

**2A REPORT OF THE CHILD PROTECTION COMMITTEE**  
***MAKING OUR CHURCH SAFE: A PROGRAMME FOR ACTION***

**GARTH BLAKE SC (CHAIRPERSON)**

**HELEN CARRIG**

**BISHOP DAVID FARRER**

**PHILIP GERBER**

**MARILYN REDLICH**

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# 1 EXECUTIVE SUMMARY

## Introduction

The Child Protection Committee was established pursuant to a resolution of the General Synod in 2001. Our terms of reference were to consider the issue of child protection in the Anglican Church of Australia. Set out below are a summary of the conclusions and 26 recommendations in this report *Making Our Church Safe: A Programme For Action*.

The context of this report is a time of great shame in the life of the Church. The tragic betrayal of trust by some clergy and church workers, who have sexually abused children and adults for whom they have had pastoral responsibility, has been reprehensible. The denial and minimisation of this disgraceful behaviour and its consequences, and the secretiveness and pastoral insensitivity of the Church have been appalling. The impact of the initial abuse has often been compounded by the failure of the Church to effectively care for the abused.

The Church's approach to child protection and the prevention of sexual misconduct must be both *comprehensive* because no single strategy will be effective and *uniform* because it is only through a common approach that the culture of the Church will be changed. The public perceives the Church to be a single organisation and does not understand its structure of dioceses, parishes and church organisations. Abuse by clergy and church workers in one diocese or even one parish or church organisation damages the whole Church.

## Safe Ministry Policies and Structures

There needs to be integrated safe ministry policies and structures throughout the Church to ensure the safety and welfare of all people within its community.

The General Synod should adopt the *Safe Ministry Policy Statement* which expresses the commitment of the Church to the physical, emotional and spiritual welfare and safety of all people, particularly within its own community through careful recruitment and training of its clergy and church workers, adoption safe ministry practices, prompt response to each concern raised about the behaviour of its clergy and church workers, pastoral support to any person who has suffered abuse; and pastoral support to and supervision of known abusers. Each diocese, parish and church organisation should adopt the *Safe Ministry Policy Statement* and develop and implement safe ministry policies and structures.

The ongoing work of the implementation of integrated safe ministry policies and structures throughout the Church cannot be wholly undertaken at a diocesan level. Action at a national level through the establishment of a Professional Standards Commission is essential to ensure that there are safe ministry policies and structures throughout the Church that are uniform and comprehensive. The Professional Standards Commission which is to be established by an amendment to the *Strategic Issues, Commissions, Task Forces and Networks Canon 1998* should have a budget of \$54,839 for 2005. Until the Professional Standards Commission is established the Child Protection Committee should be reappointed and requested it to fulfil its functions.

## Recommendation 1

The General Synod adopts as the Church's *Safe Ministry Policy Statement*:

The Anglican Church of Australia is committed to the physical, emotional and spiritual welfare and safety of all people, particularly within its own community. To ensure the safety of children and vulnerable people in our communities, the Church will:

- carefully recruit and train its clergy and church workers;
- adopt and encourage safe ministry practices by its clergy and church workers;
- respond promptly to each concern raised about the behaviour of its clergy and church workers;
- offer pastoral support to any person who has suffered abuse; and
- provide supervision of and pastoral accountability to any person known to have abused a child or another vulnerable person.

### **Recommendation 2**

The General Synod pass the bill for the Strategic Issues, Commissions, Task Forces and Networks (Amendment) Canon 2004.

### **Recommendation 3**

The General Synod reappoints the Child Protection Committee and requests it to fulfil the functions of the Professional Standards Commission until its establishment.

### **Recommendation 4**

The General Synod approves a budget of \$54,839 for 2005 for the Professional Standards Commission.

### **Recommendation 5**

The General Synod recommends that each diocese, parish and church organisation adopts the Church's *Safe Ministry Policy Statement* and develops and implements safe ministry policies and structures.

## **Recruitment**

The Church should take the greatest care in the selection of all its ministers, both clergy and church workers. In every case, a careful assessment should be made prior to selection that the person will not pose a risk to the safety of children and other vulnerable people. Information to enable the assessment to be undertaken should be gained through a screening system.

For ordination candidates this screening system should consist of the *Safe Ministry Check*; a medical report; a children's commission background check or a criminal history check; and a psycho-sexual assessment.

For clergy, and church workers who have contact with children in their ministry, this screening system should consist of the *Safe Ministry Check*; and a children's commission check or a criminal history check which should be carried out at the expiry of a children's commission check or every three years, whichever first occurs.

The General Synod should adopt the *Safe Ministry Check* as the national applicant and referee questionnaires for the selection of ordination candidates and for the screening of clergy and church workers.

The proposed National Register of clergy and lay persons should include ordination candidates and unlicensed clergy. The information recorded in the National Register should include the date of each children's commission check or criminal history check; the date of any completed disciplinary proceedings except where the allegations were found to be false, vexatious or misconceived; the date of any refusal by a bishop to ordain a person as a deacon or priest or to issue a licence or authority or any refusal to consecrate a person as a bishop because of an adverse risk assessment; and the date of any refusal by a church organisation to employ or appoint a person because of an adverse risk assessment.

### **Recommendation 6**

The General Synod:

- (e) adopts the *Safe Ministry Check* as the national applicant and referee questionnaires for the selection of ordination candidates and for the screening of clergy and church workers who have contact with children in their ministry; and
- (f) authorises the revision of the *Safe Ministry Check* by the Standing Committee.

### **Recommendation 7**

The General Synod recommends that each diocese adopts a system for the selection of ordination candidates that includes:

- (a) the Safe Ministry Check;
- (b) a medical report;
- (c) a children's commission check or a criminal history check; and
- (d) a psycho-sexual assessment.

### **Recommendation 8**

The General Synod recommends that each diocese adopts a system for the screening of clergy that includes:

- (a) the Safe Ministry Check; and
- (b) a children's commission check or a criminal history check

and that screening is to be carried out immediately prior to:

- (c) their ordination as a deacon and as a priest;
- (d) the issuing of a licence or authorisation; and
- (e) their consecration as a bishop

or at the expiry of a children's commission check or every three years, whichever first occurs.

### **Recommendation 9**

The General Synod recommends:

- (a) that the proposed National Register include ordination candidates and unlicensed clergy; and
- (b) that each diocese is to provide to the General Secretary for inclusion in the National Register with respect to each listed person:
  - (i) the date of each children's commission check or criminal history check;
  - (ii) the date of any completed disciplinary proceedings except where the allegations were found to be false, vexatious or misconceived;
  - (iii) the date of any refusal by a bishop to ordain the person as a deacon or priest or to issue a licence or authority to the person or any refusal to consecrate the person as a bishop because of an adverse risk assessment; and
  - (iv) the date of any refusal by a church organisation to employ or appoint the person because of an adverse risk assessmentand that access to this information be restricted to the categories of persons determined by the Standing Committee after consultation with the Professional Standards Commission.

#### **Recommendation 10**

The General Synod recommends that each diocese adopts a system for the screening of all paid and voluntary church workers:

- (a) who have direct and regular or unsupervised contact with children in their ministry; or
  - (g) who supervise any such church workers that includes:
  - (h) the Safe Ministry Check; and
  - (i) a children's commission check or a criminal history check
- and that screening is to be carried out immediately prior to their appointment or at the expiry of a children's commission check or every three years, whichever first occurs.

#### **Standards of Behaviour**

The Church should adopt a national code for the personal behaviour and practice of pastoral ministry by clergy and church workers. A national code will help to create and maintain an environment for the practice of pastoral ministry where both clergy and church workers and those whom they serve are safe.

The General Synod should adopt *Faithfulness in Service* as the national code for personal behaviour and the practice of pastoral ministry by clergy and church workers. Each diocese should adopt a code for personal behaviour and the practice of pastoral ministry by its clergy and church workers that includes *Faithfulness in Service*.

#### **Recommendation 11**

The General Synod:

- (a) adopts *Faithfulness in Service* as the national code for personal behaviour and the practice of pastoral ministry by clergy and church workers;

- (b) authorises the revision of *Faithfulness in Service* by the Standing Committee;
- (c) recommends that each diocese adopts a code for personal behaviour and the practice of pastoral ministry by its clergy and church workers that includes *Faithfulness in Service*; and
- (d) recommends that each diocese regularly provide training in *Faithfulness in Service* to its clergy and church workers.

The difficult issues raised by the hearing of private confessions in cases of child sexual abuse have not yet been addressed by the House of Bishops as requested by the General Synod in 2001. To expedite the matter the General Synod should request the Professional Standards Commission to liaise with the House of Bishops to identify appropriate teaching resources, develop pastoral guidelines for the hearing of private confessions; and address the particular issues raised by confessions of child sexual abuse by a member of the clergy or a church worker.

### **Formation for Pastoral Ministry**

Training in professional ethics in ministry and in human sexuality should be a specific and compulsory part of the formation of clergy and church workers who undertake individual pastoral ministry. A curriculum for professional ethics in ministry and in human sexuality should cover the material in *Faithfulness in Service*.

Training in professional ethics and human sexuality is an important step in helping clergy and church workers to understand and maintain physical, sexual and emotional boundaries that are appropriate to the pastoral relationship. The damage that can be caused by unethical conduct by clergy and church workers to a person with whom they are in a pastoral relationship is just as great, if not greater, than unethical conduct by other professionals as their responsibility includes the spiritual well-being of the person.

A bishop should not ordain a person as a deacon or licence a church worker to undertake individual pastoral ministry, and a parish or church organisation should not employ or appoint a church worker to undertake individual pastoral ministry, unless the person has satisfactorily completed a course in professional ethics in ministry and in human sexuality.

### **Recommendation 12**

The General Synod recommends:

- (a) that each diocese ensures that training in professional ethics in ministry and in human sexuality is included in the formation of clergy and church workers undertaking individual pastoral ministry; and
- (b) that the bishop of each diocese not ordain a person as a deacon or license or authorise a church worker to undertake individual pastoral ministry, and each parish or church organisation not employ or appoint a church worker to undertake individual pastoral ministry, unless the person has satisfactorily completed training in professional ethics in ministry and in human sexuality.

### **Safe Ministry Training**

Clergy and church workers who are involved with children should be required to complete safe ministry training before their ordination or appointment. The training should be repeated at regular intervals of not less than three years. Safe ministry training should focus on child protection and the prevention of sexual misconduct.

#### **Recommendation 13**

The General Synod recommends that each diocese ensures that all clergy and church workers:

- (a) who have direct and regular contact with children in their ministry; or
  - (b) who supervise any such church workers
- satisfactorily complete safe ministry training prior to their ordination as a deacon, employment or appointment and thereafter at regular intervals.

### **Pastoral Support for the Abused**

Each diocese should have in place both a strategy for the pastoral support of victims and personnel who are available to implement that strategy as soon as a disclosure of abuse (whether past or present) is made. Provision of effective pastoral support for the abused is not only an important step in their healing, but will help prevent their retraumatisation.

The effects of abuse extend beyond primary victims. Secondary victims of abuse can include members of the family and friends of the abused and abusers; the parish or church organisation of the abused and abusers; parishes or church organisations where abusers have ministered; clergy and church workers who have been colleagues of abusers; and clergy and church workers responsible for responding to abuse. Each diocese should adopt a system of pastoral support for all people in the diocese affected by abuse by clergy and church workers.

#### **Recommendation 14**

The General Synod recommends that each diocese adopts a system of pastoral support for all people in the diocese affected by abuse by clergy and church workers including:

- (a) those who have directly suffered abuse and their families and friends;
- (b) the families and friends of abusers;
- (c) the parish or church organisation of the abused and abusers; and
- (d) the Church leaders responsible for responding to the abuse.

### **Pastoral Support and Supervision of Abusers**

The pastoral support and supervision of known abusers who join a parish or church organisation raises the difficult question of how to balance the welfare of the abuser with the needs of the wider church community, especially the welfare of children and primary and secondary victims of abuse.

Each diocese should adopt a system of pastoral support and supervision of known abusers of children or other vulnerable people within a parish or church organisation. It should include entry into an agreement between the abuser



and church leaders for the involvement of the abuser in the parish or church organisation; and the establishment of an accountability and support group for the abuser.

### **Recommendation 15**

The General Synod recommends that each diocese adopts a system of pastoral support and supervision of known abusers of children or other vulnerable people within a parish or church organisation that includes:

- (a) the entry into an agreement between the abuser and church leaders for the involvement of the abuser in the parish or church organisation; and
- (b) the establishment of an accountability and support group for the abuser.

### **Ministry Support for Clergy**

There is a direct relationship between unhealthy ministry practices and the abuse of others by clergy. A diocesan system of ministry support is a practical method of pastoral care for its clergy. Each diocese should include within the system of ministry support for its clergy mentoring; professional supervision / consultation; peer support; and ministry review.

Clergy should regularly seek out and utilise opportunities to maintain and enhance their ministry skills.

### **Recommendation 16**

The General Synod recommends that each diocese includes within the system of ministry support for its clergy:

- (a) peer support;
- (b) mentoring;
- (c) professional supervision / consultation; and
- (d) ministry review

and that clergy regularly seek out and utilise opportunities to maintain and enhance their ministry skills.

### **General Synod Action**

Reference of important issues should be made to each of the Professional Standards Commission, the Liturgy Commission, the Ministry Commission and the Doctrine Commission to ensure that there will be integrated safe ministry policies and structures throughout the Church.

### **Recommendation 17**

The General Synod refers to the Professional Standards Commission:

- (a) the preparation of an inventory of the nature and scope of reported abuse within the Church by clergy and church workers;
- (b) the preparation of model guidelines for psycho-sexual assessments of ordination candidates;
- (c) the preparation of guidelines for access to information recorded in the National Directory;

- (d) the consideration of a model system for the selection of all church workers;
- (e) the preparation of a model curriculum for training in professional ethics in ministry and human sexuality;
- (f) the preparation of a model curriculum for safe ministry training;
- (g) the preparation of model guidelines for a diocesan system of pastoral support for all people in the diocese affected by abuse by clergy and church workers;
- (h) the preparation of a model diocesan scheme of individual care and assistance for all who have directly suffered abuse by its clergy and church workers;
- (i) the preparation of a model agreement between a known abuser of children or other vulnerable people and church leaders for the involvement of the abuser in the parish or church organisation;
- (j) the preparation of model guidelines and resources for the training, functioning and support of accountability and support groups for known abusers within a parish or church organisation; and
- (k) the establishment of a network of those involved in achieving safe ministry practices within the Church

and requests the Professional Standards Commission:

- (l) to liaise with the House of Bishops:
  - (i) to identify appropriate teaching resources and develop pastoral guidelines for the hearing of private confessions; and
  - (ii) to address the particular issues raised by confessions of child sexual abuse by a member of the clergy or a church worker; and
- (m) to report to the next session of the General Synod as to the progress of the Church in the development and implementation of safe ministry policies and structures.

### **Recommendation 18**

The General Synod notes the work of the Liturgy Commission in preparing a liturgical resource following sexual misconduct or abuse by a church worker and refers to the Liturgy Commission the preparation of liturgical resources for the pastoral support of those affected by abuse in consultation with the Professional Standards Commission.

### **Recommendation 19**

The General Synod refers to the Ministry Commission:

- (a) the preparation of resources for the provision of pastoral support of those affected by abuse in consultation with the Professional Standards Commission; and
- (b) consideration of the introduction, and if appropriate, the preparation of:
  - (i) a model statement for clergy of the expectations and responsibilities of their roles and their legitimate entitlements at the time of their appointment; and

- (ii) a model review of the performance of clergy and their ministry support within a parish or church organisation.

### **Recommendation 20**

The General Synod refers to the Doctrine Commission the preparation in consultation with the Professional Standards Commission of a report dealing with the Church's responsibility for the physical, emotional and spiritual welfare and safety of all people within its own community including:

- (a) children and other vulnerable people;
- (b) the abused;
- (c) known abusers of children or other vulnerable people in consultation with the Professional Standards Commission.

### **Joint Church Action**

The public reputation of all Australian churches has been damaged by the recent revelations of sexual abuse by clergy and church workers. Ecumenical cooperation the Australian churches can more effectively promote the physical, emotional and spiritual welfare and safety of all people within their communities and thereby regain public trust.

Where feasible the National Council of Churches in Australia should facilitate joint action by member churches and other Australian churches. Particular issues that should be considered are the preparation of a safe ministry charter for adoption by member churches and other Australian churches; the sharing of resources between churches; and the reciprocal disclosure between churches of the names of, and other relevant information about, clergy and church workers who are known to have abused children or other vulnerable people.

### **Recommendation 21**

The General Synod commends the National Council of Churches in Australia for organising *Safe as Churches?*, a national ecumenical consultation on sexual misconduct and abuse in the Australian churches and recommends that the National Council of Churches in Australia facilitate where feasible joint action by member churches and other Australian churches to promote the physical, emotional and spiritual welfare and safety of all people within their communities that includes:

- (a) the preparation of a safe ministry charter for adoption by member churches and other Australian churches;
  - (b) the sharing of resources between churches; and
  - (c) the reciprocal disclosure between churches of the names of, and other relevant information about, clergy and church workers who are known to have abused children or other vulnerable people
- and that the General Secretary conveys this resolution to the National Council of Churches in Australia.

### **Government Action**

Mandatory and voluntary reporting of child abuse differs significantly between the States and Territories. Similarly, the statutory regime for the screening of all people seeking to work with children in a paid or voluntary capacity differs

significantly between the States and Territories. Similar protection for those who mandatorily and voluntarily report child abuse to the appropriate civil authorities should be available to those who report abuse to the Church.

#### **Recommendation 22**

The General Synod recommends that State and Territory Governments enact uniform laws that provide for:

- (a) the reporting of child abuse to the police and the government child protection authorities;
- (b) the screening of all persons seeking to work with children in a paid or voluntary capacity; and
- (c) the protection from liability of persons who report misconduct by a member of the clergy or a church worker to a church authority in good faith

and that the General Secretary conveys this resolution to each such Government.

The task of the Australian churches in implementing effective national policies and structures to prevent child abuse is made more difficult by the differing child protection regimes in the States and Territories. The Commonwealth, State and Territory Governments should initiate policies and structures to protect children. They should each establish a children's commission or equivalent office to promote the protection of children and provide funding and training for programmes for the reintegration of sex offenders within the community on their release from prison. The Commonwealth Government convene a national summit on child protection to which representatives of Commonwealth, State and Territory Governments, child protection authorities and organisations working with children are invited as the first step in establishing a national strategy for the prevention of child abuse and neglect.

#### **Recommendation 23**

The General Synod recommends that the Commonwealth Government, the State Governments of South Australia, Victoria and Western Australia and the Territory Governments each establish a children's commission or an equivalent office to promote the protection of children similar to that in the States of New South Wales, Queensland and Tasmania and that the General Secretary conveys this resolution to each such Government.

#### **Recommendation 24**

The General Synod recommends that the State and Territory Governments each provide funding and training for a programme for the reintegration of sex offenders within the community on their release from prison (similar to Circles of Support and Accountability operating in Canada, the United States of America and the United Kingdom) and that the General Secretary conveys this resolution to each such Government.

#### **Recommendation 25**

The General Synod recommends that the Commonwealth Government convene a national summit on child protection to which representatives of Commonwealth, State and Territory Governments, child protection authorities

and organisations working with children are invited as the first step in establishing a national strategy for the prevention of child abuse and neglect and that the General Secretary conveys this resolution to the Commonwealth Government.

### **Anglican Communion Action**

Many of the challenges confronting the Church in developing and implementing safe ministry policies and structures have been, and continue to be, faced by other member churches of the Anglican Communion. The Anglican Communion should promote the physical, emotional and spiritual welfare and safety of all people, particularly within its member churches.

### **Recommendation 26**

The General Synod recommends that the Anglican Consultative Council establish a Safe Ministry Task Force to promote the physical, emotional and spiritual welfare and safety of all people, particularly within member churches of the Anglican Communion by action that includes:

- (a) the preparation of a safe ministry charter for adoption by member churches;
- (b) the sharing of resources between member churches;
- (c) the reciprocal disclosure between member churches of the names of, and other relevant information about, clergy and church workers who are known to have abused children or other vulnerable people;
- (d) the establishment of a network of interested people; and
- (e) the preparation of resources for the Anglican Gathering and the Bishops' Conference to be held in Cape Town in 2008

and that the General Secretary conveys this resolution to the Anglican Consultative Council and the Archbishop of Canterbury.

## 2 INTRODUCTION

The failure of the Anglican Church of Australia to face and deal appropriately with the issues of child<sup>1</sup> abuse and sexual abuse by its clergy and church workers has resulted in a great deal of harm to many people – victims and abusers, their families and friends, the parishes and church organisations in which abusers have served, and leaders of the Church – as well as damaging the Church as a whole.

In 2001 the General Synod of the Church began to address the issue of child protection in the Church by passing Resolution 20/01:

*That this Synod requests the Primate to establish a committee to consider the issue of child protection in the Church, including:*

- (a) the licensing of clergy and appointment of lay persons who have been convicted of a serious sexual offence;*
- (b) the adequacy of current disciplinary measures and protocols;*
- (c) the screening of all persons who work with children;*
- (d) the training of ordinands and lay leaders and post-ordination training for clergy on the issue of child abuse;*

*and to report with appropriate recommendations and any draft legislation to the next session of General Synod.*

The Child Protection Committee<sup>2</sup> was established pursuant to this resolution.

In 2002 and 2003 the Standing Committee of the General Synod passed several resolutions dealing with the issues of sexual abuse and child protection.<sup>3</sup> The Standing Committee<sup>4</sup> and other Church bodies and leaders<sup>5</sup> have issued apologies on behalf of the Church.

The context of this report *Making Our Church Safe: A Programme For Action* is a time of great shame in the life of the Church. The tragic betrayal of trust by some clergy<sup>6</sup> and church workers<sup>7</sup> who have sexually abused children and adults for whom they have had pastoral responsibility, has been reprehensible. The denial and minimisation of this disgraceful behaviour and its consequences, and the secretiveness and pastoral insensitivity of the Church have been appalling. The impact of the initial abuse has often been compounded by the failure of the Church to effectively care for the abused.

Recent events have led to widespread public attention on child sexual abuse within the Church. There has been justifiable criticism of the inadequacy of the Church's procedures for preventing abuse, and handling abuse allegations. Clergy and church workers have been convicted of sexual offences against children.<sup>8</sup> A large award of damages has been made against the Church.<sup>9</sup> Inquiries have been held into the Church's handling of complaints of sexual abuse,<sup>10</sup> and into institutions caring for children including churches.<sup>11</sup> Church leaders have been criticised.<sup>12</sup> All these have contributed to a recognition by the Church of a need to adopt practices which protect children,<sup>13</sup> the increasing involvement of State governments in issues of child protection<sup>14</sup> and widespread community debate and numerous public calls for further government action.<sup>15</sup>

In this report we have recommended a comprehensive uniform approach to child protection and the prevention of sexual misconduct within the Church. The Church's approach to child protection and the prevention of sexual misconduct must be *comprehensive* because no single strategy will be effective and *uniform* because it is only through a common approach that the culture of the Church will be changed. The public perceives the Church to be a single organisation and does not understand its structure of dioceses, parishes and church organisations. Abuse by clergy and church workers in one diocese or even one parish or church organisation damages the whole Church.

Our reasons and recommendations are set out under the following headings:

- Safe Ministry Policies and Structures (section 3);
- Recruitment (section 4);
- Standards of Behaviour (section 5);
- Formation for Pastoral Ministry (section 6);
- Safe Ministry Training (section 7);
- Pastoral Support for the Abused (section 8);
- Pastoral Support and Supervision of Abusers (section 9);
- Ministry Support for Clergy (section 10);
- General Synod Action (section 11);
- Joint Church Action (section 12);
- Government Action (section 13);
- Anglican Communion Action (section 14).

In undertaking our work we received helpful advice and assistance from many people who are listed in **Appendix 1**. We conducted a survey of the dioceses and obtained their policies and procedures. We also obtained the policies and procedures of various Australian and overseas churches.<sup>16</sup>

We wish to express our appreciation to The Revd Dr Bruce Kaye, General Secretary, Mr Wayne Brighton, Research Officer and Ms Sylvia Murphy, Executive Assistant to the General Secretary of the General Synod Office and Ms Carol Newton of the Diocese of Sydney for their assistance during our meetings and the preparation of this report.

We met for a total of 32 days.<sup>17</sup> The 26 recommendations made in this report are unanimous. They complement and reinforce each other, and constitute a single program of action. To facilitate the consideration of our recommendations by the General Synod we have consolidated Recommendations 1, and 4 to 27 into four motions which are set out in **Appendix 2**.

Implementation of our recommendations will require ecclesiastical will, financial resources and a change of culture within the Church. Our prayer is that the Church will become a safe place for everyone through implementation of these recommendations. Clergy, church workers and those whom they serve deserve nothing less.

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## NOTES

<sup>1</sup> The word “child” or “children” where used in this report refer to a person who is, or persons who are, under the age of 18 years.

<sup>2</sup> The members of the Child Protection Committee are: Garth Blake SC, Barrister, Sydney (Chairperson); Helen Carrig, Director of Professional Standards, Adelaide; David Farrer, Bishop of Wangaratta; Philip Gerber, Director of Professional Standards Unit, Sydney; Marilyn Redlich, Counsellor and Educator, Brisbane.

<sup>3</sup> At its meeting held on 15 – 17 March 2002, the Standing Committee resolved (Item 10.9 p 9):

- 1) *Notes that the Bishops Conference will be considering the matter of protocols for dealing with sexual abuse matters and invites the conference to advise the Standing Committee of the results of that consideration.*
- 2) *Resolves to establish a special working group chaired by Justice David Bleby and including Mr Bill Anderssen, Mr Garth Blake, Dean Graeme Lawrence, Ms Susan Gribben, with Mr Philip Gerber as secretary of the group, and such other persons as determined by the Chair and Mr Bill Anderssen in consultation with the General Secretary. The group is encouraged to consult with relevant people, including the Child Protection Committee and to complete their task as soon as is practically possible consistent with obtaining a result at least in line with best practice in this area. The task of this group is to develop benchmarks in relation to:*
  - (i) *protocols dealing with sexual abuse claims against church officers or institutions*
  - (ii) *appropriate screening procedures to operate at all appropriate levels*
  - (iii) *discipline guidelines for such cases*
  - (iv) *such other matters as the group judges to be relevant*
  - (v) *suggested model legislation for dioceses, and to*
  - (vi) *make recommendations on the above matters to dioceses; and**report to the next meeting of the Standing Committee, or the Executive if it meets sooner.*
- 3) *That the following further action be taken*
  - (i) *To ask the Committee on Child Protection and the Church Law Commission to consider the other matters raised in this Report and to collaborate in their consideration of these matters.*
  - (ii) *To ask the Church Law Commission and the Child Protection Committee to invite consultation from the Anglican Schools Network and Anglicare Australia.*
  - (iii) *To invite the Anglican Church Schools Network and Anglicare Australia to contribute to the work of these two groups.*
  - (iv) *To seek advice from Mr Robert Stanley, the co-ordinator of the National Insurance Plan, as to the most effective way to address the insurance questions raised in this Report and any others which might be considered appropriate, and in consultation with Bishop Andrew Curnow to identify the most effective way to address these questions more fully.”*

At its meeting held on 15 - 16 June 2002 the Standing Committee resolved (Item 10.3 and 10.4 p 4):

*That the Child Protection Committee be requested to prepare a Code of Professional Ethics for Clergy and Lay Persons undertaking Ministry.*

The issues of the adequacy of current disciplinary measures and protocols and the licensing of clergy and appointment of lay persons who have been convicted of a serious sexual offence was left to the Sexual Abuse Working Group with its agreement and the approval of the Standing Committee.

At its meeting held on 28 - 30 March 2003 the Standing Committee resolved (Item 10.3.15 p7):

*That Standing Committee asks the Doctrine Commission and the Liturgy Commission to examine theological and liturgical issues underlying sexual abuse and harassment in the church and to advise the church accordingly.*

**Notes continued next page ...**



**NOTES cont...**

At the same meeting, the Standing Committee also resolved (Item 10.3.14 p7):

*That the Standing Committee facilitates the formation and recognition of a Network of Directors of Professional Standards with a view to the network:*

- (a) *performing the functions referred to in the report;*
- (b) *developing and promoting observance of the highest possible professional standards by Church workers;*
- (c) *developing and promoting best practice and standards throughout the Church in the implementation of the national Protocol and the proposed legislation;*
- (d) *promoting within the Church and the community an understanding of the national Code of Conduct and the national Protocol.*

<sup>4</sup> The Standing Committee, at its meeting held on 15 – 17 March 2002, resolved to issue the following statement to the media (Item 10.9 p9):

*The Anglican Church declares its abhorrence of any sexual abuse of children. Such behaviour is clearly contrary to both the gospel and the law. The Standing Committee acknowledges the benefits of many significant Anglican ministries among children. However, the church regrets that there have been instances of abuse involving some Anglican clergy, church officers and institutions and apologises to all victims of such misconduct for their ongoing hurt and the breakdown in pastoral relationships.*

*The Church is sorry that in some places it has failed in the past adequately to respond to claims of abuse. It has now initiated steps to ensure that appropriate protocols are in place across Australia and commits itself to be open and transparent in dealing with this matter.*

The Standing Committee of the General Synod of the Australian has been meeting in Perth this week.

*The Standing Committee is the national representative body of the Anglican Church comprising bishops, other clergy and lay people from across Australia.*

<sup>5</sup> Various provincial and diocesan synods have issued apologies to victims of sexual abuse in the Church (see, for example, by the New South Wales Provincial Synod on 30 August 2002, The Most Revd Ian George, Archbishop of Adelaide on behalf of the Diocese of Adelaide on 29 May 2003 and the Synod of the Diocese of Adelaide on 19 June 2004).

<sup>6</sup> "Clergy" is used in this report to refer to bishops, priests and deacons.

<sup>7</sup> "Church worker" is used in this report to refer to a lay person whether employed or voluntary who holds a position or performs a function within the Church.

<sup>8</sup> The names and offences of clergy are listed on the website of Clergy Sexual Abuse in Australia online at: <http://www.pip.com.au/~chenderson/>.

<sup>9</sup> On 6 December 2001, the Supreme Court of Queensland in *Scriven v Corporation of the Synod of the Diocese of Brisbane* awarded damages of \$815,000 comprised of \$415,000 compensatory damages and \$400,000 exemplary damages for the negligence of the defendant corporation in connection with the sexual assault of the plaintiff by a teacher at Toowoomba Preparatory School.

<sup>10</sup> On 26 August 1997, The Honourable Justice J R T Wood delivered the Final Report of the Royal Commission into the New South Wales Police Service. Volume V included chapter 11 which was entitled "The Churches" included consideration of the handling of cases of sexual abuse in the Diocese of Sydney and its policies and procedures. The Final Report can be found online at: [http://www.pic.nsw.gov.au/Reports\\_List.asp?type=Royal](http://www.pic.nsw.gov.au/Reports_List.asp?type=Royal).

In March 1998, *Not the Way of Christ* the Report of the Independent Pastoral Inquiry into Sexual Misconduct by Clergy or Officers of the Anglican Diocese of Tasmania with particular reference to Paedophilia by Tonia Kohl and Michael Crowley was delivered to Bishop Newell. An edited version of this Report can be found online at: <http://www.anglicantas.org.au/pdfs/not-the-way-extracts.pdf>.

On 23 April 2003, the Board of Inquiry comprising Mr Peter O'Callaghan QC, chairman and Professor Freda Briggs, member (which was constituted on 27 June 2002 pursuant to a public undertaking given on 20 February 2002) delivered their report into the handling of complaints of sexual abuse and misconduct by persons in authority in the

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Diocese of Brisbane to The Most Rev Dr Phillip Aspinall, Archbishop of Brisbane. This Report was tabled in the Queensland Parliament on 30 April 2003. This Report can be found online at:  
<http://www.anglican.org.au/docs/AnglicanReport.pdf> .

On 26 May 2004, the Board of Inquiry comprising The Honourable Trevor Olsson and Dr Donna Chung (which was constituted pursuant to a resolution of the Synod of the Diocese of Adelaide in May 2003) delivered their report into the handling of claims of sexual abuse and misconduct in the Diocese of Adelaide to the Most Revd Dr Ian George AO, Archbishop of Adelaide. This Report was tabled in the South Australian Parliament on 31 May 2003. This Report can be found online at: <http://www.anglican.org.au/docs/CPCAdelaide2004.pdf>

<sup>11</sup> In August 1998, the Queensland Government established the Commission of Inquiry into Abuse of Children in Queensland Institutions to examine whether there had been any abuse, mistreatment or neglect of children in Queensland institutions. The Commission of Inquiry was chaired by Leneen Forde AC. The Forde Inquiry report was tabled in Parliament on 8 June 1999 and contained 42 recommendations concerning contemporary child protection, youth justice, the Commission for Children and Young People and issues relating to former residents of state and church run institutions. A number of former and current residential care facilities of the Dioceses of Brisbane and Rockhampton came within the Terms of Reference. The Forde Inquiry report can be found online at: [http://www.families.qld.gov.au/department/forde/publications/documents/pdf/forde\\_comminquiry.pdf](http://www.families.qld.gov.au/department/forde/publications/documents/pdf/forde_comminquiry.pdf)

<sup>12</sup> On 28 May 2003 Dr Peter Hollingworth AC, Governor-General of the Commonwealth of Australia resigned his office because of the continuing controversy surrounding his handling of allegations of child sexual abuse when Archbishop of Brisbane made the effective discharge of his community role very difficult to fulfil. The socio-cultural issues, church issues and public issues arising out of 'The Hollingworth Controversy' are explored in *St Mark's Review* 2003 (3) No. 194.

On 11 June 2004 The Most Revd Dr Ian George AO, Archbishop of Adelaide resigned his office because of the difficulty for him in acting as a focus of unity within the church and of the church to the general community in the Diocese of Adelaide at that stage following the report of the Board of Inquiry (refer to note 13).

<sup>13</sup> The General Synod at its meeting held in July 2001 passed the following Resolutions:

21/01 *That the General Synod requests that each diocese in States other than New South Wales institute or maintain a system of screening of all persons who work with children.*

22/01 *That the General Synod requests that each diocesan bishop take steps to ensure that the training of ordinands and lay leaders and post-ordination training for clergy includes instruction upon the issues of human sexuality, abuse of people generally and sexual abuse of children in particular and the hearing of private confessions.*

24/01 *That the General Synod notes the principles relating to private confessions and the scope of the proviso to Canon 113 of the Canons of 1603, and section 2 of the Canon concerning confessions 1989 set out in the report of the Clergy Discipline Working Group dated 23<sup>rd</sup> March 2001, and*

a) *declares that the duty imposed by the proviso to Canon 113 and section 2 of the Canon concerning confessions 1989 applies to a confession made in accordance with the service The Order of the Visitation of the Sick in The Book of Common Prayer, the service of The Ministration to the Sick in An Australian Prayer Book, the service of The Reconciliation of a Penitent in A Prayer Book for Australia, or the last paragraph of the first exhortation in The Order for the Administration of the Lord's Supper or Holy Communion in The Book of Common Prayer,*

b) *affirms that the elements of repentance are contrition of heart, full and open acknowledgement of sin, reparation and amendment of life, and absolution which is received by faith, and*

c) *endorses "The Way Forward" set out on pages 87-88 of the Report, and therefore, in addition to motions 12 and 13 passed on the 22nd July 2001,*

(i) *requests that the House of Bishops identify appropriate teaching resources and develop pastoral guidelines for the hearing of private confessions,*

(ii) *requests that the House of Bishops as a matter of urgency address the particular issues raised by confessions of child sexual abuse by a member of the clergy or a lay leader.*

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34/01 *That this General Synod condemns the sexual abuse of people, particularly children; and recognises that where sexual abuse is perpetrated by members of the clergy or lay leaders there is a grave breach of trust, and grievous consequences both for the victims and the body of Christ.*

At the meeting held on 15 – 16 June 2002 the Standing Committee resolved (Item 10.4a p5):

*That Standing Committee of General Synod notes and encourages the reported agreement of the national Bishops to a national approach to the prevention and handling of sexual and other abuse and asks all diocesan bishops:*

- a) *to note the comprehensive nature of the work being undertaken by the Blake and Bleby Committees;*
- b) *to ensure that they are aware of all programmes and policies aimed at providing a safe and healthy environment for children in their dioceses, and*
- c) *to encourage within their dioceses an understanding of what the Church is doing towards providing such an environment.*

Various policies, procedures and protocols have also been introduced or modified in the dioceses.

<sup>14</sup> Since the late 1990s, churches have been required or encouraged to observe differing statutory requirements or advice relating to the recruitment of clergy and church workers and the reporting of child abuse as follows:

- Queensland - the *Commission for Children and Young People Act 2000* (Qld), Pt 6 (ss 95-128) provides that any person (subject to certain exemptions) wanting to work as a paid employee or volunteer in a church whose functions include providing services directed mainly towards children or voluntary activities mainly involving children must have a criminal history check (involving criminal convictions and charges) undertaken prior to appointment or engagement. The Commissioner for Children and Young People must then issue to the applicant and the church a notice (known as a blue card) declaring that the person is either suitable or unsuitable to work in child-related employment. A positive suitability notice has a currency of 2 years. The application fee for a suitability notice is \$40.00 for paid employees. There is no charge for volunteers;
- New South Wales - the *Commission for Children and Young People Act 1998* (NSW), ss 33, 34 and 37 prescribes employment screening (involving relevant criminal records, apprehended violence orders and employment proceedings) for applicants for child related employment (paid positions in child-related employment and ministers of religion). The *Child Protection (Prohibited Employment) Act 1998* (NSW), ss 3 and 7 provides that an employer must not commence employing persons in child-related employment (which includes paid or voluntary work in any religious organisation that primarily involves direct contact with children that is not directly supervised) without requiring disclosure whether they are a prohibited person (if they have been convicted of a serious sex offence or are a registered person). Each check is provided free of charge;
- Tasmania – the *Children, Young Persons and their Families Act, 1997* (Tas), s 78 provides for the appointment of a Commissioner for Children. The Office of the Commissioner for Children, in the absence of specific legislation setting out screening and checks for all who wish to seek employment or work in a voluntary capacity with children, has advocated that employers take proactive steps being establishment of a policy setting out what is and what is not acceptable conduct, the voluntary signing up of this statement as an agreement of conduct between all who come into contact with children and the adoption of a system of formal checks on employees and volunteers including Police checks for criminal activities in Federal and State jurisdictions and asking any person who seeks to work with children to sign a statutory declaration stating they have not been involved in activities that harm, injure, damage or exploit children.
- In every State and Territory, except Western Australia mandatory reporting of child abuse in certain circumstances is prescribed by legislation (this legislation is referred to in Appendix 9).

The Report of the Review of Child Protection in South Australia entitled *Our Best Investment: A State Plan to Protect and Advance the Interests of Children* produced by Ms Robyn Layton QC, was released 26 March 2003. The report includes recommendations that the statutory office of the Commissioner of Children and Young Persons be created and that the *Child Protection Act 1993* (SA) be amended to include all church personnel including ministers of religion

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(except in confessionals) as mandated notifiers. The Report can be found online at:  
<http://www.dhs.sa.gov.au/childprotectionreview/cpr-report.asp> .

<sup>15</sup> The events which have generated widespread public attention on the Church (refer to notes 9 to 13) have been a significant catalyst to public debate as to whether further governmental response is required to deal with child sexual abuse in the churches. There have been calls for:

- a Royal Commission into child abuse by various political, community and Church leaders (including by The Most Rev Dr Phillip Aspinall, Archbishop of Brisbane on 16 April 2002 and The Rt Revd John Harrower, Bishop of Tasmania on 23 May 2003 and 29 July 2003);
- a national summit on child protection to overcome fragmented and cumbersome Federal and State arrangements and to improve management and prevention of child abuse (by Ross Fitzgerald, Professor of History and Politics at Griffith University on 5 June 2003 and Professor Fiona Stanley, Chief Executive Officer of Australian Research Alliance for Children and Youth on 9 June 2003);
- the establishment of a National Commissioner for Children and Young People which will provide leadership and co-ordination in development of national guidelines and standards on relevant children's issues in consultation with the States and Territories (by Simon Crean, Leader of the Opposition and Nerida Roxon, Shadow Minister for Children and Youth on 9 May 2002);
- discussions between the Prime Minister, State Premiers and Chief Ministers with a view to establishing a *National Strategy for the Prevention of Child Abuse and Neglect* similar to the *National Drug Strategy* (in the campaign document *Our Children Our Concern Our Responsibility* of Families Australia which was launched on 3 September 2003. Families Australia, of which Anglicare Australia is a General Member, is the national peak organisation dedicated to promoting the needs and interests of families. The campaign document can be found online at: <http://www.familiesaustralia.org.au>).

On 18 June 2004, the Child Abuse and Neglect Summit organised by Families Australia was held in Canberra. The Summit brought together key stakeholders from government, the business sector, unions, churches, the Australian Medical Association and the community sector to discuss how they could work together to stop the rising incidence of child abuse and neglect in Australia.

<sup>16</sup> The policies and procedures of various churches in the United States of America, Canada, the United Kingdom and the Republic of Ireland are summarised in *To investigate policy and practices in overseas churches and their agencies of training clergy with reference to, and dealing with, child sexual abuse*, a report by Garth Blake SC for The Winston Churchill Memorial Trust of Australia. This report can be found online at:  
<http://scripts.churchilltrust.com.au/Fellows%20Reports/Blake%20Garth%2020022.pdf> .

<sup>17</sup> The Committee met for a total of 32 days on 2 May, 4 June, 30 August, 4 October and 22 November 2002, 20 – 22 January, 14 – 15 February, 24 – 25 March, 27 – 28 June, 16 – 18 October, and 30 October – 2 November 2003 and 27– 31 January, 4 and 15 March, 17 – 18 May, and 4 – 5 June, 2004.

### 3 SAFE MINISTRY POLICIES AND STRUCTURES

In approaching our task we have been conscious that:

- every person has a value and dignity which comes directly from their creation as male or female in God's own image;
- abuse in all its forms (physical, emotional and spiritual) is a great evil which can leave deep scars on the abused and many others;
- the Church's commitment to the safety and welfare of all people within its community requires careful recruitment and safe ministry practices by clergy and church workers and prompt action in response to each complaint;
- the redemption and the possibility of forgiveness and healing that are central to the gospel of Christ requires the Church to offer pastoral support to the abused as well as pastoral support and supervision to those who have abused in the past.

#### **Integrated Policies and Structures throughout the Church**

We believe that implementation of integrated safe ministry policies and structures throughout the Church at national, diocesan, parish and church organisation levels is essential to minimise the opportunity for abuse to occur, and for the effective implementation of our recommendations. We have used the words *safe ministry* to make clear that the Church must be committed to the safety and welfare of all people particularly those within its community.

We have noted that the several member churches of the Anglican Communion<sup>1</sup> and other episcopal churches<sup>2</sup> have adopted integrated child protection policies and structures at national, diocesan, parish and church organisation levels.<sup>3</sup> They have adopted child protection policy statements and have appointed individuals and committees at all levels to ensure that child protection policies are properly implemented.

#### **Safe Ministry Policy Statement**

Foundational to all other recommendations of this report is our recommendation that the General Synod adopt a *Safe Ministry Policy Statement* for the Church.

#### **RECOMMENDATION 1**

**The General Synod adopts as the Church's *Safe Ministry Policy Statement*:**

***The Anglican Church of Australia is committed to the physical, emotional and spiritual welfare and safety of all people, particularly within its own community. The Church will:***

- ***carefully recruit and train its clergy and church workers;***
- ***adopt and encourage safe ministry practices by its clergy and church workers;***
- ***respond promptly to each concern raised about the behaviour of its clergy and church workers;***
- ***offer pastoral support to any person who has suffered abuse; and***
- ***provide pastoral support to and supervision of any person known to have abused a child or another vulnerable person.***

## Professional Standards Commission

We believe that a national body, with the authority of a commission, is necessary to ensure that our recommendations are effectively implemented throughout the Church. The ongoing work to implement integrated safe ministry policies and structures throughout the Church cannot be wholly undertaken at a diocesan level. Similar to the position in the Catholic Church<sup>4</sup> action at a national level is essential to ensure that there are that are comprehensive and uniform safe ministry policies and structures throughout the Church.

A bill for the *Strategic Issues, Commissions, Task Forces and Networks (Amendment) Canon 2004* is **Appendix 3**. The bill provides for the establishment of the Professional Standards Commission. Its functions will be:

- to examine questions of professional standards, and safe ministry training and practices, for ordained and authorised lay ministry, referred to it by the Primate, the Standing Committee or the General Synod, and to report thereon to the referring party and the Standing Committee; and
- to make recommendations to the Standing Committee on matters relating to professional standards, and safe ministry training and practices, for ordained and authorised lay ministry.

We do not consider that the functions of the Professional Standards Commission could be effectively undertaken by the Directors of Professional Standards Network (refer to note 3 in section 2). The effective examination of questions of professional standards, and safe ministry training and practices, will require input of clergy and other church workers as well as proper resources.

We do not consider that there will any significant overlap between the functions of the Professional Standards Commission and the Ministry Commission.<sup>5</sup> As set out in Recommendation 19 (refer to section 11) particular questions relating to the competence of clergy should be referred by the General Synod to the Ministry Commission. As set out in Recommendation 17 (refer to section 11) particular questions relating to professional standards, and safe ministry training and practices should be referred by the General Synod to the Professional Standards Commission. The reference where there is obvious overlap (the preparation of resources for the provision of pastoral support of those affected by abuse) provides for consultation by the Ministry Commission with the Professional Standards Commission.

The bill provides that the membership of the Professional Standards Commission is to be determined by the Standing Committee. We suggest that there be a membership of 7 persons that includes:

- persons with experience in safe ministry practices or professional standards;
- 2 members of the clergy including 1 diocesan bishop;
- at least 4 lay persons;
- a gender balance;
- representation from each Province.

We are aware that the metropolitan dioceses as well as the Diocese of Tasmania have had experience over the past few years in dealing with safe ministry and professional standards issues. To derive the benefit of this

experience it would be prudent for the initial membership of the Professional Standards Commission to include one or more Directors of Professional Standards. However, the Professional Standards Commission should be, and be seen to be, separate from and independent of the Directors of Professional Standards Network.

We are concerned to avoid a loss of continuity in the work of the Child Protection Committee during the period between the General Synod in October 2004 and the appointment of the Professional Standards Commission which is not likely to occur before March 2005. We suggest that the General Synod reappoints the Child Protection Committee and requests it to fulfil the functions of the Professional Standards Commission until its establishment.

## RECOMMENDATION 2

**The General Synod pass the bill for the *Strategic Issues, Commissions, Task Forces and Networks (Amendment) Canon 2004*.**

## RECOMMENDATION 3

**The General Synod reappoints the Child Protection Committee and requests it to fulfil the functions of the Professional Standards Commission until its establishment.**

We consider that it is important that serious theological reflection on issues relating to abuse is undertaken in the Church so that its policies and practices are shaped by the Holy Scriptures. While there have been many books written on sexual abuse in Australian and overseas churches, we have found little theological reflection on these issues.<sup>6</sup>

The reference of the Standing Committee to the Doctrine Commission in March 2003 (refer to note 3 in section 2) is limited to the theological issues underlying sexual abuse and harassment in the Church. We believe that this theological reflection should also deal with the Church's responsibility for the physical, emotional and spiritual welfare and safety of all people within its own community including children and other vulnerable people, the abused and known abusers of children or other vulnerable people. We express our appreciation to The Revd Dr Alan Cadwallader of St Barnabas' Theological College who at our invitation prepared a paper on the theology of children as a resource, which is set out in **Appendix 4**.

The General Synod should refer to the Doctrine Commission the preparation of a report dealing with the Church's responsibility for the physical, emotional and spiritual welfare and safety of all people within its own community including children and other vulnerable people, the abused and known abusers of children or other vulnerable people in consultation with the Professional Standards Commission. This reference by the General Synod is contained in Recommendation 20 (refer to section 11).

Recommendation 17 (refer to section 11) provides for the reference by the General Synod to the Professional Standards Commission of 11 matters that will assist the Church to adopt and encourage safe ministry practices by its clergy and church workers. One of these matters is the undertaking of an inventory of the nature and scope of reported abuse within the Church by clergy and church workers.

We believe that such an inventory is necessary for the Church to fully address the phenomenon of abuse. In one overseas church,<sup>7</sup> this type of report has been part of its strategy in responding to child sexual abuse. The report will be prepared by a survey of each diocese which will not require identifying information of any abused person, abuser or Church leader. The collection of accurate information about the characteristics of abusers and the abused and the circumstances of the abuse will enable the Professional Standards Commission to consider whether additional steps need to be taken within the Church to improve safe ministry practices.

It will be important for the General Synod to be aware of the progress in the development and implementation of safe ministry policies and structures to ensure that the *Safe Ministry Policy Statement* becomes a reality. Therefore the General Synod should request the Professional Standards Commission to report to the next session of the General Synod as to the progress of the Church in the development and implementation of safe ministry policies and structures.

We consider in view of its functions and the references from the General Synod (refer to section 11 below) that the budget of the Professional Standards Commission should be \$54,839 for 2005. This annual amount will enable the Professional Standards Commission to meet once a quarter, to consult within the Church as well as obtain relevant professional advice. A detailed costing for this budget is set out in **Appendix 5**.

#### RECOMMENDATION 4

**The General Synod approves a budget of \$54,839 for 2005 for the Professional Standards Commission.**

#### **Diocesan Policies and Structures**

Because of the structure of the Church, the *Safe Ministry Policy Statement* will have no force and effect in any diocese unless adopted by that diocese. We consider that the synod of each diocese should adopt the *Safe Ministry Policy Statement* together with any additional safe ministry policies. This will ensure that the Church has a clear and shared safe ministry policy across all its dioceses.

Each diocese should ensure that it has an appropriate structure to implement the safe ministry policies outlined in this report. A Diocese may wish to add responsibility for safe ministry in the diocese to the functions of the Director of Professional Standards and Professional Standards Committee. Alternatively, it may wish to appoint a Safe Ministry Coordinator and establish a Safe Ministry Committee. A diocesan Safe Ministry Committee should have a membership containing a gender balance of persons with appropriate qualifications and experience and which should include the diocesan Safe Ministry Coordinator. At least one person should have some relevant professional experience with children. Dioceses may wish to jointly establish a Safe Ministry Committee with responsibility for the implementation of safe ministry policies.

The functions of a diocesan Professional Standards Committee or Safe Ministry Committee should include:

- implementing the Church's safe ministry policies in the diocese;
- ensuring that the Church's recruitment procedures for church workers are followed;



- arranging training for parish and church organisation Safe Ministry Representatives and Safe Ministry Committees in their functions;
- arranging safe ministry training for all clergy and church workers who in their ministry have contact with children;
- monitoring and reporting to the diocesan council and the Professional Standards Commission on the progress in the development and implementation of safe ministry policies in the diocese;
- making a public report to each ordinary session of the diocesan synod.

It will be necessary for each diocese to provide sufficient funds and administrative support to enable the effective implementation of the safe ministry policies outlined in this report.

### **Parish and Church Organisation Policies and Structures**

The parish council of each parish and the governing committee of church organisation should adopt and reaffirm at regular intervals the Church's *Safe Ministry Policy Statement* together with any additional diocesan safe ministry policies and ensure that it is communicated widely throughout the parish or church organisation. This will ensure that there is a clear and shared safe ministry policy of the Church across all parishes and church organisations. The *Safe Ministry Policy Statement* should be adopted by the parish council or the governing committee even when the parish or a church organisation is not currently providing children's or mixed-age activities.

Each parish and church organisation should ensure that there is a structure to implement the safe ministry policies outlined in this report. They may wish to use existing structures such as the parish council or the governing committee. Alternatively, they may wish to create a separate structure by appointing a Safe Ministry Representative and/or establishing a Safe Ministry Committee. Wherever possible, such a committee should have a membership containing a gender balance of persons and including a person who has some relevant professional experience with children.

The functions of the Safe Ministry Representative or the Safe Ministry Committee should include:

- implementing the Church's safe ministry policies in the parish or church organisation;
- making recommendations relating to safe ministry for the particular circumstances of the parish or church organisation to the parish council or governing committee;
- ensuring that the Church's procedures for dealing with any complaints against church workers in the parish or church organisation are followed;
- administering or supervising the Church's recruitment procedures for paid and voluntary church workers in the parish or church organisation;
- being the link between the diocesan Director of Professional Standards or Child Protection Coordinator and the parish or church organisation; and
- making an annual report to the parish council or governing committee.<sup>8</sup>

It will be necessary for each parish and church organisation to provide sufficient funds and administrative support to enable the effective implementation of the safe ministry policies outlined in this report.

Parish and church organisations premises are commonly used by outside groups that conduct activities for children and the organisers of functions for children. The booking or licence agreement for the use of parish or organisation premises by outside groups and the organisers of outside functions should contain terms for the protection of children including:

- that the outside group or organisers will comply with all applicable child protection legislation;
- that the outside group or organisers will ensure that children are protected at all times, by taking all reasonable steps to prevent the occurrence of any injury, loss, damage or harm;
- that the outside group or organisers will follow their own child protection procedures;
- that the booking or licence agreement may be terminated where the outside group or organisers fail to comply with these terms.

Each diocese should ensure a consistent approach by developing standard booking or licence agreements for the use of parish and organisation premises by outside groups and for outside functions which contain terms for the protection of children.

Where there are no standard diocesan booking or licence agreements containing terms for the protection of children for the use of parish and organisation premises by outside groups and for outside functions, then parishes and church organisations should include such terms in their booking or licence agreements.

#### RECOMMENDATION 5

**The General Synod recommends that each diocese, parish and church organisation adopts the Church's *Safe Ministry Policy Statement* and develops and implements safe ministry policies and structures.**

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#### NOTES

<sup>1</sup> The Church of England, The Church of Ireland, The Church in Wales, The Scottish Episcopal Church, and The Episcopal Church of the United States of America.

<sup>2</sup> See, for example, the Catholic Church in England and Wales.

<sup>4</sup> The Australian Catholic Bishops' Conference and the Australian Conference of Leaders of Religious Institutes established a National Committee for Professional Standards in 1996.

<sup>5</sup> S.10 of the *Strategic Issues, Commissions, Task Forces and Networks Canon 1998* provides:

*The functions of the Ministry Commission are:*

- (a) *To examine questions of mission in this church on all matters dealing with the competency of ordained and authorised lay ministry, referred to it by the Primate, the Standing Committee or the General Synod, and to report thereon to the referring party and the Standing Committee; and*
- (b) *to make recommendations to the Standing Committee on matters of mission and ministry which are of importance to this church.*

<sup>6</sup> An example is Alistair McFadyen (2000) *Bound to Sin: Abuse, Holocaust and the Christian Doctrine of Sin*. Cambridge: Cambridge University Press.

<sup>7</sup> In June 2002 the full body of Catholic bishops of the United States in their General Meeting in Dallas approved the  
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*Charter for the Protection of Children and Young People.* The *Charter* created a National Review Board, which was assigned responsibility to commission a descriptive study, with the full cooperation of the dioceses/eparchies, of the nature and scope of the problem of sexual abuse of minors by clergy. The report which was released in February 2004 can be accessed on the website of the United States Conference of Catholic Bishops online at:

<http://www.usccb.org/nrb/johnjaystudy/index.htm>.

<sup>8</sup> The annual report should:

- specify all persons known to have abused children with whom an agreement establishing the terms of involvement in the life of the parish or church organisation should be entered into and who should be notified to the diocesan Director of Professional Standards or Child Protection Coordinator;
- identify all outside groups using parish or church organisation premises;
- identify all children's activities and mixed-age activities that are the responsibility of the incumbent or the parish council or governing committee;
- identify all church workers in the parish or church organisation (such as paid and voluntary leaders in children's activities, adults involved in mixed-age activities, adults who have informal contact with children including a verger, caretaker or mini-bus driver) for whom the Church's recruitment procedures will need to be followed;
- if not covered under a diocesan insurance policy specify whether the parish or church organisation insurance policy covers all activities on or off the premises and includes insurance cover for all paid and voluntary church workers who in their ministry have children;
- specify whether every group that conducts children's activities or mixed-age activities has enough leaders and that where appropriate there is a gender balance;
- specify whether every group that conducts children's activities or mixed-age activities has a register of attendance;
- specify whether all premises used by children are physically safe and identifies all health and safety issues that need to be addressed;
- specify how the Church's safe ministry policies will be introduced to the parish or church organisation;
- specify what training will be required and how ongoing support will be given to church workers who in their ministry have contact with children.

## 4 RECRUITMENT

Clergy and church workers are entrusted with the privilege and responsibility of being servants and leaders in the ministry of the Church. Deacons and priests promise at their ordination to fashion their lives according to the doctrine of Christ, and to make themselves wholesome examples to the flock of Christ. Bishops promise at their consecration to deny all ungodliness and worldly lust, to live soberly, righteously and godly in the present world, that they show themselves in all things an example of good works to others. The Holy Scriptures call upon clergy and church workers alike to exhibit genuine love, to hate evil and to hold fast what is good (Romans 12:9).

The Church should take the greatest care in the selection of all its clergy and church workers. In every case, a careful assessment should be made prior to selection that the person will not pose a risk to the safety of children and other vulnerable people. Information to enable the assessment to be undertaken should be gained through a screening process.

While there are differences in the procedures of dioceses for the selection of its clergy and church workers, there should be a common approach in all diocesan procedures to the assessment of whether persons pose a risk to the safety of children and other vulnerable people. Access to the same information will help to ensure that there is consistency across the Church in the assessment of persons for ministry.

We believe that no single screening tool is sufficient to provide all information necessary to undertake an assessment of a person's suitability for a particular ministry. A criminal history check alone is insufficient screening tool because only relatively few reports of sexual abuse result in conviction.<sup>1</sup>

We consider that a comprehensive approach to the selection of clergy and church workers who are involved in children's ministry should encompass the following screening tools:

- the Safe Ministry Check;
- a medical report;
- a children's commission check or a criminal history check; and
- a psycho-sexual assessment.

Which screening tools are used will depend on whether the person is an ordination candidate, an existing member of the clergy or a church worker who has contact with children in their ministry.

### ***Safe Ministry Check***

The various diocesan procedures for the selection of ordination candidates commonly include a written application by the candidate and the provision of references. The application form usually contains a section for disclosure of criminal convictions and sometimes information relating to allegations of misconduct.

We consider that more information is required to assess whether a person might pose a risk to the safety of others than is currently obtained in most of the dioceses. We have devised two versions of the *Safe Ministry Check*, one for

ordination candidates, clergy and paid church workers, and the other for voluntary church workers which are set out in **Appendix 6**.

The *Safe Ministry Check* for ordination candidates, clergy and paid church workers consists of:

- an applicant's questionnaire; and
- a referee's questionnaire.

The *Safe Ministry Check* for voluntary church workers consists of an applicant's questionnaire.

To minimise the risk that an applicant or referee may fail to disclose relevant information because of the general nature of questions, both the applicant's and referee's questionnaire contains specific questions on a range of topics. Questions have been designed to elicit information relevant to the assessment of whether a person might pose a risk to the safety of children and other vulnerable people. In view of the purpose of the questions we consider that there is no proper basis for a person to refuse to disclose the information sought on the ground of its private nature, except where a referee who is a member of the clergy has obtained information in a private confession.

Adoption of the *Safe Ministry Check* by the General Synod will be an important step towards ensuring that there is a consistent approach throughout the Church to the selection of ordination candidates for, and the screening of clergy and church workers who have contact with children in their ministry. It will be a tangible expression of the Church's commitment in the *Safe Ministry Policy Statement* to carefully recruiting its clergy and church workers.

We envisage that the Professional Standards Commission will pay careful attention to the experience of the dioceses in their use of the *Safe Ministry Check*. It is inevitable that the *Safe Ministry Check* will need to be modified over time arising out of experience of its use. The Standing Committee should be authorised to revise the *Safe Ministry Check*.

#### RECOMMENDATION 6

##### **The General Synod:**

- (a) adopts the *Safe Ministry Check* as the national applicant and referee questionnaires for the selection of ordination candidates and for the screening of clergy and church workers who have contact with children in their ministry; and**
- (b) authorises the revision of the *Safe Ministry Check* by the Standing Committee.**

#### **Medical Report**

We consider that each ordination candidate should provide a medical report. Apart from its obvious utility in revealing a person's health and ability to perform usual ministry requirements, a report from a person's medical practitioner may reveal information that is relevant to the assessment of whether that person may pose a risk to the safety of others.

We consider that the General Synod should refer to the Professional Standards Commission the development of model guidelines for the provision of a medical report which will include:

- a standard letter to the applicant's medical practitioner;

- a standard letter by the applicant authorising their disclosure of information and releasing the medical practitioner from any liability arising out of the provision of the medical report.

This reference by the General Synod is included in Recommendation 17 (refer to section 11).

### **Children's Commission Check or Criminal History Check**

In Queensland a positive suitability notice which has a currency of 2 years is required before persons can undertake paid or voluntary work with children (refer to note 17 in section 2). In New South Wales employment screening is required for applicants for paid positions in child related employment and clergy (refer to note 14 in section 2). We consider that in New South Wales a criminal history check should also be required prior to appointment for voluntary church workers who have contact with children in their ministry.<sup>2</sup> We also consider that in the case of the other States and the Territories criminal history checks wherever available should be obtained for all ordination candidates, clergy and church workers who have contact with children in their ministry.

### **Psycho-Sexual Assessment**

We consider that each ordination candidate should undergo a psycho-sexual assessment. In recent years candidates for ordination have undergone a psycho-sexual assessment in various churches in North America and Australia. The aim of a psycho-sexual assessment, which is carried out confidentially by an experienced psychologist, is to provide an opinion as to whether the candidate is likely to pose a risk to the safety of vulnerable people by reason of sexual dysfunction or sexual immaturity. No information obtained in the assessment would be provided to the diocese.

Because many dioceses are not familiar with this form of psychological assessment we consider that the General Synod should refer to the Professional Standards Commission the development of model guidelines for psycho-sexual assessments which will include:

- the identity of appropriate qualified psychologists;
- a standard letter by the applicant authorising the disclosure of information and releasing the psychologist from any liability arising out of the assessment;
- confidentiality standards attaching to the assessment.

This reference by the General Synod is included in Recommendation 17 (refer to section 11).

### **Selection of Ordination Candidates**

Rigorous screening of ordination candidates will help to ensure that persons who may pose a risk to the safety of vulnerable people are not accepted into the ordained ministry.

We consider that each diocesan system for the selection of ordination candidates should include:

- the Safe Ministry Check;
- a medical report;
- a children's commission check or a criminal history check; and

- a psycho-sexual assessment.

In most dioceses in the Episcopal Church of the United States of America an external service provider has been retained to carry out the equivalent of the *Safe Ministry Check*.<sup>3</sup> One or more dioceses may wish to co-operate to ensure maximum efficiency and cost effectiveness in undertaking the *Safe Ministry Check* for ordination candidates as well as clergy and church workers who have contact with children in their ministry.

#### RECOMMENDATION 7

**The General Synod recommends that each diocese adopts a system for the selection of ordination candidates that includes:**

- (a) the *Safe Ministry Check*;**
- (b) a medical report;**
- (c) a children's commission check or a criminal history check; and**
- (d) a psycho-sexual assessment.**

#### Screening of Clergy

Regular screening of clergy is necessary. This will ensure that any conduct that has occurred since their last screening that may pose a risk to vulnerable people can be taken into account in determining their continuing fitness for the ordained ministry. This screening should be carried out immediately prior to key ministry transitions for clergy (being their ordination as a deacon or priest, the issuing of a licence or authorisation, or their consecration as a bishop), or at the expiry of a children's commission check or every three years, whichever first occurs. This means that in Queensland screening should be carried out every 2 years (refer to note 14 in section 2). In the other States and in the Territories screening should be carried out every 3 years.

We consider that each diocesan screening system for clergy should include:

- the *Safe Ministry Check*; and
- a children's commission check or criminal history check.

#### RECOMMENDATION 8

**The General Synod recommends that each diocese adopts a system for the screening of clergy that includes:**

- (a) the *Safe Ministry Check*; and**
- (b) a children's commission check or a criminal history check**

**and that screening is to be carried out immediately prior to:**

- (c) their ordination as a deacon and as a priest;**
- (d) the issuing of a licence or authorisation; and**
- (e) their consecration as a bishop**

**or at the expiry of a children's commission check or every three years, whichever first occurs.**



## **National Register of Clergy and Church Workers**

The Standing Committee in November 2003 resolved to create a National Directory of Licensed Clergy.<sup>4</sup> The current informal system between bishops concerning the reciprocal disclosure of information about clergy is inadequate. It is not transparent, and depends on the accuracy of diocesan records and the willingness of bishops to seek and disclose relevant information. Inclusion of relevant information on the National Directory will enable a person with a legitimate interest in this information, such as a bishop who has to determine whether to issue a licence to a person, to initiate enquires in the applicable diocese.

We have considered the national database maintained by the Catholic Office for the Protection of Children and Vulnerable Adults<sup>5</sup> which was established by the Catholic Bishop's Conference of England and Wales. This database covers members of the clergy and candidates for the ordained priesthood, the permanent diaconate and the consecrated life. The information recorded on this database includes the history of where a person has worked and for how long, the date and reference number of their last Criminal Records Bureau check and whether or not a person was appointed to a particular position. For information additional to that recorded on the national database a legitimate enquirer needs to make enquiries of the relevant diocese or religious congregation.

We note that the General Synod will consider a Bill for a *National Register Canon 2004* (Bill No. 11), which provides that the National Register of clergy and lay persons shall include all ordained or licensed clergy together with such other clergy as the Standing Committee may determine. Details on the National Register will include particulars of a determination or recommendation of a Professional Standards Board, Diocesan Tribunal or the Special Tribunal, and particulars of any relinquishment of orders. We consider that it is important that the National Register include ordination candidates and unlicensed clergy and record the following information about listed persons:

- the date of each children's commission background check or criminal history check;
- the date of any completed disciplinary proceedings except where the allegations were found to be false, vexatious or misconceived;
- the date of any refusal by a bishop to ordain a person as a deacon or priest or to issue a licence or authority or any refusal to consecrate a person as a bishop because of an adverse risk assessment; and
- the date of any refusal by a church organisation to employ or appoint a person because of an adverse risk assessment.

We recognise that questions will arise as the categories of persons entitled to access to the information contained on the National Register. The General Synod should refer to the Professional Standards Commission the development of model guidelines for access to information on the National Register. This reference by the General Synod is included within Recommendation 17 (refer to section 11).

### **RECOMMENDATION 9**

**The General Synod recommends:**

- (a) that the proposed National Register include ordination candidates and unlicensed clergy; and**
- (b) that each diocese is to provide to the General Secretary for inclusion in the National Register with respect to each listed person:**
  - (i) the date of each children's commission check or criminal history check;**
  - (ii) the date of any completed disciplinary proceedings except where the allegations were found to be false, vexatious or misconceived;**
  - (iii) the date of any refusal by a bishop to ordain the person as a deacon or priest or to issue a licence or authority to the person or any refusal to consecrate the person as a bishop because of an adverse risk assessment; and**
  - (iv) the date of any refusal by a church organisation to employ or appoint the person because of an adverse risk assessment**

**and that access to this information be restricted to the categories of persons determined by the Standing Committee after consultation with the Professional Standards Commission.**

## **Screening of Church Workers Having Contact with Children in Their Ministry**

Screening should apply to all paid and voluntary church workers who have direct and regular or unsupervised contact with children in their ministry or who supervise any such persons. Screening should be undertaken immediately prior to their appointment.

Regular screening of church workers is necessary. This will ensure that any conduct which has occurred that may pose a risk to the safety of children is taken into account in determining their continuing suitability for any ministry in which they have contact with children. This means that in Queensland screening should be carried out every 2 years (refer to note 14 in section 2). In the other States and in the Territories screening should be carried out every 3 years.

We consider that each diocesan screening system for church workers having contact with children in their ministry should include:

- the Safe Ministry Check; and
- a children's commission check or criminal history check.

We contemplate that diocese may wish to include with the *Safe Ministry Check* questions relating to the experience and training of church workers.

### **RECOMMENDATION 10**

**The General Synod recommends that each diocese adopts a system for the screening of all paid and voluntary church workers:**

- (a) who have direct and regular or unsupervised contact with children in their ministry; or**
- (b) who supervise any such church workers**

that includes:

(c) the *Safe Ministry Check*; and

(d) a children's commission check or a criminal history check

and that screening is to be carried out immediately prior to their appointment or at the expiry of a children's commission check or every three years, whichever first occurs.

### **Assessment and Storage of the Information Obtained through Screening**

The greatest care should be taken in assessing the suitability of ordination candidates and clergy and church workers for the particular ministry in question where any risk factors are identified from answers in the *Safe Ministry Check* or a children's commission check or criminal history check. We recommend that the risk assessment be carried out by either the Director of Professional Standards, the Safe Ministry Coordinator or a person with appropriate experience.

Account will need to be taken of all relevant circumstances including the seriousness of the conduct and the age of the person at the time; and where there is a victim, the difference in age between the person and the victim at the time of the conduct.

Each diocese, parish and church organisation should adopt a system for the secure storage of information obtained through the screening process. The diocese, parish or church organisation should always be able to show that it followed the applicable screening process.

### **A Future Approach to the Selection of Church Workers?**

We suggest that serious consideration should be given to the introduction of a comprehensive system for the selection of all church workers throughout the Church.

In Canada the Ontario Screening Initiative<sup>6</sup> (which was a joint initiative between a consortium of voluntary sector organisations including a coalition of churches) has identified the following ten safe steps of screening:

before appointment -

- determine the risk;
- write a clear ministry description;
- establish a formal recruitment process;
- use an application form;
- conduct interviews;
- follow up on references;
- when appropriate, request a police records check;
- after appointment -
- conduct orientation and training sessions;
- supervise and evaluate;
- follow up.

A number of churches in Canada have implemented these screening steps in their selection process for clergy and church workers, whether paid or voluntary, who by virtue of their ministry or work are in positions of trust. An example is the

Anglican Diocese of Toronto which introduced *Responsible Ministry: Screening in Faith*<sup>7</sup> on 1 January 2003. Aspects of this selection process include:

- assessment of the risk for potential harm of all ministry positions into low risk, medium risk and high risk (depending on the degree of access to children and vulnerable adults, financial resources and confidential information);
- assignment of different levels of screening to low risk, medium risk and high risk ministries;
- conduct of the selection process at the local (parish) level, apart from criminal history checks which are required for high risk ministries. To ensure confidentiality the Human Resources Department receives and stores the criminal history check and advises the person and the parish whether or not the person is permitted to serve in a high risk ministry.

The General Synod should refer to the Professional Standards Commission the consideration of a model selection system for the selection of all church workers. This reference by the General Synod is included within Recommendation 17 (refer to section 11).

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## NOTES

<sup>1</sup> Patrick Parkinson (2003) *Child Sexual Abuse and the Churches*, 2<sup>nd</sup> ed., Sydney: Aquila Press, p253-257. In New South Wales in a typical year there are 12,000 reported rapes, of which 1,200 proceed to court, 600 receive guilty verdicts and 200 gaol sentences according to Dr Don Weatherburn, Director, NSW Bureau of Crime Statistics and Research, *NSW Stateline*, Australian Broadcasting Corporation, 30 April 2004. Some research suggests up to 90% of sexual assaults are never reported in the first place: Patricia Brennan "Ideology, Evolution to rape prosecutions" in *The Sydney Morning Herald*, 5 May 2004, p13.

<sup>2</sup> Under the *Freedom of Information Act* 1989 (NSW), s.16 a person has a legally enforceable right to be given to an agency's documents. An agency includes the Police Service: ss 6(1) definition of "agency", 7(1) definition of "public authority".

<sup>3</sup> Oxford Document Management Inc carries out background checks for over 80 dioceses.

<sup>4</sup> At its meeting on 8-9 November 2003 the Standing Committee resolved (Item 19.9 p20):

*That Standing Committee authorize:*

*1. up to \$7,500 be made available from the Reserve Fund in 2003 to create a National Directory of Licensed Clergy and maintain that directory for the 2004 year;*

*2. the annual maintenance of the Directory be included in the General Synod budget from 2005 onwards.*

<sup>5</sup> Information about the Catholic Office for the Protection of Children and Vulnerable Adults can be obtained online at: [www.catholic-ew.org.uk/copca](http://www.catholic-ew.org.uk/copca)

<sup>6</sup> Details about the Ontario Screening Initiative can be obtained from the Volunteer Canada website online at: <http://www.volunteer.ca/volcan/eng/content/screening/ontario-init.php?display=4,0>.

<sup>7</sup> All forms and procedures can be found on the website of the Diocese of Toronto online at <http://www.candjsolutions.com/dot/screening/>.

## 5 STANDARDS OF BEHAVIOUR

Many dioceses have codes of conduct although most are limited to clergy in the areas of sexual conduct and children's ministry. A number of Australian and overseas churches have or are proposing to adopt a code of conduct. Many professions both in Australia and overseas have a code of conduct.

There has been confusion among some clergy and church workers as to the appropriate standards for their personal behaviour and for the practice of their pastoral ministry. The public is concerned about the standards of the Church, particularly in the areas of children's ministry and sexual conduct.

### **Faithfulness in Service**

We believe that the Church should adopt a national code for personal behaviour and the practice of pastoral ministry by clergy and church workers. A common approach to personal behaviour and the practice of pastoral ministry throughout the Church will help to create and maintain a safe environment for clergy and church workers and those whom they serve. A national code will be a tangible expression of the Church's commitment in the *Safe Ministry Policy Statement* to adopt and encourage safe ministry practices by its clergy and church workers.

We undertook an Australia-wide consultation to prepare *Faithfulness in Service* as the Church's national code for personal behaviour and the practice of pastoral ministry by clergy and church workers.<sup>1</sup> *Faithfulness in Service* is printed separately (refer to A2, Book 3B). We are indebted to the many people who provided extremely thoughtful and insightful comments. In particular, we express our appreciation to The Revd Dr Bruce Kaye, General Secretary, General Synod Office, Wayne Brighton, Research Officer, General Synod Office and Rob McGregor, Director of InfoCLEAR Consulting Pty Limited. Where practical and appropriate these comments have been incorporated into *Faithfulness in Service*.

We express our appreciation to The Revd Dr Gordon Preece of Ridley College who at our invitation prepared a Theological Reflection, which is set out in **Appendix 7** as a resource. This Theological Reflection places *Faithfulness in Service* and the personal behaviour and practice of pastoral ministry by clergy and church workers in a theological, historical and social context. Following the Australia-wide consultation process we decided not to include a theological reflection in *Faithfulness in Service*.

The overarching principle for *Faithfulness in Service* is that the personal behaviour and practices of pastoral ministry required of clergy are specified in the Holy Scriptures as elaborated in the Church's Constitution, canons, ordinances, the Book of Common Prayer and the Ordinal. Although not bound by the promises made by clergy, we believe that church workers should conform to the same behaviour and practices, except in areas that only apply to clergy. Clergy and church workers are also expected to observe all Australian civil and criminal law, which very often reflects this Judeo-Christian heritage.

In *Faithfulness in Service* we have specified *standards* that apply in the areas of pastoral relationships, children, personal behaviour, sexual conduct and financial integrity and provided guidelines for ministry in these areas. Through its standards and guidelines *Faithfulness in Service* operates positively, by

encouraging behaviour and practices that should be observed by all faithful clergy and church workers, and negatively, by prohibiting other behaviour and practices which are inconsistent with God's standards for leaders in the Church. Through the standard of observing the law all criminal conduct is prohibited even though specific offences are not listed.

We have been conscious that in the area of sexual conduct there has been a growing gap between community expectations as expressed in law and the Church's understanding of God's requirements as expressed in the Holy Scriptures. We have also been aware that there is a debate within the Church as to the meaning of the Holy Scriptures in areas of human sexuality, particularly homosexual practice. We have not seen it as our role to depart from the existing standards and the traditional disciplines of the Church in the area of sexual conduct. *Faithfulness in Service* explicitly adopts the existing standard of chastity<sup>2</sup> and the traditional disciplines of the Church but seeks to express them in positive, contemporary language. Consequently, there is the standard that clergy and church workers are to be chaste and not engage in sex outside of marriage. This means that behaviour such as adultery, fornication and homosexual practice is prohibited even though they are not expressly named.

We have not sought to specify every aspect of personal behaviour and the practice of pastoral ministry required of clergy and church workers.

Failure to meet a standard will indicate an area where specialised help is required and may result in formal disciplinary action if the conduct infringes an applicable disciplinary rule of the Church or is a breach of an employment contract. Wilful failure to follow a guideline may indicate an area where guidance and specialised help is required.

We envisage that the Professional Standards Commission will pay careful attention to the standards and guidelines necessary to achieve safe ministry practices by its clergy and church workers. It is inevitable that *Faithfulness in Service* will need to be modified over time in the light of experience of its use and as new situations arise that call for new standards and guidelines. The Standing Committee should be authorised to revise *Faithfulness in Service*.

The adoption of the *Faithfulness in Service* by the General Synod will only be the first step towards the adoption of minimum standards for the personal behaviour and practice of pastoral ministry by clergy and church workers throughout the Church. Because of the Constitution of the Church, *Faithfulness in Service* and any revisions will have no force and effect in any diocese unless adopted by that diocese. We recognise that each diocese may wish to adopt standards and guidelines for personal behaviour and the practice of pastoral ministry by its clergy and church workers that are additional to those contained in *Faithfulness in Service*.

The approaches (which are not mutually exclusive) that could be taken to the adoption of the *Faithfulness in Service* and any revisions in a diocese include:

- adoption of *Faithfulness in Service* by a resolution of the synod which specifies to what categories of church workers it will apply and authorises the diocesan council to adopt any revisions of *Faithfulness in Service* made by the Standing Committee;
- the bishop requiring an undertaking by clergy and church workers that they will agree to be bound by the standards of *Faithfulness in Service*

and that they will seek where practicable to follow its guidelines before issuing a licence or authority;

- the diocese, parish or church organisation including a condition in a contract of employment that the church worker will be bound, and making a qualification for appointment that the church worker will agree to be bound, by the standards of *Faithfulness in Service* and will seek where practicable to follow its guidelines.

Each diocese, in determining the categories of church workers to which *Faithfulness in Service* applies, will need to consider:

- the difficulties in prescribing standards of personal behaviour and the practice of pastoral ministry for bodies which are separately incorporated and are not responsible to the synod;
- whether existing licences, authorities, contracts of employment and appointments of clergy and church workers can be varied to incorporate *Faithfulness in Service*;
- the extent to which employees are covered by industrial awards.

The adoption of *Faithfulness in Service* in a diocese will be an important step towards ensuring that safe ministry practices are understood and followed by its clergy and church workers. Each diocese in addition will need to provide each member of the clergy and church worker with a copy of *Faithfulness in Service* and regular training in its application. The Children section of *Faithfulness in Service* should be provided to church workers having contact with children in their ministry at regular intervals.

Training in *Faithfulness in Service* will need to address not only the content of its standards and guidelines but also their application in various ministry contexts. We envisage that a variety of teaching methods will be used including using interactive and creative approaches.<sup>3</sup>

#### RECOMMENDATION 11

##### **The General Synod:**

- (a) adopts *Faithfulness in Service* as the national code for personal behaviour and the practice of pastoral ministry by clergy and church workers;**
- (b) authorises the revision of *Faithfulness in Service* by the Standing Committee;**
- (c) recommends that each diocese adopts a code for personal behaviour and the practice of pastoral ministry by its clergy and church workers that includes *Faithfulness in Service*; and**
- (d) recommends that each diocese regularly provide training in *Faithfulness in Service* to its clergy and church workers.**

##### **Private Confessions**

In 2001 the General Synod passed resolutions relating to the hearing of private confessions by clergy (refer to resolutions 22/01 and 24/01 in note 13 in section 2).

The hearing of private confessions by clergy remains a matter of concern within the community. On 17 September 2003 Independent MP Nick Xenophon introduced a bill into the South Australian Parliament that would require priests to report disclosures of child sexual abuse made in a private confession.

We are concerned that to date the House of Bishops has neither identified appropriate teaching resources nor released any pastoral guidelines for the hearing of private confessions. Further, the House of Bishops has not addressed the particular issues raised by confessions of child sexual abuse by a member of the clergy or a church worker. As identified by the General Synod in 2001 the second matter should be addressed as a matter of urgency. Public concern will only continue while this is not addressed.

We consider that to expedite the matter the General Synod should request the Professional Standards Commission to liaise with the House of Bishops:

- to identify appropriate teaching resources and develop pastoral guidelines for the hearing of private confessions; and
- to address the particular issues raised by confessions of child sexual abuse by a member of the clergy or a church worker.

This request by the General Synod is included in Recommendation 17 (refer to section 11).

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## NOTES

<sup>1</sup> In the consultation process we:

- addressed and received feedback from the Bishops' Conference on 31 March 2003 and 15 March 2004;
- held a public consultation in each State capital city and a regional centre in New South Wales (Bathurst), Queensland (Townsville), Victoria (Bendigo) in August and September 2003 which were attended by over 300 people who are listed in Appendix 1;
- invited submissions from each diocese and any interested persons to the first draft which was released in July 2003 (44 submissions were received) and the second draft which was released in November 2003 (16 submissions were received);
- addressed and received feedback from the Standing Committee on 9 November 2003 and 2 May 2004;
- received comments from the Commission for Children and Young People of New South Wales, the Commission for Children and Young People of Queensland and the New South Wales Ombudsman's Office, as well as having an interview with Ms Ann Barwick, an Assistant Ombudsman of New South Wales.

<sup>2</sup> *Offences Canon 1962*, paragraph 1 of sections 1 and 2.

<sup>3</sup> For example, a draft version of *Faithfulness in Service* was workshopped at clergy conferences in the Diocese of Armidale in 2003.



## 6 FORMATION FOR PASTORAL MINISTRY

Clergy have authority conferred upon them by their ordination and licensing, and for bishops their consecration. Church workers have authority conferred upon them by their employment or appointment to a particular ministry by the diocese, parish or church organisation. The nature of the pastoral relationship gives clergy and church workers access to people's lives on a very intimate level. The authority and training associated with their roles means that they have power in pastoral relationships which is always to be exercised in the service of others.

Sexual abuse of adults and children by clergy and church workers has occurred within the context of individual pastoral ministry. This abuse has occurred because clergy and church workers have not kept physical, sexual and emotional boundaries that are appropriate to the pastoral relationship.

Since the 1990s, a number of denominational and independent theological colleges in the United States of America as a response to sexual abuse have included professional ethics in ministry as a compulsory part of the standard qualification for clergy. Various face to face teaching methods are used including using interactive and creative approaches – lecture, case study, film scripts, discussion, writing a code of ethics, with opportunity for personal reflection. The objectives of these courses include training students to apply ethical principles to real situations that occur in ministry and establish appropriate boundaries in pastoral ministry. While it is recognised the completion of this course is not a panacea for the problem of sexual abuse in churches, it serves the important functions of alerting students to major issues and temptations in ministry, and providing an opportunity for self-reflection and developing personal awareness.

A more recent development in a number of denominational and independent theological colleges in United States of America has been the inclusion of an elective course in human sexuality as part of the standard qualification for clergy. Various face to face teaching methods are used – lecture, film scripts, writing a sexual autobiography, discussion, with opportunity for personal reflection. The objectives of these courses include understanding scriptural tradition and historic positions of the church that relate to human sexuality, to know and to better understand one's own sexuality, to be comfortable discussing sexuality and to understand appropriate standards of personal and professional sexual ethics.

The Center for Sexuality and Religion in Philadelphia in the United States of America published *The Case for Comprehensive Sexuality Education within the Context of Seminary Human and Theological Formation*<sup>1</sup> in September 2002. This Report recommends "revisioning of sexuality education within the theological and human formation of clergy" to produce ministers and priests "whose human formation for ministry includes an adequate degree of sexual health and integrity" where "adequate" includes "having a degree of sexual health and sexual integrity and allows them to be...secure to never abuse others through sexual exploitation because of their inability to regulate or discipline their own sexual responses".<sup>2</sup>

We have examined the undergraduate degrees awarded by the Australian Anglican theological colleges<sup>3</sup> which most ordination candidates undertake in

their formation for ministry. None of the compulsory subjects specifically cover professional ethics in ministry or human sexuality. There are some elective subjects which cover some of the material that would be included in a curriculum for professional ethics in ministry and human sexuality.<sup>4</sup> We are aware that some aspects of professional ethics in ministry and human sexuality are taught across a range of courses comprising the degree or outside of this academic framework.

We have no reliable information as to whether the formation of church workers who undertake individual pastoral ministry covers professional ethics in ministry and human sexuality.

The training of ordination candidates stands in marked contrast to training for other professions such as law and medicine where professional ethics is a compulsory part of the curriculum. This is a serious deficiency. The damage that can be caused by unethical conduct by clergy and church workers to a person with whom they are in a pastoral relationship is just as great, if not greater, than unethical conduct by a lawyer to a client or a doctor to a patient as their responsibility includes the spiritual well-being of the person.

The implementation of Resolution 22/01 of the General Synod (refer to note 13 in section 2) throughout the Church has been uneven. While some dioceses have commenced addressing human sexuality in clergy formation and post-ordination training of clergy, others have not. Clergy and church workers undertaking individual pastoral ministry need to maintain clear boundaries to ensure that they do not sexually abuse those with whom they are in a pastoral relationship. Training in human sexuality is an important step in helping clergy and church workers to understand and maintain physical, sexual and emotional boundaries that are appropriate to the pastoral relationship.

### **Professional Ethics in Ministry and Human Sexuality**

We consider that training in professional ethics in ministry and human sexuality should be a compulsory part of the formation of clergy and church workers who undertake individual pastoral ministry. A curriculum for professional ethics in ministry and human sexuality should cover the material in *Faithfulness in Service* and include the following topics:

- theological foundations for ethics in ministry;
- professional duties in ministry;
- boundaries in pastoral relationships;
- private confessions;
- issues concerned with sex and sexuality including sexual abuse and paedophilia and pornography;
- children's ministry;
- personal behaviour;
- church and personal finances; and
- church disciplinary processes.

We consider that the General Synod should refer to the Professional Standards Commission the preparation of a model curriculum in professional ethics in ministry and human sexuality. This reference by the General Synod is included in Recommendation 17 (refer to section 11).

## Requirements for Ordination and Individual Pastoral Ministry

A bishop should not ordain a person as a deacon or licence or authorise a church worker to undertake individual pastoral ministry unless the person has satisfactorily completed a course in professional ethics in ministry and human sexuality. Similarly, a parish or church organisation should not employ or appoint a church worker to undertake individual pastoral ministry unless the person has satisfactorily completed a course in professional ethics in ministry and human sexuality. This requirement will help clergy and church workers undertaking individual pastoral ministry to understand and maintain safe ministry practices.

Making satisfactory completion of training in professional ethics in ministry and human sexuality a requirement for ordination, the issue of a licence or authority, employment and appointment to a position whose responsibilities include individual pastoral ministry will necessitate significant changes to the formation of clergy and church workers. While ideally professional ethics in ministry and human sexuality will become a compulsory subject in undergraduate degrees offered by Anglican theological colleges, implementation of this change will take time. A complicating factor is that some Anglican theological colleges are part of a consortium which includes theological colleges of other denominations. In the meantime dioceses should make arrangements to ensure that training in professional ethics in ministry and human sexuality is included in the formation of ordination candidates and church workers undertaking individual pastoral ministry.

### RECOMMENDATION 12

#### The General Synod recommends:

- (a) that each diocese ensures that training in professional ethics in ministry and in human sexuality is included in the formation of clergy and church workers undertaking individual pastoral ministry; and**
- (b) that the bishop of each diocese not ordain a person as a deacon or license or authorise a church worker to undertake individual pastoral ministry, and each parish or church organisation not employ or appoint a church worker to undertake individual pastoral ministry, unless the person has satisfactorily completed training in professional ethics in ministry and in human sexuality.**

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#### NOTES

<sup>1</sup> The Preface to this Report can be found online at: <http://www.ctrsr.org/preface.html>

<sup>2</sup> The Center for Sexuality and Religion, (2002), *The Case for Comprehensive Sexuality Education within the Context of Seminary Human and Theological Formation*, Philadelphia: The Center for Sexuality and Religion,,p v.

<sup>3</sup> The following undergraduate degrees are provided at the following Anglican theological colleges:

- Bachelor of Theology taught at Ridley College in Melbourne and awarded by the Australian College of Theology;
- Bachelor of Theology taught at Trinity College in Melbourne and awarded by the Melbourne College of Divinity;
- Bachelor of Theology taught at St Francis' Theological College in Brisbane and awarded by the Brisbane College of Theology;

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- Bachelor of Divinity taught at and awarded by Moore Theological College in Sydney;
- Bachelor of Theology taught at the Adelaide College of Divinity (which includes St Barnabas' Theological College) and awarded by Flinders University, Adelaide;
- Bachelor of Arts and Theology taught at the Perth College of Divinity (which includes the Anglican Institute of Theology and Religious Education) and awarded by Murdoch University in Perth);
- Bachelor of Theology taught at St Mark's National Theological Centre in Canberra and the College of St John the Evangelist, at Morpeth and awarded by Charles Sturt University in New South Wales.

<sup>4</sup> *Ministry Formation* which is taught at Ridley College includes an understanding of pastoral roles. Elective subjects of the Bachelor of Theology degree taught at St Francis' Theological College include *Power Authority and Leadership* and *A Christian View of Sexuality*. The latter elective is not being offered in 2004.

## 7 SAFE MINISTRY TRAINING

Many churches in North America and United Kingdom conduct safe ministry training at intervals of three years for church workers. Safe ministry training commonly encompasses both child protection and the prevention of sexual misconduct, and is required to be undertaken by all church workers. A variety of face to face teaching methods is used – lecture, case studies, videos and group discussion. Two important aspects of this safe ministry training have been:

- maintenance of complete and secure records of those undertaking the training; and
- the availability of a co-trainer to provide pastoral support to any participant who experiences powerful emotional reactions.

There is a growing use of online training which has the advantage of being able to be easily updated and tracking the understanding of participants.

While some dioceses have safe ministry training, it does not apply to all church workers who have contact with children in their ministry.

We consider that clergy and church workers who have contact with children in their ministry should be required to complete safe ministry training before their ordination, employment or appointment. The training should be repeated at regular intervals of not less than three years. Safe ministry training should focus on child protection and the prevention of sexual misconduct.

### Child Protection

Safe ministry training in child protection should include the following topics:

- what is child abuse?
- what are the warning signs of child abuse?
- how do abusers gain access to children?
- what are the characteristics of child abusers?
- what keeps children who are abused from telling?
- what is good practice when there are suspicions or allegations of child abuse?
- how and when should reports of child abuse be made to government authorities?
- what is good practice in the prevention of child abuse?
- what is appropriate and inappropriate physical contact with children?
- what discipline is appropriate for children?

### Prevention of Sexual Misconduct

Safe ministry training on the prevention of sexual misconduct should include the following topics:

- what is sexual misconduct?
- what are personal factors and pastoral ministry practices that can contribute to sexual misconduct?
- what are appropriate boundaries and practices for pastoral ministry?
- what is appropriate and inappropriate physical contact with adults?

Development of safe ministry training courses will involve the cost at a diocesan level of the establishment of the training course and the selection and training of trainers. Considerable saving of cost and effort could be achieved by the development of a national or provincial safe ministry training course which provide for their adaptation to diocesan requirements. The General Synod should refer to the Professional Standards Commission the preparation of a model curriculum for safe ministry training. This reference by the General Synod is included within Recommendation 17 (refer to section 11).

#### **RECOMMENDATION 13**

**The General Synod recommends that each diocese ensures that all clergy and church workers:**

- (a) who have direct and regular contact with children in their ministry; or**
- (b) who supervise any such church workers**

**satisfactorily complete safe ministry training prior to their ordination as a deacon, employment or appointment and thereafter at regular intervals.**

## 8 PASTORAL SUPPORT FOR THE ABUSED

### Primary Victims

Childhood sexual and physical abuse is prevalent in Western societies. Retrospective reports by adults in the United States of America and Canada suggest that approximately 25-35% of women and 10-20% of men have been sexually abused at some point as children, whereas approximately 10-20% of men and women report experiences congruent with definitions of childhood physical abuse.<sup>1</sup> Studies of Australian women suggest that 20-28% had experienced childhood sexual abuse.<sup>2</sup> The level of childhood sexual abuse in Britain is probably similar.<sup>3</sup> Equally problematic in many cultures is childhood psychological abuse and neglect although the prevalence of these forms of abuse is harder to quantify.<sup>4</sup>

Among the known effects of child abuse are:

- anxiety, depression and anger;
- helplessness, guilt, shame and low self-esteem;
- sexual dysfunction;
- somatisation and psychosomatic disorders;
- post-traumatic stress; and
- dissociation.<sup>5</sup>

Abuse survivors are also more prone to:

- drug and alcohol abuse;
- externalising behaviours such as compulsive and indiscriminate sexual activity;
- bingeing or chronic over-eating;
- antisocial behaviour and aggression;
- suicidal behaviour; and
- self-mutilation.<sup>6</sup>

It is well recognised that the effect of abuse on a person, and especially a child, by a member of the clergy or a church worker can be deep seated and complex. Not only are there the known effects of abuse itself but feelings of betrayal of trust and loss of religious faith.<sup>7</sup>

Disclosure by the abused of their abuse to the church will usually be a traumatic experience involving painful feelings and memories. They will need:

- to be believed and taken seriously;
- to be told it was not their fault and that what happened to them was wrong;
- to be kept informed of what is happening and to be supported in any disciplinary process;
- to get help for themselves, especially professional counselling and in some cases to get financial assistance for this; and
- for the church to implement policies and procedures to prevent child abuse by clergy and church workers.

A system of effective pastoral support for the abused will involve the following elements:

- referral to counselling or medical help;
- making available financial assistance if necessary;
- assistance with employment or relationship problems;
- provision of a trained advocate or support person;
- provision of spiritual guidance;
- assistance in finding a new church;
- support from their congregation;
- an explanation of church disciplinary processes; and
- being kept appropriately informed of developments.

It is essential that each diocese have in place a system for the pastoral support of the abused including personnel who are available to implement the system as soon as a disclosure of abuse (whether past or present) is made. Provision of effective pastoral support for the abused is not only an important step in their healing, but will also help prevent their retraumatisation.

A common strategy in churches has been to appoint an advocate or support person for the abused person (who may need to be outside of the victim's congregation) to undertake the following functions:

- assistance in consideration of the options;
- assistance to make a formal complaint to the church;
- assistance in the development of a support system that might include counselling, a self-help group and provision of reading materials; and
- companionship in any church disciplinary process including attending any meeting, liaising with the church and updating the victim on developments.

An advocate or support person needs training to undertake these functions. This training will include the following elements:

- the impact of abuse upon an abused person;
- the Church's safe ministry policies and procedures;
- the Church's disciplinary procedures for clergy and church workers;
- the role of the advocate or support person; and
- strategies available to provide pastoral support for the abused.

Where the abuse is admitted by, or proved against, the member of the clergy or the church worker, the Church should formally acknowledge the wrongness of the behaviour and make an apology in a face to face meeting with the abused person. Some churches have devised a ceremony or rite which has included such a formal acknowledgment. Insurance and/or legal considerations should not override the healing and well-being of the victim.

Some liturgical resources have been prepared for the abused, both overseas<sup>8</sup> and in Australia.<sup>9</sup> The Liturgy Commission has prepared *A Service of Thanksgiving and Prayer for the Journey of Healing following Sexual Misconduct or Abuse by a Church Worker* for trial use. The General Synod should refer to the Liturgy Commission the preparation of liturgical resources for the pastoral support of those affected by abuse in consultation with the Professional Standards Commission. We believe that the availability of such resources will assist in the pastoral support of those affected by abuse. This reference by the General Synod is included within Recommendation 18 (refer to section 11). The



reference of the Standing Committee to the Liturgy Commission in March 2003 (refer to note 3 in section 2) has a narrower focus as it does not specifically call for the preparation of liturgical resources for the pastoral support of those affected by abuse.

Many clergy and church workers are ill equipped to provide pastoral support to the many people they serve who have been abused. We consider that resources for the provision of pastoral support of those affected by abuse should be developed that includes material on the following topics:

- the impact of abuse upon an abused person; and
- ministry to the abused in church communities.

The General Synod should also refer to the Ministry Commission the preparation in consultation with the Professional Standards Commission of resources for the provision of pastoral support of those affected by abuse. This reference by the General Synod is contained in Recommendation 19 (refer to section 11).

## **Secondary Victims**

Secondary victims of abuse can include:

- members of the families and the friends of the abused and abusers;
- the parish or church organisation of the abused and abusers;
- parishes or church organisations in which abusers have served;
- clergy and church workers who have been colleagues of abusers; and
- clergy and church workers responsible for responding to abuse.

We recognise that individuals can suffer great emotional pain and spiritual distress when a member of the clergy or a church worker is found guilty of abuse or is under investigation following allegations of abuse. Members of the family and friends and the parish or church organisation of the abused and abusers all suffer. How the family, friends, the parish or church organisation deal collectively with its shared pain and distress makes an impact on the healing of individuals. If it is not dealt with appropriately and promptly the pain and the impact of the abuse on secondary victims can continue for years.

## **System of Pastoral Support**

Whenever the Church becomes aware of abuse by clergy and church workers the response must demonstrate a concern for justice and for the healing of those affected. The response to all who allege abuse must be compassionate and prompt even when the allegation has not yet been substantiated. They should be offered appropriate and immediate pastoral support which may include:

- counselling;
- provision of an advocate or support person; and
- financial or other assistance.

Some churches and dioceses have trained people who can provide immediate pastoral support to secondary victims as soon as an allegation of abuse becomes publicly known. It is important that as much information as possible should be revealed publicly to the parish or church organisation if the allegations are substantiated. While allegations of abuse are being investigated care will

need to be taken to ensure that the fairness of the investigation is not prejudiced.

We consider that it is essential that each diocese adopt a system of pastoral support for all people in the diocese affected by abuse by clergy and church workers.<sup>10</sup> This pastoral support should be available to all those affected by the abuse. There would be a considerable saving of effort if a model guidelines for a diocesan scheme for pastoral support could be developed. The General Synod should refer to the Professional Standards Commission the preparation of a model guidelines for a diocesan system of pastoral support for all people in the diocese affected by abuse by clergy and church workers. This reference by the General Synod is included in Recommendation 17 (refer to section 11).

We are aware that some dioceses have established<sup>11</sup> a scheme of individual care and assistance for all who have directly suffered abuse by its clergy and church workers. We believe that wherever possible the principles underlying these schemes should be uniform throughout the Church. The General Synod should refer to the Professional Standards Commission the preparation of a model diocesan scheme of individual care and assistance for all who have directly suffered abuse by its clergy and church workers which includes:

- an apology in a meeting with a Church leader at an appropriate time; and
- a process to respond to the abused person's needs.

This reference by the General Synod is included in Recommendation 17 (refer to section 11).

#### RECOMMENDATION 14

**The General Synod recommends that each diocese adopts a system of pastoral support for all people in the diocese affected by abuse by clergy and church workers including:**

- (a) those who have directly suffered abuse and their families and friends;**
- (b) the families and friends of abusers;**
- (c) the parish or church organisation of the abused and abusers;**
- (d) the Church leaders responsible for responding to the abuse.**

#### **National Network**

Clergy and church workers are involved in preventing and/or responding to abuse as safe ministry trainers, contact persons, support persons, members of pastoral response teams, investigators, members of professional standards committees and in many other roles. We are aware that clergy and church workers responsible for responding to abuse often find the experience lonely and stressful. It is vitally important that the Church provide them with support and the opportunity to enhance their skills.

We consider that it is important to establish a national network to those involved in preventing and/or responding to abuse. We consider the Nathan Network,<sup>12</sup> which was established in 2003 to provide support for those engaged in preventing and/or responding to misconduct in the Episcopal Church of the United States of America, provides a suitable model.

We envisage that the network would be self funding and seek recognition under the *Strategic Issues, Commissions, Task Forces and Networks Canon 1998*. We hope that members could access a secure part of the Church's website [www.anglican.org.au](http://www.anglican.org.au) with resources and other information. It may be appropriate for this national network to form a link with the Nathan Network. The General Synod should refer to the Professional Standards Commission the establishment of a network of those involved in all aspects of achieving safe ministry practices within the Church. This reference by the General Synod is included within Recommendation 17 (refer to section 11).

## NOTES

<sup>1</sup> John Briere, "Treating the Long-Term Effects of Childhood Maltreatment: a Brief Overview", *Psychotherapy in Australia*, vol 10 no 3, May 2004, p12. These statistics are derived from D Finkelhor, G Hotaling, I A Lewis, & C Smith, 'Sexual Abuse in a National Survey of Adult Men and Women: Prevalence, Characteristics and Risk Factors', (1990) 14 *Child Abuse and Neglect*, pp 19-28; J Briere, & D M Elliott, "Prevalence and Symptomatic Sequelae of Self-reported Childhood Physical and Sexual Abuse in a General Sample Population of Men", (2003) 27 *Child Abuse and Neglect*, pp1205-1222. The former survey is referred to in Parkinson, *Child Sexual Abuse* p17.

<sup>2</sup> Parkinson, *Child Sexual Abuse* p16. These statistics are derived from R and J Goldman, "The Prevalence and Nature of Child Sexual Abuse in Australia", (1988) 9 *Australian Journal of Sex Marriage and the Family* p94; J Fleming, "The Prevalence of Childhood Sexual Abuse in a Community Sample of Australian Women", (1997) 166 *Medical Journal of Australia* p65.

<sup>3</sup> Parkinson, *Child Sexual Abuse* p17.

<sup>4</sup> John Briere, "Treating the Long-Term Effects", p12 in which reference is made to S N Hart, M R Brassard, N J Bingelli, & H A Davidson, "Psychological maltreatment", and "Child neglect," M F Erikson, & B Egeland, in J E B Myers, L Berliner, J Briere, C T Hendrix, C Jenny & T A Reid (eds) *The APSAC Handbook on Child Maltreatment*, 2<sup>nd</sup> ed, 2002.

<sup>5</sup> John Briere, "Treating the Long-Term Effects", p12 in which the professional literature is listed. A more detailed list is set out in the Appendix to Candace R Benyei (1998) *Understanding Clergy Misconduct in Religious Systems* subtitled *Scapegoating, Family Secrets, and the Abuse of Power*, New York: The Haworth Pastoral Press.

<sup>6</sup> John Briere, "Treating the Long-Term Effects", p12 in which the professional literature is listed.

<sup>7</sup> In McFadyen, *Bound to Sin*, p78-79, the sexual abuse of children is described as being:

...fundamentally an abuse of trust and of power which exploits the age-related differentials between child and abuser, as well as enlisting, abusing, distorting and disorienting the child's needs for intimacy, affirmation, security, trust and guidance....Its core dynamic is that of entrapment and isolation....That dynamic effects a form of traumatic confusion concerning the nature of reality in all its dimensions (social, moral, personal, material)....As a consequence, abuse easily leads to a radical distortion of the very core of self-identity...

In Nils Friberg "Wounded Congregations" in Nancy Myer Hopkins and Mark Laaser (eds), (1995) *Restoring the Soul of a Church: Healing Congregations Wounded by Clergy Sexual Misconduct*, Collegeville: The Liturgical Press p58, said:

Because clergy participate with us in our own personal and family crises and needs, they are there when we are at the height of joy or the depths of sorrow. In some cases clergy know our most precious thoughts and feelings. They lead and influence us in significant spiritual experiences such as conversion, moral self-examination, confession, and repentance before God, as well as spiritual renewal. They attend to us in life-marking events of various kinds, so that the feeling of person and spiritual betrayal or treason when things unravel is huge. The basic fabric of life gets torn....

...if we have also entrusted our children...into their care, hoping and praying for the spiritual transformation and formation of those precious lives as we did so, and then find out the clergyperson has crossed sexual boundaries by misusing his or her position and attacking our families at their most vulnerable level, the effects are incalculable....

<sup>8</sup> Pamela Cooper-White (1995) "The Appendix" of *The Cry of Tamar: Violence Against Women and the Church's*

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*Response*, Minneapolis: Fortress Press contains A Litany for Healing. Chapter 12 of *Time for Action: Sexual Abuse, the Churches and a New Dawn for Survivors* the Report to Churches Together in Britain and Ireland of the Group established to examine issues of Sexual Abuse (2002) London: Church House Publishing contains materials for worship. Prayers are contained in Catherine J Foote, (1994) *Survivor Prayers: Talking with God about Childhood Sexual Abuse*, Louisville: Westminster/John Knox Press. Other liturgical resources are referred to in Parkinson, *Child Sexual Abuse* p176, n7.

<sup>9</sup> A *Time of Prayer and Reflection for Those Who Suffered from Abuse* was used in the Diocese of Tasmania in Lent 2004. This service can be found online at: [http://www.anglicantas.org/au/resources/lit-out\\_of\\_the\\_depths.html](http://www.anglicantas.org/au/resources/lit-out_of_the_depths.html)

<sup>10</sup> Many of the issues that would need to be considered in developing a diocesan system are explored in Hopkins and Laaser, *Restoring the Soul of a Church*, *op cit*.

<sup>11</sup> Dioceses of Adelaide, Sydney and Tasmania.

<sup>12</sup> The vision of the Nathan Network is to serve the Episcopal Church by providing support for those engaged in preventing and/or responding to misconduct through: training and empowerment, education, theology, policy dialogues and proposals, individual and systemic wellness tools, spiritual support, resources, lobbying, and connections. The Nathan Network has a website for members which has resources and information relating to various aspects of misconduct online at: <http://www.nathannetwork.org>. In 2003 and 2004 the Nathan Network held a S.A.F.E. (Safe Church Advanced and basic training For Episcopalians/Anglicans and others) Conference.

## 9 PASTORAL SUPPORT AND SUPERVISION OF ABUSERS

### **Abusers in the Life of a Parish or Church Organisation**

Abusers are not beyond the reach of God's love. Just as much as primary and secondary victims, abusers need to receive from the church community acceptance, love, a place to worship and join in fellowship, and people to provide support in attempting to live faithful lives for Christ.

The pastoral support and supervision of known abusers involved in a parish or church organisation raises the difficult question of how to balance the welfare of the abuser with the needs of the wider church community, especially the welfare of children and primary and secondary victims of abuse. This issue must be approached with a good deal of understanding and an absence of sentimentality.

At a theological level, it must be recognised that Christian conversion does not cure the propensity or the temptation to abuse. Forgiveness does not mean forgetting what the abuser has done, treating the abuser as wholly reformed and cancelling the abuser's obligations. Rather forgiveness should encourage the abuser to take responsibility for the damage caused and to make reparation where possible. Participation in the life of the church does not confer any right to hold office.

At a pastoral level, it must be recognised that abusers are not cured by therapeutic programmes and even if they participate in them will continue to have a predisposition towards abusing. Therefore, a critical factor in preventing them from re-abusing is the level of informed and consistent support abusers receive when they return to the community.

At a practical level, it must be recognised that abusers often minimise the extent of their offending or may deny it entirely. They like people to believe they are nice people and may try to impress others with the depth of their Christian commitment. They use a process of grooming to target their victims and may well groom not only the individual potential victim but their family and the church community. They often move from job to job and place to place so that their activities are not easily monitored. They have distorted belief systems that are well established. Treatment programmes may help control their activities, but find it harder to change their attitudes. Those abusers who have served a prison sentence often experience a conversion experience and embrace the Christian faith wholeheartedly. This could be used as a way of deflecting people from the reality of their abusing as well as a way of covering up the grooming process they are operating. It can also be a way of avoiding responsibility for their abuse. Abusers come from all backgrounds, classes and professions. They are known for their resistance to change. People who work with them know that effecting change is part of a long-term process.

We noted the practice in a number of overseas churches<sup>1</sup> of addressing the issue of the pastoral support and supervision of known abusers who join a church. These churches have established clear boundaries which both protect of the children of the church and lessen the possibility of the abuser being wrongly accused of abuse or being tempted to abuse. The establishment of clear boundaries commonly involves the following elements:

- the maintenance of close links with the probation or parole officer, if any;

- the entry into an agreement between the abuser and the leaders of the church and, if necessary, its enforcement;
- the communication of the history of the abuser to persons who need to know;
- the provision of close support, supervision and pastoral care.

### **Circles of Support and Accountability**

A scheme, which was pioneered in Canada in 1994, spread to the United States of America and was introduced in England as a pilot programme in 2002, is Circles of Support and Accountability. In England one of the pilot programmes has been established in the Thames Valley as a partnership between police, probation, prison service and Quaker Peace and Social Witness (with the support of The Church of England and Victims Support), with full Home Office funding. Serious interest is being expressed in Scotland and there are moves to set up a project in Northern Ireland. Research in Canada has shown a reduction by more than half in reconviction rates for sex offenders involved in Circles of Support and Accountability compared with rates of reconviction for other sex offenders.

The aim of Circles is to work with released sex offenders to help them not to re-offend. Four to six volunteers, many of them from church congregations, form a Circle. The volunteers must be willing to befriend the ex-offender, but need not be experts. Volunteers are screened, trained (20 hours) and supported.

The offender is identified while in prison - a high risk sex offender, with high levels of need and little or no support from family or friends. He must have been through a treatment programme and have been assessed as suitable for the scheme. He becomes the core member of a Circle. When the Circle first meets, members make a contract for one year, which includes commitments to openness within the Circle, confidentiality beyond it and consensus decision-making. The core member promises that there will be no more victims at his hands and commits himself to following his release plan. Close contact is maintained between the Circle and police and probation. After release, the Circle meets weekly and a member will contact the core member most days. Over time, the meetings and individual contacts become less frequent. If the Circle is concerned about the core member's behaviour, they will challenge him and meet more intensively for a while.

### **System of Pastoral Support and Supervision**

We consider that a diocesan system of pastoral support and supervision should be provided for known abusers who join a parish or church organisation. The provision of such pastoral support and supervision is likely to be beyond the experience of most incumbents of parishes and leaders of church organisations and will require great sensitivity, planning and forethought. Close and ongoing liaison with the diocesan Director of Professional Standards or Child Protection Co-ordinator is likely to be required.

An important aspect of this pastoral support and supervision is the entry into an agreement between an abuser and the leaders of the parish (usually the incumbent and the churchwardens) or the church organisation. The purpose of the agreement is to establish the terms in which the abuser is to be involved in the life of the parish or church organisation. Such an agreement will usually contain detailed terms.<sup>2</sup> The General Synod should refer to the Professional Standards Commission the preparation of a model agreement between a

known abuser of children or other vulnerable persons and church leaders for the involvement of the abuser in the parish or church organisation. This reference by the General Synod is included within Recommendation 17 (refer to section 11).

An agreement between an abuser and church leaders:

- should be prepared in consultation with the diocesan Director of Professional Standards or Child Protection Co-ordinator;
- should be signed and dated by the abuser and the parish or church organisation leaders; and
- should, where appropriate, be provided to the abuser's probation or parole officer.

It will be critical for the parish or church organisation leaders and the abuser to reach agreement on who needs to know the history of abuse even though the abuser, on joining a parish or church organisation, may not want people to know of his or her history. Without agreement, it may not be possible for the abuser to join the parish or church organisation. Key people, especially leaders of children's and mixed-age activities, need to know that the abuser is not to have any contact with children. Great care and discernment needs to be exercised in deciding who else should know. Notification to the parish or church organisation could provide understanding and support for the abuser and ensure that members do not unwittingly allow children to have contact with the abuser. However, there is the risk that wider notification could lead to the abuser leaving the parish or church organisation as a result of uninformed comment by members to the detriment of the abuser and great danger of other children if the abuser chooses not to reveal his or her history of abuse on joining another parish or church organisation. Close liaison with the diocesan Director of Professional Standards or Child Protection Co-ordinator is encouraged.

The selection of persons to become an accountability and support group for the abuser should be undertaken with care. A number of people will be selected who are willing to provide ongoing close support and pastoral care. It is not necessary that these volunteers have professional qualifications. These volunteers should satisfactorily complete the Church's recruitment procedures and be provided with initial training and ongoing support.<sup>3</sup>

The General Synod should refer to the Professional Standards Commission the preparation of model guidelines for the training, functioning and support of accountability and support groups for known abusers who join a parish or church organisation and the facilitation of the preparation of national training resources. This reference by the General Synod is included within Recommendation 17 (refer to section 11).

#### RECOMMENDATION 15

**The General Synod recommends that each diocese adopts a system of pastoral support and supervision of known abusers of children or other vulnerable people within a parish or church organisation that includes:**

- (a) the entry into an agreement between the abuser and church leaders for the involvement of the abuser in the parish or church organisation; and**
- (b) the establishment of an accountability and support group for the abuser.**

## NOTES

<sup>1</sup> The Church of England, The Methodist Church of Great Britain, The Catholic Church in England and Wales and The United Methodist Church.

<sup>2</sup> The agreement will commonly include terms that the abuser will:

- only attend designated services and meetings and agreed social activities;
- sit apart from children at designated services and meetings and agreed social activities;
- stay away from areas of the church premises where children meet;
- decline offers of hospitality where there are children;
- never be alone with children;
- never work with children;
- not be part of an activity that includes children;
- meet regularly with designated support persons;
- enter and leave the church premises by a designated route;
- only use the toilet facilities at the church when accompanied by a designated support person;
- agree that certain people will need to be informed of the history of the abuser;
- agree that if he or she moves to another church, that the leaders of that church may be informed of the agreement; and
- agree that if he fails to comply with the terms of the agreement he may be banned from attending services, meetings and social activities, and that in such circumstances the church leaders may inform specified persons such as the probation parole officer and the church congregation.

<sup>3</sup> The initial training should prepare volunteers to work as a team and prepare the accountability and support group to work effectively with the abuser. The initial training should cover the following topics:

- overview of the criminal justice system in relation to abuse;
- understanding sexuality and sexual deviation;
- abuse from the victim, abuser and community perspectives;
- the needs of abusers and their supporters;
- risk factors and relapse prevention strategies;
- group dynamics and the functions of the group; and
- self care of the members of the group.

At the first meeting with the abuser an informal agreement should be made with the abuser for an agreed period which includes openness within the group, confidentiality beyond it apart from provision of professional advice and supervision, assistance to be provided by the group, development of a plan to prevent the abuser from re-abusing and accountability by the abuser for his or her adherence to the plan. The range of life skills in respect of which the group may need to provide assistance to the abuser includes:

- obtaining a place to live and equipping the residence;
- coping with finances and money management;
- managing leisure time;
- seeking employment;
- accessing social benefits; and
- negotiating with the probation or parole service.

The informal agreement should be maintained until there is unanimous agreement between the abuser and the group that it is no longer required. It should be reviewed annually and amended as required.

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It will be necessary to provide ongoing support for members of the group. In some cases support may be required from an outside professional such as a social worker. Group, and where necessary individual, supervision should be provided on a regular basis.

## 10 MINISTRY SUPPORT FOR CLERGY

### Connection between Unhealthy Ministry Practices and Abuse

Pastoral ministry by clergy requires high levels of discernment, knowledge and energy. In their pastoral ministry clergy are often under considerable stress. They deal with deeply personal aspects of people's lives and are called upon to provide spiritual advice and comfort to vulnerable people.

Clergy effectiveness depends upon many factors including intellectual stimulation, spiritual vitality, physical health, emotional well-being, supportive collegial relationships and healthy ministry practices. All dioceses are giving commendable attention to the welfare of their clergy in many ways including:

- programmes of continuing education;
- clergy conferences;
- various forms of recreational leave including long service leave;
- facilitation of spiritual direction; and
- retirement planning seminars.

Some clergy do not take advantage of these opportunities provided by their diocese. Some clergy do not care for their personal well being through their failure to take personal retreats, regular days off, annual holidays and long service leave or to develop outside interests.

We are concerned that the direct relationship between unhealthy ministry practices and the abuse of others by clergy<sup>1</sup> is not widely understood. We would encourage dioceses to continue to promote healthy ministry practices by their clergy. We examined programmes in Australian and overseas churches introduced to promote the well-being and maintain healthy ministry practices of clergy.<sup>2</sup>

### System of Ministry Support

A diocesan system of ministry support is a practical method of pastoral care for its clergy. We consider that each diocese should include within the system of ministry support for its clergy:

- *Peer support* – this is a process of ministry support provided by a colleague or a small group of colleagues. Where provided on a one-to-one basis peer support will often be informal through telephone and email contact as well as face to face meetings. Where provided in a group the group will meet regularly and covenant to be accountable before each other. Group members will intentionally seek to encourage each other. Apart from time spent together group members will pray for, and make informal contact with, one another.
- *Mentoring* – this is an informal, unpaid, publicly known, ministry-focussed relationship in which a more experienced colleague supports, trains, guides and/or sponsors colleagues in the practice of their ministry. Confidentiality limits need to be negotiated.
- *Professional supervision / consultation* – this is a formal, collaborative process which a more experienced person uses to develop and support a

person in their ministry. This relationship is confidential, evaluative and extends over time. It is preferable if:

- the supervisor has been trained in supervision; and
- the supervisor has no other pastoral or personal relationship with the person being supervised.
- *Ministry review* – this is a regular assessment of the ministry of clergy undertaken by a person outside of the parish or church organisation and independent of the diocesan leadership. The review will commonly include the following features:
  - collection of information from selected recipients of the person's ministry and from the person in review through questionnaires / interviews;
  - consideration by the reviewer and the person in review of such ministry areas as skills, deficiencies, goals and spiritual, personal and training needs; and
  - confidentiality, with the possible exception of a brief report of goals for the next period and training needs to the bishop or his delegate.

Confidentiality is foundational to each of these relationships or processes. Confidentiality will encourage openness and genuine accountability. All persons involved in the process need to negotiate the bounds of confidentiality. Because of the requirement of confidentiality and mutual accountability it is important that the supervisor, peer colleague or reviewer not be in an oversight relationship with the member of the clergy (such as a bishop or an archdeacon). A mentor may be in an oversight relationship. Those in leadership positions in a diocese will need to develop their own mechanisms of ministry support.

To enable clergy to take advantage of a diocesan system of ministry support, the parish or church organisation should include ministry support as part of its expectations for its clergy. The financial package for clergy should include a component that will enable clergy to participate in a process of ministry support.

#### RECOMMENDATION 16

**The General Synod recommends that each diocese includes within the system of ministry support for its clergy:**

- (j) peer support;**
  - (k) mentoring;**
  - (l) professional supervision / consultation; and**
  - (m) ministry review**
- and that clergy regularly seek out and utilise opportunities to maintain and enhance their ministry skills.**

#### **A Future Approach to the Appointment and Professional Development of Clergy?**

We are aware that a number of dioceses are examining the adequacy of current systems for the appointment and professional development of clergy. While the responsibilities of clergy are specified in the Ordinal, difficulties sometimes arise in a parish or church organisation when there are differing views between clergy and those they serve as to how these responsibilities will be

fulfilled. These difficulties could be avoided or reduced by the provision of a statement for clergy of the expectations and responsibilities of their roles and their legitimate entitlements at the time of their appointment. These entitlements may include the support to be provided by the parish or church organisation. The introduction of such a statement would inevitably raise questions as to its status.

Difficulties also sometimes arise in a parish or church organisation when there is dissatisfaction with the performance of clergy. The expectations within a parish or church organisation as to the performance of clergy have increased. Many of those served by clergy undergo regular performance reviews as a normal part of their employment. These difficulties could be avoided or reduced by the introduction of compulsory reviews of the parish or church organisation at regular intervals. For clergy they would need to be structured in a way that affirms them in areas of ministry that are undertaken competently and challenges them in areas where their ministry skills could be improved. For the parish or church organisation they would need to be structured in a way that identifies areas requiring improvement in their ministry support of clergy and the means to achieve those improvements.

Our concern with both of these issues arises because of the importance of the Church providing practical care for its clergy and reducing their stress through unreasonable and unstated expectations. The General Synod should refer to the Ministry Commission consideration of the introduction, and if appropriate, the preparation of:

- a model statement for clergy of the expectations and responsibilities of their roles and their legitimate entitlements at the time of their appointment;
- a model review of the performance of clergy and their ministry support within a parish or church organisation.

This reference by the General Synod is contained in Recommendation 19 (refer to section 11).

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## NOTES

<sup>1</sup> For example, Marie M Fortune (1989) *Is Nothing Sacred?*, Cleveland: United Church Press, p152 n4(1):

*At the time of the sexual activity with the parishioner, this minister is not functioning well personally or professionally.... This clergyperson takes little care of himself or herself and is easily overcome by stress. Thus the opportunity to "fall" into a relationship with someone who is emotionally vulnerable and who holds the pastor in total positive regard to the point of adoration is a temptation to which the wanderer responds....*

<sup>2</sup> In the early 1990s the Diocese of California of the Episcopal Church of the United States of America created The Clergy Wellness Commission whose charter is to promote healthy clergy work practices. The Commission recommends "clergy health agreements" which set out strategies which will enhance healthy work practices for clergy. The Commission has also introduced a formal mentor programme for newly ordained clergy to enhance their physical, spiritual, mental, and emotional health. Information about, and resources of, The Clergy Wellness Commission can be found on the Diocese of California website online at: <http://www.dioical.org>

Established in England in 1987, The Society of Mary and Martha has, as its primary task, the individual support of clergy and/or their spouses. *Affirmation and Accountability*, published in 2002, is the Society's manual of practical suggestions for preventing clergy stress, sickness and ill-health retirement. The contents pages and sample pages can be found on The Society of Mary and Martha website online at: <http://www.sheldon.uk.com/frameset.htm>

**Notes continued next page ...**

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**NOTES cont...**

In The Church of Scotland the Manse Family Counselling Service provides a confidential telephone counselling service that operates 24 hours a day, 365 days a year for clergy and their families. Considerable effort has gone onto making this service known to all members of clergy families, so that any member may access it, confidentially, at any time.

John Mark Ministries, which has a cross denominational ministry across Australia, is committed to the renewal of churches and the encouragement of its ministers through:

- leadership enhancement;
- supporting and encouraging ex-pastors;
- consulting with churches and denominations;
- counselling;
- seminars and motivational talks;
- pastors' renewal retreats;
- mentoring and equipping; and
- small group training.

## 11 GENERAL SYNOD ACTION

### References to the Professional Standards Commission

Throughout this report we have recommended that the General Synod refer particular matters to the Professional Standards Commission. These references deal with specialised matters where the preparation of resources for the Church is likely to prevent unnecessary and inefficient duplication of effort in the dioceses.

#### RECOMMENDATION 17

**The General Synod refers to the Professional Standards Commission:**

- (a) the preparation of a descriptive report of the nature and scope of abuse within the Church by clergy and church workers;**
- (b) the preparation of model guidelines for psycho-sexual assessments of ordination candidates;**
- (c) the preparation of guidelines for access to information recorded in the proposed National Register;**
- (d) the consideration of a model system for the selection of all church workers;**
- (e) the preparation of a model curriculum for training in professional ethics in ministry and human sexuality;**
- (f) the preparation of a model curriculum for safe ministry training;**
- (g) the preparation of model guidelines for a diocesan system of pastoral support for all people in the diocese affected by abuse by clergy and church workers;**
- (h) the preparation of a model diocesan scheme of individual care and assistance for all who have directly suffered abuse by its clergy and church workers;**
- (i) the preparation of a model agreement between a known abuser of children or other vulnerable people and church leaders for the involvement of the abuser in the parish or church organisation;**
- (j) the preparation of a model guidelines for the training, functioning and support of accountability and support groups for known abusers within a parish or church organisation and the facilitation of the preparation of national training resources; and**
- (k) the establishment of a network of those involved in achieving safe ministry practices within the Church**

**and requests the Professional Standards Commission:**

- (l) to liaise with the House of Bishops:**
  - (i) to identify appropriate teaching resources and develop pastoral guidelines for the hearing of private confessions; and**
  - (ii) to address the particular issues raised by confessions of child sexual abuse by a member of the clergy or a church worker; and**

- (m) **to report to the next session of the General Synod as to the progress of the Church in the development and implementation of safe ministry policies and structures.**

### **Reference to the Liturgy Commission**

In section 8 of this report we have recommended that the General Synod should refer to the Liturgy Commission the preparation of liturgical resources for the pastoral support of those affected by abuse in consultation with the Professional Standards Commission.

#### **RECOMMENDATION 18**

**The General Synod notes the work of the Liturgy Commission in preparing a liturgical resource following sexual misconduct or abuse by a church worker and refers to the Liturgy Commission the preparation of liturgical resources for the pastoral support of those affected by abuse in consultation with the Professional Standards Commission.**

### **References to the Ministry Commission**

In section 8 of this report we have recommended that the General Synod should refer to Ministry Commission the preparation of resources for the provision of pastoral support of those affected by abuse in consultation with the Professional Standards Commission.

In section 10 of this report we have recommended that the General Synod should refer to Ministry Commission consideration of the introduction for clergy of, and if appropriate, the preparation of:

- a model statement for clergy of the expectations and responsibilities of their roles and their legitimate entitlements at the time of their appointment;
- a model performance review of a parish or church organisation.

#### **RECOMMENDATION 19**

**The General Synod refers to the Ministry Commission:**

- (a) **the preparation of resources for the provision of pastoral support of those affected by abuse in consultation with the Professional Standards Commission; and**
- (b) **consideration of the introduction, and if appropriate, the preparation of:**
  - (i) **a model statement for clergy of the expectations and responsibilities of their roles and their legitimate entitlements at the time of their appointment; and**
  - (ii) **a model review of the performance of clergy and their ministry support within a parish or church organisation.**

### **Reference to the Doctrine Commission**

In section 3 of this report we have recommended that the General Synod should refer to the Doctrine Commission the preparation of a report dealing with the Church's responsibility for the physical, emotional and spiritual welfare and safety of all people within its own community including children and other

vulnerable people, the abused and known abusers of children or other vulnerable people in consultation with the Professional Standards Commission.

**RECOMMENDATION 20**

**The General Synod refers to the Doctrine Commission the preparation of a report dealing with the Church's responsibility for the physical, emotional and spiritual welfare and safety of all people within its own community including:**

- (a) children and other vulnerable people;**
  - (b) the abused;**
  - (c) known abusers of children or other vulnerable people**
- in consultation with the Professional Standards Commission.**



## 12 JOINT CHURCH ACTION

There has been ecumenical cooperation among the churches in Great Britain and Ireland to deal issues connected sexual abuse in the churches. Churches Together in Great Britain and Ireland has undertaken a number of initiatives.<sup>1</sup>

Ecumenical cooperation in dealing with various issues connected with sexual abuse in churches has only begun recently in Australia. *Safe as Churches?* was a national ecumenical consultation on sexual misconduct and abuse in the Australian Christian Churches organised by the Gender Commission of the National Council of Churches in Australia on 4 to 6 March 2004 at the Australian Centre of Christianity and Culture at Canberra. Representatives of 12 Australian Churches gathered together for the first time to consider this question from a number of perspectives. We attended the consultation. Those present:

- heard from survivors of abuse in the church;
- reflected on theological and cultural factors, particularly the link between power and abuse, that have contributed to the current crisis;
- discussed strategies of how to respond more effectively to victims and prevent abuse; and
- worshipped together, shared resources, supported one another and planned joint action.

The public reputation of all Australian churches has been damaged by the recent revelations of sexual abuse. Apart from acting to prevent abuse by its clergy and church workers and to become a safe place, the Church has a responsibility to join the other Australian churches in effectively dealing with this issue. We believe that through ecumenical cooperation the Australian churches can more effectively promote the physical, emotional and spiritual welfare and safety of all people within their communities and thereby regain public trust. Where feasible the National Council of Churches in Australia should facilitate joint action by member churches and other Australian churches. Particular issues that should be considered are:

- the preparation of a safe ministry charter<sup>2</sup> for adoption by member churches and other Australian churches;
- the sharing of resources between churches; and
- the reciprocal disclosure between churches of the names of, and other relevant information about, clergy and church workers who are known to have abused children or other vulnerable people.

### RECOMMENDATION 21

**The General Synod commends the National Council of Churches in Australia for organising *Safe as Churches?* a national ecumenical consultation on sexual misconduct and abuse in the Australian churches and recommends that the National Council of Churches in Australia facilitate where feasible joint action by member churches and other Australian churches to promote the physical, emotional and spiritual welfare and safety of all people within their communities that includes:**

- (a) the preparation of a safe ministry charter for adoption by member churches and other Australian churches;**
- (b) the sharing of resources between churches; and**

- (c) the reciprocal disclosure between churches of the names of, and other relevant information about, clergy and church workers who are known to have abused children or other vulnerable people**

**and that the General Secretary conveys this resolution to the National Council of Churches in Australia.**

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#### **NOTES**

<sup>1</sup> In 1999 Churches Together in Great Britain and Ireland published the stories of a number of survivors in *The Courage to Tell*. In 2000 Churches Together in Great Britain and Ireland established the Group on Sexual Abuse which in 2002 published its report *Time for Action :Sexual Abuse, the Churches and a New Dawn for Survivors*. In 2003 Churches Together in Great Britain and Ireland established a network among member churches for those dealing with sexual abuse.

<sup>2</sup> Some overseas churches have adopted a charter or equivalent for the protection of children. Examples are:

- On 15 June 2002 the United States Conference of Catholic Bishops adopted *Charter for the Protection of Children and Young People*. The Charter can be found online at: <http://www.usccb.org/ocyp/charter.htm>
- On 13 February 2004 the House of Bishops released the third edition of the child protection policy of The Church of England entitled *Protecting All God's Children*. The policy can be found at online at: <http://www.cofe.anglican.org/papers/protectingchildren.pdf>

## 13 GOVERNMENT ACTION

### Uniform Laws

The trend in recent years has been towards legislation imposing mandatory reporting of child abuse upon particular professionals who, in some cases, could include members of the clergy. Mandatory and voluntary reporting of child abuse applies in all the States and Territories apart from Western Australia<sup>1</sup>. A summary of the relevant legislative provisions applicable in the States and Territories is set out in **Appendix 8**. Where mandatory and voluntary reporting does apply, the applicable legislation in each State and Territory contains a provision which specifies that by reason of the making of such a report in good faith there has been no breach of professional ethics, and that no civil liability is incurred, by the person making the report.

Where mandatory and voluntary reporting of child abuse does apply we believe that there should be uniform legislation in the States and Territories. The differing requirements for mandatory and voluntary reporting of child abuse in the States and Territories makes the implementation of a uniform approach to child protection more difficult to achieve for organisations which, like the Church, operate nationally.

Similarly, the legislative provisions with respect to the screening of all persons seeking to work with children in a paid or voluntary capacity differ significantly between the States and Territories (refer to note 15 in section 2). We believe that there should be uniform legislation in the States and Territories dealing with the screening of all persons seeking to work with children in a paid or voluntary capacity. As this screening is in the public interest it should be provided at public expense.

The experience of the Directors of Professional Standards in the Church is that not all abused persons wish to voluntarily report their abuse as a child to the appropriate civil authorities. Similarly, not all adults who have suffered abuse which constitutes a criminal offence wish to report their abuse to the police. In both cases their concern is not to punish the abuser by a criminal conviction but to ensure that the abuser is effectively disciplined by the Church so that others do not suffer as they did. Sometimes abusers have silenced their victims by threatening to sue their victims for defamation if they report their abuse to the Church. While it is likely that a victim who volunteers defamatory information would under the general law have a defence that the defamatory statement was published on an occasion of qualified privilege<sup>2</sup> if an abuser commences proceeding for defamation, the prospect and cost of litigation is a powerful disincentive for the abused not to report their child abuse to the Church. We believe that similar protection that is available for the mandatory and voluntary reporting of child abuse to the appropriate civil authorities should be available to those who report abuse to the Church.

### RECOMMENDATION 22

**The General Synod recommends that State and Territory Governments enact uniform laws that provide for:**

- (a) the reporting of child abuse to the police and the government child protection authorities;**

- (b) the screening of all persons seeking to work with children in a paid or voluntary capacity; and**
- (c) the protection from liability of persons who report misconduct by a member of the clergy or a church worker to a church authority in good faith**

**and that the General Secretary conveys this resolution to each such Government.**

### **Initiatives to Protect Children**

New South Wales, Queensland and Tasmania have established a children's commission and/or an equivalent office to promote the protection of children (refer to note 17 in section 2). We believe that it would be desirable if each of Commonwealth, State and Territory governments establish a children's commission or an equivalent office to promote the protection of children.

In section 9 we have described Circles of Support and Accountability operating in Canada, the United States of America and the United Kingdom. We believe that a similar partnership between the Commonwealth, State and Territory Governments, the relevant statutory agencies and community organisations including the Australian churches would make a valuable contribution the reintegration of sex offenders within the community on their release from prison.

The task of the Australian churches which operate across State and Territory borders in implementing effective policies and structures to prevent child abuse is made more difficult by the differing child protection policies between the States and Territories. Consistent with the call of prominent Australians (refer to note 18 in section 2) we believe that the Commonwealth Government should convene a national summit on child protection to which representatives of the Commonwealth, State and Territory Governments, child protection authorities and organisations working with children are invited. The summit should be the first step in establishing a *National Strategy for the Prevention of Child Abuse and Neglect*.<sup>3</sup>

#### **RECOMMENDATION 23**

**The General Synod recommends that the Commonwealth Government, the State Governments of South Australia, Victoria and Western Australia and the Territory Governments each establish a children's commission or an equivalent office to promote the protection of children similar to that in the States of New South Wales, Queensland and Tasmania and that the General Secretary conveys this resolution to each such Government.**

#### **RECOMMENDATION 24**

**The General Synod recommends that the State and Territory Governments each provide funding and training for a programme for the reintegration of sex offenders within the community on their release from prison (similar to Circles of Support and Accountability operating in Canada, the United States of America and the United Kingdom) and that the General Secretary conveys this resolution to each such Government.**

#### **RECOMMENDATION 26**

**The General Synod recommends that the Commonwealth Government convene a national summit on child protection to which representatives of**

**Commonwealth, State and Territory Governments, child protection authorities and organisations working with children are invited as the first step in establishing a national strategy for the prevention of child abuse and neglect and that the General Secretary conveys this resolution to the Commonwealth Government.**

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## NOTES

<sup>1</sup> A report entitled *Mandatory Reporting of Child Abuse: Evidence and Options* was produced in July 2002 by the Discipline of Social Work and Social Policy University of Western Australia can be found online at: [http://www.fcs.wa.gov.au/content/miscellaneous/mandatory\\_reporting.pdf](http://www.fcs.wa.gov.au/content/miscellaneous/mandatory_reporting.pdf). A symposium of key practitioners, policy makers, academics and government leaders was held in May 2003 at which mandatory reporting of child abuse was considered and alternatives canvassed. The symposium concluded “that there is every chance that mandatory reporting has a negative impact on children, families, communities and indeed on the very workers who are charged to report it.” A Media Statement as to the symposium can be found at [www.uwa.edu.au/media/statements/2003/may/mandatory\\_reporting\\_of\\_child\\_abuse\\_questioned\\_\(19\\_may\)](http://www.uwa.edu.au/media/statements/2003/may/mandatory_reporting_of_child_abuse_questioned_(19_may))

<sup>2</sup> See, for example, *Bashford v Information Australia (Newsletters) Pty Ltd* (2004) ALJR 346 [2004] HCA 5 at 360 – 362 [74] – [70] (McHugh J).

<sup>3</sup> The National Strategy advocated by Families Australia in its campaign document *Our Children Our Concern Our Responsibility* (refer to note 18 in section 2) would include:

- agreed principles and outcomes for the prevention of child abuse and neglect;
- an agreed action plan to implement specific strategies to address issues; and
- commitment to cross program/sector/government integration and collaboration.

## 14 ANGLICAN COMMUNION ACTION

In preparing our report we become aware that many of the challenges confronting the Church in developing and implementing safe ministry policies and structures have been, and continue to be, faced by other member churches of the Anglican Communion. Just as we have benefited by our access to safe ministry resources of several of these churches we consider the Anglican Communion would benefit as a whole by specific action to promote the physical, emotional and spiritual welfare and safety of all people within its member churches.

We consider that a task force should be established by the Anglican Consultative Council whose work which should culminate with the Anglican Gathering and the Bishops' Conference to be held in Cape Town in 2008. Particular issues that should be considered are:

- the preparation of a safe ministry charter for adoption by member churches;
- the sharing of resources between member churches;
- the reciprocal disclosure between member churches of the names of, and other relevant information about, clergy and church workers who are known to have abused children or other vulnerable people;
- the establishment of a network of interested persons; and
- the preparation of resources for the Anglican Gathering and the Bishops' Conference to be held in Cape Town in 2008.

### RECOMMENDATION 26

**The General Synod recommends that the Anglican Consultative Council establish a Safe Ministry Task Force to promote the physical, emotional and spiritual welfare and safety of all people within member churches of the Anglican Communion by action that includes:**

- (a) the preparation of a safe ministry charter for adoption by member churches;**
- (b) the sharing of resources between member churches;**
- (c) the reciprocal disclosure between member churches of the names of, and other relevant information about, clergy and church workers who are known to have abused children or other vulnerable people;**
- (d) the establishment of a network of interested people; and**
- (e) the preparation of resources for the Anglican Gathering and the Bishops' Conference to be held in Cape Town in 2008**

**and that the General Secretary conveys this resolution to the Anglican Consultative Council and the Archbishop of Canterbury.**

25 June 2004

Garth Blake SC (Chairperson)  
Carrig

Helen

Bishop David Farrer

Philip Gerber

Marilyn Redlich

## APPENDIX 1: CONTRIBUTORS AND CONSULTATIONS

We received valuable information from the following people from Australia and overseas:

### San Francisco

- The Revd Dr Karen Lebacqz, Robert Gordon Sproul Professor of Theological Ethics of the Pacific School of Religion;
- Dr Richard Gula, S.S., Professor of Moral Theology of the Franciscan School of Theology;
- Dr Gary Pence, Professor of Pastoral Theology of the Pacific Lutheran Theological Seminary;
- The Revd Dr Kibbie Ruth, Founder and Senior Consultant of Kyros Ministry;
- The Revd Pamela Cranston, Chair of Clergy Wellness Commission of the Diocese of California of the Episcopal Church of the United States of America.

### Chicago

- Ms Linda Cholak, Risk Manager, and Mr Gene Patterson, Assistant Risk Manager, of The United Methodist Church;
- Mr Jack McCalmon, President of The Agos Institute;
- Mr Phillip Harris, General Council, and Ms Joanne Chadwick, Executive Director Commission for Women, of the Evangelical Lutheran Church of America.

### Toronto

- Ms Judith Kidd, Human Resources Consultant, of the General Synod of the Anglican Church of Canada;
- The Revd Canon Dawn Davis, Director of Human Resources, of the Diocese of Toronto of the Anglican Church of Canada;
- Dr Samuel Mikail, Clinical Director of The Southdown Institute.

### New York

- Representatives of the Episcopal Church of the United States of America – The Rt Revd Clayton Matthews, Bishop of the Office of Pastoral Development, The Revd Virginia Herring, Chair Committee on Sexual Exploitation of the Diocese of North Carolina, The Revd David Parachini, SAFE Church Training Coordinator of the Diocese of Connecticut, and Ms Sally Johnson, Vice President Risk Management and Education of The Church Pension Fund;
- Mr Glen Johnson, Founder of Oxford Document Management Company, Inc;
- Dr Jane Hickerson, Vice President Social Services of Praesidium Inc;
- The Revd William Doubleday, Professor of Pastoral Theology and Director of Field Education of The General Theological Seminary and The Revd Dr Pamela Cooper-White, Associate Professor of Pastoral Theology of The Lutheran Theological Seminary at Philadelphia;
- Sister Joanne Callahan, Superintendent of Schools and Mr David White of the Roman Catholic Diocese of Rockville Centre.



**Boston**

- Dr Catherine Clark Kroeger, Associate Professor of Classical and Ministry Studies, Dr Kenneth Swetland, Campus Chaplain and Professor of Ministry, and Ken Arndt, student of Gordon-Conwell Theological Seminary;
- Deacon Anthony Rizzuto, Director and Cabinet Secretary, Office of Child Advocacy, Implementation and Oversight and Fr. George Evans, Acting Rector of St. John's Seminary of the Roman Catholic Archdiocese of Boston.

**London**

- Representatives of The Church of England – Mrs Janet Hind, Child Protection Officer, Mrs Margaret Sentamu, Senior Selection Secretary, The Revd David Houlding;
- Mr David Pearson, Executive Director and Mrs Pauline Pearson, Administrative Assistant of the Churches' Child Protection Advisory Service;
- Representatives at Churches Together in Britain in Ireland conference – including Mrs Janet Hind of the Church of England, Ms Jennifer McCreanor of the Church of Scotland, The Revd Christine Owen of the Church in Wales, Mr Allan Elson of the Baptist Union of Great Britain;
- The Revd David Gamble, Coordinator Pastoral Care/Personal Relationships of the Methodist Church of Great Britain;
- Monsignor Harry Turner, Coordinator of Child Protection Service and Mr Peter Turner, Child Protection Officer of the Roman Catholic Diocese of Westminster;
- Ms Helen Drewery, Assistant General Secretary, Quaker Peace and Social Witness of the Religious Society of Friends.

**Cambridge**

- Mrs Gillian Ambrose, Child Protection Officer of the Diocese of Ely of the Church of England;
- Ms Jane Chevous, Lecturer, Centre for Youth Ministry and The Revd Mike Booker, Director of Mission and Pastoral Studies of Ridley Hall.

**Oxford**

- Ms Denise Stockford, Child Protection Officer of the Diocese of Exeter of The Church of England and The Ven David Gunn-Johnson, Archdeacon of Barnstaple at St. Stephen's House;
- Mr Stephen Barber, Child Protection Coordinator and Ms Jenny Hyson, Diocesan Children's Advisor of the Diocese of Oxford of The Church of England;
- The Revd Geoff Maughan, Director of Ministry of Wycliffe Hall;
- Mr Alan Elson, Ministerial Development Administrator, The Revd Malcolm Goodspeed, Head of Ministry, The Revd Jill Crippin and The Revd John Newton of the Baptist Union of Great Britain.

**Birmingham**

- Ms Eileen Shearer, Director of the Catholic Office for the Protection of Children & Vulnerable Adults.

### **Dublin**

- The Revd Canon John McCullagh, of the Board of Education of the Church of Ireland and The Revd Bernadette Daly, Director of Pastoral Studies of the Church of Ireland Theological College.

### **Edinburgh**

- The Revd Angus Mathieson, Education and Development Officer, John Chalmers, The Revd Marjorie MacLean, Deputy Clerk to the General Assembly, Ms Jennifer McCreanor, National Advisor in Child Protection of The Church of Scotland.
- Ms Elspeth Davie of the Child Protection Committee and Mr John Stuart, General Secretary of the Episcopal Church of Scotland.

**Sydney**

- The Revd Dr. Mark Harding, Dean of the Australian College of Theology;
- The Revd Mark Charleston, Assistant Minister of St Andrew's Cathedral and Senior Assistant to the Director of Continuing Education for Ministers;
- The Revd Les Scarborough, John Mark Ministries;
- Dr Vern Harvey, General Synod Office;
- Ms Fay Hanson, Psychologist;
- Mr Phillip Heath, Anglican Schools Network;
- Julian Sparkes, Arthur J Gallagher Australasia Pty Ltd;
- Mr Chris Campbell, Director of Programs, Scripture Union New South Wales;
- Mrs Meg Herbert, Dean of Candidates, Board of Education, Uniting Church of Australia.

**Canberra**

- The Rt Revd Trevor Edwards, Assistant Bishop.

**Adelaide**

- Ms Robyn Douglass, Anglicare SA.

**Melbourne**

- Ms Tracy Matthews, Manager of National Anglican Resources Unit.

**Perth**

- Mr David Roberts, Executive Director of Parkerville Children's Homes.



We received submissions about *Faithfulness in Service* from the following people:

- |  |                                  |
|--|----------------------------------|
| ▪ The Revd Dr Greg Anderson;   | ▪ The Revd Barbara Colliver;     |
| ▪ The Ven Cliff Ainsworth;   | ▪ The Revd Libbie Crossman;      |
| ▪ Mr Bill Anderssen;   | ▪ The Rt Revd Glenn Davies;      |
| ▪ Mr Timothy Barrett;  | ▪ Mr John Dibben;                |
| ▪ Ms Anne Barwick, Assistant Ombudsman, New South Wales;                           | ▪ Ms Karen Fitzgerald;           |
| ▪ Ms Karen Bass;   | ▪ Ms Suzanne Fitzgerald;         |
| ▪ Ms Dianne Bradley;   | ▪ Mr Jim Fraser;                 |
| ▪ Ms June Bradley-Sperryn;   | ▪ The Rt Revd Philip Freier;     |
| ▪ The Rt Revd Peter Brain;   | ▪ Mrs Leanna Haynes;             |
| ▪ The Rt Revd George Browning;   | ▪ The Revd Gwilym Henry-Edwards; |
| ▪ Ms Beryl Buckby;   | ▪ The Rt Revd Roger Herft;       |
| ▪ Ms Gillian Calvert, Commissioner of Children and Young Persons, New South Wales; | ▪ Mr Steve Heron;                |
| ▪ Mr Neil Cameron;   | ▪ Ms Sara Jane Olsen;            |
| ▪ Mr John Coles;   | ▪ The Revd Dr Bruce Kaye;        |
|  | ▪ Ms Karin Knoester;             |
|  | ▪ Mr Richard Lambert;            |
|  | ▪ The Revd Ian Lindsay;          |
|  | ▪ Mr Samuel Marsden;             |

- Mrs Patrica Mayne;
- Dr Elspeth McInnes;
- Mr Murray McFarlane;
- R. Megarity;
- The Revd Andrew Mintern;
- The Revd Paul Mitchell;
- Ms Virginia Neighbour;
- The Revd Dr Christopher Newell;
- Mr D.A. Paul
- Ms Jocelyn Pitt
- Dr Elizabeth Puddy
- Mr Colin Reilly;
- Mr Peter Reynolds;
- The Revd Carol Roth;
- Ms Kathleen Ryan;
- Ms Jean Sanders;
- The Ven Graeme Sells;
- Dr Philip Selden;
- The Revd Dr Charles Sherlock;
- Mrs Claire Smith;
- The Rt Revd Ron Stone;
- Ms Robyn Sullivan,  
Commissioner of Children and  
Young Persons, Queensland;
- The Revd Neil Thompson;
- Ms Sandra Tunley;
- Mr Peter Victor;
- Mr William Wade;
- Ms Angela Were;
- The Rt Revd Paul White;
- Mr Greg Williams.

The following people are listed in our records as having participated in the consultations:

### **Adelaide**

Colin Ames; Simon Bailey; Elaine Bourne; June Bradley-Spertyn; Trevor Briggs; Robert Brown; Ian Bruce; Simon Coward; Gwenda Cunningham; Patrick Duckworth; Chris Duncan; Roger Dyer; Ken Evans; Marian Evans; Gwilliam Henry Edwards; Dorothy Ferrier; Peter Fisher; Margaret Flint; Roy Gater; Marian Giles; Arthur Stanley Goldsworthy; Bill Goodes; Warren Huffa; Gordon Goulding; Maxine Goulding; John Harley; Joan Hart; Gary Hillman; Pam Judge; Chris Lange; Margaret McEvoy; Noel Mathieson; Roger Morgan; Brendan Nettle; Bart O'Donovan; Barbara Paull; Caroline Pearce; Ken Pidgeon; Carolyn Phillips; Vicki Plummer; David Reay; Hilary Reddrop; Alison Rowney; Chris Russack; Brian Sandow ; Elizabeth Sandow; Jean Shaw; Christine Smith; Trish Smith; Kym Smith; Tony Tamboyn; Debra Tedman; David Thornton-Wakeford; Michael Whiting; Peter Williams.

### **Bathurst**

Peter Danaher; Angus Edwards; Charles Houen; Clive Jones; Tim Manning; Phillip Ridge; Robyn Vines.

### **Bendigo**

Tony Baul; Sandra Birch; Andrew Curnow; Ian Dallas; Tony Hickson; Stephen May; Ian Marley; Barry Phillips; Ian Smith; Sandra Tunley.

### **Brisbane**

Fred Ailwood; Philip Aspinall; Ray Clifton; Roslyn Clifton; Paul Dalzell; Marian Free; Iain Furby; Alan Gallimore; Gillian SSA; Jonathan Holland; John Jell; Greg Jenks; Matthew Jones; Jacqueline Kearney; John Lindsay; Stephanie Munday-Lake; Rod MacDonald; Jim Nolan; Robert Nolan; Carolyn Payne; Helen Phillips; Louise

Ratcliffe; Harold L Reuss; Carol Roth; Jonathan Sargeant; Cheryl Schrager; Ann Skamp; Bruce Sligo; David Thomas; Malcolm Twine; Richard Tutin; Ron Williams.

### **Hobart**

Nicole Adams; Noel Bowditch; Beryl Carmichael; Stephen Carnaby; Anne Foot; Paul Grayston; William Haas; John Harrower; Chris Jones; Marilyn King; Andrew Lang; Audrey Mills; Eleanor O'Donnell; Helen Phillips; Marion Rainsford; Helen Simmons; David Thomas; John Tongue; Jeanne Wherrett; Les Whittle.

### **Melbourne**

Rowena Armstrong; Margaret Bradley; Richard Brooks; Barbara Colliver; Beryl Coombe; Sid Coombe; Maureen Cronin; Liz Guiver; Marg Harris; David Head; Michael Hough; Carmel Hunter; David Jones; May Kofed; Robin Mitchell; Philip Newman; Colleen O'Reilly; Colin Reilly; Robert Presland; Arthur Savage; Graeme Sells; Barry Smith; Malcolm Thomas; Frank Webber; Anne Wentzel; Paul White.

### **Perth**

Geoffrey Arnold; Steve Biggar; Graham Boyle; Michael Bromilow; Gerry Costigan; Tony Evans; Richard Flanigan; Anne Ford; John Hedges; John Hewetson; Christabel Chamarette; Peter Laurence; Doug Murray; Geoffrey Shaw; Sue Shaw; Tony Stopher; Ross Switzer; Steve Warren; James Woodward; Marie Woodward; Bradley Young.

### **Sydney**

Helen Blake; Hugh Bright; Joan Butchard; Mark Charleston; Stephanie Cole; Keith Condie; Faye Hansen; Jennifer Lum; Richard Moro; Jeff Oake; Jean Sanders; Mark Sibley; Claire Smith; Kym Smith; Jenni Woodhouse.

### **Townsville**

Paul Beasley; Deone Bray; Beryl Buckby; Vera Cranwell; Wayne Corker; Fred Dixon; Nancy Gassin; Ian Lindsay; George Marrotsis; John Noble; Barbara Oudt; Lynn Parker; Tina Shaw; Dorothy Stephens.

We apologise if any other people who participated in the consultations are not recorded above.

## APPENDIX 2: MOTIONS FOR GENERAL SYNOD 2004

### MOTION 1

The General Synod:

- (a) receives the report of the Child Protection Committee;
- (b) adopts as the Church's Safe Ministry Policy Statement:  
"The Anglican Church of Australia is committed to the physical, emotional and spiritual welfare and safety of all people, particularly within its own community. The Church will:
  - carefully recruit and train its clergy and church workers;
  - adopt and encourage safe ministry practices by its clergy and lay church workers;
  - respond promptly to each concern raised about the behaviour of its clergy and lay church workers;
  - offer pastoral support to any person who has suffered abuse; and
  - provide pastoral support to and supervision of any person known to have abused a child or another vulnerable person."
- (c) adopts the *Safe Ministry Check* in the Report of the Child Protection Committee as the national applicant and referee questionnaires for the selection of ordination candidates and for the screening of clergy and church workers who have contact with children in their ministry;
- (d) authorises the revision of the *Safe Ministry Check* by the Standing Committee;
- (e) adopts *Faithfulness in Service* in the Report of the Child Protection Committee as the national code for personal behaviour and the practice of pastoral ministry by clergy and lay church workers; and
- (f) authorises the revision of *Faithfulness in Service* by the Standing Committee.

### MOTION 2

The General Synod recommends:

- (a) that each diocese, parish and church organisation adopts the Church's *Safe Ministry Policy Statement* and develops and implements safe ministry policies and structures;
- (b) that each diocese adopts a system for the selection of ordination candidates that includes:
  - (i) the Safe Ministry Check;
  - (ii) a medical report;
  - (iii) a children's commission check or a criminal history check; and
  - (iv) a psycho-sexual assessment;

- (c) that each *diocese* adopts a system for the screening of clergy that includes:
  - (i) the Safe Ministry Check; and
  - (ii) a children's commission check or a criminal history check
 and that screening is to be carried out immediately prior to:
  - (iii) their ordination as a deacon and as a priest;
  - (iv) the issuing of a licence or authorisation; and
  - (v) their consecration as a bishop
 or at the expiry of a children's commission check or every three years, whichever first occurs;
- (n) that the *proposed* National Register include ordination candidates and unlicensed clergy;
- (o) that each *diocese* is to provide to the General Secretary for inclusion in the National Register with respect to each listed person:
  - (i) the date of each children's commission background check or criminal history check;
  - (ii) the date of any completed disciplinary proceedings except where the allegations were found to be false, vexatious or misconceived;
  - (iii) the date of any refusal by a bishop to ordain the person as a deacon or priest or to issue a licence or authority to the person or any refusal to consecrate the person as a bishop because of an adverse risk assessment; and
  - (iv) the date of any refusal by a church organisation to employ or appoint the person because of an adverse risk assessment
 and that access to this information be restricted to the categories of persons determined by the Standing Committee after consultation with the Professional Standards Commission;
- (p) that each *diocese* adopts a system for the screening for all paid and voluntary church workers:
  - (i) who have direct and regular contact with children in their ministry; or
  - (ii) who supervise any such church workers
 that includes:
  - (iii) the Safe Ministry Check; and
  - (iv) a children's commission check or a criminal history check
 and that screening is to be carried out immediately prior to their appointment or at the expiry of a children's commission check or every three years, whichever first occurs;
- (q) that each *diocese* adopts a code for personal behaviour and the practice of pastoral *ministry* by its clergy and church workers that includes *Faithfulness in Service* and any revisions;
- (r) that each *diocese* regularly provide training in *Faithfulness in Service* to its clergy and church workers;
- (s) that each *diocese* ensures that training in professional ethics in ministry and in human sexuality is included in the formation of clergy and church workers undertaking individual pastoral ministry;

- (t) that the bishop of each diocese not ordain a person as a deacon or license or authorise a church worker to undertake individual pastoral ministry, and each parish or church organisation not employ or appoint a church worker to undertake individual pastoral ministry, unless the person has satisfactorily completed training in professional ethics in ministry and in human sexuality;
- (u) that each diocese ensures that all clergy, and church workers:
  - (i) who have direct and regular contact with children in their ministry; or
  - (ii) who supervise any such church workerssatisfactorily complete safe ministry training prior to their ordination as a deacon, employment or appointment and thereafter at regular intervals;
- (v) that each diocese *adopts* a system of pastoral support for all people in the diocese affected by abuse by clergy and church workers including:
  - (i) those who have directly suffered abuse and their families and friends;
  - (ii) the families and friends of abusers;
  - (iii) the parish or church organisation of abusers;
  - (iv) the Church leaders responsible for responding to the abuse;
- (w) that each diocese adopts a system of pastoral support and supervision of known abusers of *children* or other vulnerable people within a parish or church organisation that includes:
  - (i) the entry into an agreement between the abuser and church leaders for the involvement of the abuser in the parish or church organisation; and
  - (ii) the establishment of an accountability and support group for the abuser; and
- (x) that each diocese *includes* within the system of ministry support for its clergy:
  - (i) peer support;
  - (ii) mentoring;
  - (iii) professional supervision / consultation; and
  - (iv) ministry reviewand that clergy regularly seek out and utilise opportunities to maintain and enhance their ministry skills.

### MOTION 3

The General Synod:

- (a) reappoints the Child Protection Committee (Garth Blake SC, (Chairperson), Helen Carrig, Bishop David Farrer, Philip Gerber, Marilyn Redlich) and requests it to fulfil the functions of the Professional Standards Commission until its establishment;
- (b) approves a budget of \$54,839 for 2005 for the Professional Standards Commission;



- (c) refers to the Professional Standards Commission:
  - (i) the preparation of an inventory of the nature and scope of reported abuse within the Church by clergy and church workers;
  - (ii) the preparation of guidelines for access to information recorded in the National Directory;
  - (iii) the preparation of model guidelines for the psycho-sexual assessment of ordination candidates;
  - (iv) the consideration of a model system for the selection of all church workers;
  - (v) the preparation of a model curriculum for training in professional ethics in ministry and human sexuality;
  - (vi) the preparation of a model curriculum for safe ministry training;
  - (vii) the preparation of model guidelines for a diocesan system of pastoral support for all people in the diocese affected by abuse by clergy and church workers;
  - (viii) the preparation of a model diocesan scheme of individual care and assistance for all who have directly suffered abuse by its clergy and church workers;
  - (ix) the preparation of a model agreement between a known abuser of children or other vulnerable people and church leaders for the involvement of the abuser in the parish or church organisation;
  - (x) the preparation of a model guidelines and resources for the training, functioning and support of accountability and support groups for known abusers within a parish or church organisation; and
  - (xi) the establishment of a network of those involved in achieving safe ministry practices within the Church
  - (xii) and requests the Professional Standards Commission:
  - (xiii) to liaise with the House of Bishops to identify appropriate teaching resources and develop pastoral guidelines for the hearing of private confessions and to address the particular issues raised by confessions of child sexual abuse by a member of the clergy or a church worker; and
  - (xiv) to report to the next session of the General Synod as to the progress of the Church in the development and implementation of safe ministry policies and structures;
- (d) notes the work of the Liturgy Commission in preparing a liturgical resource following sexual misconduct or abuse by a church worker and refers to the Liturgy Commission the preparation of liturgical resources for the pastoral support of those affected by abuse in consultation with the Professional Standards Commission;
- (e) refers to the Ministry Commission:
  - (i) the preparation of resources for the provision of pastoral support of those affected by abuse in consultation with the Professional Standards Commission; and

- (ii) consideration of the introduction, and if appropriate, the preparation of:
    - (A) a model statement for clergy of the expectations and responsibilities of their roles and their legitimate entitlements at the time of their appointment; and
    - (B) a model review of the performance of clergy and their ministry support within a parish or church organisation;
- (f) refers to the Doctrine Commission the preparation of a report dealing with the Church's responsibility for the physical, emotional and spiritual welfare and safety of all people within its own community including:
  - (i) children and other vulnerable people;
  - (ii) the abused;
  - (iii) known abusers of children or other vulnerable people in consultation with the Professional Standards Commission.

#### MOTION 4

The General Synod:

- (a) commends the National Council of Churches in Australia for organising *Safe as Churches?* a national ecumenical consultation on sexual misconduct and abuse in the Australian churches and recommends that the National Council of Churches in Australia facilitate where feasible joint action by member churches and other Australian churches to promote the physical, emotional and spiritual welfare and safety of all people within their communities that includes:
  - (i) the preparation of a safe ministry charter for adoption by member churches and other Australian churches;
  - (ii) the sharing of resources between churches; and
  - (iii) the reciprocal disclosure between churches of the names of, and other relevant information about, clergy and church workers who are known to have abused children or other vulnerable peopleand that the General Secretary conveys this resolution to the National Council of Churches in Australia;
- (g) recommends that State and Territory Governments enact uniform laws that provide for:
  - (i) the reporting of child abuse to the police and the government child protection authorities;
  - (ii) the screening of all persons seeking to work with children in a paid or voluntary capacity; and
  - (iii) the protection from liability of persons who report misconduct by a member of the clergy or a church worker to a church authority in good faithand that the General Secretary conveys this resolution to each such Government;

- (h) recommends that the Commonwealth Government, the State Governments of South Australia, Victoria and Western Australia and the Territory Governments each establish a children's commission or an equivalent office to promote the protection of children similar to that in the States of New South Wales, Queensland and Tasmania and that the General Secretary conveys this resolution to each such Government;
- (i) recommends that the State and Territory Governments each provide funding and training for a programme for the reintegration of sex offenders within the community on their release from prison (similar to Circles of Support and Accountability operating in Canada, the United States of America and the United Kingdom) and that the General Secretary conveys this resolution to each such Government;
- (j) recommends that the Commonwealth Government convene a national summit on child protection to which representatives of the Commonwealth, State and Territory Governments, child protection authorities and organisations working with children are invited as the first step in establishing a *national strategy for the prevention of child abuse and neglect* and that the General Secretary conveys this resolution to the Commonwealth Government; and
- (k) recommends that the Anglican Consultative Council establish a Safe Ministry Task Force to promote the physical, emotional and spiritual welfare and safety of all people within member churches of the Anglican Communion by action that includes:
  - (i) the preparation of a safe ministry charter for adoption by member churches;
  - (ii) the sharing of resources between member churches;
  - (iii) the reciprocal disclosure between member churches of the names of, and other relevant information about, clergy and church workers who are known to have abused children or other vulnerable people;
  - (iv) the establishment of a network of interested people; and
  - (v) the preparation of resources for the Anglican Gathering and the Bishops' Conference to be held in Cape Town in 2008
 and that the General Secretary conveys this resolution to the Anglican Consultative Council and the Archbishop of Canterbury.

## **APPENDIX 3: BILL TO ESTABLISH THE PROFESSIONAL STANDARDS COMMISSION**

### **A BILL FOR A STRATEGIC ISSUES, TASK FORCES AND OTHER BODIES (AMENDMENT) CANON 2004**

#### **A Canon to amend the Strategic Issues, Task Forces and Other Bodies Canon 1998**

The General Synod prescribes as follows:

#### ***Title and Principal Canon***

- 1 (1) This canon may be cited as the "Strategic Issues, Task Forces and Other Bodies (Amendment) Canon 2004".
- (2) In this canon the Strategic Issues, Task Forces and Other Bodies Canon 1998 is cited as the "Principal Canon".

#### ***Amendment of the Principal Canon***

- 2 Part IV of the Principal Canon is amended:
  - (a) by adding section 8(e) as follows:

"(e) The Professional Standards Commission."
  - (b) by adding section 12A as follows:

"12A. The functions of the Professional Standards Commission are:
    - (a) To examine questions of professional standards, and safe ministry training and practices, for ordained and authorised lay ministry, referred to it by the Primate, the Standing Committee or the General Synod, and to report thereon to the referring party and the Standing Committee.
    - (b) To make recommendations to the Standing Committee on matters relating to professional standards, and safe ministry training and practices, for ordained and authorised lay ministry."

## APPENDIX 4: TOWARDS A THEOLOGY OF THE CHILD

The Revd Dr Alan Cadwallader; March 2003

In the all-too-brief outline following there are two halves: a) issues of prolegomena and b) contributions to the construction of a theology of the child. The first section, I believe, is particularly necessary so that we might be circumspect and accountable for our heritage which has sadly lacked an awareness of and sensitivity to the child in Christian theology. The second section can be no more than distinct items of contribution and demands a more profound analysis. These contributions cover a range of traditional categories, pastoral theology, theological anthropology, theological ethics, christology and theology and await a more thorough integration. However, it will be clear that the basic premise of this entire paper is that, unless the "child" is factored inextricably into christological and theological exposition, actual children will remain marginalised and forced to be dependent on fashions of adult concern and attention. Put as succinctly as I can, the primary emphasis needs to be redirected to the assertion that Jesus is the *child* of God, both in christological and Trinitarian expressions. This theological development is both the consequence of Jesus' emphasis on children in his ministry and self-conceptualisation and also the potential affirmation of the origin of such an emphasis.

### Issues of Prolegomena

A confession is needed that the child has not received any developed theological attention in the history of the church. When the child figures at all, it is in a pastoral or pedagogic context.<sup>1</sup> Such contexts may obscure theological presuppositions of dubious and ill-considered quality. Moreover, because little theological work on the child has been written, there has been little hermeneutical refinement of engagement with biblical and traditional sources. A good example of this vacuum is the British Council of Churches volume *The Child in the Church* which focussed its attention on Christian nurture. For all its emphasis on the critical dimensions of faith development, the governing assumption was that the child's significance lay *in its development and nurture*. In other words, it fell into perpetuating the very problem it tried to redress: "our anxiety is almost always to know what to do with them."<sup>2</sup>

There may need to be a confession that there has been a deliberate marginalisation and/or manipulation of children in the development of theology not least in the assumption that an adult (male) person is the norm when describing various aspects of theology, such as soteriology, anthropology and so on. For example, in a recent book on theological anthropology, *Persons, Divine and Human*,<sup>3</sup> no reference to child/children is to be found in its pages, apart from a psychologised notion of the growth of personhood based on the model of mother-child.<sup>4</sup> It is conscious of the importance of the recognition of gender differences, and even of non-human creaturehood, but not of childhood per se. There is child-likeness but this is focussed on adults as an expression of personhood necessarily involving an eschatological commitment, that is a theological privileging of growth as a defining mark of being a person.<sup>5</sup> This merely returns us to a child's value only being able to be defined in terms of potential, that is, as oriented to the adult. The child herself/himself is marginalised in presence and in value, even if "child-likeness" and the

importance of "relationship" (as found between mother and child) might be retained as important elements in theological anthropology.

Indeed, the marginalisation of children in many of the familiar sources for theology may be named as a contributor to the problem. Frequently in the bible and in Christian tradition, children appear as little more than objects of adult writing, and that not always favourably. Speech by and to children in the New Testament is miniscule, possibly ten instances in each case. By contrast children are spoken about (whether in direct speech, narrative or epistolary address) numerous times, at least 82 times, 45 in direct or indirect speech.<sup>6</sup> Hans Ruedi-Weber comments:

"Already Mark, Matthew and Luke seem to have been more interested in what a child symbolises than in Jesus' attitude to actual children. This is even more true of the remainder of the New Testament. For instance, the apostle Paul wrote profound meditations about our adoption as God's children, but when it came to real boys and girls, his attitude remained exactly that of a Jew of his time, apparently unaffected by Jesus' extraordinary words and actions concerning children."<sup>7</sup>

Accordingly, just as the bible has been criticised as ethnocentric and androcentric, so also it is not immune from the charge of "presbicentricity" - that is of being centred (as of right) on those who are older.

A similar criticism can be levelled at the writings of early church fathers. Irenaeus, for example, combines the story in Lk 7:11-17 with the story of Jairus' daughter. The interest is not in exploring the experience of the children but in using the stories of the children to prove the bodily resurrection. The children were erased, collateral damage of an important theological debate.<sup>8</sup>

It needs to be acknowledged that children have sometimes been made the tool of polemical argument by Christian writers. Children figure in argument not for themselves but as devices procuring other ends. One of the most frequently cited instances of contrast between Christians and pagans in the ancient world is anchored to the exposure of unwanted children. This was an ancient weapon in the polemical arsenal of Christians, and is still trumpeted in contemporary contrastive histories, as the frequent reproduction of a first century BCE letter from Hilarion to Alis attests.<sup>9</sup> What is frequently forgotten is that non-Christian writers also spoke against the practice (Epictetus the philosopher raised one such foundling himself), and many in the ancient world deeply lamented the death of children. It is worth balancing the Christian polemic with the counter-polemic that Christians were also accused of abandoning children. Regardless of the reality of any particular allegation, it appears that actual children have become little more than fodder for a claim to greater virtue.<sup>10</sup> One might wonder whether the infra-Christian debates about child versus adult baptism are formally any different from the Christian-pagan debates. Children are subsumed to a "larger", adult interest.

Children were, from an early period in Christianity, made the means by which an adult's suitability was judged. The keeping of children in subjection/submissiveness was not only the mark of a virtuous household (Eph 5:22-6:9, Col 3:18-4:1, 1 Pet 2:18-3:7) but also bolstered a claim to office (1 Tim 3:4 cf 3:12, Tit 1:6). The implication is that children (as also women) were more likely than the male heads of a house to disturb the house. Wives and children were deemed most prone to heretical teaching or social destabilisation (1 Tim 5:13-

15). There is little doubt that the attitudes which demean the integrity, value and equality of children (and women) are very much alive in today's world.<sup>11</sup> The patriarchal foundations and ideological implications must be named because they can be and sometimes directly implicated in the continuum which includes child abuse.<sup>12</sup>

Accordingly, ambiguity in the references to children in text and tradition must be acknowledged. There is no avoidance of a need for a critical approach precisely because there is no unequivocal valuation of the child in her/his own right in the familiar, foundational resources for theology.

The "child" as a symbol is very powerful in text, tradition and more recent imagery. But actual children are frequently neglected even as "the child" (whether "inner" or "outer") is being extolled. Thus the many texts present in the New Testament which utilise the language of children can readily be divorced from any reference to the concrete reality of children and "spiritualised" into exemplary attitudes of (adult) religious life. Stephen Fowl has recently pointed out the standardised theologising on the familiar passage from Luke's Gospel "Whoever does not receive the kingdom of God as a child will not enter it" (Lk 18:17). The pietistic observations about "humility, receptiveness, openness" obliterate, he asserts, any reference to the "hard realities" which follow in Luke's Gospel - namely, the dispersal of wealth if one is to participate in the reign of God which is to be entered as a child.<sup>13</sup>

A clear example of how a symbol can be uprooted from its mooring in reality is the symbol of the innocence of children. The innocence of the child, apparent perhaps in the New Testament itself was clearly extolled and developed in Christian and Gnostic Christian circles in the first two centuries of the common era. However, accompanying this interest was the development of an articulate endorsement of virginity/celibacy — in many ways an expression of a real ambivalence about sexuality, as well as an institutional imposition of linguistic control over a potentially subversive practice. Some church commentators interpreted the birth of a child as a sign of the inability of an adult to sustain the virginal (=Christ-like) life, even of succumbing to the power of death (and causing another, viz. the child, to do so).<sup>14</sup> Thus the child became lifted from a physical reality into a rootless symbol extolling asexuality and innocence, the only appropriate response to an actual child who was both the sign of and intensely vulnerable to death and its demonic cohorts.

A proper use of symbol requires that poetic, psychic and cosmological aspects be kept integrated,<sup>15</sup> that is, that the transformative power of the symbol should retain its concrete position in the reality of the world.

Consequently, there is a grave need to be circumspect about the motivations behind a contemporary interest in the construction of a theology of the child. If the construction of a theology of the child is designed to serve another end, such as the re-establishment of the moral influence of the church in society in the wake of child abuse scandals, this would merely repeat previous appropriations of children in Christian history and argument, where children have become objects — projections — by which adults work out their own particular concerns. These concerns might of themselves be exemplary: the worth of one's own values, culture and heritage, concerns about one's recovery of innocence, concerns about the maintenance of communal boundaries and property. But when these generate the child as their locus of reflection, discussion or even imposition, the enterprise is sullied precisely because the child

is yet again subsumed to adult interests, ecclesiastical interests. If one's own heritage is to be valued, the child must adopt it; if one's innocence is to be recovered, the child must be its emblem; if one's community identity is to be preserved, the child must reinforce it. In this way, the child becomes the necessary concomitant to one's own meaning in life.<sup>16</sup> This is a particular issue about adult responses to child abuse — namely the erasure of child even as they are made the centre of concern. The child becomes little more than the focal symbol of an adult's sense of offence and desire to be exonerated from any wider social or political responsibility or implication in the abuse of children.<sup>17</sup>

A clear example, repeated frequently in both Christian and Jewish traditions, is the heavy emphasis on education. However exemplary it may be, however necessary it may be in terms of bringing to children the means to improve their condition and to negotiate meaning in the world, the danger remains that the children are simply recipients of adult insecurity about their own values. It is seen repeatedly in religious, societal and governmental justifications for certain actions, which are phrased in the language of "for the future of our children". That "the children" are rarely asked about their own future is a sure indicator that they are little more than ciphers in adult rhetoric.

This has direct implications for the ethical accountability of those who would produce a theology of the child and for those who make use of such a theology. This recognises that the work of theology cannot be divorced from the practical and political aspects of life. If children are no better off, no more centrally placed in the life of the theologising community, then real questions ought to be raised about the worth of the theology that is produced.

There needs to be a retrieval of materials, both text and artefact, that focus on children from as wide a sweep as possible. This will include mining not only the bible and the fathers of the church; it also requires a reassessment and re-evaluation of materials that past generations in the church have either ignored or dismissed, for example the figure and role of the child Jesus in the apocryphal Acts of John. It demands as well an appreciation of the variety of attitudes to children in the ancient world that serves as a backdrop to much of the Judaeo-Christian inheritance. This enterprise must reject the polemics that assert that the Judaeo-Christian inheritance inevitably is better or privileged in comparison with the ancient world's practices and teaching. And it must be alert to the influences of the ancient world's practices and teaching on the formation and articulation of avowed Jewish and Christian expressions. Hopefully this will provide resources for, if not stimulate a hermeneutical awareness of contemporary interactions with Christian understandings.

There needs to be an acknowledgement that issues of gender and age are critical to the development of a theology of the child. There are a number of reasons for this. Firstly, one must avoid the assumption that a male child is the norm. Secondly, biblical and traditional materials frequently distinguish between parental protection and ambitions for female children compared to male, albeit often shaped by patriarchal values (see especially Sir 22:3-5, 26:10-12, and compare Judg 11:29-40 with Gen 22: 1-19). Thirdly, sensitivity needs to be raised about dimensions that impact on children as female as well as male, particularly because most biblical and traditional writings are written by men with their interests directing much of their writing.

A proper theology of the child must be built not simply by an extension or repositioning of theological anthropology. It must seek a foundation within the



fundamentals of Christian theology. Those fundamentals are the Trinity and the Incarnation. Only a grounding of the theology of the child in these fundamentals will preserve actual children from the vagaries of changing pastoral concerns and provide a solid foundation for pastoral action. Thus, the development of a theology requires not only a critical sifting of biblical and traditional materials on teaching about children, but the recognition of the place of the child within the doctrines of Incarnation and Trinity.

### **Contributions to the Construction of a Theology of the Child**

Biblical and traditional materials frequently use terminology descriptive of the child when dealing with and addressing adults. This might be interpreted merely as an indication of dependency on God or Christ (experienced or required). However it likely indicates a more profound privileging of the persons so named because of their fragile existence in relation to the powerbrokers of the society. Some examples are as follows:

- "Child" - addressed to the paralytic lowered into a room by friends for Jesus to heal (Mk 2:5 = Mt 9:2)
- "Daughter" - addressed to the woman with a flow of blood (Mk 5:34 = Mt 9:22)
- "Children" - addressed to the disciples (Mk 10:24)
- "Little ones" - used of anonymous disciples who might be rejected/marginalised by the main group of disciples (Mk 9:42).

This last example may have an added dimension. It is generally regarded as derived from an early tradition and which may include a critique of pederastic abuse.<sup>18</sup> In the context provided by Mark, the address is to the disciples (Mk 9:38-41).

Some biblical and traditional materials (but clearly not all) suggest that adults and children are equal. Age is not a determinant of access, status or value before God. Indeed, this was early accented as the fundamental statement of baptism: it was open to all regardless of age. Not only were entire households baptised (1 Cor 1:16a, Acts 16:31) but some have seen in Jesus' words "Do not forbid [the children] ..." (Mk 10:14) an echo of the baptismal process seen in Acts 8:36 and in church practice in the first few centuries.<sup>19</sup>

Children are our fellow human beings, or more pointedly, we are children in undifferentiated solidarity with these children whose age is considerably less than ours. In this sense, children are not our future; they are our present. The world and its fruits are not an inheritance for our children; the world and its fruits are our common host.

The justice dimensions of baptism, which affirm the equality of all the baptised before God, need to be articulated, along the lines that have been achieved for the Eucharist.<sup>20</sup> Those dimensions include the survival, protection and development of the child. How we welcome, incorporate, treat, share with these our fellow children speaks of how we value baptism. When ethnicity, wealth, origins, education create distinctions, then baptism and its great affirmations are diminished. These justice affirmations are not a by-product of theological reflection but its rationale and ultimate arbiter.<sup>21</sup>

The reference to "Let the children (come to me)" (Mk 10:14, Mt 19:14, Lk 18:16) has an added dimension if Andries van Aarde's suggestions carry merit. He notes that the children in these parallel passages are brought by unnamed persons, not parents. Elsewhere in the gospels, children are named or identified by relation to their parent(s) (for example, Jairus' daughter (Mk 5:22-24, 35-43 and parallels), the Syrophoenician's daughter (Mk 7:24-30/Mt 15:21-28), the disturbed and possessed son at the foot of the mount of Transfiguration (Mk 9:14-29 and parallels), Simon of Cyrene's sons, Alexander and Rufus (only Mk 15:21)... the list goes on). However, van Aarde notes that there is no such reference for the children brought to Jesus; rather there is an indefinite "they" responsible for bringing the children to Jesus. In fact, Matthew's version of the story is even more oblique, turning the arrival of the children into the passive, so "how" they got before Jesus is completely obscured.<sup>22</sup> Van Aarde claims that the reason parents are not identified is because there are no known or present parents — these are the "street kids" of the ancient world. They, even more marginalised than parented children in terms of ancient world status and position, are as much part of Jesus' generous extension of the kingdom's boundaries to all people.<sup>23</sup> In a sense, this is an extension of the concern for orphans enjoined as a fundamental responsibility for ancient Israel as for Christians (Jas 1:27 cf. Deut 10:18, Ps 68:5). This responsibility transcends blood and ethnicity.

This reading of the gospel story disrupts adults' impositions of their own concerns onto the figure of such child/children, that is, in speculating about what model such children provided — innocence, dependency, receptivity, asexuality, simplicity of faith being the favourite distortions.

The material about Jesus and children especially in comparison with "presbcentric" passages and interpretations and in the light of the general thrust of Christ's commitment to the powerless and marginalised, shows that children are far from some sideshow of the Gospel but in fact central, belonging to the most ancient tradition about Jesus.

The child is thus made pivotal in Jesus' teaching as the image of the reign of God. The child shows forth the lesson to be learned by the disciples, a lesson that includes humility, a call to how to deal with one another in community. This is underscored in the context of the Eucharist in Luke when the disciples are called to be as the "youngest" to one another (Lk 22:26 cf 9:48).<sup>24</sup> Greatness is affirmed as being found in children and the way they relate. There are also important implications for the openness of access for children to the Eucharist, not the least reason being, for example, the importance of the child for the provision of "Eucharist" in Jn 6 (v.9).<sup>25</sup>

Most fundamentally for the construction of a theology of the child is the recognition of the importance of the language, imagery and presence of the child for the understanding of Jesus and God. There are a number of dimensions to the identification of Jesus and the child, not merely at the level of soteriology but of incarnation and trinitarian relationship. The child is said to be the one in whom the Christ would be known and received. The welcome extended to the child is the welcome extended to Jesus. But the chain does not end here — the receiving of the child is directly connected with receiving God (Mk 9:37). Just as the reign of God is characterised by the child (Mk 9:14-15 parr.), so God's own self is. The particular significance of the context of these self-identifying sayings of Jesus is that they come in direct contrast to the (adult) disciples' concern about their own pre-eminence.

There appears to have been an early tradition that accented Jesus as "the child". It figures prominently in the infancy narrative of Matthew (eg 2:11, 13, 14). This non-gender specific term (*paidion*) is not merely a narrative recognition of the infancy of Jesus but appears to reflect an early affirmation of the identity of Jesus, alongside the more familiar "son". Certainly, this appears to be the case in Luke where the range of terms applied to Jesus as a young child (*paidion*, *pais*, *tevknon* and *brephos*) find an echo in an affirmation of Jesus which is not confined to his young age. In Acts 3:13, 26, 4:27, 30, the word "*pais*" is used. It is the "Child" who accomplishes the mighty saving work of God. The word is often translated "servant" but this judgement may not be well-founded given the accent on "child" (unequivocally) elsewhere.<sup>26</sup>

Hence, even as an adult, Jesus defines himself and is remembered as "the child" ... of God, even when he addresses others as children. This is referred to in quotations from the Old Testament joined together in Hebrews 2:12 and 13 - the children "given to" him and affirmed as his brothers and sisters. It is implied in the voice from heaven addressing Jesus as "Son" at his baptism and transfiguration (Mk 1:11 parr. Mk 9:7 parr).

This same title, "*pais*", recurs in another ancient Christian writing, the *Didache* (9:3, 10:2). Of particular significance is that the title occurs in the context of baptism which is placed squarely into issues of ethics that are meant to accompany the baptised life of the Christian. Not only is the newly baptised described as "child" (Did 3:1,3,5,6 etc) but three specific practices are expressly repudiated which directly relate to "the child" - pederasty, abortion,<sup>27</sup> infanticide (Did 2:2 cf also 5:2). Others, such as turning away the needy, advocating the rich, have an application of some pertinence as well. Positively, the sharing of goods with the needy, with children is enjoined (Did 4:8-9). These and many others are placed directly into the context of baptism (Did 7:1) where the catechumens are addressed as "child"<sup>28</sup> and Jesus, similarly, is referred to as "Child".<sup>29</sup> There is likely a direct and necessary connection between all three - Jesus as Child, the one to be baptised as "child", and concern for justice issues of the child.

It is this which affords the positive and strong theological grounding for a "theology of children", a theology which has as a key aspect the grounding of the valuing of that theology in the manner in which children share in the fruits of the resources to which we adults, *their fellow-children*, have access, and the means of distribution. It is a cause for great repentance, I believe, that the Church so early lost this accent upon Jesus the Child.<sup>30</sup> It is a sad irony, which has had terrifying consequences for the value and the voice of the child in Christian history, that the dominant metaphors of Christ became "King", "Prince", "Ruler", "Lord". These christological accents were given a decided turn with the gain of the empire. The cost was the loss of "the child", as a christological category and the removal of a foundation for the honouring of actual children as of particular significance of the understanding of Jesus.

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## NOTES

<sup>1</sup> See M.J. Bunge (ed.) (2001) *The Child in Christian Thought* Grand Rapids, MN: Eerdmans.

<sup>2</sup> BCC Consultative Group on Ministry among Children (1984) *The Child in the Church and Understanding Christian Nurture* BCC, p13.

Notes continued next page ...

## NOTES cont...

<sup>3</sup> C. Schwöbel and C.E. Gunton (eds) (1991) *Persons, Divine and Human: King's College Essays in Theological Anthropology* Edinburgh: T & T Clark.

<sup>4</sup> *Ibid* p126-127, offering a critique of the work of John Macmurray.

<sup>5</sup> *Ibid* pp.44-45, 58-60.

<sup>6</sup> The figures are variable because of the "age" and metaphorical expansiveness of "child/children".

<sup>7</sup> H-R. Weber (1979) *Jesus and the Children: Biblical Resources for Study and Preaching* Geneva, W.C.C., p49.

<sup>8</sup> Irenaeus *Against Heresies* 5.13.1

<sup>9</sup> *Papyrus Oxyrhynchus* 4.744. See, for example, the edition in A. Deissmann (1922) *Light from the Ancient East* New York/London: Harper, 4<sup>th</sup> Ed., p167-170.

<sup>10</sup> John Boswell points to the pious abandonment of children — to the local monastery, either by 'devotion' or simple deposit at the door — questioning whether this really was so different from the pre-Christian abandonment to the gods. "Expositio and Oblatio: The Abandonment of Children and the Ancient and Medieval Family" *AHR* 89 (1984) p10-33. And see his (1984) *The Kindness of Strangers: The Abandonment of Children in Western Europe from Late Antiquity to the Renaissance* New York: Pantheon Books.

<sup>11</sup> A "little" example from the West may be seen in V.R. Mollenkott (1992) *Sensuous Spirituality: Out from Fundamentalism* New York: Crossroad, p132.

<sup>12</sup> Whilst most critiques at this level focus on some Christian interpretations of the atonement, Rita Nakashima Brock has also explored a similar critique in relation to understandings of the Trinity. See *Journeys by Heart* Crossroad, NY, 1988, p53-57. The link between such theologies and child abuse, see P. Greven (1991) *Spare the Child: The Religious Roots of Punishment and the Psychological Impact of Physical Abuse* New York: AA Knopf.

<sup>13</sup> S. Fowl "Receiving the Kingdom of God as a Child: Children and Riches in Luke 18:15ff" *NTS* 39 (1993) p153-158.

<sup>14</sup> See P. Brown (1990) *The Body and Society: Men, Women and Sexual Renunciation in Early Christianity* London, Faber and Faber, p96-99, 324.

<sup>15</sup> See, for example, the work of Paul Ricoeur, helpfully analysed in R. Detweiler (1978) *Story, Sign and Self: Phenomenology and Structuralism as Literary-Critical Methods* Philadelphia, Fortress Press, p57-62.

<sup>16</sup> See J. Henley "The Practices of Childhood" *St. Mark's Review* 152 (1993) 14-20, a writing however still bordering on a "presbiteric" theology and ethic.

<sup>17</sup> This is one of the problems in Brock's otherwise sensitive and helpful book. See generally the concerns raised by Maureen Junker-Kenny & Norbert Mette (ed.) "Editorial: Little Children Suffer- The Child in the Midst" *Concilium* 2 (1996): p viii quoting, P. Aries (1962), *Centuries of Childhood*, London.

<sup>18</sup> See W. Deming "Mark 9.42-10.12, Matthew 5.27-32, and B. Nid 13b: A First Century Discussion of Male Sexuality" *NTS* 36 (1990) p130-141.

<sup>19</sup> See J. Jeremias (1960) *Infant Baptism in the First Four Centuries* trans. D. Cairns London: SCM Press.

<sup>20</sup> e.g. R. Avila (1981) *Worship and Politics* Maryknoll, NY: Orbis; T. Balasuriya (1982) *The Eucharist as Human Liberation* London, SCM.

<sup>21</sup> A small move in this direction is to be found in R.E. Webber and R. Clapp (1993) *People of the Truth: A Christian Challenge to Contemporary Culture* Harrisburg, PA: Morehouse, p73-78, and M. McKenna (1997) *Rites of Justice: the sacraments and liturgy as ethical imperatives* Maryknoll, NY: Orbis, p45-74, though both are limited in depth and do not recognize the implications for children.

<sup>22</sup> Matthew's version even implies that the disciples' rebuke is delivered to the children not their ushers.

<sup>23</sup> A. Van Aarde (2001) *Fatherless in Galilee: Jesus as Child of God* Harrisburg, PA: TPI.

<sup>24</sup> The meaning of "youngest" (newvteroj) is disputed. Some would see it as a reference to the newest member of the group (eg J. Fitzmyer *The Gospel according to Luke X-XXIV* New York: Doubleday, 1985, 2.1415), though I suspect his reference to "the least important in the apostolic college" is a presbiteric reading. Others rightly recognize the reversal of status values in this twist on a familiar contrastive saying of Jesus (C. Talbert *Reading Luke* New York:

**Notes continued next page ...**

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**NOTES cont...**

Crossroad, 1989, 210).

<sup>25</sup> One might return to Matt 21:15 in this context and reflect upon the anger of the chief priests and scribes regarding the noise the children were making in the temple. It is no coincidence that the mention of children by Matthew follows on the heels of the reference to the blind and the lame, the very ones excluded by the religious authorities from the temple (see 2 Sam 5:8). This would indicate that children are central to Jesus' action in overturning those religious and socio-political structures that militate to exclude and devalue children; cf my "Hermeneutics of Purity in Mark's Gospel: Considerations for the AIDS debate" *Pacifica* 5 (1992) 145-169.

<sup>26</sup> One must avoid the danger that in the conjunction of child and servant a liberating symbol/metaphor can be turned into an oppressive, abusive model — child slavery.

<sup>27</sup> Literally, "You shall not murder a child in the womb."

<sup>28</sup> Note that the corporate aspect is also alluded to in the sudden use of the plural "children" in 5:2.

<sup>29</sup> Different Greek words are used.

<sup>30</sup> See Robert Kraft's comments in R.M. Grant, (1965) *The Apostolic Fathers* Vol 3, Nelson.

## APPENDIX 5:      PROFESSIONAL STANDARDS COMMISSION BUDGET

The Professional Standards Commission will require a high degree of financial support if it is to complete the specialised activities recommended in this report. Although this level of support appears high compared to other General Synod groups, the work undertaken by the Commission will prevent unnecessary and inefficient duplication of effort across the dioceses thereby potentially lessening the burden on all.

It is estimated that the Commission will cost approximately \$54,839 in its first year of operation (see Table 1). The annual cost in the second and third year of operations is likely to fall to \$41,000 p.a. due mainly to the completion of the research survey but will be considered by the Standing Committee each year.

PROJECTED PROFESSIONAL STANDARDS COMMISSION COSTS		
Meetings	Professional Standards Commission	\$13,584
	Safe Ministry Training	\$6,021
	Theological Educators	\$4,458
	Psychologists	\$1,104
	Diocesan Asst Scheme	\$1,692
Australia wide consultations		\$5,280
Psychologists fees		\$3,000
Publication of <i>Faithfulness in Service</i> (1000 x \$5)		\$5,000
Teleconferences Professional Standards Commission (4 x 2hrs)		\$1,200
Survey*		\$13,500
TOTAL COSTS		\$54,839
* Cost of survey quote \$11,000 plus data input \$2,500 of 250 surveys at \$10 ea.		

The Professional Standards Commission will meet in Sydney once a quarter, with 1 meeting of 4 days and 3 meetings of 2 days. The membership will be 7 persons with 1 from each State capital city and 1 additional person from Sydney. Meeting costs are estimated at \$13,584 and include travel, accommodation and hospitality expenses. A teleconference will be held between meetings at a cost of \$1,200.

As part of its work, the Professional Standards Commission will need to meet with those required to implement safe ministry practices in particular areas including:

- 3 one day meetings with representatives of each Province and Tasmania to prepare a model curriculum for safe ministry training at cost of \$6,021 covering travel and hospitality expenses;
- 2 one day meetings with representatives from the 8 Anglican Theological Colleges to prepare a model curriculum for training in professional ethics in ministry and human sexuality covering travel and hospitality expenses

- 2 one day meetings with psychologists from Brisbane, Melbourne and Sydney to prepare model guidelines for psycho-sexual assessments of ordination candidates; and
- 2 one day meetings with a representative of the Dioceses of Adelaide, Sydney and Tasmania to prepare a model diocesan scheme of individual care and assistance for all who have directly suffered abuse by its clergy and church workers.

The implementation of the model selection process for all church workers will require input from dioceses, parishes and church organisations. To assist in this process, an Australia wide consultation is proposed with meetings in each State capital city, the Australian Capital Territory and a regional centre in Queensland (Townsville) and Victoria (Bendigo) to consider a model selection process which will be attended by 2 members of the Professional Standards Commission.

There will be a printing of 1000 copies of *Faithfulness in Service*.

Professional advice will be required to design a survey to prepare an inventory of the nature and scope of reported abuse within the Church by clergy and church workers.

## APPENDIX 6: SCREENING DOCUMENTATION

### ANGLICAN CHURCH OF AUSTRALIA

#### SAFE MINISTRY CHECK

<INSERT NAME OF DIOCESE, PARISH OR CHURCH  
ORGANISATION>

#### APPLICANT'S SCREENING QUESTIONNAIRE FOR ORDINATION CANDIDATES, CLERGY AND PAID CHURCH WORKERS

#### CONFIDENTIAL APPLICATION FOR MINISTRY

##### PERSONAL DETAILS:

Title: \_\_\_\_\_

Surname: \_\_\_\_\_

Christian Names: \_\_\_\_\_

Previous Names: \_\_\_\_\_ Male/Female \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Home Phone No: \_\_\_\_\_ Work Phone No: \_\_\_\_\_

Mobile Phone No: \_\_\_\_\_ Email: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Marital Status: \_\_\_\_\_

Occupation: \_\_\_\_\_



## **Applicant's Screening Questionnaire For Ordination Candidates, Clergy and Paid Church Workers**

The Anglican Church of Australia has established standards of conduct for clergy and church workers to maintain a safe and healthy ministry environment.

Our commitment to these standards requires that we conduct background referencing for all persons who intend to engage in ordained and lay ministry in Australia. **This request for information is being made to comply with Anglican Church of Australia policies, and not because we have any reason to believe that any applicant has in fact engaged in inappropriate conduct.** What follows is our Screening Questionnaire for those who intend to carry out ordained or paid lay ministry in Australia.

As part of this process, we request you to answer a series of questions which are, of necessity, intimate in nature. If you do not understand the question or would like to discuss your answer further, please feel free to call <INSERT NAME>. The completed questionnaire should be sent directly to the address below and will be kept secure in our confidential files, in accordance with the Privacy Act. Except as may be required by law, or by church disciplinary procedures, the information you supply will be used only for screening and disciplinary purposes. Where required by law, the information you supply will be produced.

You must answer all questions. You should add any additional information under the question or on a separate page. Please note that a yes answer to a question will not necessarily result in your application being unsuccessful.

**We do not interpret a yes answer to a question as an admission of misconduct. Each Diocese in Australia provides a formal process for making such a charge.**

Thank you for your time.

Yours

<INSERT NAME>

Please return this Questionnaire in the enclosed, stamped, pre-addressed envelope directly to:

<INSERT NAME AND ADDRESS>

.....

## APPLICANT'S SCREENING QUESTIONNAIRE FOR ORDINATION CANDIDATES, CLERGY AND PAID CHURCH WORKERS

- Please tick either "yes" or "no" for each question.
- If the answer to any of the following questions is "yes", please indicate the question number, provide relevant information regarding your response and indicate current status of the issue(s) if any.
- A yes answer will not automatically rule an applicant out of selection.
- Throughout this document **charged\*** or **charges\*** indicates *allegations made in writing and known to you OR allegations made to a court, disciplinary tribunal or employer in Australia or in any other country.*

1. Have you ever, since the age of eighteen, been known by any name other than the one given above?  

Yes    ☐        No        ☐
  
2. Do you have any health problem(s), which may affect your work with children or young persons?  

Yes    ☐        No        ☐
  
- 3 a. Has disciplinary action of any sort ever been taken against you by a licensing board, professional or community association, employer, educational institution, Church or any other body?  

Yes    ☐        No        ☐
  
- 3 b. Have there been charges\* against you to the above named bodies that did not result in discipline?  

Yes    ☐        No        ☐
  
- 3 c. Are there charges\* pending against you before any of the above-named bodies?  

Yes    ☐        No        ☐
  
4. Have you ever been convicted of a criminal offence?  

Yes    ☐        No        ☐
  
5. Have you ever been charged\* with a criminal offence?  

Yes    ☐        No        ☐
  
6. Have you ever been asked to resign or been terminated by a training program, employer or Church body?  

Yes    ☐        No        ☐
  
7. Have you ever had permission to undertake paid or voluntary work with children refused, suspended or withdrawn in Australia or any other country?  

Yes    ☐        No        ☐
  
- 8 a. Have you ever had a civil suit brought against you arising out of alleged professional misconduct, or is any such pending?  

Yes    ☐        No        ☐
  
- 8 b. Have you ever had professional indemnity insurance declined, suspended or revoked for any reason?  

Yes    ☐        No        ☐

9. Have you ever been charged\* with having engaged in sexual conduct or attempted sexual conduct with a person with whom you had a pastoral or professional relationship (e.g., a parishioner, a client, a patient, an employee, a student, a subordinate)?

**Yes**    ☐    **No**    ☐

Sexual conduct includes sexually motivated touch and conversation through to sexual intercourse of any kind.

10. Have you ever been charged\* with having engaged in sexual conduct with persons under the legal age of consent?

**Yes**    ☐    **No**    ☐

11. Have you ever been charged\* with the production, sale or distribution of, or illegal access to pornographic materials?

**Yes**    ☐    **No**    ☐

12. Have you ever been charged\* with an offence related to sexual misconduct?

**Yes**    ☐    **No**    ☐

Sexual misconduct includes:

- abuse of power or role for sexual purposes
- sexual conduct with a person under the age of consent or an adult incompetent to give consent
- sexual assault (e.g., rape)
- soliciting for sexual purposes
- an offence related to pornography or public indecency (e.g., indecent exposure)

13. Have you ever been charged\* with an offence related to sexual harassment?

**Yes**    ☐    **No**    ☐

Sexual harassment includes:

- sexual advances
- requests for sexual favours
- sexually motivated physical contact
- verbal or physical domination of a sexual nature?

14. Have you ever engaged in any of the following conduct, even though never having been charged\*?

- sexual contact with a parishioner, client, patient, student, employee or subordinate
- sexual contact with a person under the age of consent
- illegal use, production, sale or distribution of pornographic materials
- conduct likely to cause harm to a child or young person, or to put them at risk of harm.

**Yes**    ☐    **No**    ☐

15. Have you ever been charged\* with verbal or physical harassment?

**Yes**    ☐    **No**    ☐

16. Do you have a history of alcohol abuse?

**Yes**    ☐    **No**    ☐

17. Do you have a history of substance abuse including prescription, over-the-counter, recreational or illegal drugs?  
**Yes** ☐ **No** ☐
18. Do you have a history of problem gambling?  
**Yes** ☐ **No** ☐
19. Have you ever been charged\* with any offence related to cruelty to animals?  
**Yes** ☐ **No** ☐
20. Have you ever been charged\* with a traffic offence which required you to attend court?  
**Yes** ☐ **No** ☐
21. Has your driver's licence ever been revoked or suspended?  
**Yes** ☐ **No** ☐
22. Have you ever had an apprehended violence order, order for protection or the like issued against you as a result of allegations of violence, abuse, likely harm, harassment, stalking, etc?  
**Yes** ☐ **No** ☐
23. Have you ever had a licence to own firearms refused or revoked?  
**Yes** ☐ **No** ☐
24. Has a child or dependent young person in your care (as a parent or in any other capacity) ever been removed from your care, or been the subject of a risk assessment by the authorities?  
**Yes** ☐ **No** ☐
25. Have you ever been charged\* with misappropriating funds, or otherwise breaching fiduciary duties in any capacity?  
**Yes** ☐ **No** ☐
26. Have you ever been charged\* with an offence under the taxation laws?  
**Yes** ☐ **No** ☐
27. Have you ever had an order made against you or entered into a composition with creditors or an assignment for the benefit of creditors under the Bankruptcy Act or have you ever had an order made against you under any Act regulating corporations?  
**Yes** ☐ **No** ☐
28. Have you done anything in the past or present that may result in allegations being made against you of child abuse?  
**Yes** ☐ **No** ☐

- Child abuse means:
- bullying;
- emotional abuse;
- harassment;
- neglect;
- physical abuse; or
- sexual abuse.

**ORDINATION (complete if applicable)**

I was ordained as a Deacon in the Diocese of \_\_\_\_\_  
 on \_\_\_\_\_

I was ordained as a Priest in the Diocese of \_\_\_\_\_  
 on \_\_\_\_\_

I was consecrated as a Bishop in the Diocese of \_\_\_\_\_  
 on \_\_\_\_\_

**RECORD OF BISHOP'S LICENCES: (complete if applicable)**

List any positions where you have previously held a Bishop's Licence.

Position	Diocese	Bishop

**RECORD OF CHRISTIAN CHURCH MEMBERSHIP AND CHRISTIAN MINISTRY**

List the following information regarding any church you have attended regularly during your adult life, excluding positions detailed above.

Church	Position	Location	Senior Minister	Date From Month/Year	Date To Month/Year

## RECORD OF EMPLOYERS

Employer	Position	Location	Date From Month/Year	Date To Month/Year

## INTERSTATE / INTERNATIONAL RESIDENCE

Have you ever resided in any other Australian State or Territory, or any other country?

Yes ☐ No ☐

If **YES** please list all the countries and states

State or Country	Address	Dates

**AUTHORITY TO PROVIDE INFORMATION AND RELEASE FROM LIABILITY OF REFEREES AND OTHERS AND CONSENT TO CRIMINAL HISTORY CHECK AND/OR CHILDREN'S COMMISSION CHECK**

I understand that it is the policy of the Anglican Church of Australia to ask:

- those who serve or have served as my bishop;
- churches I have regularly attended as an adult; and
- my employers;

whether to the best of their knowledge I have engaged in specified conduct that is relevant to the assessment of whether I am a suitable person for to undertake ministry in the Church.

I have identified all positions in which I have held a bishop's licence, all churches which I have regularly attended as an adult and my employers. I hereby authorise you and your delegates to contact and exchange information with them. I further hereby authorize every one of those bishops, churches and employers to inform you and your delegates of any knowledge they may have relevant to the assessment of whether I am a suitable person for to undertake ministry in the Church.

I hereby authorise my referees to answer the Referee's Screening Questionnaire and to provide any information relevant to my application to you and your delegates.

I hereby release from liability any person or organisation that provides such information. I also agree to release you and your delegates from any and all liability as it relates to any investigation by you or them regarding the information contained in this application, or any action by you or them as a result of such investigation.

I hereby consent to provide an Australian Federal Police Check if I have resided in another country. I also consent to provide a <INSERT CRIMINAL HISTORY CHECK OR CHILDREN'S COMMISSION CHECK>.

---

Signature

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Print Name

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Date

## STATUTORY DECLARATION

I \_\_\_\_\_  
of \_\_\_\_\_

do solemnly and sincerely declare that:

- (1) the information I have provided in this application and the information contained in any documents accompanying this application are true and correct to the best of my knowledge and belief.
- (2) I understand that any material misstatement in or omission from this questionnaire may render me unfit to hold a particular job or any office in the Church or to remain in employment by a Church body.

Applicant's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Declared at: \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 2 \_\_\_\_\_

Signature: \_\_\_\_\_

### WITNESS TO THE APPLICANT'S SIGNATURE

Name of Witness: \_\_\_\_\_

Address of Witness: \_\_\_\_\_

Title / Office held: \_\_\_\_\_

**Your signature must be witnessed by a person (who is not required to read the document) authorised to witness a Statutory Declaration.**

*IF YOU ARE INVITED to an INTERVIEW, please bring for sighting PROOF OF IDENTITY - two (2) documents, one of which includes a photograph and one of which is either a Birth Certificate, Passport or current Driver's Licence.*

ID sighted    000

ID approved    000

ID not approved    000



**CHARACTER REFERENCE**

**Please provide three (3) referees.** Referees must be over eighteen years of age and be able to give a report on your good character and suitability for ministry among children and young people. They must NOT be a relative, close friend or a member of the Selection panel. If you have lived in another state or country, please include a referee from your last parish or placement in that state and/or country.

**REFEREE 1** *(Church leader e.g. rector, church warden, elder)*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

State: \_\_\_\_\_ Country: \_\_\_\_\_ Postcode: \_\_\_\_\_

Email: \_\_\_\_\_

Phone:(home) \_\_\_\_\_(work) \_\_\_\_\_

**REFEREE 2** *(Employer, or teacher if no work history)*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

State: \_\_\_\_\_ Country: \_\_\_\_\_ Postcode: \_\_\_\_\_

Email: \_\_\_\_\_

Phone:(home) \_\_\_\_\_(work) \_\_\_\_\_

**REFEREE 3** *(Person who has known you for longer than 3 years and who knows you well)*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

State: \_\_\_\_\_ Country: \_\_\_\_\_ Postcode: \_\_\_\_\_

Email: \_\_\_\_\_

Phone:(home) \_\_\_\_\_(work) \_\_\_\_\_

**ANGLICAN CHURCH OF AUSTRALIA**

**SAFE MINISTRY CHECK**

**<INSERT NAME OF DIOCESE, PARISH OR CHURCH  
ORGANISATION>**

**REFEREE'S SCREENING QUESTIONNAIRE  
FOR ORDINATION CANDIDATES, CLERGY AND PAID CHURCH  
WORKERS**

**CONFIDENTIAL APPLICATION FOR MINISTRY**

**PERSONAL DETAILS OF PERSON APPLYING FOR MINISTRY:**

**Title:** \_\_\_\_\_

**Surname:** \_\_\_\_\_

**Christian Names:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

**Phone No:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**PERSONAL DETAILS OF REFEREE:**

**Title:** \_\_\_\_\_

**Surname:** \_\_\_\_\_

**Christian Names:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

**Home Phone No:** \_\_\_\_\_ **Work Phone No:** \_\_\_\_\_

**Mobile Phone No:** \_\_\_\_\_ **Email:** \_\_\_\_\_

## **Referee's Screening Questionnaire For Ordination Candidates, Clergy and Paid Church Workers**

### **Reference request for <INSERT NAME>**

The Anglican Church of Australia has established standards of conduct for Church workers in order to maintain a safe and healthy ministry environment.

Our commitment to these standards requires that we conduct background referencing for all persons who intend to engage in ordained and lay ministry in Australia. **This request for information is being made to comply with Anglican Church of Australia policies, and not because we have any reason to believe that the applicant has in fact engaged in inappropriate conduct.** What follows is our Screening Questionnaire for those who intend to carry out ordained and paid lay ministry in Australia.

As part of this process, we request persons named as referees to answer a series of questions which are, of necessity, intimate in nature. If you do not understand the question or would like to discuss your answer further, please feel free to call <INSERT NAME>. The completed questionnaire should be sent directly to the address below and will be kept secure in our confidential files, in accordance with the Privacy Act. Except as may be required by law, or by church disciplinary procedures, the information you supply will be used only for screening and disciplinary purposes. Where required by law, the information you supply will be produced.

Please answer each question to the best of your knowledge. If you are unfamiliar with an area raised in the question, please say so and go on. If you have no knowledge of this person and/or have no access to records, you may so state on page 3, sign and return the form.

A adverse answer to a question will not necessarily result in the application being unsuccessful.

**We do not interpret an adverse answer to a question as an allegation of misconduct. Each Diocese in Australia provides a formal process for making such a charge.**

Thank you for your time.

Yours

<INSERT NAME>

Please return this Questionnaire in the enclosed, stamped, pre-addressed envelope directly to:

<INSERT NAME AND ADDRESS>

.....

## REFEREE'S SCREENING QUESTIONNAIRE FOR ORDINATION CANDIDATES, CLERGY AND PAID CHURCH WORKERS

Please answer each question by ticking one response. If you have had no opportunity to gain the knowledge required by a particular question or there is no record on file tick "don't know". If you give an adverse answer to any of the following questions, please indicate the question number, provide relevant information regarding your response and indicate current status of the issue(s) if any. Any adverse information will not automatically rule an applicant out of selection.

Throughout this document **charged\*** indicates *allegations made in writing and known to you OR allegations made to a court, disciplinary tribunal or employer in Australia or in any other country.*

- In what capacity have you known this person and for how long (include dates)?
- 

- If you have no knowledge of this person and/or have no access to records state so here and sign the Declaration on the last page.
- 

1. To the best of your knowledge, has this person ever, since the age of eighteen, been known by any name other than the one given above?  
**Yes**   ☐   **No**   ☐   **Don't know**   ☐
  
2. To the best of your knowledge, has this person ever had any health problem(s), including alcohol or drug abuse, which may affect their work with children or young persons?  
**Yes**   ☐   **No**   ☐   **Don't know**   ☐
  
- 3a. To the best of your knowledge, has this person ever had disciplinary action of any sort taken against them by a licensing board, professional or community association, employer, educational institution, Church or any other body?  
**Yes**   ☐   **No**   ☐   **Don't know**   ☐
  
- 3b. To the best of your knowledge, has this person ever had charges\* made against them that did not result in discipline?  
**Yes**   ☐   **No**   ☐   **Don't know**   ☐
  
- 3c. To the best of your knowledge, does this person have charges\* pending against them before any of the above-named bodies?  
**Yes**   ☐   **No**   ☐   **Don't know**   ☐
  
4. To the best of your knowledge, has this person ever been convicted of a criminal offence?  
**Yes**   ☐   **No**   ☐   **Don't know**   ☐
  
5. To the best of your knowledge, has this person ever been charged\* with a criminal offence?  
**Yes**   ☐   **No**   ☐   **Don't know**   ☐
  
6. To the best of your knowledge, has this person ever been asked to resign or been terminated by a training program, employer or Church body?  
**Yes**   ☐   **No**   ☐   **Don't know**   ☐

7. To the best of your knowledge, has this person ever had permission to undertake paid or voluntary work with children refused, suspended or withdrawn in Australia or any other country?

**Yes** ☐ **No** ☐ **Don't know** ☐

- 8a. To the best of your knowledge, has this person ever had a civil suit brought against them arising out of alleged professional misconduct, or is any such pending?

**Yes** ☐ **No** ☐ **Don't know** ☐

- 8b. To the best of your knowledge, has this person ever had professional indemnity insurance declined, suspended or revoked for any reason?

**Yes** ☐ **No** ☐ **Don't know** ☐

9. To the best of your knowledge, has this person ever been charged\* with having engaged in sexual conduct or attempted sexual conduct with a person with whom they had a pastoral or professional relationship (e.g., a parishioner, a client, a patient, an employee, a student, a subordinate)?

**Yes** ☐ **No** ☐ **Don't know** ☐

Sexual conduct includes sexually motivated touch and conversation through to sexual intercourse of any kind.

10. To the best of your knowledge, has this person ever been charged\* with having engaged in sexual conduct with persons under the legal age of consent?

**Yes** ☐ **No** ☐ **Don't know** ☐

11. To the best of your knowledge, has this person ever been charged\* with the production, sale or distribution of, or illegal access to pornographic materials?

**Yes** ☐ **No** ☐ **Don't know** ☐

12. To the best of your knowledge, has this person ever been charged\* with an offence related to sexual misconduct?

**Yes** ☐ **No** ☐ **Don't know** ☐

Sexual misconduct includes:

- abuse of power or role for sexual purposes
- sexual conduct with a person under the age of consent or an adult incompetent to give consent
- sexual assault (e.g., rape)
- soliciting for sexual purposes
- an offence related to pornography or public indecency (e.g., indecent exposure)

13. To the best of your knowledge, has this person ever been charged\* with an offence related to sexual harassment?

**Yes** ☐ **No** ☐ **Don't know** ☐

Sexual harassment includes:

- sexual advances
- requests for sexual favours
- sexually motivated physical contact
- verbal or physical domination of a sexual nature

14. To the best of your knowledge, has this person ever engaged in any of the following conduct, even though never having been charged\*?
- sexual contact with a parishioner, client, patient, student, employee or subordinate
  - sexual contact with a person under the age of consent
  - illegal use, production, sale or distribution of pornographic materials
  - conduct likely to cause harm to a child or young person, or to put them at risk of harm
- Yes**    ☐    **No**    ☐    **Don't know**    ☐
15. To the best of your knowledge has this person ever been charged\* with verbal or physical harassment?
- Yes**    ☐    **No**    ☐    **Don't know**    ☐
16. To the best of your knowledge, does this person have a history of alcohol abuse?
- Yes**    ☐    **No**    ☐    **Don't know**    ☐
17. To the best of your knowledge, does this person have a history of drug abuse with prescription, over-the-counter, recreational or illegal drugs?
- Yes**    ☐    **No**    ☐    **Don't know**    ☐
18. To the best of your knowledge, does this person have a history of problem gambling?
- Yes**    ☐    **No**    ☐    **Don't know**    ☐
19. To the best of your knowledge, has this person ever been charged\* with any offence related to cruelty to animals?
- Yes**    ☐    **No**    ☐    **Don't know**    ☐
20. To the best of your knowledge, has this person ever been charged\* with a traffic offence which required them to attend court?
- Yes**    ☐    **No**    ☐    **Don't know**    ☐
21. To the best of your knowledge, has this person ever had a driver's licence revoked or suspended?
- Yes**    ☐    **No**    ☐    **Don't know**    ☐
22. To the best of your knowledge, has this person ever had an apprehended violence order, order for protection or the like issued against them as a result of allegations of violence, abuse, likely harm, harassment, stalking, etc?
- Yes**    ☐    **No**    ☐    **Don't know**    ☐
23. To the best of your knowledge, has this person ever had a licence to own firearms refused or revoked?
- Yes**    ☐    **No**    ☐    **Don't know**    ☐
24. To the best of your knowledge, has this person ever had a child or dependent young person in their care (as a parent or in any other capacity) removed from their care, or been the subject of a risk assessment by the authorities?
- Yes**    ☐    **No**    ☐    **Don't know**    ☐
25. To the best of your knowledge, has this person ever been charged\* with misappropriating funds, or otherwise breaching fiduciary duties in any capacity?
- Yes**    ☐    **No**    ☐    **Don't know**    ☐

26. To the best of your knowledge, has this person ever been charged\* with an offence under the taxation laws?

**Yes** ☐ **No** ☐ **Don't know** ☐

27. To the best of your knowledge, has this person ever had an order made against him or her or entered into a composition with creditors or an assignment for the benefit of creditors under the Bankruptcy Act or ever had an order made against him or her under any Act regulating corporations?

**Yes** ☐ **No** ☐ **Don't know** ☐

28. To the best of your knowledge, has this person ever done anything in the past or present that may result in allegations being made against them of child abuse?

**Yes** ☐ **No** ☐ **Don't know** ☐

Child abuse means:

- bullying;
- emotional abuse;
- harassment;
- neglect;
- physical abuse; or
- sexual abuse.

- 29a. If you were an employer, is there any reason why you would not employ this person?

**Yes** ☐ **No** ☐

- 29b. Is there any reason why you would not leave your children in the care of this person?

**Yes** ☐ **No** ☐

- 29c. Is there any reason why you would not regard this person as suitable to hold the position for which they have applied?

**Yes** ☐ **No** ☐

30. In your opinion, is this person able to work with others?

**Yes** ☐ **No** ☐

31. In your opinion, is the person suited for work with children?

**Yes** ☐ **No** ☐

32. Would you like an opportunity to speak with the Bishop or a member of the Selection Panel?

**Yes** ☐ **No** ☐

I declare that the information I have provided in this application and the information contained in any documents accompanying this application are true and correct to the best of my knowledge and belief.

Referee's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Referee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Declared at: \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 2

**ANGLICAN CHURCH OF AUSTRALIA**

**<INSERT NAME OF DIOCESE, PARISH OR CHURCH  
ORGANISATION>**

**SAFE MINISTRY CHECK**

**APPLICANT'S SCREENING QUESTIONNAIRE  
FOR VOLUNTARY CHURCH WORKERS**

**CONFIDENTIAL APPLICATION FOR MINISTRY**

**PERSONAL DETAILS:**

**Title:** \_\_\_\_\_

**Surname:** \_\_\_\_\_

**Christian Names:** \_\_\_\_\_

**Previous Names:** \_\_\_\_\_ **Male/Female**

**Address:** \_\_\_\_\_

\_\_\_\_\_

**Home Phone No:** \_\_\_\_\_ **Work Phone No:** \_\_\_\_\_

**Mobile Phone No:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

**Marital Status:** \_\_\_\_\_

**Occupation:** \_\_\_\_\_

**Drivers Licence number:** \_\_\_\_\_ **expiry date** \_\_\_\_\_ **type:** \_\_\_\_\_  
(must be current)

**or Other Identification:** \_\_\_\_\_



## **Applicant's Screening Questionnaire For Voluntary Church Worker**

The Anglican Church of Australia has established standards of conduct for voluntary church workers to maintain a safe and healthy ministry environment. Our commitment to these standards requires that we conduct background referencing for all persons who intend to engage in voluntary ministry having direct and regular involvement with children and young people (0 to 18 years) in Australia.

This request for information is being made to comply with Anglican Church of Australia policies, and not because we have any reason to believe that any applicant has in fact engaged in inappropriate conduct. What follows is our Screening Questionnaire for those who intend to engage in voluntary ministry having direct and regular involvement with children and young people in Australia.

*This Screening Questionnaire is to be retained by <INSERT NAME OF THE PARISH OR CHURCH ORGANISATION> in a secure place. Except as may be required by law, or by church disciplinary procedures, the information you supply will be used only for screening and disciplinary purposes. Where required by law, the information you supply will be produced.*

You must answer all questions. You should add any additional information under the question or on a separate page. Please note that a yes answer will not necessarily result in your application being unsuccessful.

**We do not interpret a yes answer to a question as an admission of misconduct. Each Diocese in Australia provides a formal process for making such a charge.**

Thank you for your time.

Yours

<INSERT NAME>

Please return this Questionnaire to:

<INSERT NAME AND ADDRESS>

## APPLICANT'S SCREENING QUESTIONNAIRE FOR VOLUNTARY CHURCH WORKERS

Please tick either "yes" or "no" for each question. If the answer to any of the following questions is "yes", please give details. A yes answer will not automatically rule an applicant out of selection.

1. Do you have any health problem(s), which may affect your work with children or young people?  
**Yes**   ☐      **No**      ☐
2. Have you ever been convicted of a criminal offence?  
**Yes**   ☐      **No**      ☐
3. Have you ever been charged with a criminal offence?  
**Yes**   ☐      **No**      ☐
4. Have you ever had permission to undertake paid or voluntary work with children refused, suspended or withdrawn in Australia or any other country?  
**Yes**   ☐      **No**      ☐
- 5.. Have you ever engaged in any of the following conduct, even though never having been charged?
  - sexual contact with a parishioner, client, patient, student, employee or subordinate
  - sexual contact with a person under the age of consent
  - illegal use, production, sale or distribution of pornographic materials
  - conduct likely to cause harm to a child or young person, or to put them at risk of harm.**Yes**   ☐      **No**      ☐
6. Has your driver's licence ever been revoked or suspended?  
**Yes**   ☐      **No**      ☐
7. Have you ever had an apprehended violence order, order for protection or the like issued against you as a result of allegations of violence, abuse, likely harm, harassment, stalking, etc?  
**Yes**   ☐      **No**      ☐
8. Has a child or dependent young person in your care (as a parent or in any other capacity) ever been removed from your care, or been the subject of a risk assessment by the authorities?  
**Yes**   ☐      **No**      ☐
9. Have you done anything in the past or present that may result in allegations being made against you of child abuse?  
**Yes**   ☐      **No**      ☐

Child abuse means:

- bullying;
- emotional abuse;
- harassment;
- neglect;
- physical abuse; or
- sexual abuse.

**RECORD OF CHRISTIAN CHURCH MEMBERSHIP**

List all church organisations, churches, parishes or congregations of which you have been a member

Church	Position	Location	Senior Minister	Date From Month/Year	Date To Month/Year

**AUTHORITY TO PROVIDE INFORMATION AND RELEASE FROM LIABILITY OF  
REFEREES AND OTHERS AND CONSENT TO CRIMINAL HISTORY CHECK  
AND/OR CHILDREN'S COMMISSION CHECK**

I understand that it is the policy of the Anglican Church of Australia to ask: my referees

whether to the best of their knowledge I have engaged in specified conduct that is relevant to the assessment of whether I am a suitable person for to undertake ministry in the Church.

I have identified all church organisations, churches, parishes or congregations of which I have been a member. I hereby authorise you and your delegates to contact and exchange information with them. I further hereby authorise every one of them to inform you and your delegates of any knowledge they may have relevant to the assessment of whether I am a suitable person for to undertake ministry in the Church.

I hereby authorise my referees to provide any information relevant to my application to you and your delegates.

I hereby release from liability any person or organisation that provides such information. I also agree to release you and your delegates from any and all liability as it relates to any investigation by you or them regarding the information contained in this application, or any action by you or them as a result of such investigation.

I hereby consent to provide an Australian Federal Police Check if I have resided in another country. I also consent to provide a <INSERT CRIMINAL HISTORY CHECK OR CHILDREN'S COMMISSION CHECK>.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

## STATUTORY DECLARATION

I \_\_\_\_\_  
of \_\_\_\_\_

do solemnly and sincerely declare that:

- (1) the information I have provided in this application and the information contained in any documents accompanying this application are true and correct to the best of my knowledge and belief.
- (2) I understand that any material misstatement in or omission from this questionnaire may render me unfit to hold a particular or any office in the Church.

Applicant's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Declared at: \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 2 \_\_\_\_\_

Signature: \_\_\_\_\_

WITNESS TO THE APPLICANT'S SIGNATURE

Name of Witness: \_\_\_\_\_

Address of Witness: \_\_\_\_\_

\_\_\_\_\_

Title / Office held: \_\_\_\_\_

**For applicants 16 years and under a counter-signature from either a parent or guardian is required.**

To the best of my knowledge, the information in this application form is correct.

Signed

Parent or Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

## CHARACTER REFERENCE

**Please provide two (2) referees.** Referees must be over eighteen years of age and be able to give a report (by telephone only) on your good character and suitability for ministry among children and young people. Referees will be contacted by telephone. They must NOT be a relative or a close friend. If you have lived in another state or country, please include a referee from your last parish or placement in that state and/or country.

**REFEREE 1** *(Church leader e.g. rector, church warden, parish councillor, youth minister)*

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

State: \_\_\_\_\_ Country: \_\_\_\_\_ Postcode: \_\_\_\_\_

Email: \_\_\_\_\_

Phone:(home) \_\_\_\_\_(work) \_\_\_\_\_

**REFEREE 2** *(Employer or teacher if no work history or adult person who has known you for longer than 3 years and knows you well)*

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

State: \_\_\_\_\_ Country: \_\_\_\_\_ Postcode: \_\_\_\_\_

Email: \_\_\_\_\_

Phone:(home) \_\_\_\_\_(work) \_\_\_\_\_

## **APPENDIX 7: A THEOLOGICAL REFLECTION ON A DRAFT CODE OF ETHICS**

**The Revd Dr Gordon Preece, Director, Ridley College Centre for Applied  
Christian Ethics;**

**August 2003**

### **Practicing our Profession**

The professional ministry is a high calling. However, it has recently been described as a 'perplexed profession'. A code of professional ethics is a necessary but not sufficient step towards less perplexity and greater accountability. Behind the notion of profession lies the tradition of a common code of practice and behaviours to which a person much subscribe before being permitted to practice that occupation – eg. the Hippocratic oath for doctors. But to whom or what are we primarily accountable as professional church workers? The notion of profession goes back originally to the public baptismal profession of all believers and their public expression of 'worship' (1 Tim 2:10), 'faith' (Heb 4:14) and 'hope' (Heb 10:23). We are exhorted to hold 'firmly' to the faith because of Christ our heavenly high priest's costly sacrifice (Heb 4:14-16). So we should hold 'unswervingly to the hope we profess, for he who promised is faithful. And let us consider how we may spur one another on toward love and good deeds' (Heb 10:23-24). It is in this spirit of prayerful, mutual encouragement that this code of professional ethics has been prepared. For Christian ethics is not primarily legal and individualistic in orientation, but prayerful, communal and above all, Christ-centred. Without this focus, Christian professionalism, even an ethical professionalism, can lead to a clerical culture or clerical club that is confused in identity, lacking in accountability, and corrupted by its power. A professional code is firstly designed to protect the good by showing up bad and abusive behaviour as clearly unacceptable. It is secondly designed to protect the weak, who are vulnerable in their relationship to professions in very personal situations by providing a set of clear external expectations for all parties.

### **Clerical Identity and Calling Confusion post-Christendom**

Our confusion of identity, lack of accountability, and corruptibility has several causes: the unhelpful and absolute division between clergy and laity which developed in the post-New Testament era; the clergy's loss of primacy amongst the classical professions with the Renaissance development of lay professional specialisation, rapidly accelerated by the Enlightenment and Industrial and Information Revolutions; and now the passing of Christendom and theology as queen of the sciences. Clergy are no longer the educated gentlemen of 19<sup>th</sup> century English village parishes. We are GPs in a world of specialists and face specialised ethical dilemmas. We have no moral monopoly. In Australia the role of the early clergy as moral policemen in a convict colony has left a society suspicious of authoritarianism, institutionalism, and hypocrisy. Further, the lives of all workers are increasingly monitored in a technological media society. The church has complacently lived off the declining moral capital of Christendom. This code of professional ethics is an attempt to catch up with contemporary

developments in professional accountability but to ground them in our Christian identity.

Some church workers may resent this. They claim their vocation is unique and not subject to such scrutiny. Sadly this ignores the priority of the general calling or vocation of all Christians to 'walk worthy of their calling.' This is spelt out in a range of virtues or characteristics of that calling such as humility, gentleness, patience (Eph 4:1-2). We are all mutually accountable within the body and to Christ as its head for living these out. Further, this Christ-centred, embodied ethic is to be practiced in the various settings of domestic and workplace callings (Eph 5-6) and our political callings as citizens subject to law (Rom 13). This ecology of callings provides checks and balances to an exaggerated, exclusive sense of clerical calling.

### **Minimal and Maximal Ministry Standards**

Our legal responsibilities provide a floor for church professional ethics but the example of Christ, displayed in the cross, provides the ceiling to which we aspire. At the very least, the church and its professional workers should be law-abiding and respectful of society's standards. We do not judge outsiders but need to discipline our own (1 Cor 5:1-6:2). An overseer or bishop 'must be well thought of by outsiders so that he may not fall into disgrace and the snare of the devil' (1 Tim 3:7). Overseers (bishops), elders (priests) and deacons are to be 'above reproach,' displaying the respected household virtues of the Greco-Roman world and more in the light of Christ (1 Tim 3:1-13, Tit 1:5-9).

The 'role' morality of particular professions does not cancel out 'real' or universal, human morality. Recent cases of psychiatrists and doctors using client confidentiality as an excuse for not preventing serious harm to others affected by such information should put us on our guard. 'A profession that will not police itself runs the danger of being policed by others' (Eastern Oklahoma Presbyterian Code). If we do not fulfil secular society's justified standards we may lose the right to express the distinctive ethical standards of the Christian community. A professional code intensifies the ethical concerns of common morality, a necessary intensification because of the specialised role of professional ministry and the privileged knowledge of people in situations of great risk and vulnerability which are the bread and butter of pastoral ministry.

While we have a legal or contractual minimum of responsibility (floor), we also have a Gospel, pastoral and covenantal maximum responsibility (ceiling). Just as the gospel or supernatural virtues of faith, hope and love leavened the classical virtues of self-control, justice, courage and prudence, so today they should leaven contemporary professional codes. This leavening or seasoning effect is seen not only in the pastoral epistles' lists of virtues and vices but also in the Anglican Ordinal. A regular reading of both would be salutary along with this code. A code is a useful base, but not a summit. Behind the code lies the image of the profession (not in mere self-protective fashion), the character of the professionals, and above all, of the one they profess.

### **Codes, Character and Images of Ministry**

As well as codes we also need modes, ways of life, forms of character or virtue to which we aspire by God's grace. Our calling is to such Christ-like character or virtue as displayed in the pastorals and Ordinal. It is a calling to 'A Community of Character' (Hauerwas), not a subjective set of idiosyncratic personal values or optional extras. According to the APBA Ordinal, reflecting the Pastorals, priests

are to 'proclaim the gospel of Jesus Christ ... seek the lost, announce God's justice, warn and correct those in error.' Practices of preaching, prayer, forgiveness and administration of sacraments are crucial to such Christ-centred ministry. We are accountable to Christ and his body to engage in these practices ethically, not exploitatively, not like the shepherds of Israel (Ez 34), but like the Good Shepherd who lays down his life to save his sheep (Jn 10).

As shown above, images of ministry are derivative of images of God and Christ. Behind ethical failures in ministry are often false images of ministry, God and Christ. It is easy to fall for a false form of consumerism or managerialism, the pastor as CEO and the parishioner as consumer. Here 'the customer is always right,' or whatever gets 'bums on pews.' The isolation of an image from Christ or magnification of one image at the expense of others easily leads to a distortion of ministry. In fact, popular images of servant ministry may need correction by the image of friendship ministry (Jn 15:12-15). To be servants of Christ and his people is not to be a servant of consumers who can never be corrected. That would be absurd for a lawyer or doctor, let alone a minister of the gospel. We are 'servants of Christ and stewards of God's mysteries' first and fundamentally. Stewards are to be trustworthy for the mysteries they steward. The ministry is not ours, but Christ's. We have a relative but serious accountability to God's people, those in charge of us, and to the State and world. But our ultimate accountability is to Him when he returns in glory to judge (1 Cor 4:1-5).



## APPENDIX 8: CHILD ABUSE REPORTING REQUIREMENTS

### A comparison of child abuse reporting requirements in Commonwealth, States and Territory legislation

#### Commonwealth

There is no legislation requiring mandatory reporting, or permitting voluntary reporting, of child abuse.

#### Australian Capital Territory

Mandatory reporting of child abuse in certain circumstances is prescribed by the *Children and Young People Act 1999* (ACT).

##### Children and Young People Act

Mandatory reporting applies to particular persons including a teacher at a school and a person employed to counsel children or young people at a school: s.159 (d) and (f). Mandatory reporting is required where such a person reasonably suspects that a child or young person has suffered, or is suffering, sexual abuse or non-accidental physical injury; and those grounds arise during the course of or from the person's work (whether for remuneration or otherwise): s 14(2).

A person who believes or suspects that a child or young person is in need of care and protection may report the circumstances on which the belief or suspicion is based: s 158.

A child is a person who is under 12 years old: s 7. A young person is a person who is 12 years old or older, but not yet an adult: s 8.

Abuse or neglect, in relation to a child or young person, means -

- (a) physical abuse;
- (b) sexual abuse;
- (c) emotional abuse (including psychological abuse) if the child or young person
  - (i) has suffered, is suffering or is likely to suffer in a way that has caused, is causing or is likely to cause significant harm to his or her wellbeing or development; or
  - (ii) has been, is being or is likely to be exposed to behaviour that is a domestic violence offence and that has caused, is causing or is likely to cause significant harm to the child or young person's wellbeing or development: s 151(1)(a).

Neglect of a child or young person is a failure to provide the child or young person with a necessity of life that has caused, is causing or is likely to cause the child or young person significant harm to his or her wellbeing or development: s 151(2).

A child or young person is in need of care and protection if he or she has been, is being or is likely to be, abused or neglected: s 156(1)(a).

Where a person mandatorily or voluntarily makes such a report:

- (a) the making of the report is, for all purposes, not a breach of confidence, professional etiquette or ethics or a rule of professional conduct; and
- (b) no civil or criminal liability is incurred by reason only of the making of the report; and
- (c) subject to certain exceptions, the report is not admissible in evidence in any proceeding a court or tribunal and evidence of its contents is not so admissible; and
- (d) subject to certain exceptions, a person may not be compelled in any proceeding before a court or tribunal to provide the report or a copy of, or extract from, the report or to disclose, or give evidence of, the contents of the report: s 163(1).

## New South Wales

Mandatory and voluntary reporting of child abuse is prescribed or permitted in certain circumstances by the *Ombudsman Act 1974* (NSW) and the *Children and Young Persons (Care and Protection) Act 1998* (NSW).

### Ombudsman Act

Mandatory reporting under the *Ombudsman Act* applies to the head of a non-government school in respect of any reportable allegation, or reportable conviction, against an employee of which the head becomes aware: ss 25A(1) and 25C(1)(a). A reportable allegation is defined to mean an allegation of reportable conduct against a person or an allegation of misconduct that may involve reportable conduct: s 25A(1). Reportable conduct means:

- (a) any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence), or
- (l) any assault, ill-treatment or neglect of a child, or
- (m) any behaviour that causes psychological harm to a child, whether or not, in any case, with the consent of the child. Reportable conduct does not extend to:
  - (a) conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards, or
  - (n) the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures, or
  - (o) conduct of a class or kind exempted from being reportable conduct by the Ombudsman under s 25CA: s 25A(1).

A child is a person under the age of 18 years: s 25A(1).

### Children and Young Persons (Care and Protection) Act

Mandatory reporting applies to a person who, in the course of his or her professional work or other paid employment delivers health care, welfare, education, children's services, residential services or law enforcement, wholly or partly to children, and a person who holds a management position in an organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services, wholly or partly, to children: s 27(1).

A children's service encompasses education and care for pre-school children, but does not include lessons or coaching in, or providing for participation in, a religious activity: s 200(1), (2)(c)(i). Mandatory reporting is required where such a person has reasonable grounds to suspect that a child is at risk of harm, and those grounds arise during the course of or from the person's work: s 27(2).

Voluntary reporting is permitted where a person who has reasonable grounds to suspect:

- (a) that a child or young person is, or that a class of children or young persons are, at risk of harm: s 24;
- (b) that, before the birth of a child, the child may be at risk of harm after his or her birth: s 25.

A child is a person under the age of 16 years: s.3. A young person means a person who is aged 16 years or above but who is under the age of 18 years: s 3.

A child or young person is "at risk of harm" if current concerns exist for the safety, welfare or well-being of the child or young person because of the presence of any one or more of the following circumstances:

- (a) the child's or young person's basic physical or psychological needs are not being met or are at risk of not being met,
- (b) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care,
- (c) the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated,
- (d) the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm,
- (e) a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm: s 23.

If, in relation to a child or young person or a class of children or young persons, a person makes a report in good faith to the Director-General or to a person who has the power or responsibility to protect the child or young person or the class of children or young persons:

- (a) the making of the report does not constitute a breach of professional etiquette or ethics or a departure from accepted standards of professional conduct, and
- (b) no liability for defamation is incurred because of the report, and
- (c) the making of the report does not constitute a ground for civil proceedings for malicious prosecution or for conspiracy, and
- (d) the report, or evidence of its contents, is not admissible in any proceedings (other than care proceedings in the Children's Court, or any appeal arising from those care proceedings), and
- (e) a person cannot be compelled in any proceedings to produce the report or a copy of or extract from it or to disclose or give evidence of any of its contents, and

- (f) the identity of the person who made the report, or information from which the identity of that person could be deduced, must not be disclosed by any person, except with:
  - (i) the consent of the person who made the report, or
  - (ii) the leave of a court or other body before which proceedings relating to the report are conducted,and, unless that consent or leave is granted, a party or witness in any such proceedings must not be asked, and, if asked, cannot be required to answer, any question that cannot be answered without disclosing the identity or leading to the identification of that person: s 29.

## **Northern Territory**

Mandatory reporting of child abuse in certain circumstances is prescribed by of the *Community Welfare Act 1983* (NT).

### **Community Welfare Act**

A person, not being a member of the Police Force, who believes, on reasonable grounds, that a child has suffered or is suffering maltreatment shall, as soon as practicable after obtaining the knowledge that constitutes the reasonable grounds for his so believing, report the fact, and all material facts on which that knowledge is based, to the Minister or a member of the Police Force: s 14(1).

A child is a person who has not attained the age of 18 years: s 4(1).

A child shall be taken to have suffered maltreatment where -

- (a) he has suffered a physical injury causing temporary or permanent disfigurement or serious pain or has suffered impairment of a bodily function or the normal reserve or flexibility of a bodily function, inflicted or allowed to be inflicted by a parent, guardian or person having the custody of him or where there is substantial risk of his suffering such an injury or impairment;
- (b) he has suffered serious emotional or intellectual impairment evidenced by severe psychological or social malfunctioning measured by the commonly accepted standards of the community to which he belongs, because of his physical surroundings, nutritional or other deprivation, or the emotional or social environment in which he is living or where there is a substantial risk that such surroundings, deprivation or environment will cause such emotional or intellectual impairment;
- (c) he has suffered serious physical impairment evidenced by severe bodily malfunctioning, because of his physical surroundings, nutritional or other deprivation, or the emotional or social environment in which he is living or where there is substantial risk that such surroundings, deprivation or environment will cause such impairment;
- (d) he has been sexually abused or exploited, or where there is substantial risk of such abuse or exploitation occurring, and his parents, guardians or persons having the custody of him are unable or unwilling to protect him from such abuse or exploitation; or
- (e) being a female, she -
  - (i) has been subjected, or there is substantial risk that she will be subjected, to female genital mutilation; or

- (ii) has been taken, or there is a substantial risk that she will be taken, from the Territory with the intention of having female genital mutilation performed on her: s 4(1).

Where a person, acting in good faith, makes a report -

- (a) the report shall not be held to be a breach of confidence or of professional etiquette or ethics or of a rule of professional conduct; and
- (b) no civil or criminal liability is incurred by reason only of the making of the report: s 14(2).

## Queensland

Mandatory reporting of child abuse in certain circumstances is prescribed by the *Child Protection Act 1999 (Qld)*.

### Child Protection Act

Mandatory reporting applies to particular officers and a person employed in a licensed care service in respect of a child in residential care. Mandatory reporting is required where such a person becomes aware, or reasonably suspects, that harm has been caused to a child in residential care: s 148(1).

A child is an individual under 18 years: s 8.

Harm, to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing: s 6(1). Harm can be caused by-

- (a) physical, psychological or emotional abuse or neglect; or
- (b) sexual abuse or exploitation: s 6(3).

If a person, acting honestly--

- (c) notifies the chief executive or another officer of the department that the person suspects a child has been, is being or is likely to be, harmed; or
- (d) gives the chief executive, an authorised officer or police officer information about alleged harm to a child,

the person does not incur liability for giving the notification or information: s 22(1), (2).

Merely because the person gives the notification or information, the person can not be held to have--

- (e) breached any code of professional etiquette or ethics; or
- (f) departed from accepted standards of professional conduct: s 22(3).

## South Australia

Mandatory reporting of child abuse in certain circumstances is prescribed by the *Children's Protection Act 1993 (SA)*.

### Children's Protection Act

Mandatory reporting applies to particular persons including a psychologist, a teacher in any educational institution and an employee of, or volunteer in, a non-government agency, that provides health, welfare, education, child care or

residential services wholly or partly for children (being a person who is engaged in the actual delivery of those services to children or holds a management position in the relevant organisation and the duties of which includes direct responsibility for, or direct supervision of, the provision of those services to children): s 11(2)(d), (h) and (j). Mandatory reporting is required where such a person:

- (a) suspects on reasonable grounds that a child has been or is being abused or neglected; and
- (b) the suspicion is formed in the course of the person's work (whether paid or voluntary) or of carrying out official duties: s 11(1).

A child is a person under the age of 18 years: s 6(1).

Abuse or neglect, in relation to a child, means -

- (p) sexual abuse of the child; or
  - (q) physical or emotional abuse of the child, or neglect of the child, to the extent that--
    - (i) the child has suffered, or is likely to suffer, physical or psychological injury detrimental to the child's wellbeing; or
    - (ii) the child's physical or psychological development is in jeopardy;
- and abused or neglected has a corresponding meaning: s 6(1).

A person who (whether voluntarily or pursuant to a requirement of this Act) notifies the Department for Family and Community Services of a suspicion that a child has been or is being abused or neglected or provides any information to the Department for Family and Community Services in respect of such a notification--

- (a) cannot, by virtue of doing so, be held to have breached any code of professional etiquette or ethics, or to have departed from any accepted form of professional conduct; and
- (b) insofar as he or she has acted in good faith, incurs no civil or criminal liability in respect of the notification or the provision of the information: s 12.

## **Tasmania**

Mandatory reporting of child sexual abuse in certain circumstances is prescribed by the *Children, Young Persons and Their Families Act 1997* (Tas).

### **Children, Young Persons and Their Families Act**

Mandatory reporting applies to persons practising particular professions or carrying out the duties of a particular office, position or employment including a person registered as a psychologist or a principal and a teacher in any educational institution: s.14(1)(d), (h). Mandatory reporting is required where such a person in the course of official duties or in the course of paid or voluntary work forms the belief on reasonable grounds that a child has been or is being abused or neglected: s 14(2)(a).

A child is a person under the age of 18 years: s 3(1).

Abuse or neglect means -

- (a) sexual abuse; or
- (b) physical or emotional injury or other abuse to the extent that--
  - (i) the injured, abused or neglected person has suffered, or is likely to suffer, physical or psychological injury detrimental to the person's wellbeing; or
  - (ii) the person's physical or psychological development is in jeopardy;
 and abused or neglected has a corresponding meaning: s 3(1).

A person who (whether voluntarily or as required) informs the Secretary of a belief or suspicion on reasonable grounds or knowledge that a child has been or is being abused or neglected -

- (a) cannot, by virtue of doing so, be held to have breached any code of professional etiquette or ethics, or to have departed from any accepted form of professional conduct; and
- (b) insofar as he or she has acted in good faith, incurs no civil or criminal liability in respect of the information: s 15.

## Victoria

Mandatory and voluntary reporting of child abuse is prescribed or permitted in certain circumstances by the *Children and Young Persons Act 1989* (Vic).

### Children and Young Persons Act

Mandatory reporting applies to persons practising particular professions or carrying out the duties of a particular office, position or employment including a person registered as a psychologist or a teacher and a person with post secondary qualifications in youth, social or welfare work who works in the health, education or community or welfare services field: s.64(1A), (1C)(b), (d) and (g). Mandatory reporting is required where such a person forms the belief on reasonable grounds that a child is in need of protection: s 64(1A).

Voluntary reporting is permitted where a person who believes on reasonable grounds that a child is in need of protection: s 64(1).

Except where certain orders continue in force a child is a person under the age of 17 years: s 3.

A child is in need of protection if any of the following grounds exist-

- (a) the child has been abandoned by his or her parents and after reasonable inquiries-
  - (i) the parents cannot be found; and
  - (ii) no other suitable person can be found who is willing and able to care for the child;
- (b) the child's parents are dead or incapacitated and there is no other suitable person willing and able to care for the child;
- (c) the child has suffered, or is likely to suffer, significant harm as a result of physical injury and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- (d) the child has suffered, or is likely to suffer, significant harm as a result of sexual abuse and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;

- (e) the child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the child's emotional or intellectual development is, or is likely to be, significantly damaged and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- (f) the child's physical development or health has been, or is likely to be, significantly harmed and the child's parents have not provided, arranged or allowed the provision of, or are unlikely to provide, arrange or allow the provision of, basic care or effective medical, surgical or other remedial care: s 63.

Mandatory and voluntary reporting of child abuse:

- (a) does not for any purpose constitute unprofessional conduct or a breach of professional ethics on the part of the person by whom it is made; and
- (b) if made in good faith, does not make the person by whom it is made subject to any liability in respect of it: s 64(3).

### **Western Australia**

At the time of writing, there was no legislation requiring mandatory reporting, or permitting voluntary reporting, of child abuse.

The matter of mandatory reporting has been discussed in the Western Australian parliament in recent weeks. In the Legislative Council when on 31 March 2004 (p1350c - 1351a / 1) the Hon Ljiljanna Ravlich, Parliamentary Secretary representing the Minister for Community Development, responded to a question as to why the Government was not adopting mandatory reporting, by saying that:

"Research is increasingly showing that mandatory reporting is not efficient or effective in protecting children (Harries Report 2002). The available evidence is that it undermines statutory child protection systems by drawing in many notifications about children and families that are not warranted. The likelihood of children at risk being overlooked increases."

On 1 June 2004, Ms S.M. McHale MLA, Minister for Community Development, indicated that,

"Western Australia does not have general mandatory reporting except in relation to the Family Court of Western Australia which is required to notify the Department for Community Development if there is a suspicion a child has been abused or is at risk of being abused according to section 67ZA(2) of the Family Law Act (Commonwealth) 1975. Section 160(2) of the Family Court Act (WA) 1997 also applies in a limited context."

In the Legislative Assembly on 24 June 2004 (p4329d - 4330a / 1), Mr J.A. McGinty, the Minister for Health, indicated that new protocols about mandatory reporting had been introduced for medical professionals concerning sexually transmitted infections amongst children.