

CRC Churches International

Guideline: Persons of Concern and Known Offenders attending CRC Churches

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MOLESTATION/SEXUAL ABUSE KNOWN OFFENDERS*

General comments and recommendations

Introduction

It is strongly recommended that known offenders are not permitted to participate in church activities. The CRC Churches International at State and National levels takes no responsibility for a local church making the decision to allow a POC to attend activities.

However, where a church board wishes to allow it, such participation should be managed with the upmost care with respect to relevant child protection legislation, WHS legislation, common law duty of care, the statements about the protection of children in the CRC Child Protection Policy, and liability issues related to 'known offender' insurance exclusions.

Local churches should take advice from appropriate professionals (i.e. psychologists, social workers, legal representative etc.) when deciding whether to allow a known offender to attend the church, and on what conditions. The following points should be carefully considered:

1) Local Board of management responsibility

This is a Local Church Board responsibility relating to local church pastoral, risk management, and legal issues. In these circumstances the Board has responsibility for the protection of vulnerable people and to provide a safe environment. They must also comply with the laws and policy as noted above. As such all ministry to a known offender must be carefully considered and with the Board's approval.

2) Consider insurance risks

Make contact with your church's insurer, to ascertain whether or not any insurance exclusion in relation to known offender exists.

3) Consideration of the pastoral and risk management situation

a. Pastorally: Consideration should be given to providing the person with pastoral care outside of the church's normal meetings, so long as your church has the capacity, e.g. meeting with the person for prayer at a coffee shop etc.

b. Risk management: The local church board should ask the person concerned not to attend church activities until a more complete picture of the risks associated with the individual is established and a risk management plan is put in place. This plan should be completed by professionals with the necessary skills (i.e. psychologists, social workers, legal representative etc.), and the process would include:

* This guideline is based on the Australian Christian Churches (ACC) version, used by permission.

- i. Obtaining from the person concerned full particulars of what they have been charged with or convicted of (ask to see the police / court documentation);
- ii. Completing a risk assessment of both the person and the church's capacity to manage the person;
- iii. Establish a life-long Safety Plan (appropriate conditions such as monitoring attendance and involvement with support and supervision).

What is a Safety Plan?

This is an arrangement establishing the terms and conditions for a POC's participation in the life of a congregation. Under the terms of a Safety Plan, a POC will not be able to attend any church activities where children are or may be present and is unable to take ANY ministry or leadership role in the congregation or wider Church. The Safety Plan will also cover relationships with other church family members and church participants outside of designated church activities, limiting these also to opportunities when children will not be present.

Signatories to the agreement are the POC and Local Church Senior Minister and consideration should be given of whether and who to inform as part of the agreement. A copy of this agreement should be on the church premises, known to the oversight-committee, and kept in a secure location in the event of a change of Senior Minister.

A Safety Agreement is not a substitute for criminal proceedings nor a tool to conceal inappropriate behaviour. It is intended to restrict the POC to very limited participation in the life of the congregation for their own good and especially the good of the rest of the congregation. It works with them, taking all reasonable steps to ensure that the invitation for all people to encounter Christ's call to love and forgiveness, and fellowship in a safe environment, can be offered with integrity and full accountability.

Who can form a Safety Plan?

When a POC first attends your church, they may not disclose that they are on the sexual offender's register, or under investigation for offences against children. When they need to do so is covered by relevant State/Territory legislation and regulation. However, as soon as the local church becomes cognisant that the person classifies as a POC, then a meeting must be held, and a Safety Plan entered if they are to be permitted to continue participating in some way.

In this case, reaching agreement occurs after consultations between the relevant parties, ensuring the Church's conditions are met and adhered to for the long term. It is the responsibility of the Senior Minister to enter into a Safety Plan. If the POC is unwilling to enter into a Safety Plan, or reticent to adhere to the restrictions in the Safety Plan, then they must be excluded from any contact with the church and church family members, and the State/Territory Police notified.

What is a Monitor and what do they do?

This is someone tasked with ensuring compliance with the conditions of the Safety Agreement. People who serve in this role need to be able to exercise compassion without losing the gravity of their purpose.

Characteristics of a potential Monitor would include:

- Ability to prioritise compliance over relationship. Someone who supports compliance of the agreement's conditions, taking into account the need to prioritise the interests of the local Church community over any relationship with the POC;
- Assertiveness, resilience and alertness to actual and potential boundary violations. Someone with a level of mental and physical agility confident enough to report any breaches, since a POC may attempt to test the boundaries of the agreement;
- Ability to report the facts without judgment. Someone who neither minimises nor exaggerates the seriousness of the POC's offence, and who respects the need for an agreement;
- Commitment to participating in the life of the congregation. Someone who regularly attends local Church services and is involved in the Ministry or activity where the POC has expressed an interest in participating;
- Commitment. Someone willing to be fully accountable to the Senior Minister and Church Board about their performance in the role;
- Confidentiality. Someone who realises the magnitude of the role and who can maintain strict and appropriate confidentiality;
- Ability to maintain appropriate boundaries. Someone who understands that their role is not to befriend the POC, nor to offer pastoral care;
- Realistic expectations. Someone who is committed to the demands of the role as a medium-to-long-term undertaking;

We acknowledge:

- There are survivors of abuse in congregations and we seek to care for them effectively;
- The high level of community concern about sexual abuse;
- The duty of care to provide a safe environment for all people in our churches;
- The issues of forgiveness and the POC waving their rights to privacy;
- The risk management and liability issues around a POC's reoffending;
- The need for the local church to provide support, training, monitoring and oversight in this process.