



A comparative study of the role of the family in preventing child sexual abuse in Iranian and Canadian law

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Abstract

Preventing child sexual abuse requires a set of interventions, including measures to prevent the commission of sexual abuse through family-based and school-based education. To date, the focus of interventions has been mainly on prevention at the tertiary level. Understanding and implementing an integrated public health approach provides an important opportunity to integrate the different levels of prevention, namely primary, secondary, and tertiary, and to develop comprehensive prevention strategies. A comprehensive approach that aims to prevent the first offense from occurring. In contrast, most of the approaches in the protection law focus mainly on criminal strategies that aim to prevent recidivism, not to prevent the first offense. Canada needs coherent, integrated, and evidence-based strategies to prevent individuals at risk from becoming actual or repeat perpetrators of child sexual abuse. The present study, with a comparative approach, examines the position and role of the family in preventing child sexual abuse in the legal systems of Iran and Canada. In this regard, relevant laws, including the "Children and Adolescents Protection Act" and the "Islamic Penal Code" in Iran, and the "Child and Family Services Act" in Canada, have been subjected to comparative analysis. The findings show that although both legal systems emphasize the responsibility of parents in protecting the physical and mental health of children, in Canada this role has been strengthened by clearer enforcement mechanisms such as mandatory parent education, mandatory reporting, and continuous monitoring by social institutions. In contrast, in Iran, despite recent legal developments, weaknesses in parent education, lack of adequate psychological and social support, and lack of a coherent monitoring system have reduced the effectiveness of the family in preventing child sexual abuse. Finally, the article offers suggestions for focusing more on primary prevention within the framework of a comprehensive public health approach, which presents one of the most important ways to strengthen the role of the family in Iran, including culturally appropriate sex education, establishing family counseling centers at the local level, and strengthening cooperation between support and judicial institutions.

Keywords: Family, child sexual abuse, prevention, Iranian law, Canadian law, family-centered and schoolcentered education.

1. Introduction

Child sexual abuse is one of the most fundamental human and social rights challenges of our time, with its effects and consequences affecting not only the individual lives of victims, but also the moral and cultural foundations of society. . What is child sexual abuse? Child sexual abuse includes a wide range of behaviors,

from overt contact crimes, such as sexual touching, to less overt non-contact crimes, such as those listed below. It is important to note that children can be sexually abused and harmed without a contact crime occurring. Examples of non-contact sexual abuse include: asking a child intrusive sexual questions or making sexually explicit comments (online and/or offline) voyeurism (i.e. secretly watching or recording a child's private activities), inviting a child to sexually touch themselves or someone else (online and/or offline), exposing a child to pornography or sexually explicit acts, or showing a child genitals. Sexual abuse is a process. It often begins before sexual touching begins. Sexual offences are among the most underreported crimes in Canada. In 2009, 58% of all victims who reported sexual abuse to police were under 17 years of age. In 89% of child sexual abuse cases reported to police in 2011, the child victim knew the perpetrator. Both girls and boys (children and adolescents) are victims of sexual abuse. The rate of victimization of girls generally increases with age, with the number of female victims being abused increasing between the ages of 12 and 15. The rate of victimization of men has remained relatively stable across age groups. Source: Justice Canada, "Background – Sexual Offences Against Children and Youth," based on police-reported crime statistics, February 2013 (accessed online December 4, 2013)

The increase in reported cases worldwide and the complexity of the harms have underscored the need to review protective and preventive mechanisms. Meanwhile, the family, as the first educational, cultural and supportive institution of the child, plays an unparalleled role in protecting him from the dangers of sexual abuse. However, the effectiveness of this role depends on the policies and legal and supportive structures of each society. Protecting children from sexual abuse is of great importance because it helps maintain mental health, healthy development and prevents long-term harm. In addition to short-term harm, sexual abuse has long-term effects that can lead to severe mental problems, addiction, relationship problems and even suicide. Therefore, supporting and protecting children is essential for the health of society. Protecting children from sexual abuse is the key to the health, development and security of society. This support includes education, supervision, legislation and culture building so that children grow up in a safe and healthy environment and the possibility of harm is reduced. Therefore, investing in this field is not only a legal duty, but also a moral and human duty. Protecting children from sexual abuse helps maintain the mental health and natural development of the child. Sexual abuse can lead to anxiety, depression, fear, low self-esteem and behavioural problems that have a long-term impact on a child's growth and development. The role of the family as the first social institution is effective in preventing sexual abuse. Appropriate and preventive family support can prevent the possibility of committing sexual offences in the future and also prevent its recurrence. Preventive and awareness-raising education protects children from abuse and strengthens personal boundaries and a sense of body ownership. A study with Australian university students examined whether receiving school-based education on child sexual abuse prevention was associated with actual experience of abuse. The results showed that 29% of respondents reported participating in school-based programs, while 72% reported parent-based education. Parent-based education was significantly associated with a reduced risk of abuse, but participation in school-based programs was not. The findings of this study highlight the importance of the role of protective parents and strengthening parental capacity as part of preventive efforts (Rudolph, Zimmer-Gembeck, & Walsh, 2022).

In the Iranian legal system, regulations such as the "Children and Adolescents Protection Law of 2020" and related articles in the "Islamic Penal Code" regulate the protection of children against sexual abuse, but due to weaknesses in educational and cultural approaches and lack of effective enforcement guarantees, the role of the family in prevention has been less strengthened. In contrast, in Canada, relying on the "Child and Family Services Act" and extensive educational and social policies, the family has been placed at the center of the prevention system and has created a coherent mechanism for protecting children by requiring parents to participate in educational programs, mandatory reporting, and psychosocial support.

The main issue of the present study is how the role of the family in preventing child sexual abuse has been defined and implemented in the two legal systems of Iran and Canada, and what legal, cultural, and institutional factors contribute to its effectiveness or ineffectiveness. The main goal of this study is to explain and compare the position of the family in the legal systems of Iran and Canada and to provide suggestions for promoting preventive policies in Iran.

2- Research background

The article "Decreasing Child Sexual Abuse in Canada: Evidence from the General Social Survey" by Margot

Shields et al. in 2014, uses national survey data to examine the trend of decreasing child sexual abuse in Canada over the past two decades and analyzes the social, educational, and legal factors influencing it. The study focuses on macro statistics and trends, not the role of the family or legal analysis. In this study, the main focus is on the role of the family in the legal context of Iran and Manitoba, not statistical analysis.

The article "Family Participation in the Treatment of Sexually Abused Youth" by Kelly E. Morton et al. in 2023 examines the role of the family in the rehabilitation of sexually abused youth and shows that parental participation in the treatment process reduces recidivism. That research addresses the treatment and rehabilitation dimension, while the present study takes a preventive approach and looks at the issue from the perspective of family-centered criminal law and policy.

Article "Prevention of Child Victimization in Sexual Crimes in Cyberspace", author, Nikfar Kiani et al. (1402).

This research focuses on the role of government and educational institutions in preventing child victimization in cyberspace. However, the present research has a broader perspective and, while examining the role of the government, its main focus is the family, not cyberspace or technology.

Article "Fighting Child Sexual Slavery within the Framework of the Palermo Convention", author Ahmad Momenirad et al. (1400). A study of Iran's international obligations in the field of combating child sexual slavery based on the Palermo Convention.

The focus is on sexual slavery and international obligations, not on the role of the family or the domestic legal system in preventing abuse.

Article "Criminological Analysis of Child Sexual Abuse in Iran and Prevention Strategies", author Zahra Rezaei et al. (1399). It examines the factors that cause crime and social prevention strategies for child abuse. It has a criminological aspect and does not address the specific role of the family in the framework of comparative law between Iran and Canada.

A review of the research history shows that most domestic research has focused on the criminal aspects of child sexual abuse and has paid less attention to the role of the family at the legal and preventive level. At the international level, several studies have emphasized the importance of family participation, parent education, and cooperation between government and civil society institutions in reducing child sexual abuse, but a comparative study between Iran and Canada has not been conducted so far. Special focus is placed on the role of the family as the main preventive institution, not just a support or treatment institution. Direct analysis of legal regulations and family-oriented social policies in preventing child sexual abuse, using legal texts for the first time in this study, distinguishes it from other studies. Therefore, this study, with an analytical-comparative approach, tries to explain the position of the family in the two legal systems and provide solutions to strengthen its preventive role in Iran. **2- Analysis of Iranian laws on the prevention of sexual harassment 2-1- Prevention:**

Crime prevention in criminal theory mainly includes collective intimidation and individual intimidation resulting from punishment. At the same time, Beccaria in 1764 proposed the idea of specific crime prevention, which is independent of criminal law. Social prevention of crime was completed clinically by considering the effect of corrective-therapeutic measures in the realm of individual prevention. (Najafi Abrandabadi) The division of crime prevention into four levels was first carried out based on the model of social medicine.

The four levels of prevention are:

1. Basic prevention:

This prevention includes policies and laws that aim to improve the social and environmental conditions of the entire population of the country in order to reduce risk factors associated with vulnerability. And is implemented through government policies and programs and public services. The goal of this prevention is for the entire population of the country to achieve health, education, economic, social and emotional wellbeing, and cultural achievements. (Commonwealth of Australia, 2020)

2. Primary prevention:

Primary prevention is a set of actions that aim to prevent the development or occurrence of sexual abuse. This level includes interventions that are carried out before sexual abuse occurs and that aim to reduce risk factors and strengthen protective factors at the individual, family and community levels. Examples of

primary prevention actions include school-based education for children, awareness programs for parents and teachers, and social campaigns to change cultural attitudes towards sexual violence.

There are three approaches to primary prevention and ending sexual abuse and exploitation of children: actions that aim to change attitudes, behaviours and social norms (the most common approach), situational prevention (changing the conditions and environments that provide opportunities for abuse), and reducing the risks and vulnerabilities of children to prevent victimization. (United Nations Children's Fund, 2020.)

Media and social marketing campaigns (the use of advertising and information methods to change social behaviors and raise awareness) that promote public awareness and understanding of child sexual abuse and exploitation are also part of international strategies for universal primary prevention. (United Nations Children's Fund, 2020) Evidence shows that multifaceted campaigns using different methods can increase public awareness of sexual abuse and encourage people to take preventive action (Kemshall & Moulden, 2017; United Nations Children's Fund, 2020).

3. Secondary prevention:

This type of intervention is designed for individuals or groups who are at higher risk of being victims or perpetrators of sexual abuse. The goal is to identify signs early and intervene quickly before harmful behavior develops or becomes established. These measures include treatment programs for adolescents with inappropriate sexual behaviors or parent education in high-risk families.

It involves measures to identify the risk of sexual abuse and intervene before it occurs. Secondary prevention actively targets groups at risk of committing or experiencing child sexual abuse. Two prominent programs that provide initial help to adults who have thoughts or feelings that put them at risk of harming a child, or to unknown adult perpetrators, are Stop It Now! and Prevention Project Dunkelfeld. The Berlin Project also provides help to potential and unknown adolescents who are attracted to children. However, Meiksans et al. (2017) have pointed out the lack of secondary prevention programs for children and adolescents in general. Setting up such programs is complex and requires political support to ensure sustainability, although initial funding through alternative concepts is also possible. In Germany, the program was initially funded by the Volkswagen Foundation and supported by non-profit child protection organizations and the media. This was followed by political support and eventual integration into the health system.

The combination of media coverage, social marketing and access to free and confidential treatment services has a significant impact on the extent to which people at risk access help. In countries where there are no extensive advertising campaigns and direct access to free treatment, the pattern of calls and the proportion of people at risk of abuse varies. For example, in the Netherlands, more than half of users of the advice line contacted the program before committing a crime, while in the UK 83% of calls were made after committing an abuse.

4. Tertiary Prevention

This level includes interventions that are carried out after sexual assault has occurred and aims to reduce the negative physical, psychological and social consequences for victims and prevent recidivism. Rehabilitation programs for perpetrators and psychosocial support for the rehabilitation of victims are among the measures at this level. This level of prevention also includes restorative justice, which aims to facilitate the process of "individual and collective healing." (Kisling & Das, 2021)

Fundamental Prevention in Iranian Law

As fundamental prevention to prevent the commission of crimes and sexual abuse against children, the main concern is the safety and well-being of Canadian children, especially children who have suffered from abuses caused by poverty during their vulnerable years. Development laws and programs in Iran have a comprehensive legal structure and codified planning for equal access to health, education, economic, social and emotional well-being and cultural achievements. These laws include the laws of the "Five-Year Development Plan of the Islamic Republic of Iran" which are formulated every five years. In the form of these laws, they determine the general framework for multi-year development planning of the country. However, executive, institutional and structural challenges have reduced the quality and intensity of their impact. Correcting these shortcomings requires special attention to efficient management, promoting transparency, public participation and attention to social justice in order to achieve a significant impact in

improving the economic, social and cultural conditions of society. These programs do not pay attention to social justice and fair distribution of opportunities. Although social justice is in the slogan of the programs, in practice, the distribution of resources and opportunities is uneven, and some groups in society are deprived of development services. The positive effect of the programs is seen more in urban and central areas of the country, and the results have been low in villages and deprived areas for various reasons. The position of the Ministry of Labor, Cooperatives and Social Welfare in identifying children at risk and victims is an important part of preventive social policies, which is the responsibility of the Ministry of Labor, Cooperatives and Social Welfare as one of the arms of the executive branch. For this purpose, Article 9 of the law establishing this ministry considers the policy of preventing the emergence or spread of deviation and social problems by preparing the grounds for public welfare and promoting social, economic, cultural and other services as the goal and duty of this ministry, which includes the area of support and advocacy for working children (Sarikhani et al., 2016, p. 155).

The role of primary prevention support organizations in Iranian law

This prevention includes a set of policies and programs that try to change and control the criminal conditions and environment. At this stage, the effort is to prevent people in the community from becoming inclined towards crime. This level of prevention requires reducing criminal opportunities without referring to the accused. The goal at this level of prevention is to improve the living conditions of individuals in order to avoid criminality, as well as to produce values that improve healthy relationships. In this type of prevention, society as a whole and includes measures with educational elements of the community (Molvansi, (1999.)

Note 2- This article states that in order to implement the duties stipulated in this regulation regarding education and promotion of children's rights and legal advice and assistance, the National Authority for Children's Rights shall act by establishing a set of services (clinics) for children's rights in coordination with the Welfare Organization. What has been done in this regard?

In Article 48 and Paragraph 6 of Article 42 of the Regulation, the subject of Article 6 of the Protection Law, the Islamic Republic of Iran Broadcasting Organization is obliged to, in order to increase information for children and adolescents and their families, programs with themes and content of children's and adolescents' rights and their protection, especially explaining risky situations and victimization, their origin, effects, consequences and how to deal with them, and explaining the duties of authorities and relevant persons in this field, and has taken action completely on primary prevention. The Ministry of Education, in cooperation and coordination with the National Authority for Child Rights, has also designed and held training courses for teachers, administrators, counselors, and school staff on the rights of children and adolescents under the law and other required topics, and the content of the training programs is prepared and presented by the National Authority for Child Rights. Comprehensive information about children's rights in cooperation with the mass media and education is considered one of the most effective primary prevention tools. These measures can have the following effects in reducing harm, especially the primary prevention of child sexual abuse: 1- Informing families, children, teachers, and society increases public knowledge and awareness about children's rights and inappropriate behaviors. When people are familiar with children's rights and the signs of sexual abuse, the likelihood of early identification and response increases. 2- Training in educational environments helps children learn self-care skills, recognize dangerous behaviors, express emotions, and ask for help, which are among the foundations of primary prevention. Third, By providing continuous information, the media and schools strengthen social responsibility and public pressure to confront abuse and protect children's rights increases. Fourth, awareness-raising helps break social taboos about sexual abuse and children and families raise issues with more confidence and seek help. 5- Cooperation between the media and education can lead to the creation of a community-based culture of preventing abuse and other harms, which has a strong preventive role. By informing all members of society about children's rights, it can play an effective role in primary prevention of crime, but if this level of information and awareness specifically includes child sexual abuse with the aim of reducing risk factors and strengthening protective factors at the individual, family and social levels. It could play a more effective role in primary prevention, which includes school-based education for children, social awareness programs for parents, teachers and the general public to change cultural attitudes towards sexual abuse.

Article 39 of the Regulations of the Ministry of Cooperatives, Labor and Social Welfare is obliged to: Eligible individuals are provided with support packages and self-employment loans or are introduced to welfare

departments by providing free job skills training to adolescents over (15) years of age and families of children and to provide support services.

Article 6 of the Law on the Protection of Children and Adolescents was introduced in the law and the executive regulations, especially in the field of information, education and legal-social support, by the welfare, education and training, and the police. The establishment of child rights clinics is seen in the law, but active mechanisms and effective implementation for the participation of families and nongovernmental organizations in primary prevention are incomplete and inflexible. The Protection Law and relevant regulations should be amended and strengthened with greater emphasis on primary prevention and the key role of the family in preventing sexual abuse and other harms. Direct and mandatory attention to educating families, extensive culture building and program design, defining clearer duties for support institutions in the field of primary prevention, can improve the effectiveness of the law in this area and prevent many harms.

Secondary Prevention

This type of prevention focuses on controlling specific individuals who are at risk of delinquency. Controlling children who are at risk of delinquency is secondary prevention. By implementing appropriate measures and early intervention, crimes or victimization of individuals who are in a critical situation are prevented. (Rajabipour 2004 (20) In fact, this type of prevention is affected by the prediction of a crime-causing situation and its purpose is to monitor target groups that are likely to commit a crime or be victimized. In the Protection Law, some legal articles have been enacted with the aim of secondary prevention. Article 17 of the Protection Law makes it mandatory for the public to report serious or imminent dangerous situations for children, and failure to fulfill this duty will result in one to three 6th degree penalties, depending on the case. Judicial authorities are required to identify and report on children and adolescents subject to Article (3) who are at risk, and to introduce them to the welfare department or the prosecutor of their place of residence, as the case may be. If these interventions and measures are carried out before the crime occurs, they will reduce the psychological, physical and social damage to children at risk and prevent the vicious cycle of repeated victimization. To achieve this goal and considering the negative effects of child victimization in the future, the Protection Law and the executive regulations of this law oblige education to identify and has carried out preventive interventions. Among these support measures, the identification of children and adolescents at risk and victims for introduction to competent judicial and non-judicial support authorities is one. As mentioned, the interaction of the police and education is also mentioned in the bill for the establishment of a special police for children and adolescents. It should be noted that in Article 44 of the aforementioned regulation, the Ministry of Education is required to use the NAMD system (Student Social Care System) to continuously monitor the academic and behavioral status of students and identify individuals at risk and victims for the purpose of carrying out support measures. The NAMD plan for preventing deviations and abnormalities among children and adolescents is an example of growth-oriented prevention. This document, in order to control social harms in the three spaces of school, family, with the school as the center and the slogan "Prevention is better than cure", has been implemented on a trial basis in six provinces of the country since October 2016 (Raijian, 2019, p. 53).

"Also, in paragraph 2 of Article 32 of the executive regulations of Article 6 of the Law on the Protection of Prisons and The Security and Educational Measures are obliged to "take action to identify and introduce children and adolescents whose father, mother or legal guardian is in prison to the Welfare Organization and the Ministry of Education. *Journal of Modern Achievements in Humanities Studies*, Year 5, Issue 50, July 1401-122 Therefore, it should be stated that if the judicial authorities, during their investigation or investigation, become aware of the victimization or the child being at risk, they will be obliged to report to the competent authority or follow up if competent. Children in school face many harms; this means that children are likely to be exposed to harms such as: dropping out of school, violence, extortion, theft, drug-related crimes, bullying and assault (Ebrahimi, Kalantari, 2017, p. 33).

In paragraph 1 of Article 41 of the regulations, the Ministry of Health, Medical Treatment and Education is obliged to take action to immediately accept and treat injured children and adolescents and to record and maintain all traces and evidence of suspected cases of abuse and in In cases where parents, guardians or legal guardians request the discharge or handover of a child or adolescent before the end of the treatment period, the matter should be reported to the local welfare office in writing or by calling the social emergency and the hotline (123). And according to the second paragraph, in any case where the reasons and evidence indicate that the child or adolescent has been victimized, the matter should be immediately reported to the

Office of Child and Adolescent Protection of the Justice Department and, if support is needed, to the welfare offices.

Paragraph 3 of this regulation also requires the Ministry of Health to identify a child or adolescent who is in a risky situation due to a behavioral, mental or personality disorder or contagious or incurable physical illness or disease, or his/her parents, guardians or legal guardians, and to introduce him/her to the welfare departments.

Article 2 - The regulation for the implementation of Article 6 of the Protection Law requires compliance with certain principles regarding children and adolescents at risk or victims, paragraph 1 ensures the survival, development, security and promotion of the physical, mental, social and spiritual health of children and adolescents. These factors directly and indirectly help reduce the vulnerability of children and provide the grounds for effective intervention. The impact of these measures for secondary prevention is in several dimensions, strengthening paragraph 10 of developing the individual, educational, social and professional capabilities and skills of children and adolescents.

Strengthening individual capacities and empowering children Healthy and balanced physical, mental and social development enables children to find the ability to cope with pressures and risky conditions. In other words, children who are physically, mentally, and socially healthy are less vulnerable to and prone to delinquency. Promoting mental and spiritual health increases children's psychological resilience and enables them to better manage stress and challenges. Creating a safe and supportive environment Ensuring security and promoting health in family, educational, and social environments means reducing risk factors and strengthening supportive factors. When a child grows up in a safe environment, the likelihood of encountering risky behaviors, violence, abuse, or delinquency decreases. Facilitating preventive and supportive interventions for the child's optimal development and health increases the possibility of receiving medical, educational, and supportive services, and can prevent the development of potential problems and harms. Children and families at risk are given the opportunity to intervene at the appropriate time based on their specific needs, which is the main component of secondary prevention. Reducing the need for criminal and correctional interventions: Improving the health of at-risk children makes affected individuals less likely to engage in criminal behavior and reduces the need for criminal interventions.

○ Tertiary Prevention

Tertiary prevention in the field of child and adolescent protection refers to measures that are taken after a victimization or delinquency has occurred to prevent recidivism and facilitate the process of rehabilitation and social adaptation of the individual. According to existing definitions, tertiary prevention includes criminal interventions, rehabilitation services, therapeutic, psychological and educational support that are provided with the aim of reforming and rehabilitating the injured or delinquent individual. This prevention is to prevent recidivism and the rehabilitation of criminals (Bayat Sharafti Pour Abdi 2008 26). This type of prevention includes programs such as counseling for children and preventive efforts at this stage to prevent criminal behavior so that criminals reform and adapt to their society and do not tend to commit crimes again.

Article 13 and Article 32 of the Executive Regulations of Article 6 of the Protection Law, when a child is a victim or is in a dangerous situation, measures and strategies are designed for tertiary prevention, seeking to support and empower victimized children and adolescents. Maintenance and protection under the supervision of welfare in Article 13 In cases such as lack of guardianship, abuse, imprisonment of parents, or a dangerous situation of the child in the family, the child is kept under the supervision of a social worker in welfare centers, which is a direct measure for rehabilitation and management of damage. 6- Neglect and negligence towards the child and adolescent or his/her rejection by the family, as determined by the specialized group and taking into account the best interests of the child and adolescent. Considering the definition of the dangerous situation of the child in the family, such as abuse of the child and adolescent in committing crimes or committing crimes against the child and adolescent by family members, continuous violence of family members towards each other, and a reputation of moral corruption by family members. These cases are also tertiary prevention. The legal cases submitted demonstrate the role of tertiary prevention in the Iranian legal system, which seeks to protect and empower children and adolescents who are victims or at risk. Article 13 provides that in cases such as neglect, abuse, parental imprisonment, or a child's precarious situation in the family, the child shall be placed in welfare centers under the supervision of a social worker, as a direct measure for rehabilitation and post-traumatic stress disorder management.

Article 32 of the Executive Regulations of Article 6 of the Law on the Protection of the Prisons Organization and Security and Educational Measures of the Country, in paragraphs 1, 3, 4, 5 and 7, obliges the correctional and educational centers to empower, grow, support, rehabilitate, socialize, optimize and standardize, and identify the individual and family status of the child and adolescent in order to carry out supportive measures during the period of detention or after the child and adolescent are discharged and handed over to their family or the welfare organization. In Article 22 of the aforementioned regulations, the director of the detention center is obliged to provide the conditions and facilities for education, educational programs, including self-care and communication skills training, technical and vocational training, and media literacy and cyberspace training in accordance with the needs, interests and talents of children and adolescents. Article 32 emphasizes formal, technical and vocational training, life and communication skills for children and adolescents deprived of their freedom, which lays the groundwork for rehabilitation and return to a healthy society, which is considered one of the pillars of empowerment and tertiary prevention. Identification and introduction to protective and judicial authorities The prison organization is obliged to cooperate with the welfare and education departments to identify children related to imprisoned parents; this interaction of institutions is very important for the continuous protection of the child. Providing supportive environments, education and rehabilitation are considered in these articles, but for greater effectiveness, the role of the family in rehabilitation should be more active and the issue of sexual abuse as an acute injury should be included in the law and regulations with specific and broader interventions. However, these laws require further reform and strengthening in the area of family participation and specific support for child victims, especially regarding sexual abuse, so that tertiary prevention can be implemented more fully and effectively. Attention to the family and sexual abuse In these legal articles, the role of the family is raised as a context for the emergence of risks, but it is not directly and actively mentioned in the rehabilitation or education of families. Also, the issue of sexual abuse as a serious injury is not explicitly mentioned and specialized interventions are less common in this regard. The lack of legal emphasis on preventive education of families and support for child victims of sexual abuse leads to a weak effectiveness of tertiary prevention. In these articles, tertiary prevention aims to reduce recidivism and support for children who have been harmed. By increasing the success in reform and rehabilitation, close supervision and continuous support of the welfare organization, along with educational and training programs tailored to the specific needs of each child, leads to the reform of behavior and the reconstruction of the child's personality. Providing opportunities and support resources to the delinquent child increases the possibility of choosing non-delinquent paths and reduces the likelihood of returning to delinquency. The education and empowerment of the delinquent child, the development of social, psychological and professional skills, play an effective role in creating a correct reposition in society. Improving the psychological, social and family conditions of the child under protection and rehabilitation reduces the risk of recidivism. Ensuring legal and legal support. The presence of the welfare organization and effective supervision in the security and educational stages guarantees the legal protection of children and prevents discriminatory behaviors or abuse. Legal and support programs create a reassuring and justice-oriented atmosphere. Healthier and more responsible social return. Ensuring the continuous education and care of delinquent children in security centers leads to their better preparation for a healthy social life and acceptance of responsibility. Reducing the risk of social isolation and abnormalities associated with returning to society is another benefit of this type of intervention. Summary Continuous supervision and education of delinquent and at-risk children by the welfare organization and security and educational centers is considered an essential part of tertiary prevention, which, through reform, empowerment and legal support, prevents recidivism and enables the child's healthy reintegration into society. This approach reduces the vicious cycle of delinquency and promotes social health. **Criticism of the position of family education and attention to child sexual abuse in the law**

Article 17 of the Law on the Protection of Children and Adolescents and related regulations are among the prominent cases of tertiary prevention, which obligates judicial authorities to refer a child victim or at risk to support institutions. The Ministry of Education's NAMAT system is also active in order to monitor the behavioral and academic status of students, identify victims, and intervene in a timely manner. These measures are concrete examples of tertiary prevention practices. The role of the family and sexual abuse in tertiary prevention In the tertiary prevention section, the legislator clearly refers to the duties of support, rehabilitation, and reporting, but has paid less attention to the key role of the family in the rehabilitation and reformation of children. The family, as the main factor of emotional and educational support, must actively participate in post-crime interventions and have continuous support. Also, although sexual abuse is mentioned in the law, the specific mention, training, and specialized tertiary prevention interventions

regarding sexual abuse are weak and incomplete, which prevents the provision of comprehensive and complete support to child victims. The lack of specific and binding programs for long-term support for families in returning the child to a healthy path of life and preventing recidivism is a significant weakness. Tertiary prevention focuses on interventions after the victimization has occurred, and mechanisms for support and rehabilitation are provided, but in particular, the role of the family and the importance of sexual abuse as a serious harm requiring specialized and targeted interventions require legal strengthening and structural reforms to ensure that child victims, while receiving legal, psychological and educational support, return to a healthy life and society and avoid recidivism.

Attention to the family and sexual abuse In these legal articles, the role of the family is somehow raised as a context for the emergence of risks, but it is not directly and actively involved in the rehabilitation or education of families. Also, the issue of sexual abuse as a serious harm is not explicitly mentioned and specialized interventions in this regard are less visible. The lack of legal emphasis on preventive education of families and support for child victims in the field of sexual abuse leads to a weakness in the effectiveness of tertiary prevention. The importance of tertiary prevention in these articles Tertiary prevention aims to reduce recidivism and support for children who have been harmed. Providing supportive environments, education, and rehabilitation are considered in these articles, but for greater effectiveness, the role of the family in rehabilitation should be more active and the issue of sexual abuse as an acute harm should be included in the law and regulations with specific and broader interventions. Summary of the submitted legal articles are prominent examples of tertiary prevention in Iranian law that deal with the support and rehabilitation of child victims or those at risk. However, these laws require further reform and strengthening in the area of family participation and specific support for child victims, especially regarding sexual abuse, so that tertiary prevention can be implemented more fully and effectively.

Regarding the role of the family and the prevention of sexual abuse, the law does not explicitly and bindingly address the role of the family in all types of prevention, especially the prevention of child sexual abuse. Education for awareness and empowerment of parents, especially mothers, is very effective in preventing sexual abuse. Scientific research shows that parent education can significantly increase children's safety skills and be effective in prevention. Family-centered and school-centered education programs are recognized in different countries of the world as the best models for preventing sexual abuse, but this issue has not yet been fully and clearly included in Iranian law. As a result, the Law on the Protection of Children and Adolescents in the secondary prevention section has well incorporated interventions after identifying harm, but for primary prevention, specifically and purposefully focusing on the role of the family and protective education of children, especially in the field of sexual abuse, there is a need to strengthen, amend and make laws clearer.

In the regulations for the implementation of Article 6 of the Protection Law, many laws and regulations have been set to protect the rights of the child and prevent delinquency and child victimization. It has referred to the primary prevention of sexual abuse. These specific and mandatory strategies for educating families, children and educators about the prevention of sexual abuse have made this important harm less than it really is. Third, most legal articles refer to the identification and protection of children who are victims or at risk, which are more in the area of secondary and tertiary prevention.

It is essential that seminars, activities and workshops are tailored to age groups so that common concerns of parents can be addressed appropriately.

Organizations should collaborate with child care centers (kindergartens), health centers, schools and other community-based organizations.

The “3P – Positive Parenting” program is a parenting program that provides parents with simple and practical strategies to confidently manage their children’s behaviors and build strong, healthy relationships with them. The program provides general information for all parents, to intermediate guidance (guidelines, parenting counseling, and workshops), and ultimately advanced clinical assistance for parents who are facing significant behavioral problems in their children. The program is based on cognitive behavioral therapy, social mobilization, conflict resolution, counseling and social work, family therapy, parent education, skills training, and socioemotional learning. The main goals of the program are: to improve knowledge, skills, confidence, self-sufficiency, and initiative in parents; to promote nurturing, safe, engaging, nonviolent, and low-stress environments for children; Strengthening children’s social, emotional, language, intellectual and behavioural competencies through positive parenting practices, along with

reducing children's behavioural problems. Parents and children are referred to the programme through public information campaigns (such as newspaper advertisements, leaflets in schools, childcare centres and health care settings). Recruitment is also possible through professional referrals.

"Indigenous child and family services" means services provided by an Indigenous authority to support Indigenous children and families, including prevention services, early intervention services and child protection services;

Article 34, Convention on the Rights of the Child States Parties undertake to protect children from all forms of sexual abuse and exploitation. National measures to prevent the encouragement or coercion of children to engage in sexual activities. Exploitative use of children in prostitution and other illegal sexual acts. Exploitative use of children in pornographic acts and materials.

"Commit to Children" is a programme that helps organisations create safe environments for children. Organisations learn how to define and identify appropriate boundaries between adults and children and create safe, healthy and respectful environments. The programme provides policies, strategies and a step-by-step plan to help reduce the risk of sexual abuse and encourages organisations to take an active and participatory role in protecting the children in their care. Children in Canada participate in activities outside the home, such as extracurricular activities and sports teams, almost every day, and are supervised by other adults. Most of these activities and experiences are fun, positive, and help children learn and become healthy adults. Just as we recognize the importance of ensuring that physical environments do not pose safety risks to children, we must do the same in preventing child sexual abuse. The organization to which the child belongs is committed to the highest standards of practice when working with children. Therefore, they should provide the information and tools necessary to reduce the likelihood of children being victimized. Parents should also be educated about the risks and help organizations mobilize their communities to create safer environments for children. Parents play the most important role in protecting children from child sexual abuse. Expanding parents' understanding of the child sexual abuse process will help to better protect children when participating in activities outside the home. Children are vulnerable to sexual abuse. Children are socially and emotionally developing, inexperienced, curious, rebellious and, especially during adolescence, easily provoked, so they can be easily confused, controlled and coerced. They are taught to respect and listen to adults. Children do not have a developed understanding of sexuality and do not interpret adults' intentions. They, like most people, respond to attention, affection, kindness and gifts. Children's understanding of the issue of child sexual abuse - the problematic behaviour, the importance of appropriate boundaries as well as reporting procedures to address inappropriate behaviour and child sexual abuse - is the first step to preventing it.

1- Primary prevention: Prevention before harm occurs reduces the risk of harm and protects children before abuse or neglect occurs. It suggests strategies such as public education programs and child-sensitive protocols that may help prevent child abuse or provide family support services, parenting education, and community-based programs. The importance of primary prevention is that it emphasizes preventing child victimization

Providing support services to families, counseling, home support, parenting programs, and services for children who witness domestic violence. These services help families create a safe and supportive environment for children and prevent abuse or neglect from occurring. (Paragraph 3) Emphasis on family support, education and participation of children, attention to culture and community needs, sensitivity to rights and justice, and preservation of the family environment.

Section 2 — Voluntary Services or Support for Families Services or Support for Families – Section 5

The Director may enter into a written agreement with the parent of the child to provide services or support to assist the family in caring for the child. The agreement must specify the role of that party and the terms of use, disclosure, and security of information provided to that party. Withdrawal from the agreement does not terminate the entire agreement. Services may include (but are not limited to): services for children and youth, home-based support counseling, respite care, parenting programs, support services for children who witness domestic violence. The initial term of the agreement shall not exceed 6 months and may be renewed for periods of up to 6 months.

.1Section 2 — Voluntary Services or Support for Families (Sections 5 to 12.2)

Establish voluntary agreements with parents or families to provide services and support before the situation reaches a serious risk stage. Services such as: parenting training, home support, counselling services, short-term care and parental respite

Helping children who witness domestic violence These measures are precisely aligned with the aim of preventing harm to a child before it happens.

Care plan and family conference (Sections 20-21) Developing a care plan in partnership with the family and the manager, even if the child has not yet been exposed to serious harm, is an example of primary prevention. Referral to support services for youth and families (Sections 12.1 and 12.2) Creating preventive opportunities for young people at risk or without parental support, to prevent more serious problems from developing.

Voluntary Care Agreements – Section 6 The manager may enter into a written agreement with a parent who has custody of the child and is temporarily unable to care for the child at home. Under the agreement, the parent may transfer the care of the child to the manager and give the manager the necessary authority.

1- The administrator must: seek and consider the child's views on the agreement, explain the effect of the agreement to the child.

2- Before the agreement, the administrator must: consider whether a less disruptive way of helping the parent, such as in-home services, is appropriate, consider that the agreement is in the best interests of the child.

3- The agreement must include: a description of the care plan and the place of care for the child, the administrator's obligation to inform the parent and the parent's participation in decisions, the parent's obligation to maintain contact with the child, if a native party is added, the role of the party and the terms of the information security.

4. If a supervision order is necessary (Section 29.1) the administrator may apply to the court for the care of the child to be supervised by the administrator if there are reasonable grounds to believe that: (a) the child is in need of protection, and (b) the supervision order is sufficient to protect the child. Notice of the time, date and place of the hearing for the application shall be given in accordance with Section 33.1(1), (2) and (3). Removal of a child (Section 30) The administrator may remove a child without a court order if there are reasonable grounds to believe that: (a) the child's health or safety is in immediate danger, or (b) no other less intrusive measure is sufficient to protect the child. The administrator may, without a court order and if necessary, forcibly enter a place, vehicle or vessel to remove a child if: (a) reasonable grounds to believe that: (b) no one is available to allow the director access to the child or no one is available to grant access. If the director so requests, a police officer shall accompany and assist the director. Notification of Parental Removal of Child (Section 31) The director shall immediately make all reasonable efforts to notify each parent of the removal of the child. The notice shall, if possible, be in writing and shall include the reasons for the removal of the child. Care of Child in Case of Removal (Section 32) If a child is removed under Section 30, 36 or 42, the director shall be responsible for the care of the child until: the child is returned by the director under Section 33(1) or (1.1)(a.1); the director withdraws from the hearing under Section 33.01(1); (b) the court makes an interim order in respect of the child; (c) the child is returned by the court. While in the custody of the director, the director may: (a) permit a health care provider to examine the child; (b) with the consent of the health care provider, provide necessary medical care without delay Where possible, the director shall inform the child's parents of the medical care. This section does not limit the child's right to consent to medical treatment under Section 17 of the Infants Act. The director may allow the child to participate in school, social or recreational activities. Return of a child before an order is made At a hearing (Section 33) Before the hearing or at the conclusion of the hearing, the director may return the child to the parent who appears to have custody if: (a) the director has made an agreement with the parent that is sufficient for the protection of the child; (b) the director is satisfied that circumstances have changed and the child no longer requires protection; (c) new information shows that the child no longer requires protection; (d) a less intrusive method of protecting the child is available. Before the hearing, if the child has been removed under Section 36 or 42, the director may return the child to the parent or person who had the care of the child under the director's supervision if: (a) the director is satisfied that the existing order is sufficient for the protection; (b) new information after the removal shows that the existing order is sufficient when the child is returned, The administrator shall notify the parent in writing whether he or she intends to proceed with the action under this section. If the administrator does

not intend to proceed with the action, he or she shall promptly: (a) file a written report with the court setting forth the reasons for the removal and return of the child; and (b) provide a copy of the report to the parent and any other person notified.

Hearing for an application for a supervision order (Section 33.2) The director must submit a written report to the court setting out the reasons for the application and a temporary plan for the care of the child. If the court is satisfied with the director's reasons, it will make a temporary order for the director to supervise the care of the child.

.2Secondary prevention: Identification of children at risk, reporting, assessment and care planning. Requiring individuals to report the situation of children at risk to the director or a designated authority. Assessing the child's situation, providing support services, and referring to appropriate authorities. Family and child planning, non-judicial intervention, establishing a care plan, and coordinating between agencies and authorities.

Response to reports Section 13(1) A child is in need of protection in the following circumstances: This section identifies circumstances in which a child may be in need of protection (physical, sexual, emotional harm, neglect, domestic violence, deprivation of health care).(a) If the child has been or is likely to be physically harmed by his or her parent; If the child has been sexually abused or sexually exploited by a parent or is likely to be so; If the child has been physically harmed, sexually abused or sexually exploited by another person or is likely to be so and the parents are unable or unwilling to protect the child; If the child has been physically harmed or is likely to be so because of the negligence of the parent or is likely to be so; If the child has been emotionally harmed because of: the parent's conduct, or living in an environment where domestic violence against the person with whom the child lives occurs; If the child is denied access to necessary medical care; If the child's development is at serious risk due to a treatable illness and the parent does not consent to or provide treatment; If the parent is unable or unwilling to care for the child and has not made adequate arrangements for the child's care; If the child is absent from home or has been in a situation that endangers the child's safety or well-being; If the parent is deceased and adequate arrangements for the child's care are not made; If the child has been abandoned and adequate arrangements for the care of the child have not been made; If the child is in the care of a manager or other person under an agreement and the parents are unwilling or unable to resume care after the agreement has expired.

)1.1(For the purposes of paragraphs (1)(b) and (c) and without limiting the definition of "sexual abuse" or "sexual exploitation", a child is considered to have been sexually abused or exploited if the child: has been induced or assisted to engage in prostitution, or has been coerced or induced to engage in prostitution.

(1.2) For the purposes of paragraphs (1)(a) and (c) and without limiting the circumstances that increase the likelihood of physical harm to a child, the likelihood of physical harm is increased when the child lives in an environment of domestic violence against or by a person with whom the child lives. Tertiary prevention: judicial intervention, removal of the child from the unsafe environment, supervision and custody to reduce the harm and prevent its recurrence. Agreements for children with special needs – Section 7 is similar to Section 6 except that the child has special needs.

Agreement with relatives or others – Section 8 The administrator may enter into a written agreement with a person who has a relationship with the child or cultural/traditional responsibility and to whom the care of the child has been entrusted by the parent. The agreement may include the administrator's support during the care of the child by that person. Possible parties to the agreement: the child's parent and, if the child is indigenous, the relevant indigenous institutions (nation or village). The withdrawal of a party does not terminate the agreement and the party's role and information security conditions must be specified.

Ability to enter into agreements and enforceability – Section 11 Parents under the age of 19 may enter into agreements under Sections 5, 6 or 7 with the administrator. An agreement with a person under the age of 19 is enforceable. Agreements not a limitation on the court's power – Section 12 No agreement limits the court's power to consider and make orders about the child. Section 2.1 — Youth and Adult Support Services and Agreements

Support Services for Youth – Section 12.1 The Director may establish support services for youth, including shelters, outreach services, and supported living.

Agreements with Youth – Section 12.2 The Director may enter into a written agreement with a youth who is in need of support and:

(a) is not, in the opinion of the Director, returnable to his or her family, or (b) has no parent or other person to assist.

.1 The agreement may include: residential, educational or other support services financial assistance

2.1 The agreement must include an independence plan which: explains the support services or financial assistance provided by the manager, sets out the young person's objectives, and other matters specified by the regulations. Before making the agreement, the manager must: consider whether the agreement is in the best interests of the young person, recommend that the young person seek advice from an independent third party. The initial period of the agreement is 3 months and may be extended by up to 6 months. No agreement shall continue beyond the young person's 19th birthday. The agreement is enforceable against the young person. The agreement does not limit the court's power to make orders about the young person. The young person includes a person under the age of 16 who is married, a parent or an expectant parent.

Duty to report need for support – Section 14 Any person who has reason to believe that a child, including an Indigenous child, is in need of support must report the matter immediately to the manager or the manager's designated person. If the child is Indigenous and the reporting person reports to an Indigenous authority and that authority confirms that the report will be investigated, there is no need to report to the manager. This requirement applies even if the information is confidential or otherwise prohibited from disclosure by law, except by reason of the attorney-client relationship. No action for damages is allowed against the person who makes the report. An offence under this section is punishable by a fine of up to \$10,000 or imprisonment for up to 6 months or both. If a child commits an offence – Section 15 A police officer may hand over a child under 12 years of age to a parent if: (a) the child is under 12 years of age, the child has committed an offence against the law or has refused to perform a lawful duty. If the child has killed, injured or endangered another child, the officer must report the matter to the Director; in other cases, reporting is optional.

Determining the Child's Need for Protection – Section 16 On receiving a report under Sections 14, 15 or 27, the Director must determine whether to: (a) refer the report to another Director, or (b) if the child is an Aboriginal person, refer the report to the relevant Aboriginal authority. After the review, the Director may: provide support services and agreements; refer the child and family to community agencies, the Indigenous authority or appropriate individuals; conduct a child safety and needs assessment for family support services; conduct an investigation into the child's need for support; refer the report of the Indigenous child to the Indigenous authority (with the approval of the Indigenous authority). The Director shall make every effort to report the outcome of the assessment or investigation to: the parent who is presumed to have custody; the reporting person; if the assessment is made pursuant to an agreement with an Indigenous nation or entity; that entity; any person or organization that the Director determines is necessary for the safety or well-being of the child. The Director may inform the child of the outcome if the child is capable of understanding it. Paragraphs 3 and 4 do not apply if: the reporting of the outcome would cause physical or emotional harm or endangerment to the child; or a criminal investigation is ongoing or anticipated.

Family Conference – Section 20 The purpose of a family conference is to enable the family to develop a care plan that: (a) protects the child from harm, (b) is in the best interests of the child, (c) takes into account the wishes, needs and role of the family, and (d) takes into account the child's culture and community.

If the Director, after: (a) an assessment under Section 16(2)(b.1), determines that services are necessary, or (b) an investigation under Section 16(2)(c), determines that the child is in need of support, the Director may recommend that the parent or, in the absence of a parent, other family members be referred to a family conference coordinator. This section applies even if the child has left home. If the recommendation is accepted, the family conference coordinator may, after consultation with the parent or family member, hold the conference.

Care Plan – Section 21A care plan drawn up at a family conference must be agreed to by the director and may include the provision of services to support and assist the family and to keep the child safe. A care plan may include: (a) the child staying in the home of a relative or other person; (b) the person, including a parent, staying away from the child's home; (c) the director's access to the child. If the child is 12 years of age or older, the director must, before accepting the plan: (a) explain the care plan to the child; (b) take into account the views of the child. A care plan may be drawn up for a fixed period of up to 6 months only, but

may be extended: (a) with the agreement of the director and the persons who drew up the plan; (b) the total duration of all successive care plans for the same child, including extensions, does not exceed 18 months. Mediation or other alternative dispute resolution methods – Section 22 If the director and any other person cannot resolve a matter relating to the child or the care plan, they may, by agreement, use mediation or other alternative dispute resolution methods. If there is a dispute between persons, including the director or an Indigenous authority, about the application of Indigenous law, they may use mediation or other alternative dispute resolution methods.

Effect of family conference, mediation or dispute resolution methods on proceedings – Section 23 The court may, on application, adjourn a hearing under this section one or more times, not exceeding 3 months, for the purpose of a family conference, mediation or dispute resolution method. If the hearing is adjourned, any time limit relating to that hearing is suspended. If, as a result of the conference, mediation or alternative dispute resolution method, a written agreement is made after the commencement of the proceedings that sets out the child's need for support, the director may submit the agreement to the court.

Conclusion

Child protection is one of the most important legal and social responsibilities of governments. International experience shows that effective protection systems should operate at three levels of prevention: primary prevention, secondary prevention, and tertiary prevention. This article reviews and compares the legal frameworks of Iran and British Columbia (Canada) in the field of child harm prevention.

The British Columbia Child, Family and Community Services Act provides for effective and efficient primary prevention strategies. In the province of British Columbia, the Ministry of Children and Family Development (MCFD) has the primary responsibility for investigating suspected cases of child abuse and neglect. Child welfare workers affiliated with the Ministry, who are delegated powers under the CFCSA, are responsible for assessing reports, providing support services, conducting investigations where necessary and working with other service providers – such as the police, school staff, health professionals, etc. – to ensure the safety and well-being of children and young people.

The sections of the Act dedicated to “voluntary services and support for families” include the provision of counselling, parent training, home support, short-term care and support services for children who witness domestic violence (Part 2, Sections 5-8). The Act also provides for family conferences where a care plan is developed to protect the child (Sections 20-21). These measures help prevent harm before it occurs and focus on the active participation of the family and respect for the child's culture and identity.

Secondary prevention in Iran involves interventions after potential risk or harm has been identified. After being informed of the child's situation, the judicial and social authorities assess and consider whether the child is in need of immediate support. These measures include the deployment of a social worker, the provision of support services, and interventions to the family and child to prevent further harm. In British Columbia, secondary prevention is defined as “assessment and initial interventions.” According to Sections 13-16, upon receiving a report that a child is in need of protection, the director is required to assess the situation of the child and family and decide whether a referral to an indigenous authority or other support services is necessary. The director may also provide support services or establish a care agreement to expose the child and family to protection before serious harm occurs.

Tertiary prevention in Iran refers to measures after the harm occurs. These measures include judicial interventions, the transfer of the child to protective facilities, the provision of psychological and support services, and family rehabilitation. The aim of these measures is to reduce the consequences of abuse or neglect and return the child to a safe environment.

In British Columbia, tertiary prevention includes legal protection and judicial interventions. According to Sections 40-45, if a child is found to be in need of protection, the court may issue a temporary or permanent order, and the director is required to monitor the implementation of these orders. Also, care agreements and family support plans are made in order to rehabilitate and return the child to a safe environment. In addition to reducing harm, these measures provide opportunities for rehabilitation and psychological support for the child and the family.

A comparison of the laws of Iran and British Columbia shows that both countries emphasize the importance of prevention at three levels, but there are also differences:

.1In British Columbia, there is a greater emphasis on preventive interventions and support services before serious harm occurs. The participation of the family, culture and indigenous community in the development of child care plans is prominent.

.2In Iran, there is a greater focus on interventions after harm has occurred or the risk has escalated. The support system includes social work and judicial interventions that are activated after the child is identified as being at risk.

.3British Columbia law explicitly provides for voluntary services, care agreements, and ongoing child assessment, while Iranian law focuses more on judicial and social support after the injury has occurred.

However, both legal systems pursue a common goal: ensuring the safety, health, and healthy development of children and reducing harm from violence, neglect, and abuse. Integrating primary prevention programs and the provision of social support services can play an important role in reducing child harm and making legal systems more effective.

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