

# **Children's (Conduct of Child Mentors) Regulations 2024**

**GN No. 44 of 2024**

**Government Gazette of Mauritius No. 25 of 9 March 2024**

## **THE CHILDREN'S ACT 2020**

### **Regulations made by the Minister under section 71 of the Children's Act 2020**

- 1.** These regulations may be cited as the **Children's (Conduct of Child Mentors) Regulations 2024**.
- 2.** In these regulations -  
  
"Act" means the Children's Act 2020.
- 3.** For the purposes of sections 2 and 44 (2) (f) of the Act, the Code of Ethics for Child Mentors shall be the Code set out in the Schedule.
- 4.** Every child mentor shall comply with the Code of Ethics.
- 5.** Where a child mentor fails to comply with section 45 (2) (c), (d) and (f) of the Act, the supervising officer may, by notice in writing served on the child mentor, require him to comply with the Act within such time as he may specify in the notice.
- 6.** (1) Where—
  - (a) a complaint is reported to the supervising officer against a child mentor; or
  - (b) the supervising officer has reasons to believe that a child mentor has committed any breach of any provision of the Code of Ethics or the Act, the supervising officer may -
    - (i) take such action as he may deem appropriate under section 46 (9) (a) (v) of the Act; or
    - (ii) cause an investigation to be carried out in accordance with section 46 (9) (a) (vi) of the Act;
    - (iii) make such application as he may deem necessary to the Magistrate of the Children's Court in relation to the mentoring order in accordance with section 46 (8) of the Act.

(2) Where, following an investigation under paragraph (1), the supervising officer finds that the investigation has disclosed the commission by the child mentor of—

- (a) a criminal offence, the supervising officer shall refer the matter to the Commissioner of Police; and
- (b) any act in breach of the Act, regulation 5 or any provision of the Code, he may deregister the child mentor after -
  - (i) informing, in writing, the child mentor of the grounds for deregistration;
  - (ii) providing the child mentor with an opportunity to make written representations to the supervising officer;
  - (iii) he finds that the explanations provided are not acceptable

(3) The decision of the supervising officer under paragraph (2) (b) shall be final.

Made by the Minister on 6 March 2024.

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## **SCHEDULE**

[Regulation 3]

### **CODE OF ETHICS FOR CHILD MENTORS**

#### **PART I - PRELIMINARY**

1. In this Code —

"Act" means the Children's Act 2020;

"child mentor" means a child mentor registered under section 43(3)(b)(ii) of the Act;

"Code" means the Code of Ethics;

"mentee" means a child who is placed under the Child Mentoring Scheme in accordance with the Act.

2. The purpose of this Code of Ethics for child mentors working with children under the child mentoring scheme is to ensure a safe, nurturing and respectful environment, and promoting positive mentorship experiences.

3. A child mentor should be caring, dedicated and attend to and address the need for emotional reconstruction of children in distress through a one-to-one relationship of trust for guidance and support.

## **PART II— STANDARD OF CONDUCT**

### **4. Role of child mentor**

The main responsibility of a child mentor is to be a role model to the vulnerable child. To this end, a child mentor should -

- (a) spend quality time with the child by organising and participating in positive activities that help the mentee develop skills, competence and become more self-confident;
- (b) be reliable, engaged, authentic and responsive to the needs of the mentee;
- (c) support the healthy development of the mentee;
- (d) apply the general principles as specified in the Act when dealing with a mentee, including -
  - (i) the best interests of the child; and
  - (ii) the views of the child;
- (e) avoid taking on other roles vis-à-vis the mentee, or his parents, such as entering into a personal, professional, financial or other relationship;
- (f) refrain from engaging in conflicting roles vis-à-vis the mentee or his parents such as advising on matters going beyond the mentor and mentee relationship in fields including psychology, legal and medical issues.

### **5. Obligations of child mentor under a mentoring order**

(1) A child mentor who is assigned a child pursuant to a mentoring order shall comply with section 45(2) of the Act, a copy of which is remitted to the child mentor at the time of registration.

(2) In addition to the obligations under the Act, the child mentor shall comply with the Children's (Conduct of Child Mentors) Regulations 2023 and the standards of conduct in this Code.

### **6. Unwelcome, inappropriate and unlawful behaviours**

(1) The child mentor must not be involved in behaviours which are regarded as unwanted or incompatible with the child mentoring programme's goals, values and standards or which are unlawful.

(2) Behaviours which are considered unwelcome, unacceptable or prohibited under subparagraph (1) include -

- (a) unwelcome physical contact, such as inappropriate touching, patting, pinching, punching, and physical assault;
- (b) unwelcome physical, verbal, visual, or behavioural mannerisms or conduct that denigrates, shows hostility, or aversion towards the child and/or any individual in the child's environment;
- (c) demeaning or exploitative behaviour of either a sexual or non-sexual nature, including threats of such behaviour;
- (d) display of demeaning, suggestive or pornographic material;
- (e) sexual abuse or neglect of the child;
- (f) denigration, public or private, of any mentee, parent, guardian or family member;
- (g) denigration, public or private, of political or religious institutions or their leaders;
- (h) intentional violation of any law; and
- (i) possession of or consumption of alcohol or tobacco in presence of the mentee;
- (j) possession, consumption or use of drugs in presence of the mentee.

## **7. Precautionary measures**

The child mentor must, at all times, take such precautionary measures as to –

- (a) ensure the safety of the mentee when carrying out activities;
- (b) watch over or supervise the mentee when the latter is under his responsibility;
- (c) show respect for the privacy of the child and that of his family and abide by the Data Protection Act;

- (d) have due respect to the sensitivity of the child and his family regarding personal issues such as religion, culture, level of education and financial situation; and
- (e) contact the supervising officer in case of doubt on the appropriateness of any matter pertaining to the mentoring order.

## **8. Confidentiality**

(1) Every child mentor must abide by data protection laws and respect the right to privacy of a mentee.

(2) Every child mentor must abide by the confidentiality policy of the Ministry which shall include keeping -

- (a) all information about the mentee and his family and the Ministry confidential; and
- (b) keeping confidential records which may have come into his possession and which are the property of the Ministry.
- (c) confidential records or information which -
  - (i) he may have come across or into his possession;
  - (ii) are the property of the Ministry; and
  - (iii) are not for review by mentors, mentees, parents or guardians.

(3) A violation of the policy on confidentiality by a mentor may result in a written warning or in disciplinary action, such as suspension or deregistration from the programme.

## **9. Mandatory reporting where a child has been, is or is likely to be exposed to harm**

(1) A child mentor must abide by section 34 of the Act which is provided to the child mentor at the time of registration.

(2) There is therefore an obligation on persons -

- (a) who perform professional or official duties with respect to children; and
- (b) who reasonably believe that the child with whom he or she is in contact, has been, is or is likely to be exposed to harm,

to report the matter to an authorised officer of the Ministry or to the Police.

(3) Harm, as per the Act, would include physical, sexual, psychological, emotional or moral abuse, injury, neglect, ill-treatment, degradation, discrimination, exploitation or impairment of health or development.

(4) Failure by a person to comply with the mandatory reporting provision amounts to a criminal offence and on conviction that person is liable to a fine not exceeding 200,000 rupees and to imprisonment for a term not exceeding 5 years.

### **PART III - DISCIPLINARY ACTION**

#### **10. Breach of the provisions of the Code of Ethics**

A breach of the Code of Ethics will be dealt with in accordance with the Children's (Conduct of Child Mentors) Regulations 2024.

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