

# 43/18 Implementation of the Recommendations of the Royal Commission into Institutional Child Sexual Abuse

(A report from the Standing Committee.)

## Key Points

- The Royal Commission has made 58 recommendations to 'religious institutions' and 'religious organisations'. Of these, 28 relate to institutions and organisations generally and 5 recommendations relate directly to the Anglican Church of Australia. The remainder relate to other specific religious institutions and organisations.
- Prolegis Lawyers were engaged to undertake an independent review and gap-analysis of the recommendations of the Royal Commission that apply to the Diocese of Sydney and the Royal Commission's 10 Child Safe Standards. The gap-analysis revealed that of the 33 recommendations that are applicable, the Diocese:
  - meets 14 recommendations;
  - does not yet meet 18 recommendations; and
  - that one recommendation is not relevant.
- In summary, the action required in order to meet the remaining 18 recommendations involves:
  - adopting the Child Safe Standards for the Diocese (to meet four recommendations);
  - putting in place conflicts of interest policies that reference child sexual abuse to meet two recommendations;
  - developing a combined strategy with Ministry Training and Development (to meet six recommendations);
  - psychosexual assessments of candidates for ordination;
  - effective oversight (management) and performance appraisals of people in religious or pastoral ministry;
  - professional or pastoral supervision of people in religious or pastoral ministry;
  - liaison with the General Synod to develop a consistent approach to the above,
  - developing strategies in respect of the intake of people from overseas;
  - amending the Ministry Standards Ordinance 2017 and Diocesan Tribunal Ordinance 2017 (to meet four recommendations); and
  - the remaining two recommendations would be met by implementing:
    - leadership training (with a promotion of child safety element); and
    - protective behaviours training for children.
- The specific action adopted by the Standing Committee in respect to each applicable recommendation of the Royal Commission is set out in the table in the Appendix.
- Further changes to safe ministry policies and procedures are also required to comply fully with the Royal Commission's 10 Child Safe Standards. These recommendations have been referred to the Safe Ministry Board for its review and action.

## Purpose

1. The purpose of this report is to respond to Synod Resolution 43/18 by providing recommendations in relation to implementation of the recommendations of the Royal Commission into Institutional Child Sexual Abuse that are applicable to the Anglican Church Diocese of Sydney.

## Recommendations

2. Synod receive this report.

3. Synod, noting the report 43/18 'Implementation of Recommendations of the Royal Commission' –
  - (a) endorse implementation of the Royal Commission's Child Safe Standards by all institutions of the Diocese of Sydney that have contact with children in conducting their operations,
  - (b) request the Standing Committee to provide a report to the next session of the Synod in relation to implementation of the actions set out in the report, and
  - (c) pending Standing Committee's report to Synod in 2020 (and except as otherwise addressed at the 2019 session of Synod) –
    - (i) refer questions of draft ordinances or policies required to facilitate their implementation to the Standing Committee, and
    - (ii) request the Standing Committee to bring recommendations on funding to enable implementation of the actions set out in the report for approval by Synod.

## Background

4. The Royal Commission into Institutional Child Sexual Abuse (the **Royal Commission**) was established by Letters Patent issued by the Governor-General on 11 January 2013.
5. The Terms of Reference of the Royal Commission directed it to inquire into, and report on, 'institutional responses to allegations and incidents of child sexual abuse and related matters'. It expressly required inquiry into:
  - (a) what institutions and governments should do to better protect children against child sexual abuse and related matters in institutional contexts in the future
  - (b) what institutions and governments should do to achieve best practice in encouraging the reporting of, and responding to reports or information about, allegations, incidents or risks of child sexual abuse and related matters in institutional contexts
  - (c) what should be done to eliminate or reduce impediments that currently exist for responding appropriately to child sexual abuse and related matters in institutional contexts, including addressing failures in, and impediments to, reporting, investigating and responding to allegations and incidents of abuse
  - (d) what institutions and governments should do to address, or alleviate the impact of, past and future child sexual abuse and related matters in institutional contexts, including, in particular, ensuring justice for victims through the provision of redress by institutions, processes for referral for investigation and prosecution and support services.
6. The Royal Commission's final report was submitted to the Governor-General on 15 December 2017.

## The nature of the recommendations

7. The Royal Commission has made 58 recommendations to 'religious institutions' and 'religious organisations'. Of these, 28 relate to institutions and organisations generally and 5 recommendations relate directly to the Anglican Church of Australia. The remainder relate to other specific religious institutions and organisations.
8. For the purposes of the Royal Commission's recommendations, the Diocese of Sydney is an 'institution', an 'organisation' and an 'affiliated institution' as defined by the Royal Commission. This follows because:
  - (a) The Royal Commission defines a 'religious institution' as "an entity that operates under the auspices of a particular religious denomination and provides activities, facilities, programs or services of any kind that provide the means through which adults have contact with children". It lists 'dioceses' as an example of a religious institution.
  - (b) The Royal Commission defines a 'religious organisation' as "a group of religious institutions from a particular religious denomination or faith that coordinate and/or organise together". The Anglican Church of Australia is a 'religious organisation' for this purpose.
  - (c) The Diocese of Sydney is an 'affiliated institution' for the purposes of some recommendations because of its relationship to the General Synod.
9. This report considers those recommendations of the Royal Commission that apply to the Anglican Church Diocese of Sydney in these various capacities.

## Discussion

### Synod Resolution 43/18

10. Synod resolved as follows at its 2018 session with respect to implementation of the recommendations of the Royal Commission:
 

‘Synod, noting that an independent review of the position of the Diocese of Sydney with respect to the final recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse (available on the Synod this year page of the SDS website) is being considered by the Safe Ministry Board and the Standing Committee’s Royal Commission Steering Committee, requests that a full report be provided to the next ordinary session of Synod in relation to the implementation of the recommendations of the Royal Commission addressed to the Anglican Church, including –

  - (a) any sources of funding which may enable their implementation, and
  - (b) any draft ordinances or policies still required to facilitate their implementation.’
11. At its meeting on 11 November 2018, the Standing Committee noted the request in the resolution and requested the Royal Commission Steering Committee (the **RCSC**) to liaise with the Safe Ministry Board to bring a report to the Standing Committee for promotion to Synod in 2019.
12. There are only 5 recommendations “addressed to the Anglican Church”. However it is assumed that the Synod resolution intends to also include recommendations that apply to the Diocese of Sydney as a religious institution, a religious organisation and an affiliated institution.

### Review and gap analysis by Prolegis Lawyers

13. The Professional Standards Unit engaged Prolegis Lawyers to undertake a review and gap-analysis of the recommendations of the Royal Commission that apply to the Diocese of Sydney and the Royal Commission’s 10 Child Safe Standards, and provide advice on what would be required for the Diocese to implement these recommendations and standards.
14. The project was conducted by Ms Anne Robinson and Mr Sam Burnett. Mr Burnett was previously a Senior Legal Officer at the Royal Commission, with a particular focus on the public hearings involving religious organisations and was a contributing author of the part of the Royal Commission’s report addressing the religious sector.

#### *The Royal Commission’s recommendations*

15. Overall, Prolegis summarised the Diocese of Sydney’s position in relation to the Royal Commission’s recommendations as “positive”. The gap-analysis revealed that the Diocese –
  - (a) meets 14 recommendations;
  - (b) does not yet meet 18 recommendations; and
  - (c) that one recommendation is not relevant.

#### *Proposed actions to meet the recommendations*

16. Prolegis proposed the following actions in order to meet the remaining 18 recommendations –
  - (a) adopting the Child Safe Standards for the Diocese (and liaison with the General Synod and affiliated institutions) to meet four recommendations;
  - (b) putting in place conflicts of interest policies for key boards that reference child sexual abuse to meet two recommendations;
  - (c) developing a combined strategy with Ministry Training and Development to meet six recommendations;
  - (d) psychosexual assessments of candidates for ordination;
  - (e) effective oversight (management) and performance appraisals of people in religious or pastoral ministry;
  - (f) professional or pastoral supervision of people in religious or pastoral ministry;

- (g) liaison with the General Synod to develop a consistent approach to the above;
- (h) developing strategies in respect of the intake of people from overseas;
- (i) amending the *Ministry Standards Ordinance 2017*, and *Diocesan Tribunal Ordinance 2017* to meet four recommendations; and
- (j) the remaining two recommendations would be met by implementing –
  - (i) leadership training (with a promotion of child safety element); and
  - (ii) protective behaviours training.

#### *Implementation of the Royal Commission's 10 Child Safe Standards*

17. The Royal Commission has identified 10 Child Safe Standards to ensure consistent standards of care for children across Australia. These are –
- (a) Child safety is embedded in institutional leadership, governance and culture;
  - (b) Children participate in decisions affecting them and are taken seriously;
  - (c) Families and communities are informed and involved;
  - (d) Equity is promoted and diversity respected;
  - (e) People working with children are suitable and supported;
  - (f) Processes to respond to complaints of child sexual abuse are child focussed;
  - (g) Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training;
  - (h) Physical and online environments minimise the opportunity for abuse to occur;
  - (i) Implementation of child safe standards is continuously reviewed and improved; and
  - (j) Policies and procedures document how the institution is child safe.
18. Prolegis' review against the Royal Commission's Child Safe Standards determined that although the Diocese of Sydney meets many components of the Standards, there are further steps that could be taken, including –
- (a) developing a concise 'commitment to safety' for inclusion across all policies, job adverts, job descriptions, and online;
  - (b) addressing the gaps in the lay stipendiary worker pathway as part of a broader strategy between the Safe Ministry Board and Ministry, Training and Development
  - (c) developing a centralised register for screening and training information;
  - (d) amending all policies to include reference to the diverse needs of children, including acknowledgement of the importance of their cultural safety;
  - (e) creating a plain English overview document, which includes the complaints procedure, appropriate for –
    - (i) children;
    - (ii) people of diverse backgrounds, including linguistically and culturally diverse backgrounds, such as Indigenous people and Torres Strait Islanders; and
    - (iii) parents and families;
  - (f) developing a 'children's sense of safety' survey;
  - (g) inclusion of a 'Children's Champion' on the Safe Ministry Board; and
  - (h) developing a policy on children with harmful sexual behaviours (that is, child on child sexual abuse).

## **Action taken**

### **The Royal Commission's recommendations**

19. Synod resolution 43/18 calls for a full report in relation to the implementation of the recommendations of the Royal Commission addressed to the Anglican Church, including any sources of funding which may enable their implementation, and any draft ordinances or policies still required to facilitate their implementation.

20. The table in the Appendix –
  - (a) lists each of the 33 recommendations of the Royal Commission that apply to the Diocese of Sydney (in columns 1 and 2);
  - (b) indicates whether or not the recommendation is already met (in column 3); and
  - (c) sets out the actions that have been adopted by the Standing Committee in relation to the recommendations (in column 4).
  
21. The actions are based on the report from Prolegis, but differ in some respects. This is due to –
  - (a) there being matters that were not within the scope of the review that are relevant to the recommendation,
  - (b) changes to diocesan arrangements with respect to safe ministry since the review which mean the proposed action has already been implemented or needs to be implemented in a different way, and
  - (c) the proposed action with respect to the recommendation not being practical or capable of implementation for other reasons.
  
22. Some of the actions have already been implemented, some are proposed for implementation by the Synod this year (for example, through amendments to the *Ministry Standards Ordinance 2017*), and others are in the process of being implemented.

### Implementing the 10 Child Safe Standards

23. Prolegis has also recommended certain steps in relation to the 10 Child Safe Standards. These primarily involve –
  - (a) amending existing safe ministry and workplace policies, procedures and training materials,
  - (b) introducing procedures to consult more widely in relation to the content of this documentation, and
  - (c) developing further documentation.
  
24. These recommendations have been referred to the Safe Ministry Board for its review and action, with a request that it report back concerning its consideration and implementation of the recommendations.
  
25. One of the recommended steps involves appointing a Children's Champion to the Safe Ministry Board with this person having the specific responsibility of advocating on behalf of children in relation to diocesan safe ministry arrangements (Standard 1.2, indicia 1.2.9). The Safe Ministry Board already represents a broad range of expertise and independence, so it may be a question of refining its functions rather than adding to its composition. Either way the change will likely involve amendments to the *Safe Ministry Board Ordinance 2001*. In the first instance it would be appropriate to hear from the Safe Ministry Board on this matter when it reports back concerning the other recommended steps.

For and on behalf of the Standing Committee.

DANIEL GLYNN  
**Diocesan Secretary**

26 August 2019

## Gap analysis of compliance with the recommendations of the Royal Commission addressed to the Anglican Church Diocese of Sydney

### Key



= substantial compliance, though some action may still be recommended.











= yet to meet, additional action required.

### 1 Framework Recommendations concerning the Child Safe Standards

No.	Recommendation	Compliance	Action Taken
16.31	All institutions that provide activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children, should implement the 10 Child Safe Standards identified by the Royal Commission.	*	Synod resolve to endorse implementation of the Royal Commission's Child Safe Standards by institutions within the Diocese of Sydney.
16.32	Religious organisations should adopt the Royal Commission's 10 Child Safe Standards as nationally mandated standards for each of their affiliated institutions.	*	No formal action to adopt the Child Safe Standards be taken until after the 2020 session of the General Synod in order to maximise consistency between the <i>Safe Ministry to Children Canon 2017</i> and the <i>Safe Ministry to Children Ordinance 2018</i> .
16.33	Religious organisations should drive a consistent approach to the implementation of the Royal Commission's 10 Child Safe Standards in each of their affiliated institutions.	*	Amend the <i>Safe Ministry Board Ordinance 2005</i> (or otherwise clarify the Board's functions) to give it responsibility for driving implementation of the Royal Commission's Child Safe Standards in a consistent manner within the Diocese.  Request the Safe Ministry Board to indicate if it requires any additional resources to fulfil this function and the other responsibilities given to it in relation to implementation of the Royal Commission's recommendations.
16.34	Religious organisations should work closely with relevant state and territory oversight bodies to support the implementation of and compliance with the Royal Commission's 10 Child Safe Standards in each of their affiliated institutions.	*	Request the Professional Standards Unit to maintain a positive relationship with the NSW Office of the Children's Guardian and NSW Ombudsman for the purposes of, among other things, capacity building and guidance on the implementation of the Child Safe Standards within the Diocese.
16.35	Religious institutions in highly regulated sectors, such as schools and out-of-home care service providers, should report their compliance with the Royal Commission's 10 Child Safe Standards, as monitored by the relevant sector regulator, to the religious organisation to which they are affiliated.	*	Request the Safe Ministry board to write to diocesan schools and Anglicare ('affiliated institutions') in relation to recommendations 16.33, 16.34 and 16.35 to encourage implementation of these recommendations and seek feedback.  Require diocesan schools and Anglicare to report with respect to their implementation of and compliance with the Child Safe Standards.


## 2 Child Safe Standard 1: Child safety is embedded in institutional leadership, governance and culture

No.	Recommendation	Compliance	Action Taken
16.36	Consistent with Child Safe Standard 1, each religious institution in Australia should ensure that its religious leaders are provided with leadership training both pre- and post- appointment, including in relation to the promotion of child safety.		<p>Request Ministry Training and Development to develop leadership training for senior officeholders in the Diocese, in consultation with the episcopal team, as part of the Lifelong Ministry Development program, including for:</p> <ul style="list-style-type: none"> <li>- the Archbishop;</li> <li>- the Assistant Bishops;</li> <li>- the Archdeacons;</li> <li>- the Dean; and</li> <li>- other senior diocesan officeholders.</li> </ul> <p>MT&amp;D should consult the Safe Ministry Board for input in determining the content of the training that relates to 'promoting child safety' and to assist in identifying appropriate trainers and content.</p>
16.37	Consistent with Child Safe Standard 1, leaders of religious institutions should ensure that there are mechanisms through which they receive advice from individuals with relevant professional expertise on all matters relating to child sexual abuse and child safety. This should include in relation to prevention, policies and procedures and complaint handling. These mechanisms should facilitate advice from people with a variety of professional backgrounds and include lay men and women.		<p>Amend the <i>Safe Ministry Board Ordinance 2001</i> to include:</p> <ul style="list-style-type: none"> <li>- amendments to out-of date definitions (child abuse and child protection legislation) and ordinances;</li> <li>- revision by way of simplifying the 'functions of the board';</li> <li>- reference to the Safe Ministry Board being the mechanism by which the Diocese of Sydney receives advice in relation to these matters;</li> <li>- power for the Board to seek any additional expert advice as required;</li> <li>- a conflicts of interest component within the Ordinance given Recommendation 16.2 and 16.39;</li> <li>- reference to the Board being the designated diocesan safe ministry authority under the <i>Safe Ministry to Children Ordinance 2018</i>.</li> </ul>
16.38	Consistent with Child Safe Standard 1, each religious institution should ensure that religious leaders are accountable to an appropriate authority or body, such as a board of management or council, for the decisions they make with respect to child safety.		No action required.


No.	Recommendation	Compliance	Action Taken
16.1	The Anglican Church of Australia should adopt a uniform episcopal standards framework that ensures that bishops and former bishops are accountable to an appropriate authority or body in relation to their response to complaints of child sexual abuse.		No action required.
16.39	Consistent with Child Safe Standard 1, each religious institution should have a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child sexual abuse. The policy should cover all individuals who have a role in responding to complaints of child sexual abuse.		<p>Amend the Standing Committee 'Disclosure of Conflicts of Interest' regulation made on 26 May 2014 under cl 6(5) of the <i>Standing Committee Ordinance 1897</i> to include a new section on matters relating to child sexual abuse.</p> <p>Amend the <i>Safe Ministry Board Ordinance 2001</i> to include a section on conflicts of interest.</p> <p>Promote a Bill to the 2019 session of Synod to address conflicts of interest that may arise in relation to the role of director of professional standards, members of the PSC and PSB and Adjudicators.</p>
16.2	<p>The Anglican Church of Australia should adopt a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child sexual abuse, which expressly covers:</p> <ol style="list-style-type: none"> <li>a. members of professional standards bodies;</li> <li>b. members of diocesan councils (otherwise known as bishop-in-council or standing committee of synod);</li> <li>c. members of the Standing Committee of the General Synod; and</li> <li>d. chancellors and legal advisers for dioceses.</li> </ol>		Request the Senior Legal Counsel, in consultation with the Safe Ministry Board, to develop a statement of principles concerning the management of actual or perceived conflicts of interest in relation to the engagement of lawyers and any advice from the staff of SDS, the Chancellor or a Deputy Chancellor in respect of child sexual abuse matters.
16.49	Codes of conduct in religious institutions should explicitly and equally apply to people in religious ministry and to lay people.		No action required.
16.3	The Anglican Church of Australia should amend <i>Being together</i> and any other statement of expectations or code of conduct for lay members of the Anglican Church to expressly refer to the importance of child safety.		Request the Safe Ministry Board to consider and make recommendations on whether 'community' or 'lay member' based safe ministry training should be developed as part of a layered approach to safe ministry training in the Diocese.







### 3 Child Safe Standard 2: Children participate in decisions affecting them and are taken seriously

No.	Recommendation	Compliance	Action Taken
16.40	Consistent with Child Safe Standard 2, wherever a religious institution has children in its care, those children should be provided with age-appropriate prevention education that aims to increase their knowledge of child sexual abuse and build practical skills to assist in strengthening self-protective skills and strategies. Prevention education in religious institutions should specifically address the power and status of people in religious ministry and educate children that no one has a right to invade their privacy and make them feel unsafe.		Encourage the Professional Standards Unit to continue its work in developing Protective Behaviours Training, and request the Safe Ministry Board to consider and make recommendations on the best way to make this training available to the children in our care.

### 4 Child Safe Standard 3: Families and communities are informed and involved

No.	Recommendation	Compliance	Action
16.41	Consistent with Child Safe Standard 3, each religious institution should make provision for family and community involvement by publishing all policies relevant to child safety on its website, providing opportunities for comment on its approach to child safety, and seeking periodic feedback about the effectiveness of its approach to child safety.		Encourage the Professional Standards Unit to develop – <ul style="list-style-type: none"> <li>• a <a href="mailto:feedback@safeministry.org.au">feedback@safeministry.org.au</a> email address,</li> <li>• a statement in relation to welcoming feedback from the community and affix this to: <ul style="list-style-type: none"> <li>- the contact page on <a href="http://safeministry.org.au">safeministry.org.au</a> and <a href="http://safeministry.training">safeministry.training</a>;</li> <li>- the end page of all published documents on <a href="http://safeministry.org.au">safeministry.org.au</a> and <a href="http://safeministry.training">safeministry.training</a>; and</li> <li>- the end page of all training modules provided on <a href="http://safeministry.training">safeministry.training</a>.</li> </ul> </li> </ul>

## 5 Child Safe Standard 5: People working with children are suitable and supported

No.	Recommendation	Compliance	Action
16.42	Consistent with Child Safe Standard 5, each religious institution should require that candidates for religious ministry undergo external psychological testing, including psychosexual assessment, for the purposes of determining their suitability to be a person in religious ministry and to undertake work involving children.		Request the PSU and Ministry Training and Development to review the psychological assessment for ordinands to ensure that it is an effective screening tool and to consider – (a) external testing including psychosexual assessment, and/or (b) supplementing the existing psychological assessment with additional questions to include a psychosexual component.
16.43	Each religious institution should ensure that candidates for religious ministry undertake minimum training on child safety and related matters, including training that:  a. equips candidates with an understanding of the Royal Commission's 10 Child Safe Standards  b. educates candidates on: i. professional responsibility and boundaries, ethics in ministry and child safety; ii. policies regarding appropriate responses to allegations or complaints of child sexual abuse, and how to implement these policies; iii. how to work with children, including childhood development; iv. identifying and understanding the nature, indicators and impacts of child sexual abuse.		Request Moore College, Ministry Training and Development and Youthworks College to ensure that a module on 'how to work with children, including childhood development' is incorporated into minimum training for candidates for ordination.  Request MTD and the Safe Ministry Board to develop a broader strategy on Safe Ministry Training for ordinands and ordination candidates.
16.4	The Anglican Church of Australia should develop a national approach to the selection, screening and training of candidates for ordination in the Anglican Church.		Request Ministry Training and Development to write to the Ministry and Mission Commission of the General Synod to notify it of the standards for the selection, screening and training of candidates for ordination in the Diocese of Sydney for the Commission to consider as part of its work on the recommendation.
16.44	Consistent with Child Safe Standard 5, each religious institution should ensure that all people in religious or pastoral ministry, including religious leaders, are subject to effective management and oversight and undertake annual performance appraisals.		Request the episcopal team to indicate what they consider to be the best means of providing accountability for rectors and bishops and provide this to Ministry Training and Development for it to consult with the Centre for Ministry Development and report to the Standing Committee with recommendations on the available options.



No.	Recommendation	Compliance	Action
16.45	<p>Consistent with Child Safe Standard 5, each religious institution should ensure that all people in religious or pastoral ministry, including religious leaders, have professional supervision with a trained professional or pastoral supervisor who has a degree of independence from the institution within which the person is in ministry.</p>	*	<p>Standing Committee to bring proposals to the 2020 session of Synod –</p> <p>(a) for professional supervision as a condition on new licences and authorities for:</p> <ul style="list-style-type: none"> <li>(i) first-time rectors, and</li> <li>(ii) assistant ministers and lay ministers who will be primarily ministering to children or youth,</li> </ul> <p>including how this professional supervision should be funded, and</p> <p>(b) to increase the availability of suitable professional supervisors in the Diocese.</p>
16.5	<p>The Anglican Church of Australia should develop and each diocese should implement mandatory national standards to ensure that all people in religious or pastoral ministry (bishops, clergy, religious and lay personnel):</p> <ul style="list-style-type: none"> <li>a. undertake mandatory, regular professional development, compulsory components being professional responsibility and boundaries, ethics in ministry and child safety</li> <li>b. undertake mandatory professional/pastoral supervision</li> <li>c. undergo regular performance appraisals.</li> </ul>	*	<p>Request the Safe Ministry Board to review the Safe Ministry Training and Faithfulness in Services Training courses to ensure that they adequately include all elements identified by the Royal Commission in this recommendation.</p>
16.46	<p>Religious institutions which receive people from overseas to work in religious or pastoral ministry, or otherwise within their institution, should have targeted programs for the screening, initial training and professional supervision and development of those people. These programs should include material covering professional responsibility and boundaries, ethics in ministry and child safety.</p>	*	<p>Request Ministry Training and Development and the Safe Ministry Board to develop a 'targeted program' for people coming from overseas to minister in the Diocese which builds upon the existing requirements in the <i>Safe Ministry to Children Ordinance 2018</i>.</p>

## 6 Child Safe Standard 6: Processes to respond to complaints of child sexual abuse are child focused


No.	Recommendation	Compliance	Actions
16.51	All religious institutions' complaint handling policies should require that, upon receiving a complaint of child sexual abuse, an initial risk assessment is conducted to identify and minimise any risks to children.	*	Promote a Bill to the 2019 session of Synod which includes amendments to provide for risk assessments in the form recommended by the Royal Commission.
16.52	All religious institutions' complaint handling policies should require that, if a complaint of child sexual abuse against a person in religious ministry is plausible, and there is a risk that person may come into contact with children in the course of their ministry, the person be stood down from ministry while the complaint is investigated.	*	Promote a Bill to the 2019 session of Synod which includes the amendments making it mandatory for the Director of Professional Standards to recommend suspension if satisfied that – <ul style="list-style-type: none"> <li>(a) the complaint or the substance of the complaint involves allegations of serious child-related conduct,</li> <li>(b) the complaint is not false, vexatious or misconceived, and</li> <li>(c) there is a risk that the respondent may come into contact with children in the course of their functions as a church worker.</li> </ul>
16.53	The standard of proof that a religious institution should apply when deciding whether a complaint of child sexual abuse has been substantiated is the balance of probabilities, having regard to the principles in <i>Briginshaw v Briginshaw</i> .	✓	Promote a Bill to the 2019 session of Synod which includes relevant amendments.
16.54	Religious institutions should apply the same standards for investigating complaints of child sexual abuse whether or not the subject of the complaint is a person in religious ministry.	✓	Promote a Bill to the 2019 session of Synod to include: <ul style="list-style-type: none"> <li>(a) a description of the role powers and duties of the Adjudicator in Chapter 5;</li> <li>(b) similar procedural fairness provisions and standards of proof as in Part 4D.</li> </ul>
16.55	Any person in religious ministry who is the subject of a complaint of child sexual abuse which is substantiated on the balance of probabilities, having regard to the principles in <i>Briginshaw v Briginshaw</i> , or who is convicted of an offence relating to child sexual abuse, should be permanently removed from ministry. Religious institutions should also take all necessary steps to effectively prohibit the person from in any way holding himself or herself out as being a person with religious authority.	*	Wait for recommendations from the Professional Standards Commission of the General Synod before taking action on this recommendation.

No.	Recommendation	Compliance	Actions
16.56	<p>Any person in religious ministry who is convicted of an offence relating to child sexual abuse should:</p> <ol style="list-style-type: none"> <li>in the case of Catholic priests and religious, be dismissed from the priesthood and/or dispensed from his or her vows as a religious</li> <li>in the case of Anglican clergy, be deposed from holy orders</li> <li>in the case of Uniting Church ministers, have his or her recognition as a minister withdrawn</li> <li>in the case of an ordained person in any other religious denomination that has a concept of ordination, holy orders and/or vows, be dismissed, deposed or otherwise effectively have their religious status removed.</li> </ol>	*	Wait for recommendations from the Professional Standards Commission of the General Synod before taking action on this recommendation.
16.57	<p>Where a religious institution becomes aware that any person attending any of its religious services or activities is the subject of a substantiated complaint of child sexual abuse, or has been convicted of an offence relating to child sexual abuse, the religious institution should:</p> <ol style="list-style-type: none"> <li>assess the level of risk posed to children by that perpetrator's ongoing involvement in the religious community</li> <li>take appropriate steps to manage that risk.</li> </ol>	✓	No further action required.
16.58	<p>Each religious organisation should consider establishing a national register which records limited but sufficient information to assist affiliated institutions identify and respond to any risks to children that may be posed by people in religious or pastoral ministry.</p>	✓	No further action required.

## 7 Child Safe Standard 7: Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training

No.	Recommendation	Compliance	Action
16.47	Consistent with Child Safe Standard 7, each religious institution should require that all people in religious or pastoral ministry, including religious leaders, undertake regular training on the institution's child safe policies and procedures. They should also be provided with opportunities for external training on best practice approaches to child safety		No action required.
16.50	Consistent with Child Safe Standard 7, each religious institution should require all people in religious ministry, leaders, members of boards, councils and other governing bodies, employees, relevant contractors and volunteers to undergo initial and periodic training on its code of conduct. This training should include: <ol style="list-style-type: none"> <li>a. what kinds of allegations or complaints relating to child sexual abuse should be reported and to whom;</li> <li>b. identifying inappropriate behaviour which may be a precursor to abuse, including grooming;</li> <li>c. recognising physical and behavioural indicators of child sexual abuse;</li> <li>d. that all complaints relating to child sexual abuse must be taken seriously, regardless of the perceived severity of the behaviour.</li> </ol>		Request the Diocesan Secretary to schedule a time for the Standing Committee to consider whether to - <ol style="list-style-type: none"> <li>1. Amend the <i>Parish Administration Ordinance 2008</i> (with suitable transitional arrangements) to -               <ol style="list-style-type: none"> <li>(a) extend the Safe Ministry Training requirements in Chapter 7 to parish councillors and wardens,</li> <li>(b) make it a qualification for election or appointment as a parish councillor or warden that a person must have completed Safe Ministry Training (clauses 2.6 and 2.12), and</li> <li>(c) provide that a person's office as a parish councillor or warden becomes vacant if they do not maintain the currency of their Safe Ministry Training in compliance with Chapter 7 (clauses 2.8 and 2.14).</li> </ol> </li> <li>2. Amend the definition of 'Qualified Person' in the <i>Synod Membership Ordinance 1995</i> to include a requirement that the person has undertaken Safe Ministry Training.</li> </ol>

## 8 Child Safe Standard 8: Physical and online environments minimise the opportunity for abuse to occur

No.	Recommendation	Compliance	Action
16.48	Religious institutions which have a rite of religious confession for children should implement a policy that requires the rite only be conducted in an open space within the clear line of sight of another adult. The policy should specify that, if another adult is not available, the rite of religious confession for the child should not be performed.		No action required.