

Obligation for local leaders to support those involved in the investigation

Investigations can be stressful. The local leaders of parishes, schools, diocesan agencies and programs involved in the investigation have obligations to ensure the alleged victim, the respondent and witnesses receive additional support and supervision during an investigation. It is the local leader's responsibility to ensure any adverse impact on the relationships between individuals and the Diocese are minimised.

When the OoSG is conducting an investigation the local leader should be a supportive presence by:

- ▶ having a regular 'catch-up' with the alleged victim and their family
- ▶ establishing a meeting schedule with the respondent
- ▶ establishing risk reduction strategies for both alleged victim and respondent to protect them from further incidents or allegations
- ▶ making special consideration for and actively assisting the alleged victim, respondent and witnesses to attend investigation related interviews or other appointments
- ▶ ensuring that alleged victim or respondent are kept engaged in the life of the school, agency or parish if either has chosen or is required to temporarily withdraw from being an active participant in the community
- ▶ ensuring that the alleged victim and respondent has access to the EAP or counselling as required.



Where can I go for help?

Office of Safeguarding: 4979 1390
www.officeofsafeguarding.org.au

Independent Education Union NSW/ACT: 4926 9400
www.ieu.org.au

Australian Services Union NSW/ACT: 4929 1280
www.asu.asn.au



Office of Safeguarding
Diocese of Maitland-Newcastle

50 Crebert Street, Mayfield NSW 2304
PO Box 29 Carrington NSW 2294
P 02 4979 1390

E childprotection@mn.catholic.org.au
www.officeofsafeguarding.org.au



Supporting an investigation

Information for
diocesan workers

www.officeofsafeguarding.org.au



Obligations as a diocesan worker

Diocesan workers have an obligation to promote the safety, welfare and wellbeing of children. Part of this obligation is to provide all reasonable cooperation and support to investigations conducted within the Diocese as well as external statutory investigations conducted by NSW Police or the Department of Communities and Justice (DCJ).

The Diocese will respond to all allegations of abuse or misconduct towards children. The nature of the response will depend on the nature of the alleged conduct.

The Office of Safeguarding (OoSG) has the responsibility to oversee or conduct an investigation to ascertain whether there are sufficient grounds to establish the alleged conduct did occur. In many cases, the OoSG conducts the inquiry but sometimes the diocesan agency's local leadership may conduct the inquiry with the OoSG's support.

The following information relates to diocesan workers who are involved in an investigation, as witnesses, that are conducted by the OoSG.

Obligation to support an investigation

Diocesan workers are obliged to participate in the investigative process, to support diocesan investigations in accordance with directions from local leadership and the Office of Safeguarding.

The diocesan worker is obliged to be a truthful witness who volunteers all information relevant to the investigation. Failure to do so is considered a serious breach of professional standards which may result in disciplinary action being taken.

Once an investigator has interviewed a witness and their evidence has been finalised, the witness's role in the investigation is complete.

Diocesan workers have the right not to incriminate themselves in criminal activity.

Obligation to protect the integrity of an investigation

If a diocesan worker becomes aware that an investigation is being conducted they are obliged to treat the information as confidential and not discuss it with colleagues.

Diocesan workers are required to maintain a neutral or non-judgmental position as to the allegations being investigated and the people involved. It is unacceptable to publicly undermine or refute the integrity of the investigative process.

Diocesan workers are responsible for raising any concerns they have for the integrity of an investigation in a timely manner. Employees should advise their managers. Parishioners should talk to the parish leadership.

If the diocesan worker believes their manager or local leadership is compromised, they should contact the Office of Safeguarding.

Diocesan workers will not knowingly contaminate evidence or collude with other witnesses to influence the nature of evidence the investigation gathers. Any alleged collusion is considered a serious allegation.

If the diocesan worker is aware they may have an actual or perceived conflict of interest in relation to an investigation, they must, as a matter of priority, advise their local leaders or the Office of Safeguarding. Diocesan workers failing to report a known conflict of interest is deemed a serious breach of professional standards.

What if I'm worried about giving evidence?

If the diocesan worker is worried about the potential consequences of giving evidence the investigator will assess if it constitutes a 'credible concern' that warrants the worker's identity being protected and systemic responses to neutralise the worker's concerns.

Where a diocesan worker is a potential witness in an investigation and identifies a conflict of interest with the 'respondent' (the diocesan worker subject of the investigation), this should be placed in writing to the OoSG to assess if the evidence should be excluded.

It's okay to be supportive

If you are aware of an investigation, you are obliged to be supportive of the alleged victim, the respondent or any other person involved in an investigation (i.e. witnesses). Colleagues need to suspend judgment – be understanding, while remaining neutral.

Diocesan workers are able to check with a child or colleague who they know is involved in an investigation to see if they're okay. However, talking about the investigation is inappropriate and the topic needs to be changed.

