



Buddhist Council of Victoria

Representing and serving the Buddhist community in Victoria

www.bcv.org.au | ABN 13 436 635 535 | Reg. No. A0033871C

Buddhist Council of Victoria - Policy on Managing Sexual Abuse and Harassment

The Buddhist Council of Victoria advises its member temples and centres that it is in their interests to adopt a policy to manage sexual harassment and child abuse. Buddhist temples and centres must be prepared to manage potential problems in an organised and planned way. The policy aims to help plan a response based on individual temple needs and circumstances and to think about the issues. The Council notes that sexual abuse and harassment are non-virtuous actions and conflict with the Buddhist precept regarding sexual misconduct. The Buddhist Council advises all member organisations to comply with government requirements, such as the Working With Children Check.

1. Definitions

- Child abuse:

The age of consent in Victoria is 16; sexual contact with anyone under 16 is a criminal offence. (See Appendix 1.)

Abuse of children could occur at the hands of sangha members, teachers, volunteers, employees, members or others.

- Sexual harassment:

Sexual harassment is harassment with a sexual basis, such as when a person makes unwelcome sexual advances, persistent, unwanted requests for sexual favours, unwanted physical intimacy such as touching and unwanted comments of a sexual nature. Sexual harassment may have occurred if a person feels uncomfortable, offended, humiliated, intimidated and or frightened.

2. Expectations

- The core expectations of any responsible organisation include the treatment of all people with fairness and dignity and the care for those who are less powerful and in need of nurture and protection.
- A temple or centre must be a place of refuge, a place of safety. This includes safety for vulnerable people. Vulnerable people include children, the aged, the disabled, those going through grief, divorce, loss of a job or who are in other difficult circumstances.

3. Procedure

- Volunteers and workers must complete application forms, provide references, and undertake checks to show they are not precluded from working with children.
- The temple cannot engage persons convicted of violent crimes or sex offences.
- Staff must be trained in the policy.
- It is recommended to work in pairs or with the presence of family when in contact with children.

3.1 Reporting Complaints

- Abbots, abbesses, employees and volunteers must report reasonable suspicions or complaints of abuse.



Buddhist Council of Victoria

Representing and serving the Buddhist community in Victoria

www.bcv.org.au | ABN 13 436 635 535 | Reg. No. A0033871C

- An independent person will be appointed by senior management with the specific duty of dealing with any allegations of harm or abuse.
- Details of reported abuse will be treated as confidential.
- The temple must have a documented reporting process to handle allegations. Complaints should be made in writing, and all steps made to address the complaint need to be documented.
- If there is reasonable suspicion that a member has been or is suffering abuse, the police will be contacted immediately.
- The police will also be notified if a member discloses an incident of abuse outside the temple premises, such as on an outing.

3.2 On Hearing About an Incident of Sexual Abuse

- Maintain appropriate pastoral care and treat the allegation seriously.
- Do not attempt to run an investigation.
- Reassure the victim they are understood.
- Report the abuse to the police. Be aware that concealing crimes or failing to provide information may be criminal offences.
- Do not contact the perpetrator.
- Retain the clothing of the victim if the abuse is recent.
- Maintain confidentiality.
- Any disclosures by a member, reports of suspected abuse and all details of the subsequent investigation will be documented promptly, and the documents will be held in a secure location where a breach of privacy cannot occur.
- Where their identity is known, victims must not be blamed or shamed and should be welcomed back into the community, but it is preferable that the identity of victims is not made known.
- Support, counselling, and advocacy on behalf of the victim are required.
- Brochures from health departments, counselling services or women's advocacy services should be available from the temple.
- Prevention is better than cure.

3.3 On Being Advised About Sexual Harassment by a Victim, Another Person Should:

- Request the harasser to stop.
- After notification, and should harassment continue, the matter should be reported to temple officials.
- Should temple officials fail to acknowledge the incident and act upon it immediately, the victim (or another person privy to the case), should refer the matter to police and/or The Equal Opportunity Commission.
- Harassment may be considered a criminal offence; in which case it is a matter of the law. In this case, see section 3.2.

3.4 Managing a Complaint of Sexual Abuse

- If there is reasonable suspicion that a member has been or is suffering abuse, the police will be contacted immediately.



Buddhist Council of Victoria

Representing and serving the Buddhist community in Victoria

www.bcv.org.au | ABN 13 436 635 535 | Reg. No. A0033871C


- A person suspected of committing abuse will be suspended from work or other duties within the temple while under investigation for committing abuse.
- A person found guilty of committing abuse, either by internal investigation or by a court, will have their employment or involvement with the temple terminated.

4. Conclusion

This policy is offered to temples where they have no policy, but it is not compulsory. It could, for example, be replaced by an insurance policy required by an insurance company. However, temples are urged to adopt policies that consider the principles and procedures listed above.

Appendix 1 - Generally, the age of consent is 16, however, sex is not a crime if the younger person is 15 and the older person is less than two years older and believed the younger one was 16. It is against the law for persons who are 16 or 17 years old to have sexual contact with a person who is caring or supervising them, such as a teacher, youth worker or foster carer, even if they agree. It is against the law for people to be forced to have sexual contact without consent.

Yours sincerely,

Signed by:

E136784133069E39

.....
Dinesh Iriyagolla Weerakkody LLB; PDLP - The President
Barrister & Solicitor (An Australian Legal Practitioner)
An Australian Migration Lawyer
Mob: 0425725570

At the Annual General Meeting of 2014, the BCV adopted a policy on managing sexual abuse and harassment and provided it to temples as an optional protocol. This policy was reaffirmed by President Dinesh Weerakkody in 2023. The policy notes that all sexual contact with children is a criminal offence, that abuse must be reported to the police and that concealing crimes or failing to provide information may be criminal offences. We advised temples to have a documented reporting process to handle allegations but not to run an investigation.