

Our Most Precious Treasure

Policy for the Protection of Children

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. An all-embracing love of children, the manner of treating them, the quality of the attention shown them, the spirit of adult behaviour toward them - these are all among the vital aspects of the requisite attitude. (Ridván Message of the Universal House of Justice, BE 157)

It is difficult to imagine a more reprehensible perversion of human conduct than the sexual abuse of children ... 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)

Aim

The aim of this policy is to protect children and youth under the age of 18 from risk of sexual, physical or emotional abuse within a Bahá'í community context. This policy applies to **all** situations in which an individual is given responsibility by the Bahá'í community to teach, care for, or supervise children and youth under age 18. Examples include but are not limited to:

- Bahá'í children's classes
- Junior Youth groups
- Study circles where youth under 18 are unaccompanied by a parent or guardian
- Children, junior youth or youth camps
- Excursions
- Supervision of children during residential schools
- Occasional child care in connection with Feasts, Holy Days or other events
- Teaching ad hoc classes

Definitions

Abuse of children can refer to sexual, physical and emotional abuse.

Sexual abuse means sexual assault, sexual harassment or any other conduct of a sexual nature that is inconsistent with the natural relationship between an adult and a child.

Physical abuse is behaviour by a person towards a child which causes intentional physical pain or injury. Physical abuse does not in this policy include appropriate physical discipline of a child by the child's parents carried out "gently and patiently" and with "loving care". (Letter written on behalf of the Universal House of Justice to an individual, 24 January 1993)¹

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

A child is defined as a person up to the legal age of majority, i.e. 18 years.

¹ "Whensoever a mother seeth that her child hath done well, let her praise and applaud him and cheer his heart, and if the slightest undesirable trait should manifest itself, let her counsel the child and punish him, and use means based on reason, even a slight verbal chastisement should this be necessary. It is not, however, permissible to strike a child, or vilify him, for the child's character will be totally perverted if he be subjected to blows or verbal abuse." (Abdu'l-Baha, quoted in Bahá'í Education, p 50)

Protection of Children

Approval Procedures for Teachers – Supervisors – Carers

The Bahá'í community is committed to making every effort to reduce the risk of abuse of children.

Special care must be taken in relation to all work of adults with children. This includes teaching Bahá'í children's classes, and animating junior youth groups as well as occasional child care services provided by the Bahá'í community. No person shall be permitted to undertake such work if the Bahá'í institutions believe, on the basis of all information available, that there is an identified risk that children may be abused. Accordingly, any individual given responsibility to teach, supervise or care for children by a Bahá'í institution must first receive approval in accordance with this policy.

Any person over the age of 15 authorised to teach, supervise or care for children at any activity or event under the aegis of any Bahá'í institution or agency must:

Firstly, fulfil ALL legal requirements required of people who work with children, in New Zealand there currently are none.

Secondly

- (i) Undertake training in the Child Protection Policy
- (ii) Inform the Local Spiritual Assembly of completion of training.
- (iii) Make a Statement of Assurance (**Form 1**) confirming that they do not have a criminal conviction for a range of crimes.
- (iv) Submit this to the Local Spiritual Assembly which will then complete its Assurance **Form 2**

Documentation confirming that the applicant meets the requirements for accreditation must be provided by the Local Spiritual Assembly to the National Office. Once the National Spiritual Assembly has given its approval, he or she will be provided with a Bahá'í accreditation letter which is valid for 5 years from the date of completing the Child Protection Workshop, unless revoked by the National Spiritual Assembly and a Bahá'í accreditation card confirming that the individual has completed the requirements listed above. An individual cannot be given authority to teach, supervise or care for children at an activity or event under the aegis of a Bahá'í institution or agency until approval is provided by the National Spiritual Assembly. This applies to all individuals including registered teachers, nurses and other social workers.

Accreditation under this policy is not approval to teach, supervise or care for children, which is always subject to the decisions of the Bahá'í institutions and agencies. This training and accreditation is also not to be seen as a substitute for teacher training.

Appendix B provides a flow chart which clarifies the responsibilities regarding supervision and accreditation at activities organised under the aegis of a Bahá'í institution or agency.

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. These responses do not pass judgement on or prejudice the rights of the person accused, but are part of the appropriate response to the possibility that the person present 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 following a consultative process. 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

What should a member of the Bahá'í Community or an individual working or volunteering with children under the age of 18 at an activity or event under the aegis of a Bahá'í institution or agency do if they become aware of an allegation of child abuse?

1. If a complaint or information concerning alleged child abuse comes to the attention of any member of the Bahá'í community or any individual working or volunteering with children under the age of 18 at an activity or event under the aegis of a Bahá'í institution or agency, and the individual has reasonable grounds to suspect that a child has been abused or is at risk of abuse, the individual should report it to the civil authority or police immediately. In many cases it is illegal for someone with a duty of care not to report such a disclosure to the authorities. In a letter dated 5 October 1992 written on its behalf to an individual believer, the Universal House of Justice has stated: "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." In New Zealand there is a mechanism for reporting and assessment of child abuse allegations, and in some instances failure to report child abuse may be punishable by law.
2. Any individual having knowledge of an incident of child abuse should report the matter to the Local Spiritual Assembly of jurisdiction or a member of the Auxiliary Board for Protection.
3. Individuals who suspect an incident of child abuse should not backbite within the community or at large, but should draw the matter to the attention of civil authorities and the Bahá'í institutions as stated above. Backbiting will not only be a breach of this Policy but has the potential to expose the individual who backbites to a defamation claim.

What Should a Bahá'í Agency Receiving an Allegation of Child Abuse Do?

It is the responsibility of a Bahá'í Agency (e.g. Regional Bahá'í Councils, 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 for 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.

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 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 or Counsellors:** 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 take the following steps to ascertain whether there are **reasonable grounds to suspect that a child has been abused or is at risk of abuse** (note: this does not require an investigation determining the guilt or innocence of the alleged offender):

- 4.1 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. If the Assembly is unsure of whether reasonable grounds exist, it may choose to consult with the civil authorities.
- 4.2 If the Local Assembly remains unsure after making the assessments referred to in 4.1 above whether there are reasonable grounds, the Assembly should invite the alleged offender and inform him/her of the allegation being considered by the Assembly and ask for his/her response. After meeting with the alleged offender the Local Assembly should decide whether reasonable grounds exist. If reasonable grounds exist, the matter should be reported to the civil authorities.
- 4.3 Step 4.2 should not be adopted if there is any suspicion that a person may be endangered by meeting with the alleged offender. In such cases, the Assembly should report the matter to the civil authorities and let them investigate the allegation.

Once the matter is reported, investigation of the allegation should be left entirely in the hands of the civil authorities.

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 ask the accused to return his/her approval to supervise children and 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 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. **Consideration of Possible Administrative Sanctions:** Subject to paragraph 7 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.
7. **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.
8. 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 in child abuse cases, 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.