



## **Catholic Diocese of Sandhurst Guidelines for Managing High Risk individuals**

The Catholic Diocese of Sandhurst (the Diocese) 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 offences.

The Diocese may become aware that a person involved in a parish, has been charged with or is currently being investigated by Police for a sexual offence or convicted of serious offences that suggest the person poses a risk to others e.g. children, vulnerable persons, parishioners.

The Diocese may become aware of charges or convictions in a number of ways:

- disclosure from the person.
- information from a third party.
- Disclosure via the parish, agency or entity.
- 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- notification from the WWCC Unit that a person's card has been suspended or withdrawn.

The Diocesan Working with Children Protocol policy states that any employee/volunteer of the Diocese who has direct contact with children must have a WWCC. However, additional risk management in relation to participation in programs, activities or events conducted by the parish, agency or entity needs to be considered.

It is important that the Diocese put in place effective risk management strategies for the parishes, entities and agencies 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 Diocesan Child Safety Officer (CSO) to undertake a formal risk assessment which may include a criminal history background check and a psychological assessment to develop an individually tailored safety plan. A copy of the safety plan will be held by the parish, agency or entity and the Diocese and stored securely, ensuring complete confidentiality.

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 with a conviction history or if a person is being investigated by Police for a sexual offence (e.g. spiritual needs, inclusion, community participation)

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

## 1. Process for the Diocese

To be managed by the CSO with guidance from the Chair of the Professional Standards Committee. (PSC).

### Identification of a Known Sex Offender

The offender may self-disclose or this information may come from a variety of other sources (for example: parish priest, police, parole officer or family member)

For the purpose of these guidelines a “known sex offender” includes:

- Any person who has been convicted of a sexual offence, including grooming and child pornography;
- Any person who is currently charged with a sexual offence;
- Any person who is currently being investigated by Police for a sexual offence, although charges may not have been laid; and
- Any person deemed to be a risk to the safety of children because of an adverse finding of sexual misconduct in a child-related workplace investigation. This finding has resulted in a “bar” in a Working with Children Check.

### Meetings

An initial meeting is organised between the offender, parish priest, parole officer (where applicable), the CSO to explain the process and gain the person’s consent and full co-operation. A diocesan nominated professional may also be nominated to provide expert guidance with regards to sex offenders.

If the offender is a member of a Religious institute the meeting must also involve the Congregational Leader or their delegate.

Further meetings may be required to finalise safety arrangements and monitor progress.

### Initial Risk Assessment

Sexual offenders often display addictive or repetitive behaviour towards children and for this reason a comprehensive risk assessment needs to be done that is individualised. It is multi-faceted and takes into account the:

- a) Individual’s risk of re-offending. This takes into account the static risks which are historical and unchangeable and have to do with the person’s history (past offences) and the characteristics of the offence situation (number of victims, presence of violence etc.) and dynamic risks which are changeable and relate to the current life circumstances of the individual (use of alcohol, relationship breakdown etc.) it should be noted that even though an individual shows a “spirit filled” conversion they still may pose a risk.

- b) Situational risks of the church setting such as possible areas of proximity to children, number of children in the parish, meeting rooms for children's liturgy, etc. The Catholic Church, following the example of Jesus Christ, welcomes all people. There is also an obligation for all of the faithful to attend the celebration of the Eucharist on Sunday's.
- c) Readiness of the parish and its ability to maintain a long-term plan. For example, if the risk is deemed unacceptable due to children in attendance then an alternative should be explored. This could include seeking the help of a neighbouring church.

In collaboration with the offender, this risk assessment should be conducted by an independent professional with expertise in risk management of known sex offenders. It may require a psychological assessment.

It is important to note risk assessment and management is a complex, dynamic and ongoing process but it cannot completely eliminate risk.

### **Individual Safety Agreement**

An Individual Safety Agreement should be formed by the parish priest and the CSO. It will be written in accordance with the initial risk assessment and risk management strategies agreed upon by all relevant parties. The agreement of the offender to freely commit themselves to abide by the provisions of the Safety Agreement is essential. Otherwise the Church Authority has no alternative but to exclude the individual from parish property.

### **Identification of an Accountability Group**

Once the offender's consent and full cooperation is gained it would be appropriate to appoint an accountability group within the parish.

An accountability group is a number of persons who agree to enter into a formalised voluntary relationship with a known sex offender and helps that person to adhere to specific agreed behaviours. The accountability group will help provide support and offer encouragement and maintain appropriate and agreed boundaries.

One of the accountability group will accompany the offender at all times during mass and/or liturgies and challenge risky behaviour.

### **Management by the CSO/Parish Priest/Head of entity or agency**

*(Including accountability group, parish pastoral associate or parish child safe team member)*

- a) Regular review of Individual Safety Agreement (minimum of annually)
- b) This review should be conducted by the CSO in consultation with all relevant parties
- c) Report of Individual Safety Agreement review to the Diocese and parish priest
- d) Review meeting with offender and the parish priest, Head of entity or agency, accountability partner and the CSO. The purpose of this meeting is to discuss applicable changes to the individual Safety Agreement and potential concerns of breaches.

### **Confidentiality**

In all areas there is a right to appropriate confidentiality. Although when dealing with the safety of children, it is always important to ensure open communication is available with the offender and if need be, by sharing information with appropriate persons such as the police, parole officer or Church Authorities. Leaders within the parish should also be made aware of the risk strategies in place to assist in ensuring boundaries are kept

### **Carriage of Agreement**

The original agreement is to be kept with the Diocese (a copy will also be kept by the parish priest). On-going monitoring is essential and it is important that with any changes of parish leadership over time, knowledge of the offender and the existence of the Safety Agreement is passed on to the incoming parish priest.

### **Document retention**

The complete file with all related documentation should be kept by the Diocese in a secure and confidential file.

The parish priest should have copies of the documents relevant to his responsibilities, including the Safety Agreement. These should also be held in a secure and confidential file.

### **Legislative Restrictions**

It is an offence for persons who cannot pass the WWCC to undertake or remain in child-related employment in any capacity. This includes in a voluntary capacity.

<https://www.workingwithchildren.vic.gov.au/about-the-check/offences-and-penalties>

## **2. Process for parish priest, Head of entity or agency**

1. Contact the Diocese when it becomes known that an offender wishes to attend or continue to attend parish masses and/or liturgies. The offender may self-disclose, or this information may come from a variety of other sources, such as other parishioners, police, parole officer or family member.
2. Inform the offender and/or his/her family of the required process.
3. Work with the Diocese and the CSO, in relation to a risk assessment that takes into account the static and dynamic risk factors.
4. Meet with the Diocese in order to make a decision. This decision may be that the risks are deemed to be too high for others in the parish. To be approved by the Bishop.
5. If the decision is to proceed, then follow the guidance of the Diocese.
6. An initial meeting is organized between the offender, parish priest, parole officer (where applicable), and the CSO to explain the process and gain the person's consent and full co-operation with the Safety Agreement.
7. Organise an accountability group in the parish, one of the accountability group will accompany the offender at all times during mass and ensure the person is escorted to and from the parish after mass.
8. Discuss process of implementing a plan with the accountability group.
9. Provide support and guidance for all involved in the management of the plan (including the offender).
10. Evaluate, along with the CSO the implementation of the plan.
11. Ensure the plan continues to operate whilst offender remains in the parish, entity or agency.
12. Monitor week-to-week compliance and report any non-compliance or concerns to the Diocese immediately.
13. Provide regular feedback as required to the Diocese.
14. Work with the CSO, incoming parish priest, Head of entity or agency to ensure handover when changes of personnel are involved (for example: change of parish priest).
15. Ensure confidentiality of all parties concerned.
16. The CSO is responsible for maintaining all documentation in relation to a person of risk in the Diocese. The parish, Head of entity or agency is required to maintain necessary documentation, as needed in a secure location in accordance with the Privacy Policy.

### Individual Safety Agreement

The Diocese of Sandhurst \_\_\_\_\_ Parish

This agreement concerns \_\_\_\_\_ activities within the Church.

#### Introduction

- a) The Diocese of Sandhurst, in line with the requirements of the National Catholic Safeguarding Standards responds to the protection of children and those vulnerable with paramount importance. This emphasis has guided the Diocesan response to \_\_\_\_\_ and informed the risk management process.
- b) The Diocese of Sandhurst, wishes to support \_\_\_\_\_ to participate safely in Mass, ensuring the care and pastoral needs.
- c) This Individual Safety Agreement will continue until updated following a formal review or upon receiving advice from Statutory Authorities or the Church Authorities Management Panel.
- d) The Agreement management team (to be identified and as listed on the rear of this document) will support the implementation of this agreement, being mindful of the support needs of \_\_\_\_\_, being guided by the paramouncy principle.
- e) It should be noted that by \_\_\_\_\_ agreeing to an Individual Safety Agreement it is not an admission of guilt. It is a preventative control measure and a way of managing potential risks as a result of the concerns rose.

Contract Details Between \_\_\_\_\_ and the Diocese of Sandhurst

The Guidelines for Managing High Risk Individuals within the Diocese of Sandhurst, has been clearly explained to me and I agree to comply with this agreement, in addition to compliance with all Police reporting and Parole conditions

\_\_\_\_\_ Agrees:

- a) I will attend mass at the time specified by the parish priest or his delegate.
- b) I will sit in an assigned seat/area in Church and will not sit near children.
- c) I will not be alone with children on parish property.
- d) I understand that an Accountability Partner will support me during mass and/or liturgies.
- e) The sacristy or other isolated and/or secluded area (please name) are excluded, unless in the company of an Accountability Partner.
- f) I will not arrive to mass early. I will arrange with my Accountability Partner to ensure this. I will not stay around after mass and will leave the church and surrounds at the conclusion of mass.
- g) I will not hold any voluntary position in the parish e.g. altar server, children's liturgy, youth leader, sacramental program, pastoral visitor, Extraordinary Minister of Holy Communion (this is not an exhaustive list, it relates to any ministry role).
- h) I will not hold any leadership position in the parish e.g. Parish Council, Music Co-ordination, and School Board.
- i) I will not attend any parish social activities/picnics/retreats/parish/school fetes, etc.



- j) I will not provide transport to a child to any parish activity, including worship.
- k) I will report any instances of contact with children that are not incidental.
- l) I will advise of any intended travel and visitation to another church outside the parish of \_\_\_\_\_, prior to attending.
- m) I will not present myself as an authorised lay minister of the Catholic Church.
- n) I accept that (list support personnel) \_\_\_\_\_ will provide me with pastoral care concerning the management of this agreement.
- o) I agree to inform a member of the Agreement management team in the event that I breach any of these conditions.

*(The above is indicative only and should be specific to local circumstances)*

**Agreement Signing Block**

Signed: \_\_\_\_\_  
Name: \_\_\_\_\_  
Date: \_\_\_\_\_

Parish Priest of \_\_\_\_\_  
Signed: \_\_\_\_\_  
Name: \_\_\_\_\_  
Date: \_\_\_\_\_

The Agreement management team in relation to this matter is:


Child Safety Officer \_\_\_\_\_  
Signed: \_\_\_\_\_  
Name: \_\_\_\_\_  
Date: \_\_\_\_\_

Parish Representative \_\_\_\_\_  
Signed: \_\_\_\_\_  
Name: \_\_\_\_\_  
Date: \_\_\_\_\_

Accountability Partner \_\_\_\_\_  
Signed: \_\_\_\_\_  
Name: \_\_\_\_\_  
Date: \_\_\_\_\_

Please return a signed copy of this agreement to the Parish

### Approval

Approved by	Signature	Date
Bishop Shane Mackinley		11.02.2020

### Revision History

Version	Date	Revised By	Description of Revision	Next Review
1.0	5/02/2020	Child Safety Officer	New Policy	11.02 2022