

06.03

Child Protection Policy

Theological foundation

As a community of faith and healing, the Lutheran Church is shaped by the word of God. God brings the church into being as a safe place in which believers can be nurtured in the new life of Christ and grow into maturity. Therefore, any form of harm to a child, including abuse, is a fundamental theological issue that must be addressed and corrected. This is central to our being as church. Nowhere is this more so than in the case of children, who are a precious trust and care from God. Children especially are under divine protection (Isaiah 11:6–9).

God protects the vulnerable, and God's people are to do the same (Isaiah 1:17). When children came to Jesus and his disciples objected, he turned the usual order of things upside down by saying that the kingdom of God belongs to 'such as these' (Matthew 19:14, Luke 18:16). As we would receive Jesus, so we are to receive a child (Matthew 18:5, Mark 9:37, Luke 9:48).

Throughout his ministry, Jesus honoured children, saying that if one wants to become truly great, one must become like a little child (Matthew 18:1–5, Mark 9:33–37, Luke 9:46–47).

Therefore, the church and all believers have a special responsibility to care for all children and see that no harm comes to them. How we treat children is a test of the genuineness of our faith. God calls us to make every effort to protect children and treat them with the love, care, and respect that is rightfully theirs.

Purpose

The purpose of this policy is to ensure the health, safety and wellbeing of all children who engage with the Lutheran Church of Australia (the church) and provide for relevant roles and responsibilities for all in the church.

Relevant to

The policy and procedures apply to:

- all ministries and activities of the church
- all pastors, employees, volunteers, members and visitors.

Objectives

The objectives of this policy are to ensure:

- the protection of children, especially from any form of physical, emotional, spiritual or psychological harm and risk of harm and any form of sexual harm, harassment, abuse or exploitation, in a manner consistent with scriptural principles and in accord with legal obligations
- the rights of children are respected
- an environment in which children can express their views, especially in matters that directly affect them
- an environment in which no form of physical punishment is administered to any child while engaged in church activities
- awareness of and compliance with systems and procedures for the prevention of harm to children by all those to whom this policy applies
- awareness of and compliance with all legislative requirements for the health, safety and wellbeing of children by all those to whom this policy applies
- prompt and proper responses to all reports and allegations of harm or risk of harm, abuse or neglect to a child or young person.

Policy statement

In bringing God's love to life, the church is committed to ensuring the health, safety and welfare of all children who engage with the church. It will take all reasonable measures to nurture children and protect them from harm and ensure compliance with all legislative requirements for the prevention of harm to children. All children and young people are to be embraced, regardless of their abilities, sex, gender, or social, economic or cultural background, and their equity is to be upheld. Bullying and harassment of children is not to be tolerated.

Definitions

Child or young person

Any person under the age of 18

Complainant

Person who makes a complaint

Respondent

Person who is the subject of a complaint or allegation

Harm

A reference to 'harm' should be taken to mean physical or psychological harm (whether caused by an act or omission), including harm caused by sexual, physical, mental or emotional abuse or neglect.

Emotional (psychological) harm, harassment or abuse

This means negative and unwanted behaviour towards a person (or group of people) that offends, humiliates, intimidates or undermines the person. Psychological harassment or abuse or harm is often repeated or part of a pattern of behaviour, which alone may be relatively minor but cumulatively can become a serious form of violence that can have serious psychological effects on a person. Behaviour that is a once-off occurrence is considered to be harmful if it is sufficiently serious.

Sexual harm, harassment or abuse

This is where a person uses power or authority over a child or vulnerable adult to involve them in sexual activity. This sexual activity might be in person or online. Physical force is sometimes involved. Manipulation, grooming, bribes and threats are more common. The sexual activity might include fondling of the genitals, masturbation, oral sex, vaginal or anal penetration, or exposing the child (or vulnerable adult) to pornography. Whilst the majority is committed by adults a significant proportion of instances of sexual harm, harassment and abuse are committed by other children. An offending child may not be older but will have greater power than the target child.

Physical harm or abuse

This means any incident where a person is threatened or physically attacked by direct or indirect application of force that creates a risk to health, safety and wellbeing, whether intentional or unintentional, including:

- striking, scratching, biting, spitting or any other type of direct physical contact
- throwing objects at or towards a person
- attacking a person with or without any type of weapon
- pushing, shoving, tripping or grabbing a person

Spiritual harm or abuse

This means when a person with spiritual authority uses that authority to coerce, control or exploit another person causing spiritual wounds. Such wounding or scarring affects a person's relationship with God, and they may develop a distorted image of God and themselves.

National police check

This is a summary of an individual's offender history in Australia and a record of their criminal history relating to convictions, finding of guilt or pending court proceedings.

Working with children type check

This is a background check in a respective jurisdiction that assesses whether a person poses an unacceptable risk to children. For example, in South Australia, the applicable check is the working with children check. As part of the assessment process, the screening unit will look at criminal history, child protection information and other information.

Commitment to the safety of children and young people

The church is committed to:

- children and young people being valued, respected and encouraged to participate
- the safety and protection of children and young people always being the first priority
- meeting the requirements of the National Principles for Child Safe Organisations¹
- complying with all applicable legislation that pertains to the safety of children and young people, including the *Children and Young People Act 2008 (ACT)*, *Children and Young Persons (Care and Protection) Act 1998 (NSW)*, *Child Protection Act 1999 (Qld)*, *Working with Children (Risk Management and Screening) Act 2000 (Qld)*, *Children and Young People (Safety) Act 2017 (SA)*, *Child Safety (Prohibited Persons) Act 2016 (SA)*, *Care and Protection of Children Act 2007 (NT)*, *Children, Youth and Families Act 2005 (Vic)*, *Child Wellbeing and Safety Act 2005 (Vic)*, *Worker Screening Act 2020 (Vic)*, *Children, Young Persons And Their Families Act 1997 (Tas)*, *Registration to Work with Vulnerable People Act 2013 (Tas)* and *Children and Community Services Act 2004 (WA)*
- all children and young people being embraced, regardless of their abilities, sex, gender, or social, economic or cultural background, and their equity is upheld
- bullying and harassment of children not being tolerated
- displaying information about services that can assist children and young people in areas accessed by them
- displaying key information about the steps the church is taking in relation to the safety of children and young people and how to report harm or abuse
- making relevant documents (such as this policy) available on the church's website and displaying key information in prominent spaces
- providing further information and guidance on key documents, such as this policy, during Safe Church Training.

Procedural principles

The application of this policy will also provide for:

- careful recruitment and selection processes, which include working with children type checks, for roles where there is contact with children and also for any leadership and governance roles holding decision-making authority that affect children and/or where trustworthiness is implied or perceived
- minimum standards of conduct, based on scriptural principles, for all people who work with children
- training and learning programs for all people who work with children, including pastors, employees and volunteers
- implementation of risk management systems for all child-related activities
- documented procedures for receiving, reporting and handling allegations of harm and risk of harm (including abuse).

¹ See <https://childsafef.humanrights.gov.au/national-principles>

Responsible person/s

- The General Church Board (GCB) is responsible for implementing this policy and related procedures across the church.
- District church councils and boards are responsible for implementing this policy and related procedures within their respective districts.
- Congregation/parish councils are responsible for implementing this policy and related procedures within their congregations/parishes.
- Governance boards of all church-related entities are responsible for implementing child protection policies and procedures that meet their particular requirements but are consistent with the Church's Child Protection Policy and related procedures.

Review of this policy

This policy should be regularly reviewed in consultation with relevant ministries at least every three years. After each review, a copy of the updated version will be provided to the applicable government authority, for example, the Department of Human Services in South Australia.

Document controls

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