



Taking Abuse

and Other Misconduct Seriously

Information for clergy and church workers



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I am thankful that we have so many men and women in this Diocese who share in the enormous privilege and responsibility of Christian ministry. Most serve with great commitment and integrity and seek to glorify God in all that they do.

Nevertheless, the fact that abuse and misconduct occurs means that we must be all the more careful to put into place measures to minimise the likelihood of these occurrences.

It is good that we have achieved so much in helping those who have been hurt, and in seeking to raise awareness and standards. It is our aim to be fair, to redress wrongs and to prevent recurrences.

The Diocese of Sydney is committed to making our churches safe places, as far as is possible. It is my hope that we will continue to work at demonstrating that love and justice which is the very character of God, and which should also characterise his people.

I commend this booklet to you.

Peter F Jensen

Archbishop of Sydney

May 2007



The Sydney Anglican Diocese expects the highest standard of behaviour from all people who are involved in its ministries. This includes all members of the clergy and all church workers or office holders, whether paid or unpaid. They are collectively referred to in this document as *church workers*. Church workers are to be “above reproach”.

These standards are grounded in scripture and set forth in the national code for personal behaviour and the practice of pastoral ministry by clergy and church workers, *Faithfulness in Service*. Breaches of these standards are referred to in this document as *abuse* or *misconduct*.

Synod has passed the Discipline Ordinance 2006 to enforce these standards. The Ordinance came into effect from 26 March 2007. It establishes a process for receiving and dealing with allegations or complaints that the standards have been breached. The process aims to deal thoroughly and properly with complaints while being fair to those against whom allegations are made.

Who is affected by the Discipline Ordinance 2006?

A *church worker* is defined as any person who is or has been a member of the clergy, or holds or has held any position of leadership within the Diocese. This includes those who are unpaid volunteers. Some examples are:

- a member of the ordained clergy;
- an office-holder in the Church;
- a member of a church governing body board, council, committee, Synod, Synod Standing Committee, regional council or parish council;
- a churchwarden, organist, choir leader, parish council secretary, parish treasurer, accountant or bookkeeper, vergers, cleaner or gardener;
- leaders of Sunday Schools, bible classes, study groups, youth fellowships, guilds or other parish organisations;
- a chief executive officer of a church organisation;
- a person appointed by a rector, a curate-in-charge, churchwarden, parish council or by their delegate.

If the abuse or misconduct has occurred in another diocese, state or country, the matter will be referred to the relevant authority.

What is misconduct?

The types of behaviour defined as abuse or other misconduct in the *Discipline Ordinance 2006* include:

1. *child abuse*: **conduct in relation to a child which is *bullying, emotional abuse, harassment, neglect, physical abuse, spiritual abuse* or any sexual behaviour with or in the presence of a child. It includes sexual communications & gestures, showing sexually explicit or suggestive material and sexual physical contact;**
2. *sexual abuse*: **conduct towards an adult which constitutes *sexual assault, sexual exploitation or sexual harassment*;**

(Detailed definitions of all *italicised* words are contained in the national code for personal behaviour and the practice of pastoral ministry by clergy and church workers, *Faithfulness in Service*).

3. unchastity;
4. drunkenness;
5. habitual and wilful neglect of duty after written admonition;
6. failure to pay just debts;
7. disgraceful conduct which if known publicly would be regarded as scandalous;
8. conviction of any criminal offence which attracts a penalty of 12 months imprisonment or more;
9. failure to report to the church the reasonable suspicion of child abuse by another church worker;
10. threatening or obstructing a person who intends to or has made a complaint, and;
11. not co-operating with or obstructing the investigation of a complaint.

(Items 3 to 11 above are additional designated “offences”).

What happens if a report of abuse or other misconduct is made?

Documentation

1. The complainant will be asked to record in writing what is alleged to have happened, the name of the person who is alleged to have experienced the abuse or other misconduct, the name of the person who it is alleged has engaged in the abuse or other misconduct, the nature of the alleged abuse or other misconduct, the parish or organisation for which the person who has engaged in the alleged abuse or other misconduct was working, when and where the alleged abuse or other misconduct occurred and any other relevant supporting information.
2. A response will be obtained from the person against whom allegations are made. This will usually require the disclosure of the complainant's name to the person against whom the report has been made.

Investigation

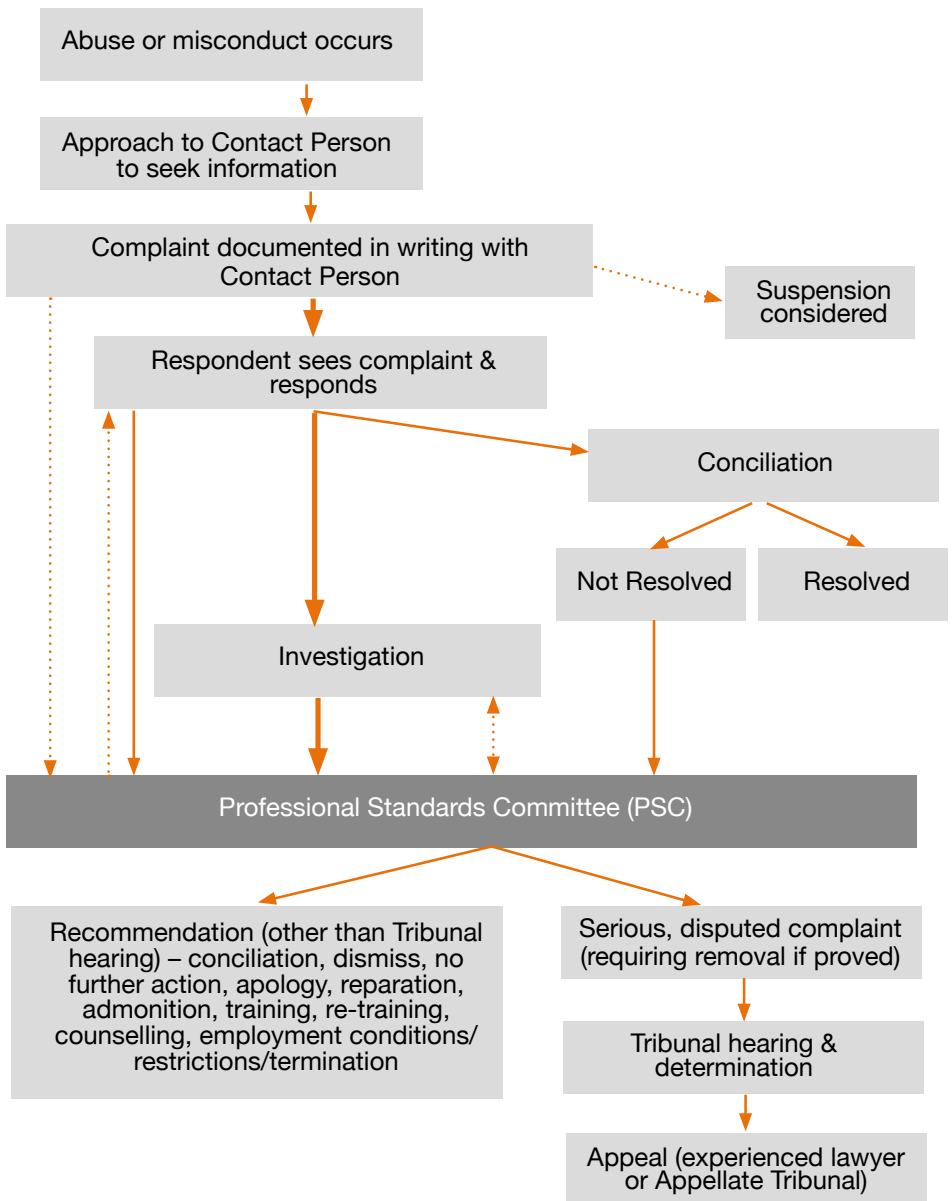
3. The allegations may be independently investigated further. This will include obtaining a response from the person against whom allegations are made (if not already obtained). It may include the investigator asking for clarification of the circumstances and requesting any further information which may be needed as a result of the investigation.

Consideration

4. The Professional Standards Director will administer the consideration of the complaint by the Professional Standards Committee (PSC) under the ***Discipline Ordinance 2006***. They will take into account the matters raised by the complainant, the matters raised by the respondent and all the circumstances of the case as revealed by the investigation. A detailed list of what they must consider is contained in the ***Discipline Ordinance 2006***.

Outcomes

5. The aims of the process are that:
 - Complainants have every opportunity to bring forward allegations of abuse or misconduct and they are heard;
 - Victims have every assistance to deal with the issues that arise for them, including their need for affirmation and support, justice, issues with authority and trust, assistance to regain what they have lost if at all possible and a chance to consider whether forgiveness towards the perpetrator is possible, while never overlooking or forgetting the consequences of the misconduct or abuse;
 - Respondents have every opportunity to bring forward their response to allegations of misconduct or abuse;
 - Perpetrators are brought to account, are challenged to repent, and are encouraged to seek to make amends and to face up to the consequences of their behaviour;
 - Children and other vulnerable people are protected.
6. Specific possible outcomes are listed in the ***Discipline Ordinance 2006***.



The formal document which sets out the full details of the procedures is the *Discipline Ordinance 2006*. It can be found at: www.psu.anglican.asn.au under “Documents”.

Complaints which allege child abuse and where there is a child currently at risk of harm will first be reported to the Department of Community Services.

Complaints which allege criminal conduct will first be referred to the Police.

Important sources of further information

Professional Standards Unit (PSU)

<http://www.psu.anglican.asn.au>

Director (02) 9265 1514

Contact Persons: **1 8 0 0 7 7 4 9 4 5**

Report abuse line reportabuse@sydney.anglican.asn.au

Request copies of this document & other Safe Ministry documents
(02) 9265 1604 or at <http://www.psu.anglican.asn.au>

Department of Community Services (DoCS)

Mandatory reporters 133 627

Voluntary reporters 132 111

Facsimile (02) 9633 7666

<http://www.community.gov.au>

Commission for Children & Young People (CCYP)

Phone (02) 9286 7220

Facsimile (for screening and reports) (02) 9286 7201

<http://www.kids.nsw.gov.au>

Resources

<http://www.psu.anglican.asn.au>

Safe Ministry Training – Youthworks (02) 8268 3344

Child Sexual Abuse & the Churches (2nd Edition – Parkinson) (02) 8268 3344

Behind Closed Doors DVD & Workbook (TAMAR) (02) 9484 0174

Code of Conduct for Clergy – *Faithfulness in Service* 2005 (02) 9265 1604

Discipline Ordinance 2006



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May 2007