
NSW Christadelphian Committee 2020

Child Safety Briefing

Jesus said, "Let the little children come to me, and do not hinder them, for the kingdom of heaven belongs to such as these."

Matthew 19:14



Let everyone be subject to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God.

Consequently, whoever rebels against the authority is rebelling against what God has instituted, and those who do so will bring judgment on themselves.

Romans 13:1-2

Australia



Royal Commission
into Institutional Responses
to Child Sexual Abuse

- The Royal Commission into Institutional Responses to Child Sexual Abuse published their [final report](#) in 2017 with recommendations for organisations including churches.
- Based on these recommendations, the Association of Australian Christadelphian Ecclesias (AACE) published a [Child Safety Policy](#) as a template for Child Safety policies in ecclesias (September, 2019).
- The AACE has advised each ecclesia to make their own decision about participation in the [National Redress Scheme](#).

NSW - ecclesias

The Children's Guardian Act 2019 commenced on 1st March 2020. It brought together existing legislation under one Act.

It defines a religious body as:

- A. a body established for a religious purpose, and
- B. an entity that establishes, or directs, controls or administers, an educational or other charitable entity that is intended to be, and is, conducted in accordance with religious doctrines, beliefs or principles.



Working with Children Checks

NSW Working with Children Check (WWCC)

Under the Children's Guardian Act 2019, an employee of an entity includes:

- a person engaged by a religious body where that person holds, or is required to hold, a Working with Children Check for the purposes of their work with the religious body.

The Child Protection (Working with Children) Act 2012

- Requires all “employers” (which includes ecclesias) to **verify and record the WWCC clearance details**. These records are audited by the Office of the Children's Guardian.

The image shows a screenshot of the 'Application for a NSW Working With Children Check registration' form. The form is titled 'The working with children check' and includes a 'PLEASE NOTE!' warning. The form is divided into several sections: Personal details, Birth details, Contact details, Current address, Previous names and aliases, Purpose of check, and Identity documentation. Each section contains various input fields, dropdown menus, and checkboxes. The 'Personal details' section includes fields for Title, First given name, Other given names, Family name, and Gender. The 'Birth details' section includes fields for Date of birth, Town, Country, and State/Territory. The 'Contact details' section includes fields for Mobile phone, Home/private phone, Business phone, Email address, and Please confirm your email address. The 'Current address' section includes fields for Street address, Suburb/Town, State, and Postcode. The 'Previous names and aliases' section includes a checkbox for 'Have you ever changed your name or used a different name?'. The 'Purpose of check' section includes a dropdown menu for 'Check purpose' and a dropdown menu for 'Child related sector'. The 'Identity documentation' section includes a dropdown menu for 'Commencement of identity document', a dropdown menu for 'Reference number', and dropdown menus for 'Primary document', 'Secondary document 1', and 'Secondary document 2'. A 'Next' button is located at the bottom right of the form.

Who must have a WWCC?

Child Protection (Working with Children) Regulation 2013



Part 2 Clause 13 Religious services

Work for a religious organisation where children form part of the congregation or organisation is child-related work, if the work is carried out:

- (a) as a minister, priest, rabbi, mufti or other like religious leader or spiritual officer of the organisation, or
- (b) in any other role in the organisation involving activities primarily related to children, including youth groups, youth camps, teaching children and child care.

Reportable conduct

NSW - Reportable Conduct

The Children's Guardian Act expanded the NSW Reportable Conduct Scheme, bringing faith-based organisations into the Scheme.

Reportable conduct is defined as a sexual offence, sexual misconduct, ill treatment, neglect, assault offence under 43B or 316A of the Crimes Act 1900 and behaviour that causes significant emotional or psychological harm to a child.

The Recorder/Secretary is responsible for making reports as the ecclesial “head of entity” see the NSW Reportable Conduct Scheme – Fact sheet 2 Heads of entities and reportable conduct responsibilities

https://www.kidsguardian.nsw.gov.au/ArticleDocuments/1021/Head_of_entity_responsibilities.pdf.aspx?Embed=Y

NSW - Reportable Conduct

- This scheme monitors how organisations investigate and report on types of conduct made against their employees, volunteers or certain contractors who provide services to children.
- The scheme covers religious bodies, in response to recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.
- Fact sheets are available <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/reportable-conduct-scheme/fact-sheets>



NSW - Reporting

The Head of a Relevant Entity must provide details within 7 business days after becoming aware of an allegation or conviction. The details they must report include:

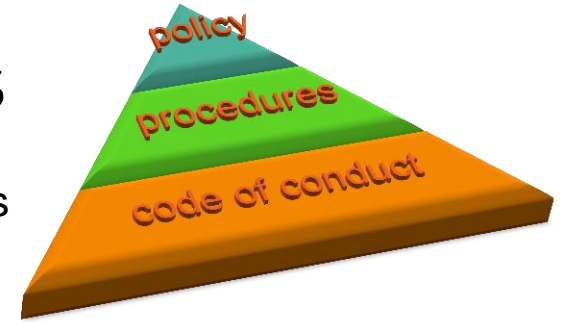
- date report received
- type of reportable conduct
- name of employee
- name and contact details of entity and head of entity
- whether Police notified
- whether a ROSH report was made
- nature of initial risk assessment and management e.g. whether the employee has been moved)
- other additional information (if known)

Entities provide an update on the status of the investigation within 30 calendar days and can seek further guidance for a final report. Failing to report to the Children's Guardian by the head of the relevant entity will carry a penalty of 10 penalty units.

Getting our house in order

NSW - policies and procedures

The Office of the Children's Guardian state that religious bodies need to make sure they have systems in place that include:



- Working With Children Checks for key roles and verifying of WWCCs online.
- A code of conduct.
- Policies, including child protection policies that cover identification, prevention and reporting of reportable allegations, conduct and convictions (including by other members).
- Processes for dealing with reportable allegations (including procedural fairness and protections for making reportable conduct complaints/notifications/reports).
- Recordkeeping and information management handling policies and procedures.
- Training on these policies and codes for members.

NSW - penalties apply

PENALTIES

- As an employer in child related work, ecclesias have responsibilities under the law.
- Refusing to participate in an audit may lead to the ecclesia receiving a fine for non-compliance with the Act.
- Under Section 39 of the Act, the Office of the Children's Guardian has powers to monitor and audit compliance with the Act and Regulation.
- More damaging to our community than penalties and fines is the potential for stigma and persecution by the media and the society because some have not lived up to our community expectations.