



## Catholic Diocese of Rockhampton

*'We live out the call of baptism through personal faith in Jesus witnessing together to the Good News of the Kingdom'*

# Child Protection Policy

## Policy Statement

The Catholic Diocese of Rockhampton is committed to ensuring that the **Diocese** provides a safe and caring environment for **children and young people** through its **ministries and offices**.

## Purpose

The purposes of this **Policy** are to:

- set out the position of the **Diocese** in relation to promoting and protecting the rights, interests and wellbeing of **children and young people**;
- ensure that those who are involved with **children and young people**, in the name of the Church in the Diocese, conduct themselves in a manner which reflects the beliefs of the Church and is in accordance with the law (including legislation regarding child protection);
- satisfy the obligation of the **Diocese** as a regulated employer, under the *Commission for Children and Young People and Child Guardian Act 2000*, to develop and implement a "risk management strategy", to implement employment practices and procedures to promote the wellbeing of **children and young people** affected by the activities of the **Diocese**, and to protect those **children and young people** from **harm**.

## Values and Principles

The Church, and accordingly the **Diocese**, believes:

- Every human being is created by God;
- Personal dignity and integrity are both a right and a responsibility;
- Respect in relationships is essential to Christian community;
- **Children and young people** have a right to safety while in the **Diocese's** care; and
- Adults have a responsibility to care for **children and young people**, to promote their welfare and to protect them from any kind of harm.

Those who **work for or within the Diocese** are required to uphold these beliefs which include treating **children and young people** in a manner which is consistent with these beliefs.

## Scope and Compliance

- Commencement & Review:** This **Policy** commences in effect 30 days from the date of authorisation by the **Bishop** and will be reviewed annually by the **Diocesan Child Protection Advisory Group**.
- Scope:** This **Policy** applies to *all* who **work for or within the Diocese** (including without limitation, clergy, religious members, paid employees and volunteer workers).
- The implementation of this **Policy** also requires the involvement of, and in some circumstances action to be taken, by parents, carers, **children and young people**.
- Without in any way limiting the scope of this **Policy**, this **Policy** applies throughout the duration of a persons work-related involvement with the **Diocese** including, recruitment, appointment / engagement and release.
- Document Status:** This **Policy** is the highest level document of the **Diocese** in relation to child protection. This **Policy** is to be read and interpreted in conjunction with the publication 'Go Out To All The World: Service with Integrity'.
- Ministries and offices** of the **Diocese** may make policies and procedures relating to child protection, to apply at the ministry or office level and address ministry or office specific activities.
- Neither the **Diocese**, nor any **ministry or office**, may make another policy or procedure document which is inconsistent with this **Policy**, except with the express permission of the **Bishop** ("a permitted exception"). Any part of another policy and procedure document of the **Diocese** or any **ministry or office**, which is inconsistent with this **Policy** and is not a permitted exception, is severed from the relevant policy and procedure document and has no effect.
- Compliance/Consequences:** The failure of a person to comply with this **Policy** or any procedure implemented under it which applies to the person may result in the suspension, withdrawal or termination of any agreement, consent or approval of the **Diocese**, for that person to **work for or within the Diocese** (including without limitation, the termination of employment).
- Without in any way limiting the scope of this **Policy**, this **Policy** applies in the course of a person's **work for or within the Diocese**. However, in relation to compliance and consequences, the **Diocese** may have regard to the actions of a person which are contrary to this **Policy** and which occurred outside of the course of the person's **work for or within the Diocese**.

## Definitions, Explanations and Interpretation

For the purposes of this Policy and any policy or procedure documents implemented under it, the following terms have the meaning stated, unless the context requires otherwise. For ease of reference, defined terms have been highlighted throughout this **Policy** and supplementary documents implemented under it.

<b>“Activity Coordinator”</b>	The person or persons responsible for planning an activity.
<b>“Activity Supervisor”</b>	A person responsible for conducting an activity.
<b>“Appropriate Pastor”</b>	The <b>Priest Pastor</b> in the context of a local parish or the <b>Bishop</b> in any other context.
<b>“Bishop”</b>	The Bishop of the Catholic Diocese of Rockhampton from time to time.
<b>“child”</b> and / or <b>“young person”</b>	A person under 18 years of age.
<b>“Diocese”</b>	The Roman Catholic Trust Corporation for the Diocese of Rockhampton constituted by letters patent under the <i>Religious Education and Charitable Institutions Act 1861</i> as trustees for the Roman Catholic Church in the Rockhampton Diocese
<b>“Diocese Child Protection Advisory Group”</b>	The people collectively appointed by the <b>Bishop</b> to coordinate the development, implementation and review of the <b>Policy</b> (refer also to the Implementation Procedure).
<b>“Diocesan Child Protection Officer”</b>	also referred to as the <b>"DCP Officer"</b> , is the person appointed to that position by the <b>Bishop</b> (refer also to the Implementation Procedure).
<b>“Diocesan Pastoral Service Coordinator”</b>	also referred to as the <b>"DPS Coordinator"</b> , is the person appointed to implement the <b>Policy</b> at the office level for each Diocesan Pastoral Service (refer also to the Implementation Procedure).
<b>“excluding offence”</b>	As defined by section 99E of the <i>Commission for Children and Young People and Child Guardian Act 2000</i> .  For example, at the time of writing, an ‘excluding offence’ is a serious child-related sexual offence, or offences of child pornography listed in Schedule 2 in relation to the <i>Classification of Computer Games and Images Act 1995</i> , <i>Classification of Films Act 1991</i> or <i>Classification of Publication Act 1991</i> or an offence against Criminal Code, section 228A (Involving child in making child exploitation material), 228B (Making child exploitation material), 228C (Distributing child exploitation material) or 228D (Possessing child exploitation material).

<b>“harm”</b>	As defined in the <i>Child Protection Act 1999</i> (Qld). At the time of writing, "Harm, to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by: physical, psychological or emotional abuse or neglect; or sexual abuse or exploitation."
<b>“illegal substances”</b>	Often also referred to as illicit substances, are those drugs or substances prohibited by law, including without limitation drugs prohibited by the <i>Drugs Misuse Act 1986</i> (for a list of these drugs refer to the Schedules of the <i>Drugs Misuse Regulation 1987</i> ).
<b>“ministries and offices”</b>	Includes the ministries or offices of the <b>Diocese</b> (including without limitation the various parishes and Diocesan Pastoral Services), established to conduct the various functions, activities and businesses of the <b>Diocese</b> .
<b>“Parish Child Protection Contact”</b>	also referred to as the " <b>Parish Contact</b> ", is the person appointed to that position by the <b>Priest Pastor</b> (refer also to the Implementation Procedure).
<b>“Policy”</b>	This document, titled the " <i>Child Protection Policy</i> " as approved and amended with the authority of the <b>Bishop</b> from time to time.
<b>“Priest Pastor”</b>	The person appointed as Priest of a parish within the Catholic Diocese of Rockhampton under the authority of the <b>Bishop</b> from time to time.
<b>“serious child-related sexual offence”</b>	As defined by section 99D of the <i>Commission for Children and Young People and Child Guardian Act 2000</i> .
<b>“serious offence”</b>	As defined by section 99C of the <i>Commission for Children and Young People and Child Guardian Act 2000</i> .
<b>“special event”</b>	An activity or event which is primarily organised and / or hosted by another individual / organisation / entity, where the <b>Diocese</b> or its representative is not able to control the overall conduct of the activity or the overall environment.
<b>“unsanctioned substances”</b>	These are drugs or substances: (a) whose use is restricted by law, including but not limited to: (i) liquor as defined by section 4B of the <i>Liquor Act</i> (of which consumption or possession by a minor is unlawful); (ii) drugs and poisons regulated by the <i>Health Act 1937</i> (refer also to the

*Health (Drugs and Poisons)  
Regulation 1996*); or

- (b) are listed following:
- (i) tobacco;
  - (ii) herbal cigarettes;
  - (iii) pharmaceuticals including over the counter medicines and prescription medicines other than that for which the person holds a current prescription prescribed by a registered medical practitioner;
  - (iv) image or performance enhancing substances such as those used for their capacity to improve physical image and physical and/or mental abilities; and
  - (v) inhalants or substances which are inhaled for their psychoactive effects, including domestic and commercial products such as glue, aerosol sprays, paints, industrial solvents, thinners, petrol and cleaning fluid which are being used or reasonably suspected of being used inappropriately.

**“worker required to hold a ‘blue card’”**

Means a person required by the *Commission for Children and Young People and Child Guardian Act 2000* to hold a 'blue card' because they work in what is defined by the Act as "regulated employment".

For example, according to the Act at the time of writing, both paid employees and volunteers may need a 'blue card' if their work falls under one of the following categories:

- residential facilities
- school boarding houses
- schools – employees other than teachers and parents
- child care
- churches, clubs and associations involving children
- health, counselling and support services
- private teaching, coaching or tutoring
- education programs conducted outside of schools
- child accommodation services, including homestays
- religious representatives
- sport and active recreation
- emergency services cadet programs, and
- school crossing supervisors
- care of children under the *Child Protection Act 1999*.

The following persons are exempt from needing a 'blue card':

- children under 18 who are volunteers (except students required to work in regulated employment as part of their studies);
- registered teachers
- parents who volunteer their services or conduct activities at a school at which their child is attending, as long as their child is under 18; and
- parents who volunteer their services through a church, club or association, or are involved in sport and active recreation, where their child is involved in the same or similar activity.

A parent is the child's mother or father or another adult who exercises "parental responsibility" for the child. Reference to the *Family Law Act 1975* will assist in interpreting "parental responsibility".

**“worker”**

A person who ***works for or within the Diocese*** and whose position involves working with ***children and / or young people***.

**“work for or within the Diocese”**

Carrying out work for or within the Diocese with the agreement, consent or approval of the Diocese, regardless of:

- (a) whether the agreement is written or unwritten;
- (b) whether the work is carried out voluntarily or for financial reward;
- (c) what a person's motivation is for carrying out the work;
- (d) the time for which the person is engaged to carry out the work; or
- (e) whether the agreement provides for the other person to carry out work on 1 occasion or on an ongoing basis, whether regularly or irregularly; and
- (f) the nature of the work is immaterial.

This definition takes account of the definition of "employment" contained in the *Commission for Children and Young People and Child Guardian Act 2000*, which is broader than the general law interpretation of "employment")

**“work”**

Has the same meaning as to ***work for or within the Diocese***.

The following apply when interpreting this ***Policy***:

- (a) The singular includes the plural and conversely.
- (b) If a word or phrase is defined above, its other grammatical forms have the corresponding meaning.
- (c) A reference to a person, corporation, trust, partnership, unincorporated body or other entity includes any of them.

- (d) A reference to a document (including, without limitation, a reference to this **Policy**) is to the document as amended, varied, supplemented, novated or replaced, except to the extent prohibited by this **Policy** or that other document.
- (e) A reference to legislation or to a provision of legislation includes an amendment or re-enactment of it, a legislative provision substituted for it and a regulation or statutory instrument issued under it.
- (f) The terms of this **Policy** take precedence over anything contained in document made to supplement this **Policy**.
- (g) A reference to “including”, “includes” or “include” is to be read as if it is followed by the words “without limitation”.

## **Related Articles/Documents**

- Australian Catholic Bishops Conference and the Australian Conference of Leaders of Religious Institutions, *Towards Healing December*, 2003.
- Catholic Diocese of Rockhampton 'Towards Healing' Committee, *'Go Out To All The World': Service with Integrity*.
- Centacare, *Policy and Procedures Manual (Policy No. HRP002 – 'Abuse of Minors')*.
- *Child Protection Act 1999* (Qld)
- *Commission for Children and Young People and Child Guardian Act 2000* (Qld)
- Diocese Catholic Education, *Integrity in Relationships*, 2006.
- National Committee for Professional Standards, *Integrity in Ministry*, 2004.
- The Commission for Children and Young People and Child Guardian, *Safe Environments for Young People*, 2005.

## **For Further Information**

If you would like further information about the contents of this Child Protection Policy or if you have any questions please contact:

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## **Last Updated**

\*\* Catholic Diocese of Rockhampton CHILD PROTECTION POLICY was last updated:  
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