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Related Documents:	<input type="checkbox"/>	Procedure	<input type="checkbox"/>	Form	<input type="checkbox"/>	Other

This Procedure sets out what Church workers must do when they receive information concerning child sexual abuse. There is also detailed information to assist those who receive, or may in the future receive, information about child sexual abuse of a child.

For actions to be taken when responding to harm to a child, see the [Procedure and Information for Reporting and Responding to Signs of Harm in Ministry Units](#).

For the definition of key terms used in this Procedure, see the [Policy for the Protection of Children in Ministry Units](#).

1. ACTIONS TO TAKE IF CHILD SEXUAL ABUSE INFORMATION RECEIVED

1.1: All Church workers must, in accordance with this Procedure, report allegations or information received in relation to child sexual abuse, whether such abuse is historical or current (see clause 2 for recognising signs of child sexual abuse). In making such a report, Church workers must consider each of clauses 1.2, 1.3 and 1.4.

1.2: A Church worker must, as soon as reasonably practicable, report all allegations or information received concerning child sexual abuse by a Church worker to the Office of Professional Standards in accordance with the requirements of the [Protocol for Responding to Child Sexual Abuse and Sexual Misconduct](#).

1.3: Any Church worker who receives allegations or information in relation to child sexual abuse by a person who is not a Church worker, must report that allegation or information as soon as reasonably practicable to the Office of Professional Standards.

[Note: Reports to the Office of Professional Standards can be made by phone (1800 242 544) or email (professionalstandards@anglicanchurchsq.org.au). The form, [Report of Known or Suspected Child Sexual Abuse or Harm to a Child](#) may be used for reports.]

1.4: Under s 229BC of the [Criminal Code 1899](#), criminal penalties may apply to any Church worker who, without reasonable excuse, fails to report to police any reasonable belief that a child sexual offence has been or is being committed. For further information, see Appendix A to this Procedure, which sets out s 229BC in full.

[Note: Reports to police may be done by either contacting your local police station or by contacting Policelink at 131 444. Reports to police may also be done online.]

1.5: For the purposes of clause 1.4, a **reasonable belief** means that an adult gains information that causes the adult to believe on reasonable grounds, or ought reasonably to cause the adult to believe, that child sexual abuse is being or has been committed against a child by another adult.

1.6: Subject to clause 1.8, it is for a Church worker to decide whether they must not only report to the Office of Professional Standards under clause 1.2 or 1.3, but also report to the police directly under clause 1.4 (on the basis of holding a reasonable belief).

1.7: If a Church worker receives information concerning child sexual abuse, but is unsure whether the information received should cause them to have a reasonable belief that child sexual abuse has occurred, the Church worker may contact the Office of Professional Standards to discuss before deciding whether to make a report to the police.

1.8: The Office of Professional Standards must respond to any allegations or information received under clauses 1.2 and 1.3 in accordance with the requirements of the [Protocol for Responding to Child Sexual Abuse and Sexual Misconduct](#), including making any required reports to police in accordance with Appendix E of the Protocol.

2. IDENTIFYING CHILD SEXUAL ABUSE

2.1: As a Church worker, you may while carrying out your duties observe one or more warning signs which may indicate that a child has been sexually abused. Examples include:

- a. Unexplained changes in behaviour, such as a child becoming excessively aggressive, withdrawn or clingy, especially when contrasting to previous behaviour;
- b. Observed difficulties sleeping, including having regular nightmares or wetting the bed;
- c. Avoidance or expressed dislike for or fear of a particular person, and an observed tendency to avoid spending time with the person without clear justification;
- d. Use of sexually explicit language or behaving in sexually inappropriate ways;
- e. Health problems such as soreness or itching in genital or anal regions; or
- f. Indirect (or direct) verbal disclosures relating to the abuse (see further below).

2.2: Such warning signs are not always easy to see, and what you see may reflect other issues. Nevertheless, if you are concerned that a child is being or may be sexually abused, or has been sexually abused, you must report those concerns as set out in this Procedure.

2.3: Remember, due to the inherent imbalance of power, children are incapable of giving consent to child sexual abuse. Such abuse occurs due to an adult or older child's authority and/or power over the child. Any form of child sexual abuse, regardless of the context and circumstances, is always a crime.

3. RESPONDING TO CHILDREN WHO DISCLOSE CHILD SEXUAL ABUSE

3.1: Children often do not talk about sexual abuse because they think it is their fault or they have been convinced by their abuser that it is normal or a "special secret". Children may also be bribed or threatened by their abuser or told they will not be believed.

3.2: In some instances, a child who is being sexually abused may care for their abuser and worry about getting them into trouble, especially when abuse is occurring within a family.

3.3: Disclosures to Church workers may be about child sexual abuse which is happening in the present, or child sexual abuse which has happened in the past. Sometimes a disclosure may be about a person's fear that a child will be at risk of sexual abuse in the future.

3.4: As disclosures made by children may not be clear, it is important for Church workers to be aware of what an indirect disclosure may sound like. Examples include:

- a. Vague Disclosure: "I don't like my babysitter because he always want to play with me when I'm trying to sleep."
- b. Disguised Disclosure: "I know someone who was touched in a bad way." OR "What if a girl tells her mother her uncle touched her breast but she didn't believe her."
- c. Conditional Disclosure: "I have a problem, but if I tell you about it you have to promise not tell anyone else." OR "Can I tell you a secret?"

3.5: If a child discloses child sexual abuse, it will likely be unsettling and difficult to deal with. The child may approach you because you are known to them and they believe you are able to help them. It is a sign of trust that a child would tell you something so personal.

3.6: Remember, a child will tell you about the abuse because they want it to stop. This is true even if they also tell you not to tell anyone else about the child sexual abuse.

3.7: When responding to a child's verbal disclosure of child sexual abuse you **MUST:**

- a. stay calm and listen carefully to the child's disclosure;
- b. allow the child to continue at their own pace;
- c. reassure the child that they have done the right thing;
- d. reassure the child that they are not to blame for the child sexual abuse;
- e. tell the child that you will do what you can to help;
- f. let the child know that you will be reporting the child sexual abuse;
- g. report the child sexual abuse in accordance with this Procedure.

3.8: When responding to a verbal disclosure of child sexual abuse you **MUST NOT:**

- a. panic or dismiss the child's concerns;
- b. request more information than you need to report the child sexual abuse;
- c. promise not to tell anyone or that you will keep it a secret;
- d. make openly negative comments about the accused person;
- e. make assumptions or speculate as to the specifics of the child sexual abuse;
- f. disclose details to anyone except persons to whom you are required to report;
- g. under any circumstances, inform the person who is the alleged offender.

3.9: If a child indicates that they do not want state authorities to be informed of the child sexual abuse, you should gently explain that you are obliged to report the abuse by law.

4. GROOMING IS A FORM OF CHILD SEXUAL ABUSE

4.1: Grooming is the manipulative cultivation of a relationship, either with a child or with the child's parents/guardians or other responsible adults (including Church workers) in order to:

- A. initiate or hide sexual abuse of a child;
- B. facilitate the procurement of a child to engage in a sexual act; or
- C. expose, without legitimate reason, a child to any indecent matter.

4.2: Under the [Criminal Code 1899](#) s 218B, the grooming of a child under 16 (or their parent or carer) is a crime punishable by penalties including imprisonment.

4.3: Grooming is a form of child sexual abuse. It may involve an adult or another child using their power, influence or authority to gradually involve a child in sexual activity. Grooming often starts with something minor and gradually builds up to more sexualised behaviour.

4.4: Grooming is secretive, and often known only to the abuser and the victim. This can make it extremely difficult to detect. It aims to establish an emotional connection to lower a child's inhibitions through development of a close relationship with the child, or those close to the child such as a parent or guardian. This creates increased opportunities for the abuser to see the child and, consequently, for further abuse to occur.

4.5: Grooming can involve psychological manipulation that is usually subtle, drawn-out, calculated, controlling and premediated. It typically occurs incrementally, starting with accessing the child and then initiating and maintaining the abuse. Afterwards, grooming acts to conceal the ongoing abuse, particularly where a child's family have been groomed.

4.6: Child sexual abuse is often perpetrated by someone known to the child or who is held in a position of trust by the child or their parents/guardians. It is rarely self-contained or a one-off incident, but rather part of an ongoing abusive relationship.

5. THE DAMAGING IMPACTS OF CHILD SEXUAL ABUSE

5.1: Child sexual abuse is highly damaging to children, and often has significant impacts on their psychological, emotional and spiritual wellbeing. It can lead to long-term impairment of a child's social, emotional, cognitive, spiritual and intellectual development, as well as the development of disturbed behaviour that can often last long term unless help is sought.

5.2: The effects of child sexual abuse can extend well beyond the victim child. The child's family members, and other members of their community often experience a high degree of distress when revelation of child sexual abuse emerges. The family of the offender is also often negatively impacted by such abuse.

5.3: Some people may wrongly deny the disclosure, rejecting what the victim is disclosing rather than face the responsibility to report the abuse and intervene if the situation is urgent.

6. CHARACTERISTICS OF SEXUAL OFFENDERS

Church workers should be aware that, in general, child sex offenders:

- a. do not stop the abuse unless there is some intervening factor forcing them to do so;
- b. frequently believe or assert that the victim is a complicit or willing participant;
- c. will attempt to deny, justify, minimise or excuse their behaviour by claiming it was an expression of love for the victim, was a result of their own child abuse, was the fault of the victim, or was influenced by factors such as stress, alcohol or substance abuse;
- d. enjoy engaging in the abuse, regardless of claims they make to the contrary; and
- e. are frequently repeat offenders, whether against the same child or multiple children.

7. PROVISION OF PASTORAL SUPPORT

7.1: It is important that throughout any process involving the identification and reporting of child sexual abuse that pastoral support and, where relevant, counselling assistance is provided to all persons affected by the abuse and the reporting of the abuse. This will include the child and their family, as well as any Church worker who receives a verbal disclosure of child sexual abuse or otherwise becomes aware of such abuse.

7.2: Where the information relates to child sexual abuse by a Church worker, support will be offered in accordance with the [Protocol for Responding to Child Sexual Abuse and Sexual Misconduct](#). In all other instances, support offered is consistent with assistance offered under the Protocol.

APPENDIX A

Criminal Code Failure to Report Offence

229BC – Failure to report belief of child sexual offence committed in relation to child

(1) This section applies to an adult if:

- a. the adult gains information that causes the adult to believe on reasonable grounds, or ought reasonably to cause the adult to believe, that a child sexual offence is being or has been committed against a child by another adult; and
- b. at the relevant time, the child is or was:
 - i. under 16 years; or
 - ii. a person with an impairment of the mind.

- (2) If, without reasonable excuse, the adult fails to disclose the information to a police officer as soon as reasonably practicable after the belief is, or ought reasonably to have been, formed, the adult commits a misdemeanour.

Maximum penalty – 3 years imprisonment.

- (3) For subsection (1), it does not matter that the information was gained by the adult during, or in connection with, a religious confession.

- (4) Without limiting what may be a reasonable excuse for subsection (2), an adult has a reasonable excuse if:

a. the adult believes on reasonable grounds that the information has already been disclosed to a police officer; or

b. the adult has already reported the information under any of the following provisions, or believes on reasonable grounds that another person has done or will do so:

i. the *Child Protection Act 1999*, chapter 2, part 1AA;

ii. the *Education (General Provisions) Act 2006*, chapter 12, part 10;

iii. the *Youth Justice Act 1992*, part 8 or 9; or

c. the adult gains the information after the child becomes an adult (the alleged victim), and the adult reasonably believes the alleged victim does not want the information to be disclosed to a police officer; or

d. both of the following apply:

i. the adult reasonable believes disclosing the information to a police officer would endanger the safety of the adult or another person, other than the alleged offender, regardless of whether the belief arises because of the fact of the disclosure or the information disclosed;

ii. failure to disclose the information to a police officer is a reasonable response in the circumstances.

- (5) An adult who, in good faith, discloses information mentioned in subsection (1)(a) to a police officer is not liable civilly, criminally or under an administrative process for making the disclosure.

- (6) In this section:

relevant time, in relation to the child sexual offence mentioned in subsection (1)(a), means the time that the adult:

a. believes to be the time of commission of the offence; or

b. ought reasonably to believe to be the time of commission of the offence.