

## The Anglican Diocese of Tasmania

### BRIEFING PAPER FOR THE BISHOP AND SENIOR STAFF

**Title:** Allegations of sexual assault against children by Anglican Clergy.

**Date:** 7th October 1997

**Purpose:** To consider possible responses to allegations that Anglican Clergy have been involved in sexually assaulting young children in Tasmania over several generations.

**Consultation:** The Bishop  
The Acting Diocesan Media Officer  
The Diocesan Treasurer

**Background & Issues:**

There seems little doubt that over the past 50 years there have been Anglican Clergy who have acted in a sexually inappropriate manner with boys and girls in their care. Allegations have been raised from time to time against a number of clergy, some of whom are now dead. There are currently no allegations being made against any member of the clergy or lay leader who is still serving in the diocese.

*allegations  
that*

The Church has a responsibility to provide appropriate care for any victim or survivor of sexual abuse. Such care includes provision of a process that will enable investigation of any claim and allow for a justice process which respects all the parties affected by the allegation. In this regard the Diocese has established the Sexual Harassment Response Group which, if properly utilised, should see that justice and care are the proper outcomes from any ~~substantiated~~ complaint. Care may include financial reparation.

*is that so?*

The Church must also be concerned with its public profile. Whenever accusations of sexual misconduct are made in the media the church is placed on the back-foot and often appears defensive or to be covering up the issues. The Church, if possible, should have a proactive media strategy that enables people to see that it is concerned that every victim or survivor receives justice and proper care.

As a church we are committed to seeing God's reign of peace and justice come. Where the church or its members have been party to injustice or the frustration of peace, even if only an individual's peace, the church must respond.

*?*

Significant allegations have been made in *The Mercury* against 3 priests who have served in Tasmania. The allegations involve predatory sexual assault against children aged 12 and younger. The National Anglican Newspaper - *Marketplace* - approached the diocese with a view to reporting the matter. This has been delayed and will not receive wide circulation in Tasmania following changes to the production of the *Tasmanian Anglican*. Mr John Brigg has advised a member of the clergy that he has been asked to write another article for *The Mercury*.

We are aware of the identity of one the priests, the one on whom the article in *The Mercury* focussed. The Bishop is under considerable pressure from that priest's parish and from other clergy to name the circumstances which led to this priest's resignation - an allegation of sexual abuse. A man who alleges abuse by this priest many years ago is pursuing his allegations and wishes to see the priest in court on criminal charges. The final version of the Sexual Harassment Procedures were not in place at the time of this priest's resignation. The Bishop's need to meet with the Parish Council of this parish on October 13th .

The Diocese needs an effective process for enabling people affected by this priest's actions to be identified and cared for. It also needs a process that will enable it to move from what is perceived to be a defensive stance, at least in the public eye.

// A significant question remains as to whether allegations relating to clergy and leaders who have long since left the diocese or died need to be aired and investigated. The Sexual Harassment Procedures would allow that the Sexual Harassment Response Group to do this.

Can be  
Can also be  
destructive //

No!

The Aboriginal People of Australia have reminded us that a powerful step in healing is the telling of one's story. This was so with the "Stolen Children" report. The Anglican Church could assist the healing process for those abused by its clergy and leaders, through some form of inquiry process that will enable people to tell their story. The holding of a such an inquiry would focus the issue for the Anglican Church in Tasmania. It is possible that an inquiry be structured to investigate the actions of the one particular priest rather than on all allegations ever made. The Sexual Harassment Response Group could respond to any other allegations.

This would mean that the Anglican Church in Tasmania risks financial exposure either through litigation by any person or the need to provide ex-gratia payments to people involved. It is not possible to quantify the amounts involved. It can be easily argued that the church presently faces the same risk in a climate of ongoing allegation against the Anglican Church and other churches.

A question has been raised at Diocesan Council on the possibility of the Anglican Church apologising to potential victims of sexual assault by clergy or officers of the Anglican Church in Tasmania. It is suggested that such a step may seem to be without substance unless some inquiry has occurred. It is further suggested that such an apology process may result in greater financial exposure on the church's part as it may imply liability without awareness of the level of liability on the church's part.

If a full or limited inquiry is instituted then it would be vital to have proper media coverage and advertising to indicate that the inquiry was underway. In the event of a limited inquiry then the advertising would direct people to the Sexual Harassment Response Group. In the event of a full inquiry then the advertising people would direct people to the Commission of Inquiry. In either circumstance there would need to be close and careful coordination with the Sexual Harassment Response Group with a view to providing ongoing investigation and care.

A rough estimate of the Cost of a full commission of inquiry might be:-

*Not 20 days  
required.*

3 Commissioners		
Hearing Fees: 20 days at \$600 per day		\$12000
Reporting Fees: 10 days at \$600 per day		\$ 6000
Secretarial Support		\$ 2500
Legal Support		\$ 5000
Counselling on-site		\$ 5000
Advertising		\$ 2500
		\$33000

A rough estimate of the Cost of a limited inquiry might be:-

*No 1*

*Commissioner*

1 Commissioner		
Hearing Fees: 15 days at \$200 per day		\$ 3000
Reporting Fees: 5 days at \$200 per day		\$ 1000
Secretarial Support		\$ 1500
Legal Support		\$ 2500
Counselling on-site		\$ 4000
Advertising		\$ 2500
		\$14500

**Options:**

1. To accept the defensive stance and react only when questioned.
2. To leave all matters in the hands of the Sexual Harassment Response Group.
3. To provide a mechanism for an investigation into allegations against one particular priest.
4. To establish a commission of inquiry to cover all allegations of sexual abuse by Anglican Clergy and Lay Leaders.

**The Role of a Commission of Inquiry**

The commission be charged with the responsibility to:-

- Hear oral and written submissions from any person who claims to have been sexually assaulted <sup>of harassed</sup> as a child by a member of the Anglican Clergy or officer/servant of the Anglican Church.
- Hear oral and written submissions from the immediate family of any person who claims to have been sexually assaulted as a child by a member of the Anglican Clergy or officer/servant of the Anglican Church. The immediate family being their current family or the family at the time of the assault.
- Hear oral and written submissions from Anglican Clergy or officer/servant of the Anglican Church relevant to the issue of sexual assault against children.
- To present a report to the Bishop within four months of being commissioned. The report shall contain such as have been approved for publication and such recommendations for the life, structure and policy of the Anglican Church as the Commission feels appropriate. The Commission shall feel free to present the report in two parts; a public document and a confidential report to the Bishop, should it wish to do so.
- To closely liase with the Diocesan Sexual Harassment Response Group who shall be responsible for arranging post-submission counselling for any person and be the reference point for any person who wishes to have their allegation considered further by the church.
- To comply with any state law relating to criminal offences against children.
- To liase with the Bishop on any matter.

*open*

*suffered sexual misconduct*

*To report to the Bp on extent & impact of sexual misconduct*

**A form of notice to be used in a Parish where the priest being investigated has served.**

The Bishop of Tasmania received a serious allegation of sexual misconduct against

XXXXXXXXXXXX

and has appointed YYYYYY to conduct an inquiry.

Any person wishing to speak with YYYYYY can contact them on XXXXXXXX or by writing to ZZZZZZ.