

Male Mikveh (ritual bath) Protocol

Preventing and Dealing with Sexual Abuse of Youth in the Mikveh

This section principally draws upon the guidelines provided to the US National Center for Injury Prevention and Control.ⁱ It relates to those at risk of sexual abuse up to the age of 17 years.

The generic definition of sexual abuse provided by the CIPC is taken from the American Professional Society on the Abuse of Children Handbook of Child Maltreatment.ⁱⁱ It states:

'Child sexual abuse involves any sexual activity with a child where consent is not or cannot be given. This includes sexual contact that is accomplished by force or threat of force, regardless of the age of the participants, and all sexual contact between an adult and a child, regardless of whether there is deception or the child understands the sexual nature of the activity. Sexual contact between an older and a younger child also can be abusive if there is a significant disparity in age, development, or size, rendering the younger child incapable of giving informed consent. The sexually abusive acts may include sexual penetration, sexual touching, or non-contact sexual acts such as exposure or voyeurism.'

The primary objective of monitoring sexual behaviour is to prevent, recognise, and respond to inappropriate and harmful (abusive) behaviours and to reinforce appropriate behaviours at the Mikveh.

Policy Recommendations

It is recommended that the Mikveh administration:

- Ensures that every member of the administration and staff/volunteers have the relevant jurisdictional clearance to work with children (e.g. Working With Children Check).
- Identifies situations in which there is potential risk of inappropriate sexual activity by adults and youth to identify particular:
 - times and locations for which the risk is considered especially heightened; and
 - individuals that may be considered at risk of either victimisation or of perpetrating abuse.
 - Personal variables may include: the age, developmental stage and personal history of youth attending the Mikveh (i.e. factors that may increase their vulnerability – for example, children who come from difficult family circumstances), and the background of the adults (e.g. have allegations been made against them and/or have they been convicted of child sexual abuse-related offences?).



- Temporal variables may include: very quiet or busy times in the Mikveh.
- Location variables may include: activity in the Mikveh that can occur in relative isolation and that might render the monitoring of individuals difficult or increase the likelihood of 'losing track' of Mikveh attendees.
- Restricts use of facilities for Mikveh immersion purposes only (e.g. no swimming).
- Restricts access to the Mikveh to youth accompanied by their father or a designated supervisor (proof of designation must be obtained).
- Restricts access of alleged or convicted perpetrators to times when children are not present.
- Defines the types of interpersonal interactions considered to be inappropriate or harmful. These might include:
 - sexual activity of any nature;
 - sexually provocative or degrading comments;
 - risqué jokes;
 - touching the body part of another individual;
 - intimate, romantic or sexual contact;
 - exposing individuals to pornography or involving youth in pornographic activities;
 - grooming;
 - attempts made towards seeking time alone with youth; and/or
 - bullying.
- Defines the boundaries of tolerance for interactions between youth and between adults and youth, so as to be able to identify when someone has crossed the line.
- Defines procedures for admitting youth to and releasing youth from the Mikveh so that their whereabouts are always known. This might involve the documentation/logging of booking in and booking out attendees, as well as documenting who the youth is supervised by whilst using the Mikveh.
- Mandates at least two adult monitors to be present at all times within sight of youth using the Mikveh.
- Defines privacy procedures for when youth are toileting, showering, and changing clothes.
- Restricts and clearly outlines the hours for Mikveh use; there should be no 'open slather' (i.e. unrestricted hours).
- Ensures safe environments for Mikvehs, with good visibility to multiple individuals. There should be:
 - no opportunity for concealment;
 - clear lines of sight;
 - bright lighting;
 - windows in internal doors; and
 - a no-closed-door policy.



- Has policies and procedures to monitor which people outside of the Mikveh organisation (such as tradesmen) are allowed into the Mikveh, and under what circumstances.
- Installs external CCTV.
- Considers separate Mikveh facilities or times for youth, accompanied by at least two adult monitors who are present at all times and are within sight of youth using the Mikveh (accompanied by a separate Protocol).

Implementing the policy

The chain of responsibility for youth vis-à-vis use of the Mikveh must be clearly established. That is:

- The policy must be clearly communicated in writing to all Mikveh users (adults and youth) – it is recommended that Mikveh members are asked to sign an appropriate document outlining the rules when paying their annual fees.
- The roles and responsibilities of the Mikveh administration and its monitors must be clearly defined and differentiated.
- It is essential to clarify when the Mikveh administration is responsible for youth and when specific monitors/caregivers are responsible. The development of a policy relating to when the Mikveh organisation starts and stops being responsible for youth attending the Mikveh is recommended.
- Consider who is responsible for youth before and after Mikveh activities.
- The policy outlined in the protocol must be monitored on a continuous basis. This includes defining who to monitor, and what to monitor.
- Enforce the protocol by confronting inappropriate or harmful behaviours and by reporting these behaviours if necessary. Reporting procedures must be in place.
- Carry out spot checks.

Conclusion

Prevention of sexual abuse of youth in the Mikveh is a communal responsibility necessitating formal guidelines. Guidelines for sexual abuse must be based on zero tolerance of any offenders. Mikveh administrations must take overall responsibility, and the lines of responsibility must be clear. Victims of sexual abuse, as well as their family/social support networks, must be protected. Punishment of sexual abusers must be sought through civil **and** religious channels. **In all circumstances, police should be contacted immediately whenever sexual abuse is alleged to have occurred.**

Please contact Tzedek (info@tzedek.org.au) if you require any further information or assistance in relation to this Protocol.



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ⁱ Saul J Audage NC. Preventing child sexual abuse within youth-serving organizations: getting started on policies and procedures. Atlanta (GA): Centers for Disease Control and Prevention, National Center for Injury Prevention and Control; 2007.
www.cdc.gov/violenceprevention/pdf/PreventingChildSexualAbuse-a.pdf

ⁱⁱ Myers JEB Berliner L Briere J Hendrix CT Jenny C Reid TA, editors. The APSAC handbook of child maltreatment. 2nd ed. Thousand Oaks (CA): Sage Publications; 2002. p. 55

