

Safe Ministry Board and Professional Standards Unit Annual Report 2011-2012

(A report from the Safe Ministry Board and Professional Standards Unit)

Introduction

1. This report is provided under the *Safe Ministry Ordinance 2001 (cl 17)* and the *Discipline Ordinance 2006 (cl 104)* for the period 1 July 2011 to 30 June 2012 (reporting period).
2. The Diocese of Sydney has taken a multi-faceted approach to the issue of safe ministry and child protection. Broadly speaking the policy objectives are –
 - (a) to exercise careful selection and screening of all clergy and church workers;
 - (b) to provide clear requirements and expectations of behaviour through a Code of Conduct called *Faithfulness in Service*;
 - (c) to provide regular and comprehensive training and support of all clergy and church workers;
 - (d) to make a timely and caring response to all who are affected by abuse; and
 - (e) to enact just procedures to deal with respondents and persons of risk.

Safe Ministry Board

3. The Safe Ministry Board (SMB) was established under the *Safe Ministry Ordinance 2001*. The SMB is tasked with ensuring that safe ministry, child protection and child abuse issues are properly dealt with throughout the Diocese. This includes development and review of practices and policies in these areas. The functions of the Board are defined in clauses 5 and 6 of the Ordinance.
4. The members of the Safe Ministry Board (SMB) over the reporting period were: the Rev Dr Keith Condie (Chair), Mrs Sarah Clancy, Ms Stephanie Cole, the Rev Patrick Collins (resigned November 2011), the Rev Steven Layson, the Rev Chris Moroney, Deaconess Pattie Mutton, the Rev Janine Steele, Dr Ruth Shatford AM, Mrs Kylie Williams, the Rev David Mears, the Rev Brian Heath, Dr Tim Channon.
5. The SMB has met 10 times in the reporting period.
6. SMB Chairman the Rev Dr Keith Condie is currently overseas and the Rev Christopher Moroney is Acting Chairman in his absence.

Professional Standards Unit

7. There have been significant changes to the PSU team over the reporting period. Glenn Murray, the former Director Professional Standards, finished in the role in August 2011. Miriam Stevenson, who served for over 18 months within PSU as the Pastoral Case Manager for Anglicare Care Leavers cases finished in the role in June 2012. Jenni Woodhouse, who has been the Unit's Chaplain to victims of abuse for over 9 years also finished in the role in June 2012.
8. Annelie Singh continues to serve as Personal Assistant and the Unit's Administrator. Lachlan Bryant, the new Director, commenced in the role in January 2012.
9. The PSU Chaplain's role will be advertised and for the purposes of recruitment has been re-named "Case Manager, Pastoral Care & Support." The Pastoral Case Manager for the Anglicare Care Leavers position has been relocated to Anglicare's Parramatta offices. The position is also being advertised. At the time of writing both positions remain vacant.
10. In practice much of the work of the PSU derives from the Safe Ministry Board, which has the overall responsibility to encourage all parishes and other units of the Diocese to be child protection aware, compliant and responsive.
11. The Director has overall responsibility for the PSU and is responsible for the day-to-day administration of the complaints and discipline procedure for clergy and church workers (*Discipline Ordinance 2006*) and the National Register (*National Register Canon 2007 Adopting Ordinance 2008*).
12. The Chaplain follows up and provides a caring response to complainants and victims of alleged abuse by a member of clergy or church worker. The Chaplain also provides pastoral support and coordinates the provision of counselling for them as required. The Chaplain works closely with the PSU Contact Persons.
13. The PSU undertakes screening of all clergy appointments on behalf of the Archbishop. The screening includes a working with children check through the NSW Commission for Children and Young People and a National Register check. The PSU provides ongoing support and advice to office holders, parishes and organisations in this regard.

14. Anglicare's Pastoral Case Manager for Care Leavers provides a pastoral and caring response to former residents of the Church of England Homes who have complained of abuse or mistreatment during their time at the Homes. The last of the Homes closed in the 1980s. Since the position was first created in 2009, over 25 matters have now been resolved in some way.

Website

15. The safe ministry website www.psu.anglican.asn.au provides access to all current policies and documents related to safe ministry, child protection and professional standards. The website provides links to other important online resources such as the NSW Commission for Children and Young Persons Working with Children Check, the NSW Department of Family and Community Services webpage, counseling services, contact information for other dioceses and other denominations.

Archbishop's Meetings with Victims

16. Throughout the reporting period the Archbishop has continued to make himself available to listen to complainants and relate to them pastorally. This usually includes the making of an appropriate apology on behalf of the Church.

17. These meetings are of immense value in almost all cases and victims are appreciative of the effort taken by the Archbishop and the PSU Chaplain to arrange them.

Screening of Lay Workers

18. Parishes are required to obtain prohibited employment declarations for all child-related workers (including unpaid volunteers) and to undertake working with children screening checks for those in paid positions. It is recommended that parishes also seek full disclosure of any relevant history and to fully complete reference checks with prior supervisors or employers.

19. Prohibited persons under the NSW state legislation (those convicted of serious sexual offences) cannot be appointed or elected as wardens, parish councilors or parish nominators.

Screening of Ministry/Ordination Candidates, Clergy and Paid Lay Ministers

20. All candidates for ordination by the Archbishop continue to be required to complete a comprehensive screening and disclosure questionnaire. This is administered by Ministry Training and Development (MT&D).

21. Ordination/ministry candidates also continue to undergo extensive assessment and screening by way of reference-checking, general psychological testing, interviews, chaplaincy supervision reports and college reports. A PSU record check and National Register check are also undertaken. The *Discipline Ordinance 2006* provides a mechanism for pre-ordination disclosure and consideration of prior sexual misconduct or abuse.

Training of Volunteer Lay Children's and Youth Workers – Safe Ministry Essentials

22. The Diocese is a member of the National Council of Churches' Safe Church Training Agreement. There are currently 38 independent churches and other dioceses who are members of the Safe Church Training Agreement across Australia.

23. This *Safe Ministry Essentials* course remains the mandated safe ministry training for the Diocese. Recently, some gaps have been identified in the content and coverage of the course and this is currently being reviewed.

24. Youthworks continues to update the *Safe Ministry Essentials* course materials and facilitates the delivery of the training across the Diocese. The SMB and PSU are thankful to Youthworks for their efforts in this.

Training of Ministry/Ordination Candidates and Clergy

25. Safe Ministry Modules have been developed and are being taught through Moore College, Ministry Training and Development, and Youthworks College as part of their courses and programs.

26. Completion of all outstanding modules is expected over the next few months. Commencing in 2013 it is expected that all Safe Ministry Modules will begin to be used in safe ministry training for clergy and church workers.

27. Our triennial *Safe Ministry* training for clergy known widely as "Faithfulness in Service Seminars" were presented during September 2011. The subjects covered were the Diocesan Grievance Policy presented by the Rev Chris Moroney, 'Legal Implications of Being Sued' presented by William Wade (Lawyer) (with the Rev Dominic Steele) and 'Healthy Sexuality' presented by Dr Patricia Weerakoon (with the Rev Kamal Weerakoon).

28. Seven seminars were held at different locations with attendance as shown in the following table:

05/09/2011	Christ Church, St Ives	159
07/09/2011	All Saints', Figtree	159
08/09/2011	Moore Theological College	71
09/09/2011	Christ Church, Mortdale	123
13/09/2011	St Stephen's, Kellyville	179
14/09/2011	St Anne's, Ryde	93
15/09/2011	Village Church, Annandale	95
Total		879

29. A video recording of the seminars on DVD has been requested by 70 persons who did not attend the seminars.

Safe Ministry Representatives

30. The role of Safe Ministry Representatives ("SMR") in parishes continues to be pivotal in ensuring parishes comply with safe ministry requirements. The PSU issues a Safe Ministry folder to each SMR and each Minister in charge. The PSU provides support and assistance to SMRs by telephone and email. There continues to be a significant level of direct enquiry from parishes and support given to them.

31. Since it became mandatory for each parish to nominate a SMR in 2008, a total of 189 parishes (out of 267) have nominated a SMR to the Registry.

32. It is disconcerting that 78 parishes have not nominated a SMR since 2008.

33. Further, it is noted that some parishes continue to nominate a person who is on staff at the parish for this role. This would not seem appropriate as it may hinder a parishioner speaking to the SMR about concerns regarding a staff member. As many of the complaints made to the PSU are about ministers sexualising a pastoral relationship (see figures at paragraph 62 below) the SMR should be a person not on staff and ideally should not be related to staff.

Safe Ministry Guidelines and Other Advice

34. The PSU continues to provide telephone and face-to-face assistance to clergy and church workers in parishes on child protection issues and safe ministry issues. Such calls or emails are received on a daily basis and average about four inquiries per week.

Care of Victims and Complainants

35. It is the role of the PSU Chaplain to care for complainants and victims of abuse by clergy and church workers. The complaints process can be long and difficult for victims and the Chaplain provides pastoral care and support to them throughout. This important role supplements counselling and other emergency assistance which are provided to victims from PSU funds. A caring response is the first important step along the road of healing for victims and survivors of abuse.

Pastoral Care and Assistance Scheme

36. The Diocesan Pastoral Care and Assistance Scheme has been established to provide financial assistance to victims to meet their needs which arise from clergy or church worker abuse or misconduct. The Scheme is an alternative to litigation which can be a protracted and harrowing process for victims. The Scheme includes a mechanism for external assessment if necessary. This covers the uninsured aspect of claims.

37. Currently there are two identical schemes, one for matters that fall within the Diocesan responsibility and one for Care Leavers matters that are Anglicare's responsibility.

38. Between 1 July 2011 and 30 June 2012 there have been five payments under the Diocesan scheme, and nine payments were funded under the Anglicare scheme.

Abuse and Sexual Misconduct Complaints Protocol

39. Since 1996 the Diocese has used an established protocol for receiving complaints and allegations of child abuse or sexual misconduct by clergy or church workers. Four independent Contact Persons, all trained counsellors, may be contacted through an abuse report line (**1800 774 945** or reportabuse@sydney.anglican.asn.au). The Contact Persons provide information and support to callers as they consider their options. The Contact Persons can then assist in the documenting and reporting of allegations or complaints of abuse or misconduct.

40. Any complainant identifying possible criminal behaviour is encouraged to make a report to NSW Police. The Contact Person or another appropriate person from the PSU is able to assist the person in reporting the matter to Police.

41. The Contact Persons meet four times a year with the Director and Chaplain for training and coordination of their roles.

Discipline Ordinance

42. The process for complaints regarding misconduct or child abuse by clergy or church workers is governed by the *Discipline Ordinance 2006*. The specific offences covered in the Ordinance are: child abuse, sexual abuse, unchastity, drunkenness, neglect of ministerial duty, non-payment of just debts, disgraceful conduct, conviction of a serious criminal offence and failure to report suspected child abuse.

43. Where a complaint is received by the PSU that includes an allegation of criminal behaviour a report is made to NSW Police if the complainant is not able to make that report.

44. Complaints are reduced to writing and put to the respondent (the person who is the subject of the complaint). If the respondent denies the complaint or does not admit to the substance of the complaint, the matter is investigated under the direction of the Director of the PSU. The complaint, investigation report and responses are then presented to the Professional Standards Committee for review. Where necessary, the complaint may be referred to a Tribunal and recommendations made to the Archbishop for action. For laypersons, the strongest sanction available is a prohibition order that prevents a respondent from engaging in ministry or being appointed to any role in the church. A member of the clergy may be deposed from Holy Orders. There are also conciliation provisions and lesser sanctions and other actions available in appropriate circumstances. The Archbishop considers the final recommendations and takes action as may be required. The Archbishop is entitled to enquire as to progress of matters and the Director is obliged to keep him informed.

Complaints

45. The Director received 7 new complaints under the Discipline Ordinance during the reporting period.

46. The Professional Standards Committee met four times and considered 10 matters in the reporting period.

47. One Tribunal matter was finalised in the reporting period and there were no new matters referred to it.

Panel of Support Persons for Respondents

48. The concept behind this Panel is the concern for respondents to be pastorally cared for and looked after while they are going through the Discipline Ordinance process. The Panel is specifically for cases where a complaint is received concerning clergy or licensed/paid lay respondents.

49. A Panel of persons suitable for this task from each region who can be called upon to support a respondent for the duration of the matter is being set up. The SMB has recently approved detailed plans for the establishment, maintenance and operation of a Panel of such persons. It is expected that the Panel will be set up and fully operational by the end of the year.

50. The Director of the PSU, in consultation with the Episcopal Team is preparing a document setting out the principles for support of lay and unpaid respondents, as the Panel would not ordinarily be utilised in those cases.

Panel of Lawyers for Respondents

51. After a respondent has been served with a complaint under the *Discipline Ordinance 2006*, they may choose to seek legal advice concerning the matter. Legal costs can be reimbursed up to a pre-approved amount. A Panel is being set up to recognise legal practitioners who are able to assist respondents in these matters. Legal Practitioners will be required to agree to a set of practice standards in order to be part of the Panel.

52. The SMB is currently waiting for final plans for this Panel to be submitted for its review and approval. The plans are expected to be finalised within the next quarter. This would allow for the Panel to be set up and fully operational by the end of the year.

The Professional Standards Committee

53. There are seven members of the Committee. Under the provisions of the *Discipline Ordinance 2006*, the Committee's function is to consider complaints matters and make recommendations to the Archbishop concerning these matters.

54. This Committee meets as required and is currently meeting every second month.

Parish Recovery Teams

55. Parish Recovery Teams (PRTs) are generally available to assist parishes where allegations of abuse or misconduct by clergy or church workers have arisen. A PRT works in a parish to deal with the

complex pastoral issues that arise once these matters come to light. PRTs aid those members of the parish who are affected and work towards the healing of the parish as a whole.

56. Initially, starting in 2007 a group of nine volunteers for our PRTs was trained by Pastor Tim Dyer of John Mark Ministries. In 2010 a new team of nine volunteers began their training in conjunction with seven of the existing volunteers and this was completed in May 2012.

57. In the reporting period, 3 PRTs have been deployed on new matters.

Cooperation with NSW Government Agencies and Other Churches

58. The NSW Police Child Protection and Joint Investigation Squad Advisory Council meets together quarterly and the Director of the PSU continues to be a member of the Council.

59. The Diocese continues to work together with other denominations in areas of safe ministry. One example of this collaborative approach is the National Council of Churches *Safe Churches* Sydney group. This group ordinarily meets quarterly to focus on developing initiatives for churches in the area of child protection.

60. The National Network of Directors of Professional Standards from Anglican Dioceses across Australia meets together each quarter. The Director of the PSU continues to be an active member of the Network. The Network meetings are crucial for continuing cooperation and communication between Professional Standards Directors across the nation. The value of the Network is the depth of experience in matters of professional standards and child protection it has as a whole. This also means the Network is well positioned to make an important contribution to improvements in these areas.

The PSU Chaplain from 1 February 2003 to 29 June 2012

61. Jenni Woodhouse finished as PSU Chaplain on 29 June 2012 after over 9 years of service in a very challenging role.

62. During that time –

- The PSU has been in contact with 226 out of our 267 parishes. Some of the outcomes of those contacts have been advice over the phone, many have involved ongoing advice with issues in the parish, and 64 parishes have been dealing with significant issues with a high level of PSU involvement.
- Jenni supported about 270 victims and secondary victims of child abuse and sexual misconduct in the Anglican Diocese of Sydney, Grafton, Armidale and Bathurst. Approximately 125 of these people are, or have claimed to be, direct victims.
- The PSU has dealt with 38 complaints against 24 ministers accused of sexual misconduct in cases involving adult victims. Of these complaints 35 were from women and 3 were from men.
- The PSU has dealt with complaints against 6 ministers accused of child sexual assault. Of these complaints 3 concerned male victims and 3 concerned female victims.
- The PSU has dealt with complaints against 37 lay leaders accused of child sexual assault. Of these complaints 24 concerned male victims and 13 concerned female victims. In the cases concerning male victims 37 men made complaints and in 2 cases the parents of the child came forward. In the cases concerning female victims 16 women made complaints.
- Jenni has supported people, both the complainant and others affected, through 10 Tribunals (including one in Grafton, one in Brisbane and one in Bathurst) and through 4 criminal court cases.
- The Archbishop has met with 25 direct victims of abuse and 31 secondary victims and apologised to them all. Some of these people he has also met with for a second time.
- Since the Pastoral Care & Assistance Scheme commenced in 2005 Jenni has assisted 60 people through the Scheme.
- The Parish Recovery Teams have been involved in 11 parishes since beginning their training in 2007.

63. The figures above do not include complaints from former residents of the Church of England Homes.

64. Jenni has made a tremendous contribution by supporting victims of abuse and promoting safe ministry in the Diocese of Sydney and beyond.

Finance

65. The only source of PSU funding for 2011-2012 is from Parish Cost Recovery payments. In the years prior to 2012, funding has been received from 2 sources: Synod allocations and PCR payments.

66. Funding provided to the PSU for 2011-2012 was reduced by almost \$100,000 from the previous year. It is also noted that in December 2011, \$200,000 was withdrawn from PSU funds by ordinance and returned to Synod funds. As a result the PSU now has very limited funds and no reserves.

67. With this reduced funding, the PSU budget for 2012 anticipates a slight deficit.

68. In the coming years it is crucial for the PSU to be adequately funded and resourced in order for the Unit to do its work properly and effectively.

69. The SMB receives accounting reports on a monthly basis. PSU accounts are reported in the Synod Funds reports provided to members of Synod.

Conclusion

70. It has been a time of significant internal changes for the PSU across the reporting period. With the support of the SMB, and by God's grace, the PSU continues its important work in the Diocese. Acknowledgement is due for the contribution of Jenni Woodhouse as PSU Chaplain since early 2003 and for the many volunteers serving on our Safe Ministry Board, Parish Recovery Teams, Professional Standards Committee and Tribunals.

For and on behalf of the Safe Ministry Board and Professional Standards Unit.

THE REV CHRIS MORONEY
Acting Chair
Safe Ministry Board
6 July 2012

LACHLAN BRYANT
Director
Professional Standards Unit
6 July 2012