

06.05

Prevention of Harm, Harassment and Abuse Policy

Theological foundation

In a harsh world all too often marked by hostility and malice, God's people are called to act with compassion, gentleness and reasonableness (Galatians 5:22–23; Ephesians 4:2; Matthew 5:1–9).

Jesus' gentle and respectful treatment of the often harassed and abused Samaritans (Luke 9:51–55; John 4) also teaches us much about how God's people are to treat others, especially the vulnerable in society.

Purpose

The purpose of this policy is to cultivate a lifestyle of reconciliation within the Lutheran Church of Australia (the church), ensuring that all who engage with the church are treated with dignity and respect in an environment free from physical, psychological, sexual or spiritual harm, harassment or abuse or the perception of harm, harassment or abuse of any kind.

Relevant to

The policy and related procedures apply to:

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

Objectives

The objectives of this policy are to ensure that:

- those who hold positions of trust in the church are an example of good Christian living
- physical harm, harassment or abuse is not tolerated anywhere in the church
- sexual harm, harassment or abuse is not tolerated anywhere in the church
- emotional (psychological) harm, harassment or abuse is not tolerated anywhere in the church
- spiritual harm, harassment or abuse is not tolerated anywhere in the church
- a lifestyle of reconciliation is cultivated within the church.

Policy statement

In bringing God's love to life, the church is committed to the prevention of physical, emotional (psychological), sexual or spiritual harm, harassment or abuse or the perception of harm, harassment or abuse in the life of the church. The church considers any form of harm, harassment or abuse to be unacceptable, and it will not be tolerated under any circumstances.

Definitions

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 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 abuse 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. 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.

Sexual harm, harassment or abuse includes where a person:

- makes an unwelcome sexual advance or an unwelcome request for sexual favours to another person (the person harassed), or
- engages in other unwelcome conduct of a sexual nature in relation to the person harassed

in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

'Conduct of a sexual nature' includes making a statement of a sexual nature to a person, or in the presence of a person, whether the statement is made orally or in writing.

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 occurs 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.

Procedural principles

The application of the policy will provide for an environment free from harm, harassment or abuse of any type by:

- providing leadership and modelling appropriate behaviour
- encouraging people who are associated with the church to be proactive in creating a supportive and respectful culture
- providing a safe environment that enables people to carry out their responsibilities associated with the church free from harm, abuse or harassment of any type. This includes ensuring that complaints of harassment and abuse are investigated expeditiously in accordance with the LCA Complaints Handling Policy and taking appropriate action against any person who breaches this policy
- ensuring those associated with the church are aware of the possibility of harm, harassment or abuse and ensuring supervisors monitor key indicators such as absenteeism and high turnover of church workers or members
- supervisors and senior people in the church identifying training and learning needs for themselves and those for whom they are responsible.

Responsible person/s

- The General Church Board 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 respective congregations/parishes.
- Governing bodies of all church-related entities are responsible for implementing Prevention of Harm, Harassment and Abuse policies and procedures that meet their particular requirements and are also consistent with the church's Prevention of Harm, Harassment and Abuse Policy and related procedures.

Document controls

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