

PROTECTION OF CHILDREN – ANTI-GROOMING POLICY

1.0 INTRODUCTION

This Protection of Children – Anti-Grooming Policy applies to all primary and secondary Catholic schools managed and operated by Diocese of Sale Catholic Education Limited (**DOSCEL**), specifically Marist-Sion College Warragul (**Marist-Sion College**). This Policy also applies to the DOSCEL Secretariat.

Protecting children and young people against sexual abuse is a community wide responsibility. DOSCEL and Marist-Sion College has a moral and legal responsibility to ensure children and young people are safe in its care and to ensure that all forms of abusive behaviours towards children are prevented.

The [Crimes Act 1958](#) (Vic.) and the [Crimes Amendment \(Grooming\) Act 2014](#) comprises the offence for grooming for sexual conduct with a child under the age of 16 years. This offence targets predatory conduct designed to facilitate later sexual activity with a child. The grooming offence became law in July 2014 following a recommendation contained in the Betrayal of Trust report.

The offence of grooming concerns predatory conduct undertaken to prepare a child for sexual activity at a later time. The offence applies where an adult communicates, by words or conduct, with a child under the age of 16 years, where that person has care, supervision or authority for the child, with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult.

Grooming does not necessarily involve any sexual activity or even discussion of sexual activity. For example, it may only involve establishing a relationship with the child, parent or carer for the purpose of facilitating sexual activity at a later time.

The sexual conduct must constitute an indictable sexual offence. This includes offences such as sexual penetration of a child, indecent assault and indecent act in the presence of a child. It does not include summary offences, such as upskirting and indecent public behaviour.

It is imperative to prevent, reduce and minimise child abuse and exploitation in all their forms.

2.0 PURPOSE

This Policy informs DOSCEL and Marist-Sion College of its responsibilities in relation to this amendment, providing a definition for grooming and how it can occur. The specific behaviours and actions of an offender grooming a child/young person, and the impact it will have on these victims, need to be understood by school staff.

This Policy acknowledges the particular duty DOSCEL employees have towards children/young people in their care. It respects the dignity of children/young people and Catholic education employees and it outlines their rights and responsibilities.

3.0 PRINCIPLES

- 3.1 The dignity of each person, made in the image of God, is a fundamental tenet of the Catholic Church and therefore of Catholic education.
- 3.2 A safe environment is required to protect children/young people from harm and to prevent staff from abusing their position of authority and trust.
- 3.3 Grooming is a serious offence. Staff need to be informed of the criminal intent in grooming behaviours and be fully self-aware of their professional obligations and responsibilities.
- 3.4 All children/young people have the right to a thorough and systematic education in personal safety in relationships.
- 3.5 Abuse of children by persons in positions of trust or authority is a serious matter. All allegations must receive a response and be dealt with promptly.
- 3.6 After a disclosure, any ongoing harm to the child/young person and the employee is minimised by:
 - adherence to agreed procedures
 - provision of appropriate social and emotional support and pastoral care
 - appropriate confidentiality.
- 3.7 The child/young person's ongoing safety and wellbeing should be the primary focus of decision making.

4.0 DEFINITIONS

For the purposes of this Policy, the following definitions apply:

Child and Young Person: A child is legally defined as a person under the age of 16 years. A young person is any person who comes under or may come under the care, supervision or authority of the school.

Confidential: Being entrusted with private and restricted information that must be treated as such, both in written and verbal form.

Duty of Care: Staff or volunteers working in DOSCEL schools have a duty of care to support and protect the children and young people with whom they are professionally involved.

When staff members form a reasonable belief that a child or young person has been harmed or is at risk of harm, they are ethically bound to take action to protect the safety and wellbeing of that child or young person.

For some staff members this obligation is legally mandated.

Duty of care is breached if a person:

- Does something that a reasonable person in that person's position would not do in a particular situation.
- Fails to do something that a reasonable person in that person's position would do in the circumstances.
- Acts or fails to act in a way that causes harm to someone to whom the person owes a duty of care.
- Fails to report when mandated.

Grooming: The term 'grooming' refers to actions deliberately undertaken with the aim of befriending and influencing a child, and, in some circumstances, members of the child/young person's family, for the purpose of sexual activity with the child/young person. These actions are designed to establish an emotional connection in order to lower the child/young person's inhibitions and gain access to the intended victim. In this respect, grooming involves psychological manipulation that is usually very subtle, drawn out, calculated, controlling and premeditated' (Betrayal of Trust report). Grooming can also occur online.

Grooming Behaviours: There is no one set of actions or behaviours that are used to groom a child. Grooming behaviours include:

- Persuading a child/young person or group of children/young people that they have a special relationship, for example:
 - by spending inappropriate special time with a child/young person
 - inappropriately giving gifts.
- Inappropriately showing special favours to one child/young person, but not other children/young people
- Inappropriately allowing the child to over step the rules
- Testing boundaries, for example:
 - by undressing in front of the child/young person.

Grooming occurs both before the offence in order to access the child, and after the offence to maintain that access for future abuse and ensure the child's silence.

Grooming also seeks the parent or carer's continued trust (Randhawa and Jacobs, 2013).

Reasonable belief: A 'reasonable belief' is not the same as having proof. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

For example, a 'reasonable belief' might be formed when:

- A child states that they have been sexually abused.
- A child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves).
- Someone who knows a child states that the child has been sexually abused.
- Professional observations of the child's behaviour or development lead a mandated professional to form a belief that the child has been sexually abused.
- Signs of sexual abuse lead to a belief that the child has been sexually abused.

5.0 EXPECTED OUTCOMES

- 5.1 DOSCEL employees are informed of the criminal intent in grooming behaviours and expected to be self-aware of their professional obligations and responsibilities.
- 5.2 A thorough and systematic education in personal safety, including safety in relationships, will be provided for all children/young people.
- 5.3 Approved professional learning in providing education in personal safety will be provided to all staff.
- 5.4 All allegations of grooming will receive a prompt response and be clearly documented.

6.0 REFERENCES

- *Child Wellbeing and Safety Act 2005* (Vic.)
- *Children, Youth and Families Act 2005* (Vic.)
- *Crimes Act 1958* (Vic.)
- *Crimes Amendment (Grooming) Act 2014* (Vic.)
- *Education and Training Reform Act 2006* (Vic.)
- Ministerial Order No. 870 – Child Safe Standards
- Victorian Parliamentary Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations, Betrayal of Trust

7.0 RELATED POLICIES

- Child Protection and Safety Policy
- Duty of Care Policy
- Guide to Reporting Conduct under the Reportable Conduct Scheme
- Pastoral Care Policy
- Protection of Children – Failure to Disclose Policy
- Protection of Children – Failure to Protect Policy
- Protection of Children – Reporting Obligations Procedure

8.0 REVIEW

Implementation Date: December 2019

Updated: December 2021

Review Date: December 2023