



Catholic Diocese of Darwin

SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY

1. Introduction and Purpose

The Catholic Diocese of Darwin, consistent with Gospel values and its Mission Statement (Strategic Pastoral Plan), follows the example of Jesus in respecting the dignity of every child, young person and vulnerable adult. All members of the diocesan family will work together for the protection of these people and for the prevention of any form of abuse, neglect or exploitation – physical, sexual, emotional or spiritual – within our church communities and organisations.

The Catholic Diocese of Darwin will:

- Work in partnership with families to promote the well-being of children and young people;
- Work in partnership with families and support agencies in promoting the well-being of vulnerable adults and those experiencing or being exposed to family and domestic violence;
- Provide safe and nurturing environments for children, young people and vulnerable adults;
- Implement protective systems and practices;
- Ensure that people (over 15 years of age) involved with children and young people have a *Working with Children Clearance (Ochre Card)*¹;
- Provide training in child safety and protection;
- Provide training in safety and protection of vulnerable adults and those experiencing or being exposed to family and domestic violence;
- Provide training in mandatory reporting requirements;
- Respond appropriately to disclosures of harm and abuse, and concerns of inappropriate behaviour toward children, young people and vulnerable adults and those experiencing or being exposed to family and domestic violence.

The Catholic Diocese of Darwin will review this policy and training for all personnel every two years in order to comply with legal responsibilities and mandatory reporting obligations.

2. Scope

This Safeguarding Children and Vulnerable Adults Policy and Procedures applies to all personnel of the Catholic Diocese of Darwin.

It is the responsibility of church leaders to ensure that all personnel, paid or unpaid, receive training in Child Safety and Protection and Mandatory Reporting obligations.

3. Definitions

Child

Under legislation, a child is defined as a person aged less than 18 years

Church communities and organisations

¹ [Working with Children Clearance](#)

All parishes, schools, communities, ministries, movements, religious orders, social service organisations and other groups that form part of the Catholic Church in the Diocese of Darwin.

Church leader

Any person who is working, volunteering or ministering with a church community or organisation in the Catholic Diocese of Darwin and has responsibility and/or care for personnel who are involved with children and/or vulnerable adults.

Church personnel

Any person who is working, volunteering or ministering with a church community or organisation in the Catholic Diocese of Darwin.

Confidentiality

The *Care and Protection of Children Act 2007*² makes it clear that the requirements of confidentiality or professional ethics is not breached by making a report.

Harm

Under legislation, harm is any significant detrimental effect caused by any act, omission or circumstance that affects the well-being or development of a child

Physical harm may result in bruising, swellings, welts, broken bones as a result of any action like punching, hitting, beating, shaking, biting or burning.

Emotional harm causes the child to feel frightened, ashamed, upset, alone or have low self-worth. It may result from repeated criticism, teasing, belittling or 'putting down' a child, constant shouting and screaming at a child, refusing to help a child in need, calling a child by degrading names, shaming a child in front of others, threatening to physically punish or abandon a child, exposing a child to domestic violence, encouraging a child to engage in criminal activities, consistently ignoring a child, refusing to show due affection, withholding love or threatening to do so.

Sexual harm may include fondling, sexual suggestions, exhibitionism, showing pornography, inappropriate touching especially of private parts of the body, masturbation, oral sex and penetration of the genital or anal areas with an object, penis or any other part of the body. It also includes any commercial or sexual exploitation of a child.

Reporting must be done when there is a reasonable belief that:

- A person aged less than 18 years has suffered or is likely to suffer harm or exploitation.
- A person aged less than 14 years has been or is likely to be a victim of a sexual offence (this includes a sexually active child).
- A person aged less than 18 years has been or is likely to be a victim of a sexual offence occurring in the context of a special care relationship.
- A special care relationship is one where an adult has an association with a child for the purpose of that child's care, supervision, or instruction.

² [The Care and Protection of Children Act](#)

Exploitation of a child includes sexual or any other form of exploitation, for example, enticing a child to be involved in a sexual activity or to be photographed for money or other reward.

Neglect occurs when a parent or parents fail to provide basic physical and emotional care of a child. It may be shown when a child does not have enough food, does not have a place to live, clothing is not clean; when a child is not provided with the necessary medical, dental and/or other health care including medication for health conditions; when young children are left alone, not adequately supervised. Neglect also occurs when parents fail to remove dangerous things from children's environment or do not watch them closely, particularly in dangerous circumstances; or if they consistently ignore a child's need for attention and how they feel or fail to spend time with and listen to a child; fail to send a child to school and/or do not provide them with learning opportunities; or if they abandon a child (by not arranging necessary care for them).

Legal Protection

The document *Information Sharing Guidelines*, outlines legal protection for people who share information relating to the safety and well-being of a child.

Vulnerable Adult is any person who has recently suffered bereavement, marriage breakdown or other such adversity that puts them in particular need of pastoral support, or a person with an intellectual disability, mental illness or other impairment that makes it difficult for that person to protect themselves from abuse or exploitation³.

4. Policy Details

4.1 Legal Compliance

All personnel are required to comply with the relevant Territory and Commonwealth legislation. This legislation includes but is not limited to the following acts:

- *The Care and Protection of Children Act 2007*⁴ supports the safety of children and requires mandatory reporting to the police or child protection services by people with information or concern about harm to a child.
- *The Northern Territory Disability Services Act*⁵ promotes the right of people with disabilities to be treated fairly without the threat of harm and promotes the health and wellbeing of these people.
- *The Adult Guardianship Act*⁶ protects people with intellectual impairment from neglect, abuse or exploitation.
- *The Domestic and Family Violence Act*⁷ ensures protection of all persons experiencing or being exposed to domestic/family violence and requires mandatory reporting of incidents of domestic and family violence.

³ [Towards Healing 2010 p.5](#)

⁴ [The Care and Protection of Children Act](#)

⁵ [Disability Services Act](#)

⁶ [Adult Guardianship Act](#)

4.2 Roles and Responsibilities

Church Leaders will:

- ensure that all people (over 15 years of age) involved with children have a current *Working with Children Clearance* (this is required under the *Care and Protection of Children Act*).
- approve risk assessments for diocesan activities involving children, young people and vulnerable adults on retreats, trips away or pilgrimages with detail-specific plans for the safety and well-being of children and vulnerable adults.
- ensure computers under church management that children access, are monitored and have appropriate filters. The diocese may randomly audit church communities' and organisations' computers to ensure compliance.
- provide training for all personnel involved with children. This training encompasses child safety and well-being measures, the indicators of harm and neglect, and responsibilities in relation to the mandatory reporting of harm to and exploitation and neglect of a child.
- provide appropriate training for all personnel involved with vulnerable adults.
- ensure training in knowledge and application of procedures in regard to mandatory reporting of domestic violence.
- maintain a register of personnel participation in training.
- provide support mechanisms for those who do report harm to a child or vulnerable adult.

Church Personnel will:

- undertake a risk assessment for diocesan activities where children under 18 are involved.
- participate in training:
 - to be aware of the indicators of harm and neglect;
 - to know their responsibilities in relation to the reporting of harm to and exploitation and neglect of a child, young person or vulnerable adult.
 - to know their responsibilities in regard to mandatory reporting of harm, exploitation or neglect of a child and matters related to domestic violence.
- keep notes and document beliefs of harm, abuse and/or exploitation of a child or vulnerable adult.

It is recommended that church personnel advise church leaders of a report being made so that appropriate support mechanisms can be put in place.

4.3 Reporting Obligations

It is an offence if a reasonable belief is held about harm and/or serious or imminent threat of harm and this is not reported. It may result in a fine or prosecution.

⁷ [Domestic and Family Violence Act](#)

If an adult or child discloses harm, the child or adult must be told that it has to be reported. The *Information Sharing Guidelines (2012)*⁸, published by the Department of Children and Families describe the framework for information sharing in relation to child safety and well-being in the Northern Territory. These guidelines outline legal protection for people who share information relating to the safety and well-being of a child.

The *Domestic and Family Violence Act* gives directions for the reporting of domestic or family violence.

In the case of Children

The *Care and Protection of Children Act (NT)* sets out the obligations required to promote the safety and well-being of children. All people must report reasonable beliefs of harm, exploitation or neglect of a child aged less than 18 years. This belief would come from noticing the behavioural, physical or contextual indicators of harm.

If uncertain about a belief of harm, discuss the matter with a senior church leader of your community or organisation.

A report must be made as soon as possible after forming the belief of harm by telephoning the 24 hour toll free number **1800 700 250** or contacting the police on **131 444**. Information in as much detail as possible, about the concern and/or belief of harm and/or imminent threat of harm should be given.

Under the *Care and Protection of Children Act*, the requirements of confidentiality or professional ethics are not breached by making a report.

It is best practice that all mandatory reports are accurately recorded.

Once a report is made, the responsibility for follow-up lies with the Department of Children and Families.

In the case of Domestic Violence

The *Domestic and Family Violence Act* clearly states the regulations concerning mandatory reporting of domestic violence and the consequences of not reporting an offence of this nature. Any member of the public is obliged to report to police if they believe

- a person has caused or is likely to cause serious physical harm to someone they are in a domestic or family relationship with and/or
- the life or safety of a person is under serious or imminent threat, because of domestic or family violence that has been, is being or is about to be committed.

An adult must report such acts to the NT Police on **131 444** or if an emergency exists, must phone: **000**

Note: Where a belief of harm is held that involves a priest or religious person, the above processes will apply in conjunction with *Towards Healing 2010*⁹. The Bishop (Diocesan Office, Phone: 8942 6008) and/or Director of Professional Standards (Mob: 0418 736 890) should be informed immediately.

4.4 Training obligations

Church communities and organisations are responsible for ensuring that they understand their obligations under the *Care and Protection of Children Act*.

⁸ [Information Sharing Guidelines \(1 July 2012\)\(Northern Territory\)](#)

⁹ [Towards Healing 2010](#)

Training is also required in relation to mandatory reporting as prescribed in the *Domestic and Family Violence Act (2007)*¹⁰.

Training is available from existing resources or can be developed to meet needs. Contact CatholicCare NT if you have any queries. Organisations such as the National Association for the Prevention of Child Abuse and Neglect (NAPCAN)¹¹ and Catholic Church Insurance can also provide training.

5. Related Policies, Legislation and Documents

The following documents should be used to support the Safeguarding Children and Vulnerable Adults Policy and Procedure. They are available on-line or by contacting the Diocesan Office.

- 1 [The Care and Protection of Children Act](#)
- 2 [Working with Children Clearance](#)
- 3 [Information Sharing Guidelines \(1 July 2012\)\(Northern Territory\)](#)
- 4 [Disability Services Act](#)
- 5 [Adult Guardianship Act](#)
- 6 [Domestic and Family Violence Act](#)
- 7 [Towards Healing \(Revised 2010\)](#) Australian Catholic Bishops Conference and Catholic Religious Australia,
- 8 [NAPCAN](#)
- 9 [Criminal Code Act \(Northern Territory\)](#)
- 10 [Reporting Child Abuse and Neglect: It's everybody's responsibility, Department of Children and Families](#)
- 11 [Department of Children and Families: Child Abuse](#)
- 12 [Integrity in Ministry](#)(Reprinted 2010)Australian Catholic Bishops Conference and Catholic Religious Australia
- 13 [Integrity in the Service of the Church \(2011\)](#) Australian Catholic Bishops Conference and Catholic Religious Australia
- 14 [Making use of Integrity in the Service of the Church: Support Materials](#), a Document of the National Committee for Professional Standards, 2011.

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¹⁰ [Domestic and Family Violence Act](#)

¹¹ [NAPCAN](#)