



# Taking Abuse and Other Misconduct Seriously



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It is a sad fact of life that misconduct and abuse occurs, even within the Church. It is a matter of great regret that some Christian workers have not always acted as they should in protecting the vulnerable. I am thankful for what has already been achieved 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

**Are you the victim of abuse or other misconduct by a Minister, youth worker, lay leader or any church worker in the Anglican Church? Do you know someone else who is a victim? Are you concerned about them?**

You may be feeling ashamed, angry, hurt, uncomfortable or embarrassed. We know that it is not easy to tell someone, but we do want to hear from you.

The Sydney Anglican Diocese has a commitment to responding to complaints about misconduct, including child abuse and sexual abuse. We want to support you and act on your report.

### Who can you make a complaint against?

You can report abuse or other misconduct by any Anglican church worker.

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. They may be paid or unpaid. 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 other misconduct has occurred in another diocese, state or country, the matter will be referred to the relevant authority.

## What is abuse or other 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”).

## Tell us about abuse or other misconduct

We want people who have experienced abuse or other misconduct or know of abuse or other misconduct to speak to us because we want to:

- ensure that all people who experience abuse or other misconduct receive care and support;
- provide a safe environment for all those in our care;
- care for all other people who are affected by the abuse or other misconduct;
- ensure that all clergy and church workers are above reproach;
- ensure that the person who engages in abuse or other misconduct faces the consequences and is held accountable for their actions.

## How do I speak to someone about abuse or other misconduct?

There are five Contact Persons across the Sydney Anglican Diocese who would be glad to talk to you.

To contact any of our Contact Persons to discuss your concerns in confidence or to make a report:

**ABUSE REPORT LINE: 1800 77 49 45**

or [abusereport@sydney.anglican.asn.au](mailto:abusereport@sydney.anglican.asn.au)

If you would like further written information about what happens when you report abuse or misconduct, contact the Professional Standards Unit:  
(02) 9265 1604

or [psu@sydney.anglican.asn.au](mailto:psu@sydney.anglican.asn.au)

or go to <http://www.psu.anglican.asn.au>

## What happens when I contact a Contact Person?

Our Contact Persons are all qualified and experienced in the counselling field. They will be glad to listen to you with care, dignity and respect, give you full explanations about our procedures for dealing with abuse or other misconduct and answer any questions you might have before you decide what to do. They will provide information about support services which may be able to help you.

You may wish to speak to a Contact Person just to obtain information, and that's okay.

## Will my report be treated with confidentiality?

The strictest confidence is given to reports. The details of your report will only be made known to those who need to know. All persons involved in assessing and investigating reports are well aware of the confidential nature of these matters.

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

### Documentation

The Contact Person will:

- listen to you with dignity and respect;
- explain and answer any questions you may have;
- assist you to record in writing what happened.

If you do want to report the abuse or other misconduct you will be asked to provide the following information:

- the name of the person who has experienced the abuse or other misconduct;
- the name of the person who has engaged in the abuse or other misconduct;
- the nature of the abuse or other misconduct;
- the parish or organisation for which the person who has engaged in abuse or other misconduct was working;
- when and where the abuse or other misconduct occurred;
- any other supporting information, if available.

The Contact Person will send your complaint to the Professional Standards Director who will acknowledge receipt.

## Investigation

The allegations may be independently investigated further.

This will include obtaining a response from the person against whom allegations are made. This will usually require the disclosure of your name to the person against whom the report has been made. It may include the investigator asking you to clarify the circumstances and provide any further information which may be needed as a result of the investigation.

The person against whom the report has been made will be given an opportunity to respond to the report.

## Consideration

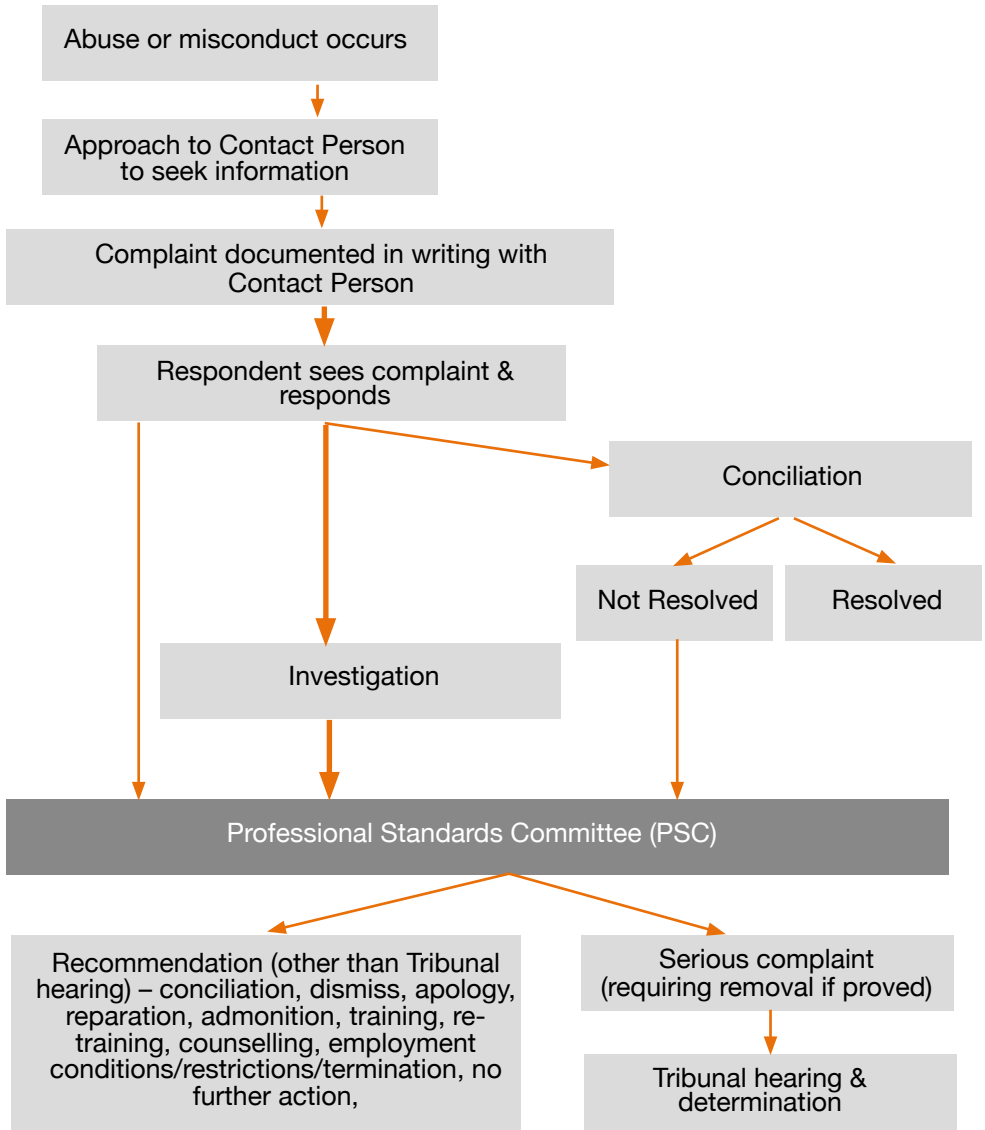
The Professional Standards Director will administer the consideration of the complaint by the Professional Standards Committee (PSC) under the ***Discipline Ordinance 2006***. They will take into account the matters raised by the complainant, the matters raised by the respondent and all the circumstances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

## Outcomes

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, whilst 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.

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](http://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.

## How will the church care for and support you?

### **Pastoral care**

The alleged victim has probably been involved in and may continue to be involved in the life of the church. As such, dealing with child abuse or sexual abuse is likely to involve issues of spiritual concern as well as emotional, psychological and personal distress. We recognise that appropriate support needs to be available for the person to deal with all the issues which arise. As a first response the claimant will be contacted by the Diocesan Chaplain for victims, who has been given responsibility for ensuring that victims of abuse receive ongoing pastoral care and support.

### **Counselling**

Counselling will be offered so that the claimant can work through the personal issues and needs which arise for them and so that a clinical assessment of the needs of the victim can be made and how those needs can best be met. The counselling will be arranged with an independent practitioner either from an agreed panel of providers or from an approved counsellor, with appropriate qualifications and experience, selected by the claimant. A progress report may be sought from the counsellor with the consent of the claimant.

### **Other Immediate Assistance**

There is a capacity to provide some immediate emergency assistance.

## **Acknowledgement and apology**

An apology is the appropriate Christian response to a person who has suffered abuse. An apology in relation to the abuse will be made to a complainant as follows:

- (i) In all cases a general acknowledgement will be given that all abuse is grossly wrong and should never occur, and

Once more is known about the abuse, a specific apology will be given to the victim. The form and wording of the apology and the context in which it is given must be acceptable to the victim. It will normally be given by a senior Church office-holder in a pastoral context where the victim has been given the opportunity to tell their story and has been listened to.

## **Counselling**

A voluntary pastoral care and assistance scheme is also available from which to claim for financial assistance and as an alternative to litigation.

## 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](mailto: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>

Chaplain to Victims (02) 9265 1500

Pastoral Care & Assistance Scheme (02) 9265 1500

### **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>

## **TAMAR (Towards a More Appropriate Response)**

Anglican Victims Support & Advocacy (02) 9484 0174

Boundaries & Ethics Training (02) 9636 7937

[tamarsyd@optusnet.com.au](mailto:tamarsyd@optusnet.com.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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