

Section 17

Working with suspected abusers and known offenders

The Church has a duty of care to all those within it and that includes offenders. This duty of care should be taken seriously and should include a duty not to place any individual at risk of harm.

Offences may only come to light many years after they were committed. Irrespective of when the abuse took place the individual must still be held to account and may continue to be a substantial risk to children and/or adults at risk. The police and/or social care agencies should always be informed of the offences. A Provincial Safeguarding Officer will liaise as appropriate with the statutory authorities.

Ministry with Known Offenders or Abusers

An offender is defined as ‘a person who has been convicted or accepted a caution for a criminal offence.’ The Multi-Agency Public Protection Arrangements (MAPPA) places a statutory duty upon the Police, Probation, and Prison Services (The Responsible Authority) together with other organisations deemed to have a ‘duty to cooperate,’ to manage the risk of harm posed to the public by specified categories of offender.

Category 1 – Registered Sex Offenders

Category 2 – Violent Offenders

Category 3 – Other violent or Sexual Offenders

The MAPPA guidance places on the police the responsibility to co-ordinate and lead the risk assessment and management process, to share information about offenders and to devise strategies to manage their risk. The MAPPA guidance also addresses issues arising in relation to people who have not been convicted or cautioned for offences, but who are suspected of involvement.

The Church has a responsibility to actively manage risk to the community whilst it provides support and care to an individual who may be isolated and without settled accommodation or employment.

When a known offender who is subject to the notification requirements of the Sex Offences Act 2003 (Category 1 – Registered Sex Offender) joins a church congregation, a Provincial Safeguarding Officer should be informed immediately and an agreement put in place. See Form 14 (Model agreement with a known offender). This agreement should always be made with the offender, UNLESS in the rare circumstance where statutory authorities recommend that doing so would increase risk. Then advice of statutory authorities would be followed

It is also recognised that other categories of offender managed under the MAPPA, or individuals who have not been convicted or cautioned of an offence, but have demonstrated behaviour that causes concern (for example suspected offenders) may also pose a risk of harm. A Provincial Safeguarding Officer must also be notified of such individuals, and will share information with the Responsible Authorities to minimise the risk posed by such individuals.

Each case should be judged on its merits by the police and other relevant agencies, taking account of the degree of risk in criminal sexual activity. It may be appropriate to put in to place an agreement with such individuals who are not Registered Sex Offenders but may pose a risk of harm.

Review of Offender Agreements

The offender Agreements should be reviewed every 12 months by a Provincial Safeguarding Officer. When there are no concerns and no significant changes in the current agreement, then a formal meeting MAY not need to take place. In consultation with the Police, Incumbent and significant others it could be agreed that the current agreement stays in place. This would be led and agreed by a Provincial Safeguarding Officer who will submit their recommendation to the Provincial Safeguarding Panel, who will have final decision as to how the review will take place.

No existing agreement should go beyond three years without a formal Agreement Review Meeting taking place. A Provincial Safeguarding Officer will lead this. Only in exceptional circumstances where there is clear independent evidence, relating the level of risk, will consideration be given to ending an agreement.

The agreement will also be formally reviewed following a change in circumstances, these may include:

- A Change in cleric
- Variation in the offenders MAPPA status
- Occurrence of further offending
- Identification of new risk factors
- Noncompliance to the current agreement

It is important when a cleric leaves a parish/ministry or mission area, where a known offender is worshipping, that this information is passed on immediately to the new incumbent or to the person responsible during an interregnum. This needs to happen as soon as they take up their post and a copy of the signed agreement passed on confidentially. The cleric leaving their post is responsible for alerting the provincial safeguarding officer of this change.

All offender agreements will be reviewed by members of the Provincial Safeguarding Panel, who will consider the appropriateness of the agreement and associated conditions.

Disclosure of Information about Sex Offenders

The Home Office guidance on the exchange of information about all those who have been convicted of, cautioned for, or otherwise dealt with by the courts for a sexual offence; and those who are considered by the relevant agencies to present a risk to children and others emphasises that the disclosure of information should always take place within an established system and protocol between agencies, and should be integrated into a risk assessment and management system.

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