

THE ANGLICAN DIOCESE OF BUNBURY

POLICY: KNOWN SEX OFFENDERS AND PERSONS OF CONCERN IN A PARISH

Approved: BIC14Nov19
Updated: 8September 2020

POLICY

The Anglican Diocese of Bunbury accepts as central to its mission and values, the establishment and maintenance of a caring and safe environment for every child and vulnerable person.

The Church is a place of hospitality, justice and healing and to provide a means by which those who have offended can live in that grace in the life of this Diocese.

A parish can be one of the few places where sex offenders can be recipients of God's forgiveness. However, that forgiveness does not provide immunity from temptation to reoffend. The forgiveness and grace of God, together with monitoring, supervision, clear guidelines and boundary setting will be a vital part of the inclusion process and acceptance into the parish. Forgiveness is not forgetting what the offender has done but is a means to encourage the offender to take responsibility for the harm done and where possible, make amends.

SCOPE

This Policy applies to:

- Parishes
- Those who have offended (sexual abuse / sexual assault, child pornography), a 'known sex offender'
- Persons of Concern
- All members of the clergy

PURPOSE

This Policy focuses on the protection of people in a Worshipping Community or a Parish where a Known Sex Offender or Person of Concern worships.

The Policy sets out the following:

- The principles which inform the requirements for such protection
- The guidelines to assist parishes in the process
- Details of the Worshipping Agreement into which the parish and the Known Sex Offender or Person of Concern are required to enter

The Principles

God's forgiveness and grace is recognised and celebrated and it is affirmed all people are loved by God and are called into relationship with God and God's people.

One of the important tasks given by God is to care for and protect the powerless and vulnerable in our society.

Those who are abused by another person's sinful or criminal behavior must remain in the centre of all our thinking and actions.

The Anglican Diocese of Bunbury has a primary responsibility to provide an environment where children, the vulnerable, members of the Parish and visitors are safe and protected from harm. Our protection for children and vulnerable individuals remains our paramount concern and commitment. We also remain constantly diligent in providing a safe sanctuary and support for perpetrators and those who have offended.

THE PARISH

Prior to the inclusion of the known sex offender or person of concern, it must be determined the necessary preparations have been made and procedures and guidelines are in place to ensure no person is at risk of abuse.

The Director of Professional Standards will facilitate the following:

- Completion of a risk assessment, by examining all aspects of risk management and mitigation associated with a known sex offender or person of concern in the parish. This risk assessment may be done with the assistance of a Psychologist.
- The Selection of a support and monitoring group to ensure the know sex offender is protected from those who may oppose them attending; compliant with the restrictions outlined in the worshipping agreement; and compliant with the parole and reporting conditions while attending both parish or church activities.
- The support and monitoring group should be aware of inconsistent behaviours such as those arising from mental health issues and the taking of medication; respond appropriately if the known sex offender indicates a desire to reoffend; and advise the priest if the worshipping agreement is breached or they are concerned about the actions of the known sex offender or person of concern.

NOTE

If the worshipping agreement is breached or a child or vulnerable person is considered to be at risk, the parish priest must notify the Director of Professional Standards immediately and the Diocesan Office, through the **Diocesan Safe Ministry Authority (DSMA) Chairperson.**

If sexual abuse or sexual assault has occurred, the police must be advised immediately.

WORSHIPPING AGREEMENTS

In parishes where a known sex offender or person of concern worships, their attendance will be monitored and subject to certain conditions. If the Director of Professional Standards identifies the known sex offender is a high risk to children or vulnerable people, they cannot attend a parish in the diocese and home communion may be offered only if it is safe for the priest to do so in such circumstances.

A worshipping agreement (see Attached Appendix 1) is prepared by the Director of Professional Standards and is signed by the known sex offender or person of concern, the parish priest, the wardens, the support and monitoring people and the Director of Professional Standards. **This must** be finalised prior to the known sex offender or person of concern attending the parish.

A copy of the worshipping agreement is provided to the Diocesan Office, through the **Diocesan Safe Ministry Authority Chairperson for reference.** The **DSMA Chairperson** is responsible for ensuring a record of such agreements is kept.

This worshipping agreement is made primarily to reduce and minimize the risk to children and vulnerable persons. It is critical that key people in the parish and community are aware of the risk and enable and facilitate a safe church environment for all concerned.

The worshipping agreement also aims to create a safe environment for the person who presents the risk, providing them with protection from false allegations and minimizes the risk of reoffending. It provides support and enables the individual to receive appropriate ministry within explicit bounds of confidentiality.

Each worshipping agreement will be specific to the individual concerned with requirements for constant, direct and personal supervision. The worshipping agreement is not designed to offend but to protect everyone who attends the parish. The conditions may include:

- Compliance with all police reporting and parole conditions
- No capacity to be alone with children or young people
- No leadership role in parish activities including 'leading bible study', reading, welcoming, counting, sanctuary worship etc.
- No participation in any groups where there are children (persons under the age of 18)
- Attending services where children and vulnerable people do not attend
- Not participating in activities in which offending behavior occurred (e.g., a choir)
- Not providing transport to a child
- Not attending children's camps
- Not taking photographs or bringing a camera onto parish property or other photographic equipment where the known sex offender or person of concern has a history of pornography offences
- If the known sex offender or person of concern is a member of clergy, the wearing of clerical adornments may be restricted.

If a known sex offender or person of concern refuses to participate in a Safety Plan and sign a worshipping agreement, they cannot attend worship in the Diocese.

If, after having signed the worshipping agreement, a known sex offender breaches the agreement or demonstrates behavior considered high risk, they can no longer attend a parish within the diocese. The diocese will be advised by the parish if this occurs and by the Director of Professional Standards.

The worshipping community will:

- Prioritise the safety of children and vulnerable persons, including Church Safe training for all in leadership roles or as required by the Diocese
- Focus on redemption, forgiveness and healing

- Offer the known sex offender or person of concern and their families, pastoral care, spiritual encouragement and guidance
- Provide everyone the opportunity to share in fellowship and worship
- Support the known sex offender or person of concern by addressing the behavior of anyone within the worshipping community who acts adversely towards them.

During a Parish Interregnum

Over time, there will be changes in leadership among the Laity and with Clergy. The Diocesan Office through the **DSMA Chairperson** together with the Director of Professional Standards will maintain and ensure new leaders in the parish are kept advised of any worshipping agreements. This will ensure monitoring and support will be maintained over time.

KNOWN SEX OFFENDERS OR PERSONS OF CONCERN

This policy is concerned with the protection of all who worship in the Diocese of Bunbury.

It does not contemplate 'restoration' to any previous position, role or function held by the known sex offender or person of concern.

The conditions in the worshipping agreement will be consistent with legislative requirements and any parole conditions placed on the known sex offender. Where there is any conflict, the legislation and parole conditions will take precedence.

Supervised participation in certain activities or ministries other than attendance at worship will require the known sex offender or person of concern to:

- Acknowledge and accept full responsibility for offences
- Demonstrate remorse for the harm caused
- Co-operate fully with implementing this policy
- Ensure the worshipping agreement is signed and adhered to comprehensively
- Is accountable for their obligations under the worshipping agreement.

KNOWN SEX OFFENDERS WHO ARE CHILDREN

Any person under the age of 18 years who is a known sex offender is within the scope of this policy. Where possible, the parents or legal guardian will be involved in this process and be part of the Support and Monitoring network.

EXPLANATORY NOTE

Leadership role. People in apparent or actual leadership roles in the Diocese when seen by members of our community or the wider community, may be perceived as persons of trust. For those who may wish to harm children or other vulnerable members of the Parish, this perception provides an opportunity for unhealthy and manipulative relationships to be established.

For the purpose of this Policy, Leadership Role has the following meaning:

A person in a leadership role includes a person holding any position or performing any function with the actual or apparent authority of the Diocese of Bunbury. This includes without limitation any of the following positions:

Wardens

Parish Councillors including Secretary and Treasurer

Synod representatives

Licensed Lay Ministers

Worship reader or leader

Bible study leader

Musical director or leader of a choir

Sunday school teacher

Youth leader or worker

Leader of a ministry team, a supervisor

Liturgical assistant

Organizer of refreshments or catering

Co-ordinator of volunteers

Counting money at church, collecting money during services

And any other role that is from time to time included in the Diocesan lists.

Defined Terms

Child: is a person under the age of 18 years

Vulnerable person: is a person unable to protect themselves from harm or threat due to intellectual, physical or emotional impairment or age, gender, sexuality, race, language, or other circumstances in life.

Known sex offender: is a person who has pleaded guilty to, has been convicted of, or has admitted to having committed a sexual criminal offence

Person of Concern

- A person who is currently charged with a sexual criminal offence; or
- A member of the clergy or a church worker against whom allegations of sexual misconduct are currently being dealt with under church disciplinary procedures; or
- A person who is receiving, or has received, treatment for disordered sexual behavior; or
- A person who is considered by the Director of Professional Standards to be a risk to the safety of children and or vulnerable adults because of an adverse risk assessment relating to sexual misconduct or because the person has been disciplined by another organization for sexual misconduct;
- A person who habitually touches people in the parish in a way that is considered inappropriate or offensive.

Support Person

- A person who has undertaken the Safe Church checks: police clearance, Safe Church training, completed a Safe Ministry form for Volunteers over 18 years of age, if not already involved in Safe Ministry to Children authorised work. Provides support through a Support and Monitoring Group in the parish.

NOTE

The parish should exercise care in the identification of Persons of Concern. It is essential accurate information is obtained regarding the identity of the person and the offences they have

committed. This is to ensure the identification of the person is not based on rumour or innuendo. In the case of a member of the clergy or a church worker who has been disciplined for, or who is alleged to have committed sexual misconduct, advice from the Director of Professional Standards should be sought.

INSURANCE DIRECTIVE

Should a known sex offender re-offend in a parish there is no insurance cover. Any such person who has committed a sexual offence **MUST** have a worshipping agreement in place with adequate supervision at all times.

If this process is not followed there is potential for significant costs to be incurred for which the Diocese of Bunbury has made no provision.

Sample Worshipping Agreement
ANGLICAN DIOCESE OF BUNBURY
Worshipping Agreement

Between

And

The Parish of _____

The Parish ofrecognises and celebrates God's grace and affirms that all people are loved by God.

We are committed to providing those who attend a true sanctuary for worship, education, fellowship and service.

We are also committed in providing a safe worshipping environment, and will at all times, ensure the children and vulnerable people of our Parish can attend without concern for their safety.

This Worshipping Agreement is made primarily to reduce and minimize the risk to children and vulnerable people and is a requirement under the Policy: 'Known Sex Offenders and Persons of Concern'.

The Worshipping Agreement also aims to create a safe environment for the person who has offended providing them with protection from allegations and minimizes the risk of re-offending. It provides them with support and enables them to receive the appropriate ministry within explicit bounds of confidentiality.

Each Worshipping Agreement will be specific to the person concerned with requirements for constant, direct and personal supervision. The Worshipping Agreement is not designed to offend but to protect everyone who attends the parish.

See the Anglican Diocese of Bunbury Safe Church page on the Website for an example of a draft Worshipping Agreement.

The Anglican Diocese of Bunbury works with the Anglican Province of Western Australia in the provision of Safe Church culture, services, standards and the engagement of the Director of Professional Standards in line with the Diocese of Bunbury's Professional Standards Statute.

Undertaking and Commitment of _____

Statement:

I was convicted of:

Year:

Sentence:

I have met with the Director of Professional Standards who has explained to me the process required to enable me to participate in worship and fellowship. I understand that reference to a child in this Agreement refers to any person under 18 years of age.

As part of my commitment to the Parish of _____, I will:

1. Never be alone with a child
2. Never be alone with a vulnerable person
3. Undertake a risk assessment as required
4. Provide documented evidence of my offending
5. Comply with all parole and reporting requirements to WA Police
6. Abide by Section 557K (6) of the Criminal Code (WA), that states:
A child sex offender who, without reasonable excuse, in or near a place that is –
 - a) *A school, kindergarten or child care centre; or*
 - b) *A public place where children are regularly present, and where children are at the time is guilty of an offence and is liable to imprisonment for 2 years and a fine of \$24,000.*
7. Not consort with other convicted sex offenders. If a person in the Parish is known to me as a convicted sex offender, I will notify the Director of Professional Standards and the Parish Priest. I understand there will be a requirement to attend an alternate place of worship
8. Remain in the presence of(Support and Monitoring Group), Wardens, or a group of adults while attending church events
9. Not engage in any physical behavior that may be deemed inappropriate or offensive to others (touching, kissing, hugging)
10. Not extend hospitality to families, grandparents with children
11. Not accept hospitality from families, grandparents with children
12. Not discuss my offending history with anyone at the parish until such time that I seek the guidance and direction from the parish priest of Director of Professional Standards
13. In accordance with the Government of Western Australia *Working with Children (Criminal Record Checking)*, I understand I am ineligible to apply for a WWCC. As a consequence I understand I cannot participate in any activity where there are children.

I will respect the leadership and follow reasonable direction given by the parish priest, support and monitoring group and wardens and others in leadership who will:

- Offer me ongoing Pastoral Care, spiritual encouragement and guidance
- Provide me with the opportunity to share in fellowship and worship
- Support me by addressing anyone within the worshipping community who may act adversely towards me or my family.

I understand this Agreement will be reviewed on a regular basis. However, if my situation changes I will advise the Director of Professional Standards so that any necessary amendments to this Agreement can be made. I understand the Director of Professional Standard will discuss these amendments with the Priest, Support and Monitoring Group and Wardens.

This agreement shall only apply if, and, to the extent I remain a member of the worshipping community of.....

If I leave this parish, I understand the Director of Professional Standards will assist me to attend a parish that is appropriate to my circumstances.

I am also aware the parish priest and wardens at my new place of worship will be advised of my offence and a new support and monitoring group will be selected.

I acknowledge and accept full responsibility for the offences I have committed

I am genuinely remorseful for the harm caused

I will co-operate fully with implementing this Worshipping Agreement

I give my undertaking to ensure this Worshipping Agreement is signed and adhered to correctly

I will be fully accountable to my obligations under this Worshipping Agreement.

As outlined in the Policy, I understand if I contravene this Agreement or if I demonstrate behavior that places children and vulnerable persons at risk, I can no longer attend any parish in the Diocese of Bunbury.

Signature Parishioner	Date
Signature Parish Priest	Date
Signature Support and Monitoring Person 1	Date
Signature Support and Monitoring Person 2	Date
Signature Director of Professional Standards	Date
Signature Diocesan Safe Ministry Chairperson	Date

Distribution

- Parishioner
- Support Network Group
- Parish Priest
- Wardens
- Director of Professional Standards (Original)
- Diocesan Office – DSMA Chairperson**