

Safe Ministry Board and Professional Standards Unit Annual Report for 2009

(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 2008 to 30 June 2009.

2. The Diocese of Sydney has been adopting a multi-faceted approach to the issue of safe ministry and child protection since the mid-1990s. 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: the Rev Keith Condie (Chair), Mr Tim Barrett (resigned 2009), the Rev Mark Charleston, the Rev David Clarke (resigned 2008), Ms Stephanie Cole, Mr Philip Gerber (CEO, ex-officio) (resigned 3 July 2009), the Rev Andrew Heron, Mr Glenn Murray, Deaconess Pattie Mutton, the Rev Janine Steele, Dr Ruth Shatford AM, and Mrs Kylie Williams.

Professional Standards Unit

5. The full-time Director PSU, Philip Gerber, resigned 3 July 2009 to take up service with CMS in the Diocese of the Northern Territory. Annelie Singh serves as PA (ex. Kathryn Norford who resigned in Dec 2008), Jenni Woodhouse, who is a social worker, as Chaplain to victims.

6. 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.

7. 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.

8. 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.

9. 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

10. 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.

Archbishop's Meetings with Victims

11. Throughout 2008 - 2009 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

12. 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 wardens, parish councilors, Synod representatives or parish nominators.

13. The Safe Ministry Board has considered 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 and again in 2009. This is the last major recommendation which has not been fully adopted by the Diocese of Sydney. The Board

considers that a way forward may be to conduct a pilot programme with several parishes to ascertain just how possible such screening is and what resource issues arise.

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

14. 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.

15. 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.

16. The General Synod *National Register Canon 2007* applies to the Diocese of Sydney. As required by that Canon, the *General Synod – National Register Canon 2007 Adopting Ordinance 2008* clarified in what circumstances the Diocese will have access to the National Register and disclose information from it. A further Ordinance will be required if the national register is to be used for other positions such as parish volunteer youth leaders as recommended by General Synod.

Training of Volunteer Lay Childrens and Youth Workers – Safe Ministry Essentials

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

18. 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.

19. This *Safe Ministry Essentials* course remains the mandated safe ministry training for the Diocese. Many volunteers undertook their three-year training update in 2009. Progress has been made in training and validating local trainers who in turn can train others in parishes using the kit.

Training of Ministry/Ordination Candidates & Clergy

20. 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 programmes. This is still not finalised.

21. The next round of tri-annual training for clergy is due in 2011.

Safe Ministry Compliance

22. From 2008 the notification of Parish Safe Ministry Representatives has been incorporated into the annual general meeting returns that are lodged with the Diocesan Registry. 169 (out of 267) parishes have notified of the appointment of a safe ministry representative as required under *Chapter 7 of Schedules 1 and 2 of the Parish Administration Ordinance 2008*. Training and resourcing conferences for Parish Safe Ministry Representatives were held in the second half of 2008.

23. The Board is considering how to “audit” safe ministry procedures and practices in parishes.

Safe Ministry Guidelines and Other Advice

24. The PSU continues to provide “help-desk” assistance to clergy and church workers in parishes on child protection issues. Such calls or emails are received on a daily basis and average about four calls per week.

Care of Victims and Complainants

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

Care and Assistance Scheme

26. 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 clergy or church worker abuse or misconduct. It includes a mechanism for external assessment if necessary. This covers the uninsured aspect of claims.

27. Between 1 July 2008 and 30 June 2009 there have been eight payments under the scheme, of which four related to and were funded by ANGLICARE. There are approximately seven other known claimants at various stages in the scheme.

Abuse and Sexual Misconduct Complaints Protocol

28. Since 1996, the Diocese 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 counsellors, 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.

29. The Contact Persons meet four times a year for training and coordination in their roles. In August 2009 they are conducting a one-day professional development seminar for therapists who work with victims of church abuse entitled "*The Pain Within: Sexual Abuse in the Church*".

Discipline Ordinance

30. 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.

31. In the period 1 July 2008 to 30 June 2009 twenty-one new allegations or complaints of sexual misconduct or child abuse in the Diocese came to the attention of the Unit. Nine of these related to clergy or former clergy of the Diocese and twelve related to lay church workers or former lay church workers.

32. The Professional Standards Committee considered three matters. Two matters proceeded to a Diocesan Tribunal as contested hearings. They were both resolved by a compromise which sought to secure the ongoing protection issues.

33. The Board has amended its procedure for considering process complaints regarding the handling of complaints by the PSU. During the reporting period there was no such complaint.

Parish Consultation Teams

34. 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.

35. These volunteers attended four one-day training sessions during the reporting period.

36. In the reporting period three teams have been deployed to three parishes to undertake a consultation.

Co-Operation with Department of Community Services & Police

37. 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. This will be impacted by proposed amendments to the mandatory reporting requirements to change the test from "reasonable suspicion of current risk of harm" to "reasonable suspicion of current risk of substantial harm" recommended by the recent Wood Commission of Enquiry in the Department of Community Services. The legislation has not yet come before the Parliament.

Conclusion

38. The Board has been well served by the Director, Mr Philip Gerber and records its deep appreciation to him as he leaves to work in the Diocese of the Northern Territory with CMS. The Board now looks forward to working with Mr Glenn Murray, formerly a member of the Board, who has been duly appointed to the position and brings significant personal and professional experience to the role.

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

THE REV KEITH CONDIE

Chair

Safe Ministry Board

22 July 2009