



## Department of Justice

Working with Children Check Unit

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Dear Marriage celebrant,

### **The Working with Children Check for ministers of religion and appointed leaders**

I would like to take the opportunity to advise you that registered religious marriage celebrants who fall within the ambit of the new amendments to the *Working with Children Act 2005* (the Act) will need to obtain a Working with Children (WWC) Check, unless contact with children is only occasional and incidental to their duties.

If the new provisions in the Act apply to you and you do not already have a WWC Check, you will need to apply by 26 October 2014.

This change to our Act is a key recommendation of the Parliament's *Betrayal of Trust* report into sexual abuse of children by non-government and religious organisations.

Child-related work for ministers and spiritual leaders is now defined more broadly by the Act than for other persons doing child-related work. Child-related work for ministers and spiritual leaders is not limited to work involving direct and unsupervised contact with children.

Any contact with children, unless it is only occasional and incidental, is enough to trigger the requirement to be checked. This includes having children present in their congregation, or attendance at schools or children's camps, even if their contact with children is supervised.

The WWC Check screens people's criminal history and professional conduct records going back over their lifetime in order to help organisations protect the children in their care from sexual and physical harm.

Individuals including ministers and spiritual leaders who are doing child-related work without a WWC Check after 26 October 2014, under the new provision, are committing an offence which carries substantial penalties of up to 2 years imprisonment or a fine of up to \$35,426.40 or both.

Religious organisations engaging paid, volunteer or lay ministers or spiritual leaders in child-related work who do not have a WWC Check, will also be committing an offence carrying penalties up to \$177,132.00.

It is important that you inform the religious organisation you work for or the members and affiliates of your faith, of these important changes to the WWC Check scheme.

To apply for a WWC Check, please complete the online application form that's available on our website at <https://online.justice.vic.gov.au/wwccu/onlineapplication.doj>

More details about the WWC Check are in the attached 'Ministers of religion Information Guide'.

The WWC Check is just the starting point. Organisations that you work with will be expected to put in place other important actions to determine that the people they intend engaging in child-related work are suitable to work with children, in order to keep children safe.

The government is currently developing minimum 'child safe' standards for organisations involved in child-related work. These standards will set expectations about the policies and practices these organisations should have in place to create and maintain a 'child safe' environment.

The standards are expected to include a requirement for organisations to implement recruitment and employment practices that reduce the risk of harm to children, including –

- diligent reference checking
- effective screening processes (not limited to WWC Check)
- training and support for staff to improve their understanding of and responses to child abuse and
- ongoing supervision and performance management to ensure children are safe.

The standards are also expected to cover a range of other matters, including codes of conduct, risk management approaches and empowering children within organisations.

Please discuss the WWC Check's new legal obligations with your religious or faith organisation. On the WWC Check website, you will find details about all the 2014 amendments to our Act and information on how to apply for a Check.

While you are on the website I would like to invite you to sign up to our eNewsletter so you receive our eNews and emails about the amendments, particularly those related to ministers of religion.

Yours sincerely



**Albert Bentincontri**  
Acting Director