# Child Pornography Allegation Policy

## Diocese of Wagga Wagga

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<thead>
<tr>
<th>Policy Number</th>
<th>07/54</th>
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<tr>
<td>Policy Name</td>
<td>Child Pornography Allegation Policy</td>
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<tr>
<td>Applicability</td>
<td>All Systemic Schools</td>
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<tr>
<td>Contact Person</td>
<td>Employee Services Manager</td>
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<tr>
<td>Policy Status</td>
<td>Under Review</td>
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<tr>
<td>Date of Approval</td>
<td>November 2007</td>
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<tr>
<td>Date Last Amended</td>
<td>September 2007</td>
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| Related Policies/Documents | • Code of Professional Standards  
• Safe Schools Policy  
• Child Protection Legislation  
• Child Pornography Allegation Procedures  
• Duty of Care Policy |
CHILD PORNOGRAPHY ALLEGATION POLICY

Rationale
Schools and colleges in the Diocese of Wagga Wagga have a duty of care to all staff and students. We are committed to “providing a safe, secure and stimulating environment conducive to learning.”

“Within schools and colleges in the Diocese of Wagga Wagga, procedures will be followed in handling allegations of reportable conduct and concerns that children may be at risk of harm.” This policy aims to meet legal and professional responsibilities relating to Government legislation. This policy defines child pornography and recognises it as a reportable offence.

Policy Statement
The Catholic Schools Office in the Diocese of Wagga Wagga condemns the abuse of children in any form, including child pornography. It is a criminal offence to produce, disseminate, or possess child pornography.

Any employee notified of an allegation against a fellow employee or student being involved in child pornography must report this to the Principal who will contact the Catholic Schools Office.

Key Understandings
A ‘child’ is defined as a person under the age of 18 years.

An ‘employee’ is defined as a person employed by the Catholic Schools Office of Wagga Wagga. Other persons authorised to work in schools, such as clergy, parents, contractors and volunteers, are also classified as ‘employees’ for the purposes of this policy.

Child pornography – “means material that depicts or describes, in a manner that would in all the circumstances cause offence to reasonable persons, a person under (or apparently under) the age of 16 years:
i.) engaged in sexual activity, or
ii.) in a sexual context, or
iii.) as the victim of torture, cruelty or physical abuse (whether or not in a sexual context).”

The Ombudsman Act 1974 does not specifically define the word ‘allegation’. The term therefore is taken to have the ordinary meaning of the word such as ‘a statement which has not been proven to be true which says that someone has done something wrong or illegal’. An allegation can be made in writing or orally and can be made anonymously.

Reportable conduct - “Any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence).”

Mandatory reporting – Although this policy is written when an allegation of ‘child pornography’ is reported against an employee or student within the school system, “the Catholic Schools Office requires that all employees and voluntary workers must inform the Principal of the school in which they are working of any genuine concerns that they have about children in their care and that they believe are currently at risk of harm (from any person).”

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1 Vision & Mission Statement, Diocese of Wagga Wagga
2 Safe Schools Policy, Diocese of Wagga Wagga.
3 NSW Crimes Act 1900 – Sect 91G
4 NSW Crimes Act 1900 – Sect 91C
5 NSW Crimes Act 1900 - Sect 91H
6 Cambridge Dictionary, Cambridge University Press 2005
7 NSW Ombudsman - Child protection in the workplace 2004
8 Safe Schools Policy, Diocese of Wagga Wagga.
Supporting Statements

All matters regarding allegations of child abuse are to be treated as confidential. Confidentiality protects all individuals involved:

- the alleged victim
- the alleged offender, and
- the person making the notification.

All allegations of reportable conduct must be reported to the NSW Ombudsman by the Employee Services Manager on behalf of the Director of Schools within 30 days of the Catholic Schools Office becoming aware of the allegation.

The Catholic Schools Office and the school involved are to only make statements about the alleged incident if the Police or a Magistrate has released information to the public.

The Catholic Schools Office “Procedures for handling a child pornography allegation” should be referred to ensuring all necessary actions are taken.

Endorsed by DCSC Meeting in November 2007.