

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.

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 ACC 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 in (1) 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) Management 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, and the process would include:
 - i. Obtaining from the person concerned full particulars of what he has 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; and
 - iii. Establish a life-long Safety Plan (appropriate conditions such as monitoring attendance and involvement with support and supervision).