

Safe Ministry Board and Professional Standards Unit Annual Report for 2008

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

Introduction

1. The *Safe Ministry Ordinance 2001 (cl. 17)* and the *Discipline Ordinance 2006 (Cl. 104)* provide that annual reports be made to Synod and Standing Committee respectively. This report is in response to those provisions. It covers the period 1 July 2007 to 30 June 2008.
2. The Diocese of Sydney has been adopting a multifaceted approach to the issue of safe ministry and child protection since the mid-1990's. Broadly speaking the policy objectives are –
 - (a) Careful selection and screening of clergy and church workers;
 - (b) Clear statement of requirements and expectations (Code of Conduct);
 - (c) Regular and comprehensive training and support of all clergy and church workers;
 - (d) Timely and caring response to all who are affected by abuse; and
 - (e) Just procedures to deal with respondents and persons of risk.

Safe Ministry Board

3. The Safe Ministry Board, established under the *Safe Ministry Ordinance 2001*, has the dedicated policy task of ensuring that safe ministry and child abuse issues are dealt with comprehensively and in an ongoing way throughout the Diocese.
4. Members of the Board are: Rev Keith Condie (Chair), Mr Tim Barrett, Rev Mark Charleston, Rev David Clarke, Ms Stephanie Cole, Mr Philip Gerber (CEO), Rev Andrew Heron, Mr Glenn Murray, Deaconess Pattie Mutton, Rev Janice Rees (resigned March 08), Rev Janine Steele, Dr Ruth Shatford AM, Mr Tony Willis (resigned December 07) and Mrs Kylie Williams (ex. Mr Tony Willis).
5. The Board constantly reviews all safe ministry and child protection policy and practices. As well as being involved in various matters discussed elsewhere in this report, during the reporting period the Board has also reviewed and updated Pastoral Care and Assistance processes and documentation, considered a protocol for Parish Recovery Teams and considered various preventative strategies in relation to child protection and safe ministry.
6. One matter that the Board has been considering is the wellbeing of clergy and paid workers. The Board believes that this is an

important matter in maintaining safe ministry throughout the Diocese. Recent incidents of clergy misconduct reap a very significant personal cost to individuals and churches, and if such matters result in a Tribunal under the Discipline Ordinance, a great financial cost as well. Strategies that promote clergy and paid worker wellbeing may be a significant means of reducing such incidents. Neither the Board nor the PSU have the resources to follow through on this matter but would urge that the Standing Committee give serious attention to how such wellbeing might be promoted and maintained.

Professional Standards Unit

7. This unit consists of a full-time Director PSU, Philip Gerber, who is a solicitor, one full-time administrative officer, Kathryn Norford (ex. Carol Newton who retired in May 2008), a chaplain to victims, Jenni Woodhouse, who is a social worker and a part-time Administrative Assistant, Mrs Annelie Singh. A database of offenders and alleged offenders is maintained.

8. The unit provides the secretarial and administrative support to the Safe Ministry Board, which has the overall responsibility throughout the Diocese, to ensure that all parishes and other activities of the Diocese are child protection compliant.

9. The Director administers the complaints and discipline procedure (*Discipline Ordinance 2006*) in relation to clergy and church workers and is the CEO of the Safe Ministry Board.

10. The Chaplain maintains contact with and supports persons who have disclosed abuse by a member of the clergy or a church worker and co-ordinates the provision of counselling as required.

11. The unit undertakes screening of all clergy appointments on behalf of the Archbishop. It provides ongoing support and advice to office holders, parishes and organisations.

Website

12. The safe ministry website www.psu.anglican.asn.au is maintained to enable ready access to all current policies and documents related to safe ministry, child protection and professional standards. The website is cross-linked to other important relevant resources such as the NSW Commission for Children and Young Persons working with Children Check, the Department of Community Services, counselling services, other dioceses and other denominations.

Review of PSU

13. A review group consisting of Ms Kay Dowling – Regional Manager Anglicare, Rev Keith Condie - Chair Safe Ministry Board and Acting Judge Peter Grogan – Diocesan Chancellor, was appointed by the Archbishop to review and report on the structure and operation of

the Professional Standards Unit. This group reported in July 2007 and made fifteen (15) recommendations. These have been reviewed by the Episcopal team, PSU staff and the Safe Ministry Board and are gradually being considered and implemented.

Archbishop's Apology

14. Throughout 2007 - 08 the Archbishop has continued to make himself available in six appropriate circumstances to listen to complainants and relate to them pastorally. This usually includes the making of an appropriate personal apology on behalf of the Church.

Screening of Lay Workers

15. Parishes obtain prohibited employment declarations for all child related workers (including unpaid volunteers) and undertake working with children screening checks for those who are paid. They are advised to also seek full disclosure of any relevant history and to undertake reference checks. In addition to secular legislative requirements, prohibited persons under the NSW State legislation (those convicted of serious sexual offences) cannot be appointed or elected as church wardens, parish councilors or synod representatives and parish nominators.

16. The Safe Ministry Board has not recommended the adoption of extra-legislative screening of persons in volunteer children's ministry positions by the administering of comprehensive screening and disclosure questionnaires as recommended by the General Synod in 2004.

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

17. All candidates for ordination, all clergy being authorised or licensed in Sydney for the first time and all paid lay ministers being licensed by the Archbishop continue to be required to complete a comprehensive screening and disclosure questionnaire based on the document recommended by the General Synod. This is administered by the Archdeacons and Regional Bishops.

18. 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. The *Discipline Ordinance 2006* provides a mechanism for pre-ordination disclosure and consideration of prior sexual misconduct or child abuse. There have been no such disclosures in the reporting period.

19. The General Synod *National Register Canon 2007* applies to the Diocese of Sydney. As required by that Canon, the *National Register (Access and Disclosure) Ordinance 2008* clarified, as an interim measure, in what circumstances the Diocese will have access

to the National Register and disclose information from it. It is expected that a further Ordinance will come before Synod in 2008.

Code of Conduct

20. The national code of personal conduct for Clergy and Church workers *Faithfulness in Service*, was adopted by the Sydney Diocesan Synod in October 2004. Further clarifying amendments have been recommended by the Standing Committee of General Synod and adopted in whole by the Sydney Synod in 2007.

21. A new edition of the code has been printed incorporating the amendments.

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

22. This training resource kit, produced by Anglican Youthworks and used by a network of regional Youthworks advisors has been significantly revised.

23. The Diocese has become a member of the National Council of Churches' Safe Church Training Agreement. When the *Safe Ministry Essentials* kit has been fully assessed against agreed national training standards it will be accredited and will then be available for use by all denominations under the Agreement. This will allow for Australia-wide acceptance and use of the Youthworks' kit (as with those from other member denominations and para-church groups) and geographical and denominational portability of qualifications.

24. This *Safe Ministry Essentials* course remains the mandated safe ministry training for the Diocese. As many volunteers are due for a three year training update in 2009, the longer term intention is to train and validate local trainers who in turn can train others in parishes using the kit.

Training of Ministry/Ordination Candidates and Clergy

25. The three year cycle of training in *Faithfulness in Service* as professional development for all clergy and paid lay ministers throughout the Diocese has been offered in May and August 2008.

26. The training, presented by Pastor Tim Dyer of John-Mark Ministries. This is in response to a resolution of Standing Committee of 15 October 2007 which *encourage(d) the Archbishop to raise the profile of standards of personal behaviour and conduct in pastoral relationships required of clergy and all other church workers in the Diocese outlined in Faithfulness in Service Code, particularly sections 4 Pastoral Relationships and 6 Personal Behaviour.*

27. Topics covered were: Sources of Relational power in Christian ministry; Power and vulnerability; Wisdom: Combining power and service and Leadership.

28. The Safe Ministry Board commissioned a sub-group to undertake a comprehensive survey of the content of all safe ministry training and to develop a Diocesan-wide approach to such training. The modules have been developed and are being trialed by Moore College, Ministry Training and Development and Youthworks College in their courses and programs.

Safe Ministry Compliance

29. From 2008 the notification of Parish Safe Ministry Representatives has been incorporated into the annual vestry meeting returns that are lodged with the Diocesan Registry. 152 parishes have notified of the appointment of a safe ministry representative as required under *Part 7A* of the *Church Administration Ordinance 1990*. A training and resourcing conference for Parish Safe Ministry Representatives has been set down for Saturday 30th August 2008 at the Chapter House.

Safe Ministry Guidelines and Other Advice

30. The PSU continues to provide "help-desk" assistance to clergy and churchworkers in parishes on child protection issues. Such calls or emails are received on a daily basis.

Care of Victims and Complainants

31. A part-time Chaplain/Counselling Coordinator, Jenni Woodhouse, cares for claimants and their families. This supplements counselling and other emergency assistance which is provided to victims from PSU funds.

Care and Assistance Scheme

32. A care and assistance scheme is in place as an alternative to litigation to provide for financial assistance to victims to meet their needs which arise from the abuse or misconduct. It includes a mechanism for external assessment if necessary. This covers the uninsured aspect of claims.

33. Between 1 July 2007 and 30 June 2008 there have been 10 payments under the scheme and 2 relating to and funded by ANGLICARE. There are 3 to 5 other known claimants at various stages in the scheme.

34. A plain-English consultant is undertaking a review of the documentation and processes of the scheme.

Abuse and Sexual Misconduct Complaints Protocol

35. The Diocese, since 1996, has had in place a Protocol for receiving complaints and allegations of child abuse or sexual misconduct by clergy or church workers. Five independent Contact Persons, all trained counselors, are available for people to contact. Through an abuse report line **(1800 77 49 45)** or

reportabuse@sydney.anglican.asn.au), the Contact Persons provide information and support enquirers as they consider their options. They can then assist in the documenting and reporting of allegations or complaints of abuse or misconduct by members of the clergy or church workers.

36. The Contact Persons meet four times a year for training and coordination in their roles. Work is being undertaken on a procedure manual for the Contact Persons.

Discipline Ordinance

37. The handling of complaints that are received under the Protocol regarding sexual misconduct or child abuse by clergy or church workers is governed by the *Discipline Ordinance 2006*. Complaints are verified in writing, put to the respondent, investigated, considered at a prima facie level by the Professional Standards Committee and if necessary considered by a Tribunal and recommendations made to the Archbishop for action. For laypersons the strongest sanction available is a Prohibition to prevent a respondent from undertaking ministry or being in a particular or any role in the church. A member of the clergy may be deposed from Holy Orders. There are also conciliation provisions and lesser sanctions or actions available in appropriate circumstances. The Archbishop is outside of the procedure. He considers the final recommendations and implements "discipline". He is entitled to enquire as to progress of matters and the Director is obliged to keep him informed. The specific offences covered under the Discipline 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.

38. In the period 1 July 2007 to 30 June 2008 38 new allegations or complaints of sexual misconduct or child abuse in the Diocese came to the attention of the Unit. 11 of these related to clergy or former clergy of the Diocese and 26 related to lay church workers or former lay church workers.

39. The Professional Standards Committee considered 5 matters. One matter proceeded to a Diocesan Tribunal as a contested hearing. The Tribunal considered twenty-seven charges relating to the Respondent member of the clergy. They made findings of fact, in relation to twenty-six of the twenty seven charges, that the Respondent breached the standards set out in the code for personal behaviour and practice of pastoral ministry by clergy and church workers *Faithfulness in Service*. They recommended that the respondent member of the clergy be rebuked for his breaches of the standards in *Faithfulness in Service*; be removed from the office of Assistant Minister in the Parish; and be prohibited from functioning within the Diocese of Sydney for five years. The Archbishop gave effect to those recommendations.

40. An external consultant is undertaking the drafting of a set of Tribunal rules as envisaged in the Ordinance.

Parish Consultation Teams

41. A group of nine volunteers have been trained under Pastor Tim Dyer of John-Mark Ministries and are available to advise parishes where allegations of abuse or misconduct by clergy or church workers arise. They are able to assist parishes to deal with the complex pastoral issues that arise and aid personal and parish healing.

42. In the reporting period there have been 2 teams deployed to 2 parishes to undertake a consultation.

Co-operation with Department Of Community Services and Police

43. The Diocese continues to be a signatory to a Memorandum Of Understanding (MoU) between the NSW Department of Community Services and other participating Churches in relation to a Protocol for dealing with allegations of abuse involving a child or young person by a church worker. Sister participating churches have been asked to make a joint approach, with us, to the Department for a review of the MoU.

44. The Director PSU continues to be a member of the NSW Police Child Protection and Sex Crimes Squad Advisory Council.

Conclusion

45. Apart from the ongoing case work of the PSU the year has been one of consolidation of the practices and procedures adopted over the past decade.

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

THE REV KEITH CONDIE
Chair
Safe Ministry Board

MR PHILIP GERBER
Director
Professional Standards Unit

21 July 2008