

## Safe Ministry Board and Professional Standards Unit Annual Report 2012-2013

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

### Introduction

1. This report is provided under the *Safe Ministry Ordinance 2001 (cl 17)* and the *Discipline Ordinance 2006 (cl 104)* for the period 1 July 2012 to 30 June 2013 (reporting period).
2. The Diocese of Sydney has taken a multi-faceted approach to the issue of safe ministry and child protection. Broadly speaking the policy objectives are –
  - (a) to exercise careful selection and screening of all clergy and church workers;
  - (b) to provide clear requirements and expectations of behaviour through a Code of Conduct called *Faithfulness in Service*;
  - (c) to provide regular and comprehensive training and support of all clergy and church workers;
  - (d) to make a timely and caring response to all who are affected by abuse; and
  - (e) to enact just procedures to deal with respondents and persons of risk.

### Safe Ministry Board

3. The Safe Ministry Board (SMB) was established under the *Safe Ministry Ordinance 2001*. The SMB is tasked with ensuring that safe ministry, child protection and child abuse issues are properly dealt with throughout the Diocese. This includes development and review of practices and policies in these areas. The functions of the Board are defined in clauses 5 and 6 of the Ordinance.
4. The members of the Safe Ministry Board (SMB) over the reporting period were: the Rev Dr Keith Condie (Chair), Mrs Sarah Clancy, Ms Stephanie Cole, the Rev Steven Layson, the Rev Chris Moroney, Deaconess Pattie Mutton, the Rev Janine Steele, Dr Ruth Shatford AM, Mrs Kylie Williams, the Rev David Mears, the Rev Brian Heath (resigned December 2012), Dr Tim Channon.
5. The SMB has met 8 times in the reporting period.

### Professional Standards Unit

6. Kerrie Newmarch joined the PSU team in January 2013 as Case Manager, Pastoral Care & Support (also referred to as PSU Chaplain). Annelie Singh continues to serve as Personal Assistant and the Unit's Administrator and Lachlan Bryant as Director.
7. In practice much of the work of the PSU derives from the Safe Ministry Board, which has the overall responsibility to encourage all parishes and other units of the Diocese to be child protection aware, compliant and responsive.
8. The Director has overall responsibility for the PSU and is responsible for the day-to-day administration of the complaints and discipline procedure for clergy and church workers (*Discipline Ordinance 2006*) and the National Register (*National Register Canon 2007 Adopting Ordinance 2008*).
9. When the PSU receives a complaint alleging abuse by a member of clergy or church worker, the Chaplain follows up and provides a caring response to complainants and victims of abuse (survivors). The Chaplain provides pastoral support and coordinates the provision of counselling in each case. The Chaplain works closely with the PSU Contact Persons.
10. The PSU undertakes screening of all clergy appointments on behalf of the Archbishop. The screening includes a Working With Children Check (from 15 June 2013 the New Working with Children Check) through the NSW Commission for Children and Young People (CCYP) and a National Register check. The PSU provides ongoing support and advice to office holders, parishes and organisations in this regard.
11. Anglicare's Case Manager, Pastoral Care and Assistance for Care Leavers provides a pastoral and caring response to former residents of the Church of England Homes who have complained of abuse or mistreatment during their time at the Homes. Michelle Knight commenced in the role in June 2012 and works from Anglicare's Parramatta offices, with Dr Andrew Ford, Director of Pastoral Care and Theology.

### The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission)

12. This is the subject of a separate report to the Synod. Only limited information will be provided in this Report.
13. The Royal Commission commenced in 2013 and will last for at least 3 years. The Royal Commission has been charged with examining the sexual abuse of children in the context of institutions throughout Australia including churches and their agencies.

14. The Royal Commission presents an important opportunity for the Diocese to review both past and current practices from a 'best practice' perspective.
15. A Steering Committee was appointed by Standing Committee in December 2012 to oversee the response of the Diocese to the Royal Commission and to provide the Director of the PSU with a point of reference for undertaking this work.
16. Additional funding for resources to respond to the Royal Commission has been allocated which is being administered by the Steering Committee.
17. PSU files relevant to the Royal Commission and PSU policies are being comprehensively reviewed as part of the preparations for the Royal Commission and significant work is required as a result.
18. The PSU is therefore under increased pressure to keep up to date with existing work whilst carefully managing the work required in response to the Royal Commission. Please pray for the PSU that we would faithfully bear up under the increased workload and that under God's care the PSU team would continue to work effectively and well together despite these pressures.

#### **Website**

19. The safe ministry website [www.psu.anglican.asn.au](http://www.psu.anglican.asn.au) provides access to all current policies and documents related to safe ministry, child protection and professional standards. The website provides links to other important online resources such as the NSW Commission for Children and Young Persons New Working with Children Check, the NSW Department of Family and Community Services webpage, counselling services, contact information for other dioceses and other denominations.
20. Our website is being progressively updated over the next 12 months. If you are aware of things that might need fixing or updating please let us know by email.

#### **Archbishop's Meetings with Survivors**

21. Throughout the reporting period the Archbishop has continued to make himself available to listen to complainants and relate to them pastorally. This usually includes the making of an appropriate apology on behalf of the Church.
22. These meetings are of immense value in almost all cases and survivors are appreciative of the effort taken by the Archbishop and the PSU Chaplain to arrange them.

#### **Screening of Lay Workers**

23. Parishes are required to obtain prohibited employment declarations for all child-related workers (including unpaid volunteers) and to undertake working with children screening checks for those in paid positions.
24. From 15 June 2013 the New Working With Children Check will be phased in (referred to further below). It is recommended that parishes also seek full disclosure of any relevant history and to fully complete reference checks with prior supervisors or employers.
25. Prohibited persons under the NSW state legislation (those convicted of serious sexual offences) cannot be appointed or elected as wardens, parish councillors or parish nominators.

#### **The New Working With Children Check**

26. The New Working With Children Check (WWCC) is being phased in across NSW from 15 June 2013.
27. Some important developments with the new check include: that clearances must be obtained by both paid employees and (in 2014) volunteers in child-related work; the clearance will remain valid for 5 years; regular crosschecking with NSW police records will be undertaken; any matters of concern will result in the CCYP imposing a bar; and the same clearance may be used for multiple employers.
28. Parishes are required to register for the new WWCC as soon as they are able to after 15 June 2013.
29. The new WWCC will require –
- i. all new persons employed after 15 June 2013 who will be in child-related work to obtain a WWCC clearance, which must be verified by the parish (or organisation) where they are working;
  - ii. all clergy, whether in a parish or not and any lay workers (paid or unpaid) on the staff ministry team to obtain a clearance in the period 15 June to 31 December 2013 (the Registry and the parish will both be required to verify clearances of those with the Archbishop's licence);

- iii. all other persons who are in child-related work in parishes (or organisations), new and existing, employed and voluntary, to obtain a clearance in the period 1 January 2014 to 31 December 2014, and parishes (or the applicable organisation) must verify those clearances.

30. Some exceptions to the new WWCC apply. In many cases careful thought is required before an exception is relied upon. Penalties apply for non-compliance with the requirements of the new check.

31. A circular was prepared by Steve Lucas, Manager Legal Services to help inform key persons in the Diocese of the legal requirements of the new WWCC and to provide parishes with advice concerning implementation and administration requirements. The circular was sent to all ministers and wardens on 6 June 2013 and SMRs were provided with the URL for the circular in the autumn edition of *The Standard*. The circular is available here –

<http://www.sds.asn.au/assets/Documents/circulars/2013/Circular.Min.Wardens.SMRs.NewWWCC.060613.pdf>

32. The PSU will be assisting parishes throughout the period for implementation of the new WWCC and those with responsibility for these matters are encouraged to contact us as needed.

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

33. All candidates for ordination by the Archbishop continue to be required to complete a comprehensive screening and disclosure questionnaire. This is administered by Ministry Training and Development (MT&D).

34. Ordination/ministry candidates also continue to undergo extensive assessment and screening by way of reference-checking, general psychological testing, interviews, chaplaincy supervision reports and college reports. A PSU record check and National Register check are also undertaken. The *Discipline Ordinance 2006* provides a mechanism for pre-ordination disclosure and consideration of prior sexual misconduct or abuse.

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

35. The Diocese is a member of the National Council of Churches' Safe Church Training Agreement. There are currently 38 independent churches and other dioceses who are members of the Safe Church Training Agreement across Australia.

36. The *Safe Ministry Essentials* course remains the mandated safe ministry training for the Diocese. Recently, some gaps have been identified in the content and coverage of the course and this is currently being reviewed by the SMB – in particular the important matter of protecting vulnerable adults which is currently outside the scope of the training.

37. Youthworks continues to update the *Safe Ministry Essentials* course materials and facilitates the delivery of the training across the Diocese. Youthworks implemented some changes during the reporting period. Over past 3 years the level of funding received by YouthWorks for Safe Ministry has remained static, although the costs administering and resourcing this training have increased over time. In March 2013 charging was implemented to help cover the costs for Youthworks to continue to deliver the training. These charges are below the actual costs that it is to maintain and administer the Safe Ministry training. For an explanation of these costs go to –

[http://www.youthworks.net/safeministry/available\\_safe\\_ministry\\_training](http://www.youthworks.net/safeministry/available_safe_ministry_training) .

38. A video to assist in the provision of the training has also been produced in order to replace the *Behind Closed Doors* video that has been used since the inception of safe ministry training.

39. The SMB and PSU are thankful to Youthworks for their efforts in safe ministry training.

40. Over the reporting period the SMB has made the following recommendations regarding Safe Ministry Training –

- i. Removing the exception from safe ministry training requirements for those who work with children but are directly supervised.
- ii. Relaxing training requirements to the extent that any person who is a survivor of child sexual abuse who may be at risk of being re-traumatised by the training is able to contact the PSU or their Senior Minister to arrange alternative, suitable training in the circumstances.
- iii. Making sure that units that fit under the New Churches umbrella (or any other para-church or congregational ministry recognised by the Diocese that does not fit within existing parish structures) appoint a Safe Ministry Representative as a minimum operating requirement and ensure safe ministry requirements are being maintained.
- iv. That Safe Ministry Representatives must undertake annual training recommended by the PSU. It is envisaged that such training will involve an online course developed for this purpose.

- v. Clearly stating that it is recommended that all clergy undertake safe ministry training (initial training then a refresher once every 3 years thereafter - the current minimum requirements for those in youth or children’s ministry) to help create a culture of awareness, prevention and safe ministry practices throughout every part of the Diocese.
- vi. That any failure of the clergy to undertake the minimum safe ministry training without reasonable excuse or to implement safe ministry practices is an actionable complaint under the Discipline Ordinance.
- vii. Clearly stating that it is recommended that all church workers and all parishioners in all parishes undertake safe ministry training (initial training then a refresher once every 3 years thereafter) to help create a culture of awareness, prevention and safe ministry practices throughout every part of the Diocese.

41. These are significant but important changes to the current Safe Ministry requirements and expectations. The PSU is currently working through the changes that may be required to give effect to these recommendations and how they may be implemented.

**Training of Ministry/Ordination Candidates and Clergy**

42. 8 Safe Ministry Modules have been developed and are being taught through Moore College, Ministry Training and Development, and Youthworks College as part of their courses and programs.

43. The next triennial *Safe Ministry* training for clergy known widely as “Faithfulness in Service Seminars” is currently being planned for 2014.

44. Further developments concerning Safe Ministry training and clergy are reported at paragraph 32 above.

**Safe Ministry Representatives**

45. The role of Safe Ministry Representatives (“SMR”) in parishes continues to be pivotal in ensuring parishes comply with safe ministry requirements. The PSU issues a Safe Ministry folder to each SMR and each Minister in charge. The PSU provides support and assistance to SMRs by telephone and email. There continues to be a significant level of direct enquiry from parishes and support given to them. It is expected that this will increase due to the New Working With Children Check that is being phased in from 15 June 2013.

46. Since 2008 it has been mandatory for each parish to nominate a SMR. Following concerns raised in the report for the previous reporting period, there was a concerted push by the SMB for Safe Ministry Representatives to be appointed across all of our parishes. A position description for SMRs was provided with the Registry’s January mail out with the forms for the annual returns for parishes. In 2013 Safe Ministry Representative training was also offered and promoted for the first time since 2008.

47. As at the date of preparing this report a total of 207 parishes (out of 269) have nominated a SMR to the Registry. This is an increase of 7% since the previous reporting period.

48. The existence and importance of SMRs was underlined when the Commission for Children and Young People confirmed in late 2012 that they were undertaking an audit of religious institutions in NSW concerning compliance with the Working With Children Check obligations current at that time. When the PSU was asked to provide the contact point at each parish concerning the subject of the audit, many were able to provide the details of their SMR but many were not able to do so, in which case the contact details of the Senior Minister of the parish were provided.

49. In 2013 SMR training was prepared and delivered by Kerrie Newmarch, PSU Chaplain. Four training sessions were planned and 3 were held at different locations with attendance as shown in the following table –

28/4/13	Albion Park Anglican	NIL (Cancelled due to lack of registrations)
5/5/13	Toongabbie Anglican	25
18/5/13	St Barnabas Church Broadway	32
3/6/13	Christ Church, St Ives	35
Total		92

50. A report concerning the training is being prepared for the SMB to determine how future training can be provided with participation from a greater number of SMRs. Online training, for example, may be one feasible option.

#### ***The Standard***

51. In September 2012 a new quarterly PSU briefing called "*The Standard*" was launched. The Standard is now emailed to each parish, all members of the clergy, all SMRs, the Episcopal Team, the CEOs of a number of Diocesan organisations, SMB members, the PSU Contact Persons, PRT consultants and others.

52. *The Standard* is intended to be an important and informative but also practical and helpful exchange of information and ideas between the PSU and our parishes in particular concerning safe ministry.

53. A range of contributors (such as the Archbishop, the Rev Dr Keith Condie, and Dr Patricia Weerakoon) and topics (such as "Does Forgiveness = Restoration?", Purity in a Pornified Society" and "Boundaries 101") have been covered in the first three issues.

54. Editions of *The Standard* are now available on the Safe Ministry website – [http://www.psu.anglican.asn.au/index.php/p2/the\\_standard](http://www.psu.anglican.asn.au/index.php/p2/the_standard)

55. Responses received concerning *The Standard* so far have generally been positive. We are interested in receiving further feedback on whether *The Standard* has been helpful or useful. We would also like to receive requests or ideas for topics for future issues. Please email any contributions in this regard to – [TheStandard@sydney.anglican.asn.au](mailto:TheStandard@sydney.anglican.asn.au)

#### **The Taskforce on Resisting Pornography**

56. The Taskforce on Resisting Pornography was called together by the PSU in early 2013.

57. Members of the Taskforce include: Lachlan Bryant (PSU Director), Kerrie Newmarch (PSU Chaplain), the Rev Dr Keith Condie (Dean of Students Moore Theological College), the Rev Chris Moroney (MT&D), Dr Patricia Weerakoon (sexologist), Mrs Nicky Lock (counsellor and Diocesan Contact Person), the Rev Marshall Ballantine-Jones (Youthworks), Dr Cliff Powell (psychologist), the Rev Dr Grenville Kent (Wesley Institute).

58. Although only in its initial stages the Taskforce will be looking at the impact pornography has on the church and what can be done about this. A particular need that has already been identified is for better education for those in our churches on this topic.

#### **Safe Ministry Guidelines and Other Advice**

59. The PSU continues to provide telephone and face-to-face assistance to clergy and church workers in parishes on child protection issues and safe ministry issues. Such calls or emails are received on a daily basis and average about four inquiries per week.

#### **Care of Survivors of Abuse and Complainants**

60. It is the role of the PSU Chaplain to care for complainants and survivors of abuse by clergy and church workers. The complaints process can be long and difficult for survivors and the Chaplain provides pastoral care and support to them throughout. This important role supplements counselling and other emergency assistance which are provided to survivors from PSU funds. A caring response is the first important step along the road of healing for survivors of abuse.

#### **Pastoral Care and Assistance Scheme**

61. The Diocesan Pastoral Care and Assistance Scheme has been established to provide financial assistance to survivors of abuse to meet their needs which arise from clergy or church worker abuse or misconduct. The Scheme is an alternative to litigation which can be a protracted and harrowing process for survivors. The Scheme includes a mechanism for external assessment if necessary.

62. Currently there are two identical schemes, one for matters that fall within the Diocesan responsibility and one for Care Leavers matters that are Anglicare's responsibility.

63. Between 1 July 2012 and 30 June 2013 there have been no payments under the Diocesan scheme, and 7 payments were funded under the Anglicare scheme.

64. A review is being conducted to ascertain whether there are any impediments or blockages in accessing the Diocesan Scheme and to ensure it is being administered efficiently and effectively.

### **Abuse and Sexual Misconduct Complaints Protocol**

65. Since 1996 the Diocese has used an established protocol for receiving complaints and allegations of child abuse or sexual misconduct by clergy or church workers. Independent Contact Persons, all trained counsellors, may be contacted through an abuse report line (**1800 774 945** or [reportabuse@sydney.anglican.asn.au](mailto:reportabuse@sydney.anglican.asn.au)). The Contact Persons provide information and support to callers as they consider their options. The Contact Persons can then assist in the documenting and reporting of allegations or complaints of abuse or misconduct.

66. Any complainant identifying possible criminal behaviour is encouraged to make a report to NSW Police. The Contact Person or another appropriate person from the PSU is able to assist the person in reporting the matter to Police.

67. In June 2013 we welcomed Robert Carroll, counsellor and psychotherapist as a fifth Contact Person, located in the Southern Suburbs of Sydney.

68. The Contact Persons meet four times a year with the Director and Chaplain for training and coordination of their roles.

69. The abuse report line message was updated in late 2012 to make it easier for callers to use.

### **Discipline Ordinance**

70. The process for complaints regarding misconduct or child abuse by clergy or church workers is governed by the *Discipline Ordinance 2006*. The specific offences covered in the Ordinance are: child abuse, sexual abuse, unchastity, drunkenness, neglect of ministerial duty, non-payment of just debts, disgraceful conduct, conviction of a serious criminal offence and failure to report suspected child abuse.

71. Where a complaint is received by the PSU that includes an allegation of criminal behaviour a report is made to NSW Police if the complainant is not able to make that report.

72. Complaints are reduced to writing and put to the respondent (the person who is the subject of the complaint). If the respondent denies the complaint or does not admit to the substance of the complaint, the matter is investigated under the direction of the Director of the PSU. The complaint, investigation report and responses are then presented to the Professional Standards Committee for review. Where necessary, the complaint may be referred to a Tribunal and recommendations made to the Archbishop for action. For laypersons, the strongest sanction available is a prohibition order that prevents a respondent from engaging in ministry or being appointed to any role in the church. A member of the clergy may be deposed from Holy Orders. There are also conciliation provisions, lesser sanctions and other recommendations available in appropriate circumstances. The Archbishop considers the final recommendations and takes action as may be required. The Archbishop is entitled to enquire as to progress of matters and the Director is obliged to keep him informed.

### **Assistance for Respondents**

73. Respondents are offered a Support Person to help pastorally care for and look after them while they are going through the Discipline Ordinance process. After a respondent has been served with a complaint under the Discipline Ordinance 2006, they may choose to seek legal advice concerning the matter. The cost of this legal advice is reimbursed by the PSU up to a pre-approved amount.

### **Complaints**

74. The Director received 8 new complaints under the Discipline Ordinance during the reporting period.

75. The Professional Standards Committee met 5 times and considered 13 matters in the reporting period.

76. No matters were referred to the Tribunal during the reporting period.

### **The Professional Standards Committee**

77. There are seven members of the Committee. Under the provisions of the *Discipline Ordinance 2006*, the Committee's function is to consider complaints matters and make recommendations to the Archbishop concerning these matters.

78. This Committee meets as required and is currently meeting every second month.

### **Parish Recovery Teams**

79. Parish Recovery Teams (PRTs) are generally available to assist parishes where allegations of abuse or misconduct by clergy or church workers have arisen. A PRT works in a parish to deal with the complex pastoral issues that arise once these matters come to light. PRTs aid those members of the parish who are affected and work towards the healing of the parish as a whole.

80. In 2007 a group of nine volunteers for our PRTs was trained by Pastor Tim Dyer of John Mark Ministries. In 2010 a new team of nine volunteers began their training in conjunction with seven of the existing volunteers and this was completed in May 2012.

81. Due to numbers of Parish Recovery Team consultants being unable to continue with PRT work due to health and other reasons, a new team of volunteers is being recruited to commence training in late 2013.

82. In the reporting period, 8 PRTs have been deployed on new matters and 2 PRTs were reactivated due to legal proceedings progressing or reaching finality.

83. Our thanks and appreciation to Archdeacon Ian Cox for oversight of this group on behalf of the Episcopal team over the last 3 years.

#### **Cooperation with NSW Government Agencies and Other Churches**

84. The NSW Police Child Protection and Joint Investigation Squad Advisory Council meets together quarterly and the Director of the PSU continues to be a member of the Council.

85. The Diocese continues to work together with other denominations in areas of safe ministry. One example of this collaborative approach is the National Council of Churches *Safe Churches* Sydney group. This group ordinarily meets quarterly to focus on developing initiatives for churches in the area of child protection. The PSU Chaplain now attends these meetings as the PSU representative.

86. The National Network of Directors of Professional Standards from Anglican Dioceses across Australia meets together each quarter. The Director of the PSU continues to be an active member of the Network. The Network meetings are crucial for continuing cooperation and communication between Professional Standards Directors across the nation. The value of the Network is the depth of experience in matters of professional standards and child protection across the group as a whole. This also means the Network is well positioned to make important contributions to improvements in these areas and policies and practices are continually being refined.

#### **Finance**

87. The only source of PSU funding for 2012-2013 is from Parish Cost Recovery payments. In the years prior to 2012, funding was been received from 2 sources: Synod allocations and PCR payments.

88. After cuts were made to funding provided to the PSU for 2011-2012 by almost \$100,000 from the previous year, with PSU funding remaining static since that time, the PSU now has very limited funds and no reserves.

89. The PSU is seeking a PCR funding increase in the amount of \$11,000 per annum to pay for further ongoing work that it is anticipated will be required following the review of the Diocesan Pastoral Care and Assistance Scheme. This would pay for a suitably qualified consultant to provide a level of supervision and oversight across the Scheme each week to ensure its smooth functioning and operation.

90. In the coming years it is crucial for the PSU to be adequately funded and resourced in order for the Unit to do its work properly and effectively.

91. The SMB receives accounting reports on a monthly basis. PSU accounts are reported in the Synod Funds reports provided to members of Synod.

#### **Conclusion**

92. It has been a time of significant work and review for the PSU across the reporting period. The importance of the work of the PSU is underlined and highlighted by the Royal Commission that is now underway. It is more critical than ever that the work of the PSU is not only done but done well. Proper resourcing and funding are and will be imperative. Some big changes may be required, for example in the area of Safe Ministry training, as we not only aim for but seek to achieve best practice in safe ministry across the Diocese. By the grace of God, with the support of the SMB, and the hard work of the Steering Committee, the PSU will continue to plot a steady course throughout this period. This will serve the Diocese well, both now and into the future.

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

THE REV DR KEITH CONDIE  
*Chair*

*Safe Ministry Board*  
19 July 2013

LACHLAN BRYANT  
*Director*

*Professional Standards Unit*  
19 July 2013