

Managing persons who may pose a risk to children and young people who attend your parish, agency or entity

The Catholic Archdiocese of Melbourne has a primary responsibility to provide an environment where all members of the parish, agency or entity are safe and protected from harm.

A particular area of risk to be addressed within parishes, agencies and entities is the presence of persons who have been charged with or convicted of serious sexual, violent or drug offences and/or other offences that could pose a risk to others (e.g. firearms offences).

Parishes, agencies or entities may become aware that a person involved in the parish, agency or entity has been charged with or convicted of serious offences that suggest the person poses a risk to others e.g. children, vulnerable persons, parishioners.

The parish, agency or entity may become aware of charges or convictions in a number of ways:

- disclosure from the person
- information from a third party
- a person may be unable to obtain a Working with Children Check (WWCC)
- notification from the WWCC Unit that a person's card has been suspended or withdrawn.

No person is able to work or volunteer within the Catholic Archdiocese of Melbourne without a WWCC. However, additional risk management may need to be considered in relation to participation in programs, activities or events conducted by the parish, agency or entity.

It is important that parishes, agencies and entities put in place effective risk management strategies that protect their community whilst allowing the person to maintain their right to worship and receive the sacraments.

Parishes, entities and agencies are required to contact the Professional Standards Unit to undertake a formal risk assessment which may include a criminal history background check and/or a psychological assessment to develop an individually tailored safety plan (which is documented).

Refusal to participate in a risk management processes is reasonable grounds to exclude the person from participation in parish/pastoral activities. This will be particularly so where the known offending is of a significant/heinous nature.

The individually tailored plan will need to take into account:

- the parish, agency or entity's duty of care in relation to the safety of all participants
- legal and/or parole requirements in relation to the person's involvement (e.g. sex offender register restrictions)
- the needs of the person (e.g. spiritual needs, inclusion, community participation)

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Options for participation may include, but are not limited to:

- attendance at Mass and participation in sacraments conditional upon supervision e.g. designated chaperone and/or when children and young people are not present
- preventing the person from contact with the victim if they are present in the parish, agency or entity
- conditional attendance and/or restricted activities within the parish, agency or entity, assigned seating and/or supervised attendance (e.g. person being accompanied by a family member, no photography of children and young people)
- restrictions on attending parish, agency or entity functions where children and young people are present
- not spending time alone in a parish, agency or entity location and/or where children and young people are present
- exclusion zones e.g. toilets, isolated areas
- pastoral support in the person's home
- exclusion where the person poses an unacceptable risk and/or refuses to comply with the requirements of the safety plan.

The agreement of the person to abide by the provisions of a safety plan is essential.

A copy of the safety plan is to be held by the parish, agency or entity and the Professional Standards Unit and stored in a secure and confidential manner.

When a risk management process has been formulated, the parish, agency or entity will need to take steps to ensure it is followed, including in relation to implementing exclusion, as appropriate.

The parish, agency or entity leader will work closely with the person and the PSU to monitor and review the safety plan.

USEFUL RESOURCES

Sex Offenders Registration Act 2004 (Vic).

http://www.austlii.edu.au/cgi-bin/viewdb/au/legis/vic/consol_act/sora2004292

In Victoria, the *Sex Offenders Registration Act 2004 (Vic)* requires offenders who commit sexual offences against children and/or adults to keep police informed of their whereabouts and their personal details for a period of time, and prevents registered sex offenders from working in child-related employment.



CATHOLIC ARCHDIOCESE
OF MELBOURNE

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The Archdiocese is committed to the safety, wellbeing and dignity of all children, young people and vulnerable adults.