



KNOWN SEX OFFENDER'S AND PERSONS OF CONCERN IN A PARISH

Approved by: Diocesan Council

06 April 2017

1 POLICY STATEMENT

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

The Church is called to be 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.

2 INSURANCE DIRECTIVE

Should a Known Sex Offender re-offend in 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 Perth has made no provision.

3 SCOPE

3.1 This policy applies to:

- a Parishes
- b Those who have offended (sexual abuse / sexual assault), ie a 'Known Sex Offender'
- c 'Persons of Concern'
- d All Members of the Clergy

4 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:

- e Sets out the principles which inform the requirements for such protection:
- f Establishes the guidelines to assist Parishes in the process
- g Provides the details of the Worshipping Agreement into which the parish and the Known Sex Offender or Person of Concern are required to enter. **Principles**

God's forgiveness and grace is recognised and celebrated, and it is affirmed that 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 behaviour must remain in the centre of all our thinking and actions.



The Anglican Diocese of Perth has a primary responsibility to provide an environment where children, the vulnerable, members of the Parish and visitors are safe and protected from harm. We must remain forever diligent in providing a safe sanctuary and support for perpetrators but our protection for children and the vulnerable cannot be overshadowed or replaced by our concern for those who have offended.

5 THE PARISH

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

5.1 The Director of Professional Standards will facilitate the following:

- a Completion of a risk assessment – examine 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.

5.2 The selection of a support and monitoring group is to ensure that the known sex offender is:

- a Protected from those who may oppose them attending.
- b Compliant with the restrictions outlined in the worshipping agreement.
- c Compliant with parole and reporting conditions while attending Parish / Church activities.

5.3 The support and monitoring group should:

- a Be aware of inconsistent behaviours (i.e. mental health Issues / medication)
- b Respond appropriately if the known sex offender indicates their desire to re-offend
- c 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

- d 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.
- a If sexual abuse or sexual assault has occurred, the Police must be advised.

6 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 that 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.

6.1 A Worshipping Agreement (attached – Annex 1) is prepared by the Director of Professional Standards and 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. Ideally this would be finalised prior to the known sex offender or Person of Concern attending the Parish.

This Worshipping Agreement is made primarily to reduce and minimise the risk to children and vulnerable people.

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 minimises the risk of re-



offending. It provides them with support and enables them to receive the appropriate ministry within explicit bounds of confidentiality.

- 6.2** 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:
- a Compliance with all Police reporting and Parole conditions.
 - b No capacity to be alone with children.
 - c Not to be offered any 'leadership role' in Parish activities [such as leading a bible study group].
 - d Not to participate in groups in which children (that is, persons under 18 years) regularly participate.
 - e Attending services that children or vulnerable people do not attend (e.g. early services)
 - f Not to participate in activities in which the offending behaviour occurred (for example, a choir)
 - g Not to provide transport to a child.
 - h Not to attend children's camps.
 - i Not to take photographs of children or bring photographic equipment onto Parish property where the known sex offender or person of concern has a history of Pornography offences.
 - j If the Known sex offender or person of concern is a member of the 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 the Worshipping Agreement, they can no longer attend worship in the Diocese.

If, after having signed the Worshipping Agreement, a known sex offender breaches the agreement or demonstrates behaviour that is considered high risk, they can no longer attend a Parish within the Diocese.

The Worshipping Community will:

- a Prioritise the safety of children and vulnerable people, including Church Safe training for all in 'leadership roles' (see over the page).
- b Focus on redemption, forgiveness and healing.
- c Offer the Known sex offender or person of concern and their families pastoral care, spiritual encouragement and guidance.
- d Provide everyone the opportunity to share in fellowship and worship.
- e Support the known sex offender or person of concern by addressing the behaviour of anyone within the Worshipping Community who acts adversely towards them.

7 KNOWN SEX OFFENDERS OR PERSON OF CONCERN

This Policy is concerned with the protection of all who worship in the Anglican Diocese of Perth.

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/or 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:

- a Acknowledge and accept full responsibility for the offences.



- b Demonstrate remorse for the harm caused.
- c Co-operated fully with implementing this policy.
- d Ensure that the Worshipping Agreement (see attached copy) is signed and adhered to.
- e Is accountable for their obligations under the Worshipping Agreement.

8 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.

9 EXPLANATORY NOTED

Leadership role; people in apparent or actual leadership roles in the Diocese/Parish, when seen by members of our communities 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 or Parish.

This includes without limitation any of the following positions:

- a Parish Wardens
- b Parish Councillors (incl. Secretary and Treasurer)
- c Synod Representatives.
- d Lay Pastoral Ministers.
- e Leader of a prayer group.
- f A reader at worship. *
- g Leader of a bible study group.
- h Leader of a choir or Musical Director.
- i Youth leader or worker.
- j Sunday School teacher.
- k Leader of Ministry team.
- l Liturgical Assistant.
- m Organiser of refreshments / catering.
- n Co-ordinator of volunteers at a working bee, etc.

* Not required to do ChurchSafe.

Child: Is a person under the age of 18 years

Vulnerable Person: Is a person who is unable to protect themselves from harm or threat due to intellectual or physical disability, emotional impairment or age. It is noted that all people are vulnerable within a pastoral relationship.

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 A person who is currently charged with a sexual criminal offence; or
- b 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
- c A person who is receiving, or has received, treatment for disordered sexual behaviour; or
- d 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 organisation for sexual misconduct;
- e A person who habitually touches people in the parish in a way that is considered inappropriate or offensive.

NOTE

The Parish should exercise care in the identification of Persons of Concern.

It is essential that accurate information is obtained regarding the identity of the person and the offences they have committed. This is to ensure that 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.

For further information, refer to *Protocol for Disclosures and Management of Child Sexual Offenders within a Parish (Policy 40.7)*



Sample Worshipping Agreement

Anglican Diocese of Perth

Worshipping Agreement

between

_____ and

The Parish of _____

The Parish of _____ recognises 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 that the children and vulnerable people of our Parish can attend without concern for their safety. This Worshipping Agreement is made primarily to reduce and minimise the risk to children and vulnerable people and is a requirement under Policy 40.6.

The Worshipping Agreement also aims to create a safe environment for the person who has offended providing them with protection from allegations and minimises 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.

POLICY 40.6



Undertaking and Commitment of _____

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, is 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 that there will be a requirement to attend an alternate place of worship;
- 8 Remain in the presence of XXXX (Support and Monitoring Group), Wardens, or a group of adults while attending church events;
- 9 Not engage in any physical behaviour 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 or Director of Professional Standards
- 13 In accordance with The Government of Western Australia *Working with Children (Criminal Record Checking)*, I understand that I am ineligible to apply for a WWCC. As a consequence, I understand that 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:

- 1 Offer me ongoing Pastoral Care, spiritual encouragement and guidance;
- 2 Provide me with the opportunity to share in fellowship and worship;
- 3 Support me by addressing anyone within the Worshipping Community who may act adversely towards me or my family;

I understand that 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 that the Director of Professional Standards will discuss these amendments with the Rector, Support and Monitoring Group and Wardens.

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

POLICY 40.6



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

I am also aware that 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 that this Worshipping Agreement is signed and adhered to;

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

As outlined in Policy 40.6, I understand that if I contravene this Agreement or if I demonstrate behaviour that places children and vulnerable people at risk, I can no longer attend any Parish in the Diocese of Perth.

Signature: _____
Parishioner

Date: _____

Signature: _____
Parish Priest

Date: _____

Signature: _____
Support and Monitoring Person - 1

Date: _____

Signature: _____
Support and Monitoring Person - 1

Date: _____

Signature: _____
Director of Professional Standards

Date: _____

Definition of Terms:

'Children' – any male or female under the age of 18 years

'Vulnerable Person' – a person who is unable to protect themselves from harm or threat due to intellectual or physical disability, emotional impairment or age.

DISTRIBUTION

- 1 Parishioner
- 2 Support Network Group
- 3 Parish Priest
- 4 Wardens
- 5 Director of Professional Standards (original)