their citizens for offences committed in other countries. Crimes against children in Cambodia can and will be prosecuted in Cambodia or in the offender's home country.

*"Any person who commits acts of debauchery involving a minor, even if there is 'consent' from the concerned minor, ... shall be punished by ten (10) to twenty (20) years in prison"*

(*Law on Suppression of the Kidnapping, Trafficking, and Exploitation of Human Beings, Cambodia, Article 8*). ([http://www.cdpcambodia.org/trafficking\\_law.asp](http://www.cdpcambodia.org/trafficking_law.asp)).

To conform to the UNCRC and the *Setting the Standard* guidelines, MaD has endorsed this Child Protection Policy.

## Aims of the MaD Child Protection Policy

MaD is committed to the protection of all the children it works for. The welfare of the child is paramount. The major aims of the MaD Child Protection Policy are to convey that:

- All children, whatever their age, culture, disability, gender, language, racial origin, religious beliefs and/or sexual identity, **have the right to protection from abuse and exploitation.**
- MaD is committed to ensuring children are provided with a safe and protective environment at all MaD locations.
- All staff and volunteers are equipped to make informed and confident responses to specific child protection issues.
- All staff and volunteers working with MaD and its schools have a responsibility to uphold the MaD Child Protection Policy and report any concerns to:  
*The MaD Onsite Coordinator or a MaD Director*  
and ensure the concerns are reported to the appropriate authorities.
- All suspicions and allegations of abuse will be taken seriously and responded to swiftly, appropriately and formally recorded.

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## Introduction

Child exploitation and abuse, particularly sexual abuse, can arouse strong emotions in those facing such a situation. It is important to explore and understand these feelings and not allow them to interfere with your judgement about the appropriate action to take.

Abuse can occur within many situations in Cambodia, including the home, at school and on the street. Those who exploit children include parents and other family members, community members, teachers, tourists and volunteers/staff with different support organisations. Some individuals will actively seek employment or voluntary work with children in order to harm them. A volunteer, worker or teacher within the MaD organisation will have regular contact with children and is an important link in identifying cases where they need protection. All suspicious cases involving child protection issues or of poor practice should be reported following the guidelines in this document.

## Forms of child exploitation/abuse

Exploitation of children and young people can take place in many forms. These include:

- **Sexual Abuse:** Forcing or coercing a child into: any sexual act including physical contact of penetrative or non penetrative (such as oral sex) nature; partaking or watching of pornographic material/sexual acts; encouraging children to behave in a sexually inappropriate way.
- **Physical Abuse:** Includes any act that physically harms a child including hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating.
- **Emotional Abuse:** Any negative emotional ill treatment of a child causing them to feel inadequate, unloved, unworthy, frightened or in danger. This can include verbal abuse, imposing developmentally inappropriate expectations on the child or restricting their participation in age appropriate activities/normal social interaction.
- **Neglect:** Is the persistent failure/denial to meet a child's physical and psychological needs. This can take the form of failing to provide food and water, shelter, supervision and medical care and/or failing to protect a child from physical, sexual or emotional harm or danger. In Cambodia, poverty is persistent and all consuming, rendering many families unable to provide many of these necessities to their children. This inability is not deliberate and of course is different in nature to deliberate neglect. Then MaD, along with many NGOs in Cambodia are working towards improving the living standard for all Cambodians. Staff and volunteers with the MaD must ensure all their actions are directed towards this aim, and must ensure they themselves do not perpetrate any neglectful acts while children are in their care. If a staff member or volunteer is particularly concerned for certain children they must speak with the MaD onsite coordinator.

**Remember:** Abuse and exploitation of children can be perpetrated by many different people: Tourists and volunteers/staff of various organizations working with children; Parents and other Family Members; Community members, teachers etc...

Some common signs and symptoms of child abuse and possible signs of concern regarding adult behaviour can be found in Appendix 1.

### **Recruitment of MaD staff sub contractors and volunteers**

MaD recognises that anyone may have the potential to abuse children in some way and that all reasonable steps must be taken to ensure unsuitable people are prevented from working with children.

#### **Pre-volunteering/employment checks will include the following:**

- All volunteers/staff must read, demonstrate that they understand and sign the MaD Child Protection Policy in front of the MaD representative prior to commencing work.
- **All volunteers/staff must declare any past child protection breaches/criminal record.**
- Appropriate references/referees must be given if/when requested by the MaD representatives.
- All volunteers/staff must answer any appropriate questions asked by representatives of MaD. Information gathered will elicit information about an applicant's past and a self-disclosure about any criminal record.
- The Evidence of identity (passport for international volunteers) must be shown to the nominated MaD representative, who will take a photocopy/scan of the passport and Cambodian entry visa (for international volunteers) prior to commencing the volunteer or employee placement.

### **Interview and induction regarding child protection issues**

**All MaD employees and volunteers are required to undergo a brief interview/meeting with the relevant MaD representative prior to commencing with MaD during which:**

- The MaD Child Protection Policy will be read and signed (including sections on criminal records and self-disclosures) in front of the onsite coordinator
- The identity is confirmed (and copies of passport and Cambodian entry visa will be made)
- The job requirements and responsibilities will be clarified.
- Child protection procedures are reviewed.

## Child Protection Responsibility for MaD volunteers and staff

### In addition to pre-volunteering/employment checks, volunteers and staff of MaD should:

- Analyse their own practice against established good practice, and ensure their practice is likely to protect them from false allegations.
- Ask for advice/help from the relevant MaD representative if they are unsure of any aspects of child protection.
- Recognise their responsibilities and report any concerns about suspected poor practice or possible abuse.
- Respond to concerns expressed by a child immediately.
- Work safely and effectively with children.

### Good practice guidelines for all MaD staff and volunteers

All personnel of MaD should be encouraged to demonstrate exemplary behaviour in order to protect themselves from false allegations. The following are common sense examples of how to create a positive culture and climate.

#### Good practice means:

- Always working in an open environment avoiding private or unobserved situations with children.
- Treating all children and young people equally with respect and dignity.
- Always putting the welfare of each child first.
- Maintaining a safe, appropriate and respectful distance with children.
- Building balanced relationships based on mutual trust and empowering children to share in decision making and communication.
- Striving to make all contact with children fun, enjoyable and fair.
- Ensuring that if any form of manual/physical support or play is required, it should be provided openly and according to guidelines in this document.
- Being an excellent role model – this includes not smoking or drinking alcohol in the company of young people and appropriate dress.
- Giving enthusiastic and constructive communication, play and feedback.
- Recognising the developmental needs and capacity of children – avoiding any instructions beyond their capability.
- Keeping a written record of any injury that occurs, along with the details of any treatment given.

## Practices never sanctioned by MaD

The following are never sanctioned. **Under no circumstances** must you:

- Engage in any inappropriate conduct with children.
- Be alone with less than three children at any time
- Engage in rough physical or sexually provocative games, including over the top horseplay.
- Spend time alone with children away from others.
- Escort less than three children at a time in any vehicle (unless in an emergency situation).
- Allow or engage in any form of inappropriate touching.
- Allow children to use inappropriate language unchallenged.
- Make sexually suggestive comments to a child.
- Reduce a child to tears as a form of control.
- Allow allegations made by a child to go unchallenged, unrecorded or not acted upon.
- Invite or allow children to enter your accommodation.

## Incidents that must be reported/recorded

If any of the following occur you should report this immediately to the appropriate MaD representative and record the incident. You **MUST** also ensure the parents of the child and principals of the schools are informed if appropriate:

- If you accidentally hurt a child.
- If he/she seems unusually distressed in any manner.
- If a child misunderstands or misinterprets something you have done with the result that the situation could be construed to be in contravention of this Child protection Policy.
- **If you suspect any form of child exploitation is occurring, regardless of the suspected perpetrator you MUST report it immediately.**

## Use of photographic/filming equipment at any MaD location or project

### Abuse and exploitation

There is evidence that some people may use opportunities where they are in close contact with children as an opportunity to take inappropriate photographs or film footage. All staff and volunteers with the MaD organisation should seek prior permission from the relevant MaD representative if they intend to take photos/video at the school and the resulting images or video must be made available for review by the relevant MaD representative on request.

### Inappropriate activity

Sensitivity is encouraged with regard to taking individual or close up photos or video of any children, both with respect to the intrusiveness of the action and the duration. Shorter duration volunteers especially should remember that while this may be a unique opportunity for them to record images it is unhelpful for the children to be photographed time and again on a regular basis.

Staff and volunteers should be vigilant while at any MaD site and any concerns should to be reported to the relevant MaD representative.

## Responding to allegations or suspicions

It is not the responsibility of anyone working/volunteering with MaD to decide whether or not child abuse has taken place. **The responsibility extends only to acting on any reasonable\*\* grounds or concerns and communicating these to the relevant authority.**

### What is reportable?

Outcomes or actions from which children are in need of protection include; neglect, physical abuse, sexual abuse, domestic violence and psychological harm. These are all reportable offences.

### **\*\*What are reasonable grounds?**

You do not need to have proof to report any concerns you have about the safety of a child under 16.

Indicators that represent reasonable grounds to report a suspected offence include:

- A child or young person discloses that he or she has suffered or is suffering non accidental physical injury or sexual abuse
- Someone else advises you that a child or young person has been sexually abused or non-accidentally injured, or

- Your own observations of the child or young person's physical condition or behaviours lead you to reasonably suspect that the child or young person has suffered or is suffering non-accidental physical injury or sexual abuse.

### **Can anyone report concerns for the safety of a child or young person?**

ANY person who believes, on reasonable grounds, that a child is in need of protection may voluntarily report to Child Protection Services.

- You do not have to prove that abuse has taken place. You only need reasonable grounds for your belief.
- You do not need permission from parents or caregivers to make a report; nor do they need to be informed that a report is being made.
- If you made a report in good faith, you cannot be held legally liable - regardless of the outcome of the report.
- Your identity will remain confidential unless you need to give evidence if the matter goes to court. It is rare that this happens.

### **What is mandatory reporting?**

Mandatory reporting describes the legal obligation of certain professionals and community members to report incidences of child abuse. These people are called "mandated reporters" and they **MUST** report to Child Protection Services if they believe on reasonable grounds that a child is in need of protection. Penalties may apply to mandated reporters who fail to report suspected abuse.

### **Who is mandated to report suspected abuse?**

Section 27(1) of the Children and Young Persons (Care and Protection) Act 1998 states mandatory reporting applies to:

- a person who, in the course of his or her professional work or other paid employment delivers health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly to children, and
- a person who holds a management position in an organisation the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly, to children.

Section 27(2) states if:

- a person who is mandated has reasonable grounds to suspect that a child is at risk of harm, and
- those grounds arise during the course of or from the person's work,
- The person must, as soon as practicable, report to the Director-General the name, or a description, of the child and the grounds for suspecting that the child is at risk of harm.

See <http://www.aifs.gov.au/nch/pubs/sheets/rs3/rs3.html>

### **Who to report to and how**

If you need to report an offence that requires immediate police attention, please call

**Police: 023 720 555**

### Whistleblower Protection

MaD assures all staff and volunteers that it will fully support anyone who in good faith reports his/her concern that abuse or exploitation is or may be taking place.

### Accused person protection

MaD assures all staff and volunteers that all details of any accusation will be kept strictly confidential and relayed only on a need to know basis to the relevant authorities. Further, that whilst respecting the need to protect children, full regard for the rights of the individual and the possibility of error in the reporting of concerns will be assured.

### **If a disclosure is made to you, the following procedure should be followed:**

- Remain calm and try to assume a non-judgemental attitude.
- Do not question children directly/further beyond that which they have (or third party has) told you.
- Do not make any promises but do tell the child or third party what your responsibility is and what you will do.
- Even if encouraged by the child or third party to 'not tell anyone' you have a duty to report concerns to the relevant authority. You must explain to the informer what your responsibility is and what you have to do, as stated in this policy.
- Make detailed notes about any allegation/suspicion and;

- Report your concerns as soon as possible to the relevant MaD representative who will then contact the appropriate authorities or;
- Contact the authorities yourself if concerns need immediate/ alternative attention or you do not feel comfortable discussing the issue with the MaD representative.
- Fill out the MaD Incident Reporting Form as soon as possible.
- Seek a formal debriefing for yourself through the MaD representative.

**Who to contact:**

**In Cambodia**, Childsafe-Cambodia is the leading NGO in the area of Child Protection (see <http://www.childsafe-cambodia.org/index.asp>). They provide the following contact points for any child protection concerns within MaD :

- Initially the relevant MaD representative, then
- 24 hour Police Hotline: 023 720 555 or
- ChildSafe Hotline: 012 296 609

For any concerns for Street Children in Siem Reap, Please contact:

Friends-International

#230, Group 8 (next to the central market), Mondul 1 village, Svay Dang Kum Commune

Tel: 063 761 096 (7 am to 11 noon / 1:30 pm to 5 pm)

(see [www.friends-international.org](http://www.friends-international.org))

**Information needed by the authorities and the police about suspected abuse:**

To ensure that this information is as helpful as possible, a detailed record should always be made as close to the time of the disclosure/concern (see Appendix 3), which should include the following if known:

- The child's name, age and date of birth of the child.
- The child's home address and telephone number.
- Whether or not the person making the report is expressing their own concerns or those of someone else.
- The nature of the allegation. Include dates, times, any special factors and other relevant information.
- Make a clear distinction between what is fact, opinion or hearsay.
- A description of any visible bruising or other injuries. Also any indirect signs, such as behavioural changes.

- Details of witnesses to the incidents.
- The child's account, if it was given, of what has happened and how any bruising or other injuries occurred.
- Have the parents been contacted?
- If so, what has been said?
- Has anyone else been consulted? If so, record details.
- If the child was not the person who reported the incident, has the child been spoken to? If so, what was said?
- Has anyone been alleged to be the abuser? Record details.
- Where possible referral to the police or ChildSafe services should be confirmed in writing within 24 hours and the name of the contact who took the referral should be recorded.

**Where there is a misconduct complaint against or a disregard for the MaD Child Protection Policy by anyone working within the MaD organisation the following actions may take place:**

- Immediate removal of the suspected person from the relevant MaD premises pending further investigation
- A report to the appropriate authorities
- A criminal investigation and prosecution with the support of MaD

### **Confidentiality**

Every reasonable effort will be made to ensure that confidentiality is maintained for all concerned regardless of the outcome of the situation. Information will be handled and disseminated on a need to know basis only.



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I confirm that I have read the MaD Child Protection Policy and understand what is expected of me. I confirm that if I am unsure of information within the policy I will discuss this issue with the relevant MaD representative.

I agree to MaD performing a Standard or Enhanced Criminal Record Check in my country of origin/residence or any other country in which I have remained for SIX [6] months or longer.

I confirm that the information I have given on this form is correct and complete.

Signed ..... Date .....

Print Name .....

Please note that the information given on this form will be kept securely and will remain strictly confidential.

Witnessed by:

Signed ..... Date .....

Print Name .....

MaD representative

**Appendix 1.**

Signs and Symptoms of child abuse - victim

(Summarised from the NSW Interagency Guidelines for Child Protection Intervention 2006, see [http://www.community.nsw.gov.au/DOCS/STANDARD/PC\\_100966.htm](http://www.community.nsw.gov.au/DOCS/STANDARD/PC_100966.htm))

Besides a child or third party outwardly alleging that abuse or exploitation is occurring, the following is a guide for some common signs and symptoms of child abuse. Although these signs do not necessarily mean that a child has been abused, they may help adults recognise that something is wrong.

**Note: A child may be subjected to a combination of different kinds of abuse.**

**It is also possible that a child may show no outward signs and hide what is happening from everyone.**

<ul style="list-style-type: none"> <li>▪ <b>Sexual Abuse</b></li> <li>▪ Being overly affectionate or knowledgeable in a sexual way inappropriate to the child's age</li> <li>▪ Medical problems such as chronic itching, pain in the genitals, venereal diseases</li> <li>▪ Other extreme reactions, such as depression, self-mutilation, suicide attempts, running away, overdoses, anorexia</li> <li>▪ Personality changes such as becoming insecure or clinging</li> <li>▪ Regressing to younger behaviour patterns such as thumb sucking or bringing out discarded cuddly toys</li> <li>▪ Sudden loss of appetite or compulsive eating</li> <li>▪ Being isolated or withdrawn</li> <li>▪ Inability to concentrate</li> <li>▪ Lack of trust or fear of someone they know</li> <li>▪ Become worried about clothing being removed</li> <li>▪ Suddenly drawing sexually explicit pictures</li> <li>▪ Trying to be 'ultra-good' or perfect; overreacting to criticism</li> <li>▪ Unexplained gifts or money</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Physical Abuse</b></li> <li>▪ Unexplained recurrent injuries or burns</li> <li>▪ Improbable excuses or refusal to explain injuries</li> <li>▪ Wearing clothes to cover injuries, even in hot weather</li> <li>▪ Refusal to undress for gym</li> <li>▪ Bald patches</li> <li>▪ Chronic running away</li> <li>▪ Fear of medical help or examination</li> <li>▪ Self-destructive tendencies</li> <li>▪ Aggression towards others</li> <li>▪ Fear of physical contact - shrinking back if touched</li> <li>▪ Admitting that they are punished, but the punishment is excessive (such as a child being beaten every night to 'make him study')</li> <li>▪ Fear of suspected abuser being contacted</li> </ul>
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<ul style="list-style-type: none"> <li>▪ <b>Emotional Abuse</b></li> <li>▪ Physical, mental and emotional development lags</li> <li>▪ Sudden speech disorders</li> <li>▪ Continual self-depreciation ('I'm stupid, ugly, worthless, etc')</li> <li>▪ Overreaction to mistakes</li> <li>▪ Extreme fear of any new situation</li> <li>▪ Inappropriate response to pain ('I deserve this')</li> <li>▪ Neurotic behaviour (rocking, hair twisting, self-mutilation)</li> <li>▪ Extremes of passivity or aggression</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Neglect</b></li> <li>▪ Constant hunger</li> <li>▪ Poor personal hygiene</li> <li>▪ Constant tiredness</li> <li>▪ Poor state of clothing</li> <li>▪ Emaciation</li> <li>▪ Untreated medical problems</li> <li>▪ No social relationships</li> <li>▪ Compulsive scavenging</li> <li>▪ Destructive tendencies</li> </ul>
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MaD CPP

**Appendix 2:**

Possible signs of concern regarding adult behaviour

(Summarised from Child Welfare Scheme's Child Protection Policy, see

<http://www.childwelfarescheme.org/news/sudhar/CPolicy05.pdf>)

- A person in whose presence a child/ren becomes unusually distressed or agitated
- A member of staff, volunteer, parent, teacher etc... asks a child to lie about anything (especially if it is about meeting that child)
- A member of staff, volunteer, parent, teacher etc... asks another to lie about a situation involving a child
- Any person who fails to uphold and abide by the MaD Child Protection Policy
- Private meeting (i.e. outside of MaD premises) between a child and a member of staff, volunteer, teacher etc...
- Explanation of an injured child offered by a member of staff, volunteer, parent, teacher etc... is not consistent with the injury

### Appendix 3: Child Protection Reporting Form

If you suspect that a child may be at risk of any form of abuse or exploitation; or an incident has occurred involving/witnessed by you, please complete this form to the best of your knowledge in addition to reporting the matter to the appropriate MaD representative.

This report is to be used as a tool to develop unbiased, information. For confidentiality reasons, the report should be written and signed only by the witness (in the case of more than one witness, multiple forms should be individually completed) and handed directly and only to the appropriate MaD representative.

#### 1. Please indicate what you are reporting:

- I have concerns that abuse may be occurring (complete sections 2 and 3)
- I have received an allegation of abuse by another (complete sections 2 and 3)
- A child has told me that they are being abused (complete sections 2 and 3)
- I was involved in an incident with a child (complete sections 2 and 4)
- I was witness to an incident with a child (complete sections 2 and 4)

#### 2. Important information:

Your name: .....

Your contact details: .....

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Job title: .....

Name and gender of the child concerned: .....

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Capacity in which the child is known to you: .....

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Any other useful information regarding the child (e.g. date of birth, address, description if name is unknown): .....

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Is the child aware of this referral? Yes No (if no, please give details) .....

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Are the child's parents or guardians aware of this referral? Yes No (if no, please give details) .....

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**3. Concerns/reports abuse may be occurring**

Was the abuse observed, suspected or alleged by a child or third person (and if so, who)? .....

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Date(s) and time(s) of the alleged incident: .....

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Location of the alleged incident: .....

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Name and or description of the alleged perpetrator: .....

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Details of the allegation (please include all relevant information such as physical signs and symptoms, behavioural indicators etc... please distinguish between observed and opinion or hearsay. Use extra paper if necessary) .....

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Please report any other information you believe is important or has not been covered: .....

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Reporters Signature ..... Date .....

Print Name .....

MaD Representatives Signature ..... Date .....

Print Name .....

**5. MaD Representative:**

Please report your response to above incident and the action taken. Attach copies of identification and visa of every person involved. ....

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Signed ..... Date .....

Print Name .....