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| **Monty & Eltham**  **The Catholic Parishes of St Francis Xavier & Our Lady Help of Christians** |

**SAFEGUARDING CHILDREN AND YOUNG PEOPLE**

Reporting child safety related misconduct and/or child abuse

***1 March 2021 Version 4***

**Responding to and reporting child abuse**

The safety of children and young people is paramount. All concerns, allegations or complaints of child abuse will be taken seriously, and acted upon consistent with the Catholic Archdiocese of Melbourne’s (CAM) moral, ethical and legal obligations to safeguard children and young people. This policy is in accordance with appropriate CAM Safeguarding Children and Young People Policies.

Catholic Archdiocese of Melbourne (CAM) and the Parishes of St Francis Xavier Montmorency and Our Lady Help of Christians Eltham acknowledges its moral, legal and ethical duty to effectively respond to and report concerns, allegations or complaints of child-safety related misconduct and/or child abuse to the appropriate authorities such as the Victoria Police, Child Protection (Department of Health and Human Services) and the Reportable Conduct Scheme (Commission for Children and Young People).

It is important that Children and young people (and their families) within our parishes have information and support to report a concern, allegation or make a complaint through processes that are accessible and respectful.

**Who Can Report?**

Any person (e.g. child, young person, parent, priest, employee, volunteer, parishioner) can make a report in relation to child-safety related misconduct and/or child abuse.

**What to Report?**

It is a requirement of this policy that clergy, employees and volunteers, make a report if they have formed a reasonable belief that a child or young person has experienced abuse, is experiencing abuse or is at risk of harm in the course of their ministry or work. Not reporting child abuse or misconduct that places children and young people at risk of harm is a breach of the Safeguarding Children and Young People Policy.

**How to Report?**

If a child or young person is in imminent danger, a report to Victoria Police must be made immediately (phone ‘000’).

Making a child abuse report involves notifying statutory authorities and the Professional Standards Unit (PSU) of the Catholic Archdiocese of Melbourne in a timely manner (as soon as practicable after forming a reasonable belief, unless the child or young person is in imminent danger).

Reporting to the PSU ensures that parishes, agencies and entities across the Archdiocese report and respond appropriately to concerns, allegations of complaints in relation to safety of children and young people.

All reports are to be documented on the **Child-safety Related Misconduct and/or Child Abuse Report Form** and emailed to the Professional Standards Unit – [professional.standards@cam.org.au](mailto:professional.standards@cam.org.au) – as soon as practicable.

**Immediate danger**

If a child or young person is in imminent danger, a report to Victoria Police must be made immediately (phone ‘000’).

In Victoria, alleged child abuse perpetrated by:

* clergy, employees and volunteers is reported to the Sexual Offences and Child Abuse Investigation Team (SOCIT) within Victoria Police
* a family member is reported to Child Protection - Department of Health and Human Services (DHHS)
* a child or young person is reported to Child Protection (DHHS) and/or the SOCIT (Victoria Police) (e.g. sexually harmful behaviour, aggression, violence, online exploitation).

VICTORIA POLICE

Sexual Offences and Child Abuse Investigation Team (SOCIT): [www.police.vic.gov.au/content.asp?Document\_ID=36448](http://www.police.vic.gov.au/content.asp?Document_ID=36448)

CHILD PROTECTION (DHHS)

North and West (Metro) region: 1300 664 9777

South region: 1300 655 795

East region: 1300 360 391

West (Rural) region: 1800 075 599

After-hours and weekends: 13 12 78

**Reporting Obligations: Clergy, Employees and Volunteers**

All clergy, employees and volunteers have a duty of care to protect children and young people from harm and a moral, legal and ethical duty to effectively respond to and report all concerns, allegations or complaints of child-safety related misconduct and/or child abuse.

It is a requirement of the Safeguarding Children and Young People Policy that clergy, employees and volunteers make a report if they have formed a reasonable belief that a child or young person has experienced abuse, is experiencing abuse or is at risk of harm (even if others do not hold a reasonable belief or do not believe a report should be made).

Not reporting child safety concerns, complaints or allegations or preventing, influencing or coercing a person from making a report is a breach of the Safeguarding Children and Young People Policy and may result in disciplinary action and/or possible legal action.

Please note:

• **It is important for all child safety concerns, allegations or complaints to be taken seriously. Too often in the past those reporting child abuse were not believed, their concerns were dismissed, and the interests and status of the alleged perpetrator (or the organisation) were given priority over the welfare of the victim.**

• Legal action cannot be taken against a person if a report is made in good faith (e.g. When there is a reasonable belief that abuse may be occurring) in compliance with the expectations set out in the Safeguarding Children and Young People policy.

• Victimising or harassing behaviour toward a person who has made a report is unacceptable and may result in disciplinary action.

• Support (e.g. counselling, pastoral support) will be provided to all parties involved in relation to any child safety concerns, allegations or complaints.

**When to Act?**

Reporting child abuse requires a person to form a ‘reasonable’ belief that a child or young person has experienced abuse, is experiencing abuse or is at risk of harm.

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| A reasonable belief is formed if a reasonable person in the same position would have formed the same belief on the same grounds. Definitive proof or evidence that abuse has occurred, is occurring, or that a child or young person is at risk is not required and it is not appropriate to undertake an investigation. |

A reasonable belief might be formed by one or more of the following:

• A child or young person discloses abuse

• Observing one or more physical and/or behavioural indicators of abuse

• A complaint or allegation is made about behaviour that compromises the safety, health or wellbeing of children or young people

• Witnessing behaviour that suggests that a child or young person is being harmed or at risk of abuse • A child or young person reports that someone else is experiencing abuse (they may be referring to themselves)

• A perpetrator discloses that they are harming a child or young person

• A child or young person creates drawings or stories that involve themes or events involving abuse

• An adult discloses historical abuse that occurred when they were a child.

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| It is important to note that each concern, allegation or complaint that arises will vary. In some instances, we can immediately form a reasonable belief and proceed to make a report (e.g. a child has made a disclosure of abuse). In other instances, forming a reasonable belief may require careful observation and monitoring of the situation (e.g. observing possible indicators that may suggest that a child is experiencing abuse) over a period of time. |

The disclosure of abuse can be a very difficult and emotionally challenging process for a child, young person or adult and needs to be handled sensitively and respectfully.

All information relating to a concern, allegation or complaint will be treated with sensitivity and the upmost confidentiality. Disclosing or sharing information with those not directly responsible for responding to a concern or allegation (e.g. gossip) may have serious consequences for the safety and wellbeing of those involved and the integrity of any future investigation (e.g. evidence may be destroyed, witnesses may be threatened or the alleged perpetrator may be ‘tipped off’). Unauthorised breaches of confidentiality will result in disciplinary action.

**PSU’s Role in Relation to Reports of Alleged Child-Related Misconduct and/or Child Abuse**

The Professional Standards Unit (PSU) is responsible for coordinating child-safety related misconduct and child abuse reports in relation to the safety and wellbeing of children and young people and liaising with statutory authorities.

The PSU will be guided by the recommendations of Victoria Police and/or Child Protection in relation to any action that may be required to promote the safety of those involved and the integrity of the investigation process.

CAM has a legal responsibility under the Reportable Conduct Scheme to notify current and historical incidents of suspected child abuse or misconduct of clergy, employees and volunteers to the Commission for Children and Young People (CCYP).

Serious misconduct and/or criminal behaviour will be reported to the Reportable Conduct Scheme (Commission for Children and Young People) and/or Victoria Police and be subject to internal investigation and disciplinary action (and/or administrative action subject to the requirements of Canon Law for members of the clergy).

Disciplinary action is determined by the seriousness of the misconduct.

Disciplinary action in the case of employees and volunteers may consist of:

* counselling
* training
* a verbal or written warning
* suspension (with or without pay)
* dismissal.

In the case of clergy, disciplinary and/or administrative action will be considered in accordance with Canon Law and may include:

* pastoral supervision
* counselling
* suspension of faculties
* permanent removal of faculties
* recommendation to the Holy See for a penal precept or dismissal from the clerical state (laicisation)
* excommunication.

Confidentiality and privacy in relation to reports of child abuse will be maintained consistent with the principles of natural justice and our duty of care to safeguard children and young people.

The safety and support needs of all parties involved in a report will be considered and addressed as part of this process.

The PSU will centrally record and monitor child-safety related misconduct and/or child abuse to provide the Archbishop with oversight in relation to the safety and wellbeing of children and young people across the Archdiocese.

Professional Standards Unit

* hours of operation: Monday to Friday, 9am-5pm
* phone: 9926 5630
* email: [professional.standards@cam.org.au](mailto:professional.standards@cam.org.au)

**History of Updates to Policy**

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| **Date** | **Comment (e.g. major review, minor review)** |
| November 2016 | Development of original documentation |
| March 2017 | Review to amend gaps and inaccuracies. |
| September 2017 | Review to amend gaps, inaccuracies and inclusion of the 7 Child Safety Standards, as an attachment. |
| October 2019 | Rewrite of Policy to harmonise with revised National and Archdiocesan Policies |
| March 2021 | Rewrite of Policy to harmonise with revised Archdiocesan Policies |