



Taking Abuse

and Other Misconduct Seriously

Information for clergy and church workers

**sydney
anglicans⁺**

OFFICE OF THE DIRECTOR
OF SAFE MINISTRY



safeministry.org.au

The Anglican Church Diocese of Sydney takes abuse and misconduct **seriously.**

Jesus is famously and strikingly blunt when he speaks of the blame that attaches to those who cause his 'little ones' to stumble:

If anyone causes one of these little ones – those who believe in me – to stumble, it would be better for them to have a large millstone hung around their neck and be drowned in the depths of the sea. Matthew 18:6-7

These sobering verses follow on from Jesus' teaching that 'unless you change and become like little children, you will never enter the kingdom of heaven' (Matthew 18:3) and 'whoever welcomes one such child in my name welcomes me' (Matthew 18:5).



Jesus radically altered the status of children in his own culture and society. Most notably, the early Christians not only gave up the common practice of infanticide by 'exposure' but also began to rescue the children who were abandoned by others, and to care for and raise them in Christian homes.

Sadly, within the life of our church there is a devastating legacy of the abuse of vulnerable people, including child sexual abuse. To this must be added the frequent failure of our institutions to care for and respond with compassion and justice to those who came forward to disclose this wicked behaviour. Nor can it be said that such behaviour ceased at some point in the distant past.

Abuse of any kind cannot be tolerated in the church of God, or in the community, and especially by those who have been charged with a responsibility for ministry in our midst, whether lay or ordained. As ministers of the gospel, we are called to be models of love to those whom we serve. As Paul encouraged Timothy to follow his example, so we too are to be examples to the flock of God's people in our manner of life.

This brochure has been designed for clergy and church workers to understand the serious nature of abuse and other misconduct among the people of God. It describes the Diocese's processes and the support available to those involved. It is an important element of our 'safe ministry' that you are familiar with these matters for your own reference and prayerful reflection.

“As ministers of the gospel, we are called to be models of love to those whom we serve.”

Clergy and church workers must treat such matters with the utmost seriousness. Our ministry of compassion and care, especially towards the vulnerable, is of vital importance. Be assured of my prayers for all those involved in these matters. Remember that healing and hope are to be found in Jesus alone.

Kanishka Raffel
Archbishop of Sydney

The Anglican Church Diocese of Sydney 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*. Particular breaches of these standards are referred to in this document as abuse or misconduct.

Synod has passed the *Ministry Standards Ordinance 2017*. It establishes a process for receiving and dealing with particular allegations or complaints that the standards have been breached. The process aims to deal thoroughly and properly with complaints whilst being fair to those against whom allegations are made.

This brochure contains information on that process for clergy and lay church workers.

The Diocese takes complaints of abuse and other misconduct very seriously. Abuse is always wrong and has profound and lasting impacts on many survivors. It can pervade all aspects of their lives, including their mental health, physical health, interpersonal relationships, identity and spirituality. Ripple effects can extend to the survivor’s family, carers and friends.

The [*Faithfulness in Service*](#) and [*Ministry Standards Ordinance 2017*](#) documents can be found at www.safeministry.org.au.

Who is affected by the *Ministry Standards Ordinance 2017*?

A *church worker* is a person who holds or has held any position of leadership within the Diocese.¹ This includes those who are unpaid volunteers. Some (non-exhaustive) examples are:

- a member of the ordained clergy
- an office holder in the Diocese
- a member of a church governing body board, council, committee, Synod, Standing Committee, regional council or parish council
- a church warden, musician, choir leader, parish council secretary or parish treasurer
- leaders of Sunday Schools, Bible classes, study groups, youth fellowships, CEBS groups or other parish organisations
- a chief executive officer of a diocesan organisation, such as Anglicare, Youthworks and principals of some diocesan schools
- a person appointed by a rector, an acting rector, church warden, 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.²

¹ *Ministry Standards Ordinance 2017* cl 5.

² *Ministry Standards Ordinance 2017* cl 18.

What is abuse or other misconduct?

The Diocese's *Ministry Standards Ordinance 2017* defines abuse or other misconduct as any behaviour that, if established, would call into question the fitness of a church worker to hold their position and perform its functions (temporarily or permanently).³ This includes:

- bullying*
- child abuse
- emotional abuse
- harassment
- neglect
- physical abuse
- sexual abuse
- spiritual abuse
- domestic and family violence
- grooming
- failure to report abuse
- conviction of a serious criminal offence
- threatening or obstructing a person who intends to make or has made a complaint
- obstructing or not cooperating with the investigation of a complaint.

Please refer to the *Ministry Standards Ordinance 2017* and *Faithfulness in Service* for complete and detailed definitions of misconduct.

*There is another brochure for clergy and church workers regarding bullying.

³ *Ministry Standards Ordinance 2017* cl 6.

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

Complaint

When a person makes a report to the ODSM, they will be asked to record the following:

- what is alleged to have happened and the nature of the alleged abuse or other misconduct
- 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 'respondent')
- the parish or organisation for which the respondent was working
- when and where the alleged abuse or other misconduct occurred
- any other relevant supporting information.

The ODSM will then decide whether to bring a 'complaint' against the respondent under the *Ministry Standards Ordinance 2017*. A complaint is brought so that we can make a decision about the fitness of the respondent to be a church worker. Any criminal proceedings will need to be resolved before a complaint is commenced.

Response

A response to the reported allegations will be obtained from the respondent. The respondent will be provided with the substance of the complaint and information on the complaints process. A response may include admitting to or denying the complaint in whole or in part.⁴

⁴ *Ministry Standards Ordinance 2017* cls 25, 26.

Investigation

The allegations may be independently investigated further by an independent Investigator appointed by the ODSM. This could occur where the respondent does not admit to the complaint. An investigation will usually not be necessary if the respondent has been convicted of a serious criminal offence in relation to the misconduct.

An investigation may involve obtaining a statement from the respondent (if not already obtained). It may include the Investigator asking for clarification of the circumstances surrounding the allegations and requesting any further information which may be needed as a result of the investigation.⁵

Consideration

If the respondent is an unpaid lay church worker, an independent Adjudicator may be appointed who will review the complaint and Investigator's report if applicable. They will make recommendation(s) in relation to the respondent. The Adjudicator will be an experienced lawyer with no connection to the matter.

If the respondent is a member of the clergy or a paid lay church worker, the Ministry Standards Committee (MSC) will review the complaint and make recommendation(s) in relation to the respondent.

When determining the fitness of the respondent to be a church worker, the Adjudicator or MSC will take into account the matters raised by both the complainant and the respondent, as well as all the circumstances of the case as revealed by any investigation. A detailed list of what they must consider is contained in the *Ministry Standards Ordinance 2017*.⁶

Depending upon the nature of the complaint, the respondent may be stood down from their position during the process.

If the complaint raises matters of complexity, it can take a considerable period of time for the PSC or Adjudicator to deal with the complaint.

⁵ *Ministry Standards Ordinance 2017* cl 23.

⁶ *Ministry Standards Ordinance 2017* cls 28, 29, 34, 35(2).

Outcomes

The aims of the process are that:

- people have the opportunity to bring forward allegations of abuse or misconduct and they are heard
- respondents have the opportunity to bring forward their response to allegations of abuse or misconduct
- respondents are kept accountable
- children and other vulnerable people are protected.

Possible outcomes of the complaints process include the Adjudicator or MSC recommending to the Archbishop that the respondent:

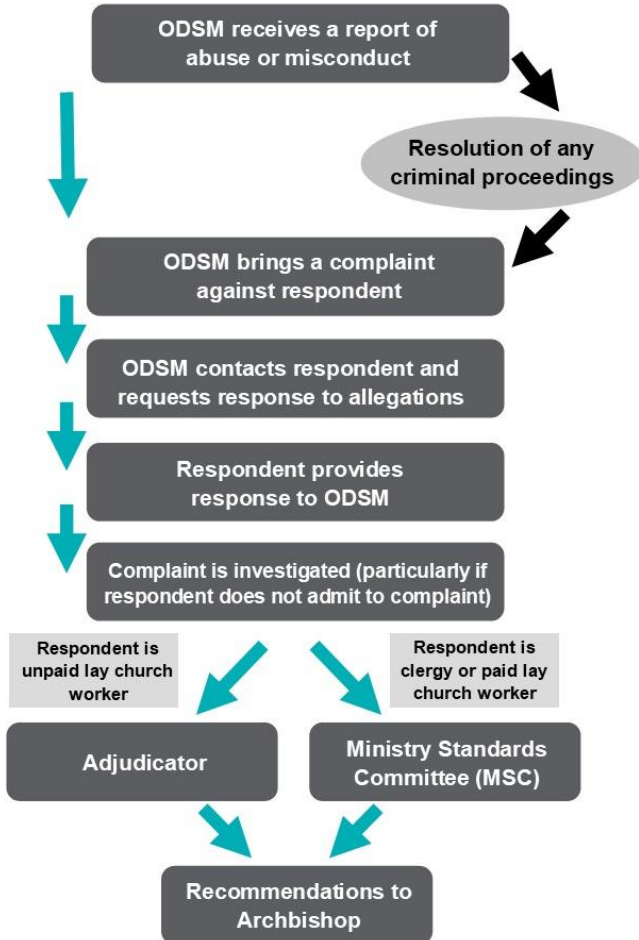
- make an apology
- undertake training and counselling
- be suspended
- have their authority revoked and/or employment terminated
- resign from office or employment
- not accept nominations or appointments to roles or offices
- relinquish holy orders
- be subject to a prohibition order
- be entered onto the National Register
- be notified to the relevant authorities
- be excluded from access to Church premises or activities
- have no further action taken against them with respect to the complaint.⁷

⁷ *Ministry Standards Ordinance 2017* cls 30, 41.

Summary diagram of the complaints process

Please note: this diagram summarises steps and actions that may be taken under the *Ministry Standards Ordinance 2017* and is not comprehensive.

Complaints regarding clergy or paid lay church workers that are not resolved at the Ministry Standards Committee stage may be referred to the Ministry Standards Board for final determination.



When will allegations be reported to the authorities?

We must report matters to the Department of Communities and Justice where there is a child currently at risk of harm. Allegations of criminal conduct are ordinarily required to be reported to the Police. Allegations of child abuse or sexual misconduct against current church workers may also need to be reported to the Office of the Children's Guardian.

Do respondents need to get legal advice?

The Director of Safe Ministry is required to caution respondents not to make admissions in response to a complaint without the benefit of legal advice. However, whether a respondent chooses to get legal advice is a personal decision. Respondents may want to bear in mind that the complaints process is not adversarial and does not involve appearing before the Adjudicator or MSC.

How will we support respondents?

The process may take a significant amount of time to be resolved and can be difficult and upsetting for all those involved. Counselling at the cost of the ODSM is available to respondents during the complaints process. Counselling may also be available to the family of a respondent if this is appropriate. Respondents are also encouraged to seek a support person who can attend meetings and interviews alongside the respondent. The ODSM can assist in finding an appropriate person for this role.

Important sources of further information

Office of the Director of Safe Ministry (ODSM)

www.safeministry.org.au

(02) 9265 1604

info@safeministry.org.au

Abuse Report Line: 1800 774 945 or abusereport@safeministry.org.au

Lifeline – crisis support and suicide prevention

www.lifeline.org.au

24-hour Helpline: 13 11 14

Suicide Call Back Service

www.suicidecallbackservice.org.au

24-hour Helpline: 1300 659 467

1800 Respect – sexual assault, domestic family violence support

www.1800respect.org.au

1800 737 732

Anglicare Counselling

www.anglicare.org.au/what-we-offer/counselling

1300 651 728

Clergy Assistance Program – support for clergy and spouses

www.anglicare.org.au/what-we-offer/counselling/clergy-assistance-program

1300 094 587

MensLine – telephone and online counselling for men

www.mensline.org.au

1300 78 99 78

NSW Department of Communities and Justice

www.dcj.nsw.gov.au

Child Protection Helpline: 132 111

Domestic Violence Line: 1800 656 463

Relationships Australia NSW & ACT – individual and family counselling

www.nsw.relationships.com.au

1800 025 441

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