

Our Most Precious Treasure

Policy for the Protection of Children and Young People

Children are the most precious treasure a community can possess, for in them are the promise and guarantee of the future. They bear the seeds of the character of future society which is largely shaped by what the adults constituting the community do or fail to do with respect to children. They are a trust no community can neglect with impunity. (Letter from the Universal House of Justice to the Bahá'ís of the World, Ridván 2000)

...the Bahá'í institutions must be uncompromising and vigilant in their commitment to the protection of the children entrusted to their care, and must not allow either threats or appeals to expediency to divert them from their duty. (Letter written on behalf of the Universal House of Justice to an individual, 24 January 1993)

If a Bahá'í has intimate knowledge of the abuse of a child, either within or outside the Bahá'í community, she has a moral and possibly a legal obligation to report the matter to civil authorities. (Letter on behalf of the Universal House of Justice to an individual believer, dated 5 October 1992)

Aim

Bahá'í communities aim to create child safe and child friendly environments where all children are respected, valued and encouraged to reach their full potential. This policy articulates the strong commitment of the Bahá'í institutions to protect children and young people from the risk of abuse within any activity or event, under their aegis or that of their agencies, and within the Bahá'í community. Examples of activities and events include but are not limited to:

- Bahá'í children's classes
- Junior youth groups
- Study circles
- Camps/ Excursions
- Youth gatherings
- Residential schools/training
- Nineteen Day Feasts or other events

Definitions

A **child** or **young person** is a person under 18 years of age.

abuse: Includes but is not limited to:

-Sexual abuse: when someone involves a child or young person in a sexual activity by using their power over them or taking advantage of their trust.

-Physical abuse: is the non-accidental use of physical force against a child that results in harm to the child

-Emotional abuse: behaviour by a person towards a child which causes intentional and inappropriate mental anguish damaging the child's emotional and psychological development.

Bahá'í institutions and agencies: The national and local Bahá'í governing bodies, i.e. the National Spiritual Assembly and the Local Spiritual Assemblies, and the Regional Bahá'í Councils are Bahá'í institutions referred to in this policy.

These institutions often have a number of appointed agencies. For example agencies of the Regional Bahá'í Council include regional institute boards and institute coordinators, responsible for the training of teachers of children's classes and animators of junior youth groups.

work with children and young people: includes all situations in which an individual is engaged by a Bahá'í institution or designated agency to teach, care for, or supervise children and young people. Examples include but are not limited to:

- Serving as a Teacher or Assistant of Bahá'í Children's Classes
- Serving as an Animator or Assistant of Junior Youth Groups
- Serving as a Tutor or Assistant of Study Circles with unaccompanied participants under 18
- Supervising Children and Young People at Overnight Camps, Excursions or Summer Schools
- Accompanying and supporting youth under 18 to serve
- Facilitating youth groups or gatherings with under 18s
- Formally caring for children at Nineteen Day Feasts or other events
- Some supportive roles (refer to Annex A)

Measures for the Protection of Children and Young People

Participation of Children and Young People

The Bahá'í community is committed to support the active participation of children and young people in the community, i.e. to listen to and value their views and to give them an opportunity to have a say about issues and decisions that will directly affect them.

The Bahá'í community promotes diversity and tolerance, and is welcoming to people from all walks of life and cultural backgrounds.

Basic Screening and Training Requirements for Working with Children and Young People

The Bahá'í community is committed to making every effort to reduce the risk of abuse of children and young people at activities and events.

Any person from 15 years of age engaged or sponsored to *work with children and young people* at any activity or event under the aegis of any Bahá'í institution or agency must (subject to exceptions specified in Annexure A) :

1. fulfil ALL legal requirements for working with children, including as required a working with children related check or registration and submit the relevant documentation to the State Child Protection Administrator appointed under this Policy . These requirements vary from State to State and may differ for volunteers and paid employees. Where a working with children check or registration is not a civil requirement, the Bahá'í institutions may request a police check from the individual. Youth under 18 years of age not covered by a State/Territory working with children related check or registration requirements, should sign a declaration, also co-signed by the parent/guardian, confirming that the youth has no criminal conviction or charges in connection with a range of related offences;
2. undertake training in this Policy for the Protection of Children and the Guidelines for working with children and young people, at least every 6 years. It is noted that the training is not to be seen as a substitute for teacher training but is additional to it; and
3. be notified that their accreditation under this Policy has been approved by the National Spiritual Assembly

Accreditation under this Policy is recorded on The Australian Bahá'í Web Portal Encompass (i.e. national Bahá'í database). Both the validity and currency of the individual's accreditation on Encompass and the State/Territory working with children related check or registration must be checked by Bahá'í institutions and agencies.

The National Spiritual Assembly, Regional Bahá'í Councils or Auxiliary Board members may in exceptional circumstances and on a case by case basis, engage an individual to temporarily teach, care for or supervise children where all the State/Territory legal requirements have been fulfilled but the individual is awaiting to undertake training or to be notified of their accreditation.

Accreditation under this Policy can be revoked at the absolute discretion of the National Spiritual Assembly.

Annex A provides a flowchart which clarifies the responsibilities regarding supervision and who needs accreditation at Bahá'í activities and events and lists some exceptions to accreditation.

Support for Individuals Working With Children and Young People

When engaging an individual to work with children and young people, the Bahá'í institutions or their designated agencies must in addition to checking the above basic requirements, carefully consider their suitability for the role, e.g. that they are capable and trustworthy. They are also responsible for ensuring that the individual receives adequate training and support.

Individuals in the community are encouraged to undertake a growing range of activities on their own initiative, including Bahá'í children's classes and junior youth groups. There should be no sense of contradiction between this and the responsibility of Bahá'í institutions for the protection of children and young people. Encouraging individual initiatives does not abrogate the requirement for the individual to be accredited, approved and supported to work with children and young people by the Bahá'í institutions or their designated agencies. The character and manner of support is such that it lends impetus and encouragement to the initiative of individuals arising to serve and is therefore welcomed by them.

Service on Bahá'í Institutions and agencies

Individuals serving on Bahá'í Institutions or agencies must be accredited when delegated the specific duty on behalf of the Institution or Agency of:

- visiting or directly contacting (including by phone, or electronic means) a child or young person. [It is understood that this may not always be practicable in a once-off unplanned situation, for example in an emergency.]
- attending an activity directed to children and/or young people or mainly attended by children and/or young people.

Risk management

In addition to general occupational health and safety risks, organisers of activities and events under the aegis of any Bahá'í institution or agency, are encouraged to identify, assess and take steps to minimise child abuse risks. The formality of the risk assessment undertaken increases as the risks and scope of the activity or event increases.

Responding to Allegations of Child Abuse

Principles

Every individual has a right to consult with the institutions of the Faith regarding sexual, physical and emotional abuse issues. Such issues should be accorded high priority by the institutions.

In all cases of alleged abuse, a compassionate response to the complainant must be the first priority. This attitude must be present even at a time when it is not yet certain that the allegations are accurate. At the outset, complainants should be assured that abuse is abhorrent to the Teachings of the Faith. They should be asked what needs to be done to ensure that they, or the children on whose behalf the complaint is brought, will feel safe from further abuse. They should be offered whatever assistance is appropriate, such as support in accessing medical or counselling services. When the allegation of abuse concerns an Aboriginal child, culturally and/or linguistically diverse child or child with a disability,

consideration needs to be given to whether particular support measures are needed such as a support person from the same cultural community, the need for an accredited interpreter or specialised support services. These responses do not pass judgement on or prejudice the rights of any person accused, but are part of the appropriate response to the possibility that a complainant is a victim of abuse.

All persons accused of abuse are presumed to be innocent unless and until guilt is either admitted, determined by a court finding, or determined by the institutions of the Faith. If an individual's permission to supervise children is withdrawn while the matter is pending, it is to be clearly understood that no admissions or findings of guilt are implied by this fact. The institutions of the Faith should ensure that no information is provided to the community that may adversely affect the reputation of a person accused of abuse while a matter is under investigation.

Procedures

When a member of the Bahá'í community or person volunteering or working with children at an activity or event under the aegis of any Bahá'í institution or designated agency suspects or believes that a child- who is a member of the Bahá'í community or participating in its activities- has been abused or is at risk of abuse, the following steps must be taken:

- (a) The individual shall immediately, upon having reasonable grounds to suspect or believe that a child has been abused or is at risk of abuse, make an oral report by telephone or in person to the civil authorities (or police if the child is in immediate danger or has been significantly harmed); and
- (b) The individual shall immediately report the matter to the Local Spiritual Assembly or Auxiliary Board member for Protection.

The suspicion or belief of abuse may be based on a number of child protection concerns that form 'reasonable grounds'. For example: observation of a child's behavior/injuries, a disclosure by a child or allegations by a third party.

Backbiting about a suspicion of abuse will not only be a breach of this policy but has the potential to expose the individual who backbites to a defamation claim.

Responsibilities of Bahá'í Institutions and Agencies

What should a Local Spiritual Assembly receiving an allegation of child abuse do?

1. The Assembly should **advise the individual of the limits of confidentiality** in child abuse matters, as the Assembly is obliged whenever it has reasonable grounds to suspect that a child has been abused or is at risk of abuse to report the matter to the civil authorities.
2. The Assembly should consider what steps need to be taken to provide **ongoing support for the reported victim and other persons affected**, including family, friends and the community. These steps may well include referring the individuals to appropriate medical, legal or other professionals who can assist them.
3. **Immediately report to National Spiritual Assembly:** It is the responsibility of the Local Assembly to report the matter to the National Spiritual Assembly as soon as possible after receiving the report, including in its report any supporting information or documents relating to the alleged child abuse. The National Spiritual Assembly should also be informed as to whether the matter has been reported to the civil authorities.
4. If the matter has not been reported to the civil authorities and the person reporting the child abuse is not willing to report it immediately, the Assembly should try to ascertain whether there are **reasonable grounds to suspect that a child has been abused or is at risk of abuse**. Note: the Assembly does not have to undertake an investigation to determine the truth of the allegation (i.e. that a child has been or is at risk of being abused) but simply whether reasonable grounds exist to suspect abuse or risk of abuse.
 - If after assessing the seriousness of the allegation, the risk of further abuse by the alleged offender and/or the credibility of the report, the Local Assembly decides there are reasonable grounds, the Local Assembly should report the allegation to the civil authorities. Once the matter is reported, investigation of the allegation should be left in the hands of the civil authorities.

- If the Assembly is unsure of whether reasonable grounds exist, it should consult with the civil authorities or the National Spiritual Assembly.

STRICT CONFIDENTIALITY IS IMPERATIVE: The Local Assembly must handle allegations of child abuse and any investigations it undertakes with strict confidentiality due to the stigma that attaches to persons associated with such offences. Failure to maintain strict confidentiality is not only a breach of this Policy but can potentially expose the Local Assembly and its members to claims of defamation

5. **Interim steps to remove possibility of risk:** In the event that the person accused is involved in the teaching, supervision or care of children, and the Local Assembly determines that reasonable grounds to suspect that a child has been abused or is at risk of abuse exists, **the Local Assembly should ensure the accused's accreditation under the Policy is revoked and require him/her to stand aside from such roles until the matter is resolved.** In accordance with the principles for dealing with allegations of abuse outlined above, it is to be clearly understood that no admissions or findings of any kind are implied by this act. The National Assembly will determine whether the individual is to be permanently removed from the role of teaching, supervision or care, if they are currently performing such a role.
6. **Should the parent(s) be informed when a report has been made to the civil authorities?** The Assembly should consult with the civil authorities on whether the parent(s)/guardian(s) of the child are to be informed, of the report made to the authorities. If the civil authorities leave the decision to the institution, the institution would inform the parents unless there is a strong reason not to. It should take into account the following factors in making its determination (and should minute the reasoning):
 - The safety of the child;
 - The safety of other members of the community;
 - The issue of privacy (the general guidance given by the Australian Information Commissioner is that children 16 years and over generally have the capacity and understanding to give or deny consent to disclosure of their personal information to parents).
7. **Consideration of possible administrative sanctions:** Subject to paragraph 8 below, if the information available to the Local Assembly indicates the possible breach of Bahá'í law, the responsible institution should take appropriate steps in accordance with the principles set forth in the chapter titled "Administration of Bahá'í Law" in the Local Spiritual Assembly Handbook.
8. **What happens if there is a criminal or civil investigation?** Bahá'í institutions must be careful not to interfere with any criminal or civil investigation directly or indirectly (e.g. by discouraging an individual from making a report or by alerting an individual to an investigation). Once the matter is before the civil authorities, the Local Spiritual Assembly should not involve itself any further and should leave the matter to the civil authorities to fully investigate.
9. The responsible institution should **make sure that the National Assembly is kept fully informed** of all developments in the matter, especially of any actions taken by civil authorities in relation to the allegation. The National Assembly will treat any report and any advice sought by the Local Assembly in relation to cases of abuse of children as a matter of high priority.

In considering applications for the restoration of voting rights, following the imposition of sanctions for child abuse, the National Assembly will consider whether ongoing measures are required for the long-term protection of children, such as barring the offender from being placed in a role of teaching, caring for or supervising children.

What should a Regional Bahá'í Council or a Bahá'í agency receiving an allegation of child abuse do?

It is the responsibility of a Regional Bahá'í Council and a Bahá'í agency (e.g. regional institute board, area teaching committee, institute coordinators, other committees, etc.) to report the matter immediately to the appropriate Bahá'í institutions, namely the National Spiritual Assembly; the Local Spiritual Assembly or a member of the Auxiliary Board for Protection, as soon as possible after receiving the report.

What should an Auxiliary Board member for Protection receiving an allegation of child abuse do?

The Auxiliary Board member should report the matter immediately to the relevant Counsellor and follow the Counsellor's advice with respect to proper handling of the matter. Where the person reporting the child abuse is not willing to immediately notify the civil authorities, the Auxiliary Board member should report the allegation to the civil authorities. In its handling of cases of child abuse, members of the Continental Board of Counsellors and Auxiliary Board members should bear in mind the guidance contained in this Policy.

Review of Policy

A Child Protection Officer is appointed at the national level and in each State or Territory to promote awareness of this policy, Guidelines for Working with Children and Young People and other strategies to minimise the risk of harm to children. The Officer also gathers feedback from the community.

This Policy will be reviewed at least every three years. The review will incorporate where possible comments and suggestions from children and young people, parents, staff, volunteers, diverse local cultural communities, regional and local Bahá'í institutions and agencies.

Any breaches of this Policy should be reported to the National Spiritual Assembly.

Version History	
Description of Change	Effective from
First release.	Nov 2003
Revised	Dec 2005
Revised	Apr 2006
Revised	Jul 2010
Revised	Jan 2012
Revised	Jul 2012
Revised	Jul 2015
Latest version	Sep 2016

ANNEX A SUPERVISION OF CHILDREN AND YOUNG PEOPLE AND ACCREDITATION OF FACILITATORS AND ORGANISERS AT ACTIVITIES AND EVENTS UNDER THE AEGIS OF A BAHÁ'Í INSTITUTION OR AGENCY

Note: All activities organised in the context of the Bahá'í community must come under the jurisdiction of a Bahá'í institution which is responsible for ensuring that the provisions of the Policy for the Protection of Children are adhered to. Whilst there are a wide range of situations in which the National Spiritual Assembly has mandated that the requirements of this Policy are to be enforced, parents should not assume that, just because the function - be it a Feast, meeting, or social occasion - is organised by the Bahá'ís, that the parents' responsibility for their child's behaviour and safety has been relinquished. Parents have responsibility for their children at all times, and even more so when there is no formal supervised program in place.

...with participants of mixed ages, under and over 18 e.g. community events, youth conference, summer school, Feast, deepening, study circle.

- Each child or young person ("child") would need to be supervised by an accredited person or by the parent(s) or guardian(s) of the child.
- Parent(s)/guardian(s) should be aware of their duty to supervise and care for their child at all times.
- Non-accredited persons may undertake supportive roles such as hosting, cooking, cleaning and activity preparation that are not for the exclusive benefit of children and can attend the event as participants.
- Those directly involved in teaching, caring for, or supervising children at a sub-event at which the parent(s)/ guardian(s) would not be expected to attend, need child protection accreditation, for example, those caring for children at Feast. This includes any assistants or parents acting as assistants. See exceptions below.

Note: For *youth conferences*, all members of the organising committee should ideally have child protection accreditation, but as a minimum at least one member of the committee will be the responsible accredited person. Indemnity forms signed by parents/carers have been used for youth conferences with youth aged 15-17 attending without their parents/carers

Note: For overnight events, State/Territory laws would also need to be checked and complied with.

...with participants who are all under 18 e.g. children's classes, junior youth group, youth 15 to 17 exclusive activity

- Those directly involved in teaching, caring for, or supervising children need child protection accreditation. This includes any assistants or parents acting as assistants. See exceptions below.
- Non-accredited persons may undertake supportive roles not requiring direct contact with children, such as hosting, cooking, cleaning and activity preparation; but should ensure any direct contact with children is in the presence of a responsible accredited person.
- Residents at venues (including residential homes) where overnight Bahá'í activities take place and persons offering significant support for overnight activities (e.g. present most of the camp to assist with cooking) should have a working with children clearance OR ensure they do not have direct contact with the children and are not in the immediate vicinity of children. Note: in Tasmania, this may apply to residents of a residential premise where child-related activity is conducted, whether taking place during the day or overnight.

Note: State/Territory laws would also need to be checked and complied with.

Exceptions (subject to State/Territory laws):

1. Playgroups where parent(s)/guardian(s) attend and care for their own child, i.e. no child is present without parent/guardian do not require an accredited person to be present.
2. A parent of a child participating in the activity/event need not be accredited if attending as an observer or temporary volunteer (other than an overnight camp for children) as long as they are always in the presence of an accredited responsible individual. If they take on the role of acting as a regular assistant, however, they need child protection accreditation. This exemption may not be applicable in the ACT, NT (parents are exempt in some circumstances but not in connection with religious organisations) and TAS.
3. A volunteer assisting short-term (no more than 3 days in any 4 week period and 5 days in any calendar year), for example an ad-hoc presenter, need not have accreditation if directly supervised at all times when children are present (other than an overnight camp for children). Note: This exception may not be applicable in the NT and QLD (volunteer may only observe (not assist) for no more than two sessions before requiring a blue card in QLD).