1. This statement made by me accurately sets out the evidence that I am prepared to give to the Royal Commission into Institutional Responses to Child Sexual Abuse. The statement is true and correct to the best of my knowledge and belief. Where direct speech is referred to in this statement, it is provided in words or words to the effect of those which were used, to the best of my recollection.

2. My full name is Christopher Randall Jones. I was born in 1964.

3. I have prepared this statement in response to a request from the Royal Commission dated 2 November 2015.

My qualifications and career history

4. I have the following qualifications: Bachelor of Theology, Diploma in Pastoral Studies, Masters in Management, Doctor of Business Administration, Fellow of the Australian Institute of Management, Fellow of the Australian Institute of Company Directors. I have held the following positions within the Anglican Diocese of Tasmania (ADT): Assistant Curate Kingston and Assistant Priest Kingston 1992-93; Assistant Priest Burnie 1993-95; Priest in Charge Scottsdale 1995-97; Rector Dorset 1997; Canon St David’s Cathedral 1997-98; Archdeacon (Church & Society) 1998-2000; Canon St David’s Cathedral 2002-2005; Deputy Registrar August 2002-2004, Vicar-General May 2004-; Archdeacon 2005-2008; Missioner Bishop – Stewardship 2008-2010; Assistant Bishop
Statement of Christopher Randall Jones continued

(Vicar General) 2010-2015. I am currently the CEO of Anglicare, a position I have held since July 1998. I am currently also the Administrator of the ADT, a position which I have held since 12 September 2015.

The Anglican Diocese of Tasmania

5. The ADT was established on 21 August 1842.

6. Tasmania is not within any province. It is extra-provincial.

7. There are currently 48 parishes in the ADT.

8. There are approximately 2,770 Church members in the ADT.

9. There are currently 150 clergy currently licensed to officiate in the ADT, including retired clergy with permission to officiate. Specifically, there are 94 clergy licensed to officiate, and 56 clergy with authority to officiate (being a limited license).

10. The financial position of relevant Diocesan entities, as at 30 June 2015, is set out in the following table:

<table>
<thead>
<tr>
<th>Diocesan Entity</th>
<th>Assets</th>
<th>Liabilities</th>
<th>Cash Reserves</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trustees of the Diocese of Tasmania (2)</td>
<td>59,172,980</td>
<td>47,193,607</td>
<td>3,130,284</td>
</tr>
<tr>
<td>Diocese of Tasmania (2)</td>
<td>9,277,623</td>
<td>671,389</td>
<td>8,529,223</td>
</tr>
<tr>
<td>Anglican Development Fund (1)</td>
<td>179,694</td>
<td>151,834</td>
<td>89,627</td>
</tr>
<tr>
<td>Anglican Health and Welfare (1)</td>
<td>4,778,298</td>
<td>390,012</td>
<td>4,727,137</td>
</tr>
<tr>
<td>Clarendon Children's Home Inc (1)</td>
<td>8,928,973</td>
<td></td>
<td>8,928,973</td>
</tr>
</tbody>
</table>

Notes:
(1) Audited Accounts
(2) Unaudited Accounts

11. The Trustees of the Diocese of Tasmania assets figure in the above table does not include parish
12. Parish asset holdings (except for bank accounts) are vested in The Trustees of the Diocese of Tasmania which is a body corporate established by the Anglican Church of Australia Constitution Act (Tas) (1973) (the Act) (see STAT.0802.001.0131, STAT.0802.001.0152 and STAT.0802.001.0176). Parishes are expected to meet the outgoings and undertake repairs and maintenance of the property they have use of. The initiative for the purchase and disposal of assets lies with the parish but requires approval by the Diocesan Council and The Trustees. Many parish properties are subject to specific trusts.

Governance of the Anglican Diocese of Tasmania

13. Below are the names, employment status, and periods of appointment of those people occupying the following positions in the ADT between 1 January 1990 and now:

(Note that, in the following paragraphs, where the term ‘Stipended clergyperson’ is referred to, this means a clerk in holy orders who has a licence to officiate and who receives a stipend. Such a person is an officeholder not an employee. Where a clerk in holy orders is referred to as holding an ‘honorary position’, this means that person is a volunteer who receives nothing in return for carrying out the duties of the position. Where a layperson is referred to as holding an ‘honorary position’, this means that person is a volunteer who receives nothing in return for carrying out the duties of the position.)

a. Bishop


b. Assistant Bishop

i. Right Revd Mervyn Richard Stanton - stipended clergyperson 21 December 1985 to 1992

ii. Right Revd Ronald Francis Stone - stipended clergyperson 11 June 1992 to 12 December 1996

iii. Right Revd Dr Christopher Randall Jones - honorary position 26 February 2008 - current

iv. Right Revd Ross Nicholson - stipended clergyperson 26 February 2008 - current

c. Chancellor

i. Mr Peter Robotham Cranswick QC - honorary position 10 July 1983 - 1995

ii. Mrs Audrey Roselene Mills - honorary position 1996 - current

d. Deputy Chancellor

i. Not appointed

c. Registrar/General Manager

i. Mr Peter Leigh Reynolds - full-time employee (Registrar) - 26 May 1987 - 2 February 1998

ii. The Venerable Peter Stuart - stipended clergyperson - part-time Acting Registrar - February 1998 - 8 June 1998
Statement of Christopher Randall Jones continued


iv. Revd Canon Christopher Randall Jones – honorary position - Deputy Registrar
    August 2002 – 2004

v. Mr David James Plumridge – honorary position - Deputy Registrar 1 January 2004 – 30 June 2015

vi. Mr Russell Alistair Morton – full-time employee (Registrar) 11 August 2004 – 1 July 2011


viii. Mr Robert Hubert Wallace – full-time employee (Registrar) 17 June 2013 – current

ix. Mr David Peters – honorary position - Deputy Registrar 1 November 2014 – current

d. Professional Standards Director

i. Mr Leslie Whittle – part time employee from 2005 – 2008

ii. Mrs Anne Foot – part time employee from 2008 – 30 June 2010

iii. Mr Robert Gilmour – part-time temporary employee – 15 July 2010 – 31 August 2010

iv. Ms Annette Elizabeth Sims – part-time employee from 1 September 2010 – current

Signature: ........................................ Witness: ........................................
Statement of Christopher Randall Jones continued

Page 6 of 78

e. Chair of the Professional Standards Committee or similar body

i. Mrs Beryl Carmichael — honorary position — 2005-2008

ii. Ms Helen Simmons — honorary position — 2008-2009

iii. Dr Richard Lord — honorary position — 2010-current

f. Diocesan Solicitor, or any person appointed to advise the ADT on legal matters relating to child sexual abuse

i. Dobson Mitchell Allport from 1990 to the present time. In that time the following lawyers of that firm have been engaged by the ADT: Messrs Cameron Leslie, Andrew Abbott, Rob MacKay, Michael O'Farrell and Robert Webster.

ii. David Thorp of Simmons Wolfhagen with respect to David Gould's complaint from in or about 1997 to 1999.

iii. Mr Neil Clelland QC for case studies 20 and 36 of this Royal Commission.

g. Diocesan Advocate, or any person appointed to represent the ADT in disciplinary proceedings for clergy and other Church workers


ii. Diocesan Advocate - Mr David Thorp — honorary position — 1992-2004

iii. Diocesan Advocate - Mr Craig Doherty — honorary position — 2005 - current

iv. Diocesan Solicitor - Dobson Mitchell & Allport — Mr Robert Webster — 2002

h. Presiding members of the Professional Standards Board, Panel of Triers, Disciplinary Tribunal, Diocesan Tribunal or similar bodies

Signature: ........................................ Witness: ........................................
Statement of Christopher Randall Jones continued

I. Professional Standards Board

a) Ms Anne Brown – Chair – honorary position – 2015

II. Diocesan Tribunal


III. Diocesan Sexual Harassment Response Group (name changed to Diocesan Sexual Misconduct & Harassment Response Group in 1998)

a) Mrs Marion Rainsford – Chair – honorary position – 1994-1999

IV. Clergy Complaints and Diocesan Tribunal Panel (In 2001 the name of this Panel was changed to Diocesan Tribunal Panel)


b) Mr Michael Walsh – honorary position – 2004-2009

c) The Venerable Canon John Joseph Tongue – stipended clergyperson – 2010-current

V. Ministry Issues Appeal Panel


b) Dr Richard Lord – honorary position – 2004-current

VI. Trustees on any Boards of Trustees established to manage the real property of the ADT.

Signature: 
Witness: 

[Signature]
Statement of Christopher Randall Jones continued

a) Ms Anne Brown – 12 March 1992–current (Chair since 17 November 2009)

b) Rt Revd Dr Christopher Randall Jones – 19 July 2005 – current (Deputy Chairman)

c) Mr David Llewellyn – 21 September 2010 – current

d) Mr Shaun Sargent – 18 March 2014 – current

e) Mr Craig Terry – 15 February 2011 – current

f) Mr Lee Tyers – 1 July 2011 – current

g) The Venerable Ian Booth – 12 September 1991 – 24 January 1993

h) Mr Kerry Bowman – 21 March 1985 (appointed Chair 2 August 1990) – 15 March 1991


j) Mr Leo Chambers – 5 December 1968 – 1 November 1990


l) Mr Max Darcey – 11 April 1996 (Deputy Chairman from 15 March 2001) – 21 December 2010

m) Mr James Dean – 11 May 1989 – 15 July 2004


o) Mr Guy Ellis – 1981 (Chair from 1983) – 2 August 1990

p) Mr James Grant – 23 April 1981 – 21 December 2010

Signature: .................................. Witness: ..................................
Statement of Christopher Randall Jones continued

q) The Revd Robert Legg - 21 December 2000 - 1 July 2005
r) Mr Alister McCrae - 20 November 2007 - 23 May 2013
t) Mr Richard Pringle-Jones - 17 October 1991 - 21 June 2011
w) The Right Revd Ronald Francis Stone - 6 April 1993 - 10 October 1996
x) Mr Robin Terry - 7 December 1983 - 18 March 2004
y) Mr Comelis Marinus Wegman - 9 April 2005 - 16 June 2015
z) Mr Ian Wells - 22 April 2004 - 21 April 2015
aa) Mr Robert Whitehouse - 23 April 1981 (Chair from 15 March 2001) - 17 November 2009

14. The current function, composition, and legal status of the following entities are set out below:

1. Bishop-in-Council or Diocesan Council

   a) The function of Diocesan Council is outlined in the Diocesan Council Ordinance 1947, Section 7 (see ANG.0038.003.0266): "The Council shall have power, subject to this Ordinance, to manage, direct, and regulate all financial, administrative, and other secular business of the Anglican Church of Australia in Tasmania."
b) The Diocesan Council comprises (see Diocesan Council Ordinance 1947 [see ANG.0038.003.0266], Section 3(1)):

i. The Bishop;
ii. The Assistant Bishop;
iii. The Vicar-General and up to four members of the clergy appointed by the Bishop;
iv. The Dean;
v. The Church Advocate;
vii. An appointee of the Church Trustees;
viii. The Diocesan Treasurer;
ix. A lay person appointed by the Bishop;
i. Two elected members of the House of Clergy and two elected members of the House of Laity;
xi. A Youth Representative of Synod; and
xii. The Registrar as a non-voting member.

c) Diocesan Council is established by Section 9 of the Act (see STAT.0802.001.0131) and operates pursuant to the Diocesan Council Ordinance 1947 (see ANG.0038.003.0266).

I. Board of Trustees established to manage the real property of the ADT

a) The Board of Trustees is a body corporate with perpetual succession and a common seal established by Section 10(1) of the Act (see STAT.0802.001.0131). Also see Chapter X (Section 64) of the Constitution which is Schedule 3 to the Act (see STAT.0802.001.0152).

b) The powers of the Trustees of the Diocese of Tasmania are set out in Sections 10, 11, 12, 12A, 13 and 13A of the Act.

c) The Trustees are appointed by Synod (see Section 8(2)(c) and Schedule 3 of the Act at Chapter X (Section 64)). There must be not less than three trustees (Section 10(4) of the Act).

II. Synod of the ADT

a) The function of Synod is outlined in Section 8 of the Act and Chapters IV and V (Sections 15 - 33) of the Constitution which is Schedule 3 to the Act. In summary the Synod makes
ordinances to provide for good government of the Church:

b) The Synod comprises (Synod Ordinance 2012, Section 4 (see ANG.0038.003.0271. This document is amended to 2013 but the most up to date version is 2014):

i. the Bishop of Tasmania;

ii. clergymen in holy orders according to Section 16 of this Ordinance; and

iii. representatives of the laity according to Section 16 of this Ordinance.

c) The Synod is established by Section 8 of the Act, is constituted by the provisions in Schedule 4 of the Act and operates in accordance with the Constitution (Schedule 3 of the Act) and the Synod Ordinance 2012 (see ANG.0038.003.0271).

15. An overview of the responsibilities, training, qualifications, licensing, and employment arrangements of:

a. Deacons

b. Priests, and

c. Bishops

In parish ministry and any variations if appointed to other forms of ministry in the ADT is set out below:

Responsibilities: The responsibilities of Deacons, Priests and Bishops are outlined in the Exhortation section of the ordination service (see STAT.0802.001.0179).

Theological Training: The Bishop determines the theological training required by clergy and this reflects the significant sociological change within the Tasmanian context. The result is that the Tasmanian clergy team is a very diverse group in their theological training and

Signature: .................................. Witness: ..................................
Qualifications:

67% of the 94 clergy licensed to officiate hold a formal theological qualification at Diploma level or higher.

76% of the 56 clergy with Authority to Officiate hold a formal theological qualification at Diploma level or higher.

Licensing: Licences are issued by the Bishop in accordance with the Clerical Licences Ordinance 1991 (see ANG.0038.003.0276). Before a licence can be issued a person is required to have current endorsement for ministry as specified by the Safe Church Communities Ordinance 2009 (see ANG.0038.003.0362).

Employment Arrangements: Clergy working in parish ministry are not employed but are office holders. The terms and conditions of their office are set out in Schedule 3 of the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001).

Variation: Clergy involved in forms of ministry other than parish ministry may have specific responsibilities, theological training, qualifications, licences and employment arrangements that reflect that form of ministry. For example school chaplains are employed by the school and are required to have teaching qualifications.

16. The position with respect to whether any corporate entities have been created by the ADT to respond to any legal claims arising from allegations of child sexual abuse is set out below:

No legal entity has been created to respond to any legal claims arising from allegations of child sexual abuse.

Signature: .................................................. Witness: ...........................................
The Church of England Boys' Society (CEBS)

17. Set out below is the nature of any past and/or present relationship between the ADT and any branch or State Diocesan Council of CEBS and/or the Anglican Boys' Society, including but not limited to any:

a. legal, financial, and/or administrative relationship

CEBS was not a legal entity. It was subject to the ordinances and policies of the ADT. Although CEBS was administered by a State executive its parish branches were independent in their election of office bearers, leaders and organising its own activities. Branches were responsible for their own funding.

Some funds received from levies by the State Executive were invested with the Trustees. A small amount in an account CEBS National Camping Fund remains.

b. governance arrangements

CEBS in Tasmania commenced in 1918, but lapsed after only two years. It was re-formed in 1932 in North Hobart.

CEBS was administered by the then Diocesan Department of Mission. The Bishop presided at State Council meetings when available.

CEBS reported to Synod annually. The last report to Synod is 1994, although a secretary of the organisation appears in Diocesan directories until the year 2000. From reports to Synod it can be seen that support for the organisation was dwindling. The last two branches were Holy Trinity (Launceston) and St Barnabas (North Launceston), and these branches disbanded in 1996.

c. staffing arrangements, and

Signature: .......................................................... Witness: ................................................
In 1980 a part-time paid CEBS Field Officer was appointed for the first time. The Diocesan funded Youth and Education Officer also assisted with CEBS. There were no other paid staff. Its branches were led by volunteers or clergy from the parishes which operated a branch of CEBS.

d. record-keeping and archiving arrangements.

The ADT is unaware of any record keeping or archiving arrangements for CEBS. It has CEBS State executive minutes from 1984 to March 1995 only. It has no archived records or minutes of individual parish groups.

18. The nature of any relationship, between 1 January 1965 and now, between the ADT and any camp sites or other venues used by CEBS and/or the Anglican Boys' Society for its camping activities, including any child protection policies and procedures maintained by the ADT in respect of youth attending camps at those venues is set out below:

The ADT owned camp sites at Kelso and Beresford House (both sold in the early 1980's) and Montgomery Park (sold in 2010).

CEBS was permitted to use these camp sites by the ADT on a regular basis while it ran a camping program.

There were no child protection policies and procedures maintained by the ADT in respect of youth attending camps at those venues.

Church and para-church institutions

19. Any arrangements under which schools or other Institutions in the ADT are permitted to use the Anglican Church name in their title or brand are set out below:
Anglican Development Fund

The Anglican Development Fund operates under the Anglican Development Fund Ordinance 1993 (see STAT.0802.001.0193).

Anglican Health and Welfare

Anglican Health and Welfare is a Company Limited by Guarantee. Attached are the Memorandum and Articles of Association (see STAT.0802.001.0196 and STAT.0802.001.0203).

Anglicare Tasmania Inc.

Anglicare Tasmania Inc. is an incorporated association governed by the Rules of Anglicare Inc (see STAT.0802.001.0215).

Anglican Schools

The three Anglican schools in the ADT are Launceston Church Grammar School, St Michael's Collegiate School and The Hutchins School. The Boards of these three schools and that of Christ College (which closed in the 1990's) comprise a corporate body named “Christ College Trust” (“the Trust”), established by Section 2 of the Christ College Act 1926 (see STAT.0802.001.0227). The Boards of the Launceston Church Grammar School and The Hutchins School were included in the Trust when it commenced in 1926 and the Board of St Michael’s Collegiate School joined the Trust in 1973 by resolution of the Trust pursuant to Section 30 of the Act.

Clarendon Children’s Home Inc.

Clarendon Children’s Home Inc. is an incorporated association operating under the Rules of
Statement of Christopher Randall Jones continued

Clarendon Children's Home Inc (see STAT.0802.001.0247 and STAT.0802.001.0257).

Glenview Community Services Inc.

Glenview is an autonomous Association providing aged care services, which does not use the Anglican Church name in its title or brand, but the Rules of the Association state that the powers of the association include 'the fostering of the relationship with the Anglican Church of Australia as the body under whose auspices the Association operates' (Rules of Glenview Community Services Inc. at Section 4(3)(n)) (see STAT.0802.001.0258).

Mission to Seafarers Australia Hobart Station Inc.

Mission to Seafarers Hobart Station Inc. is an Incorporated association and part of a voluntary society of the Anglican Communion responsible for ministry to seafarers in the name of Christ governed by the Rules of Mission to Seafarers Australia Hobart Station Inc. (see STAT.0802.001.0283 and STAT.0802.001.0284).

Roland Children's Services Inc.

Roland Children's Services Inc. is an incorporated association operating under the rules of Roland Children's Services Inc. (see STAT.0802.001.0301).

St Mark's Homes Inc.

St Mark's Homes Inc. is an incorporated association providing aged care services and operating under the Constitution of St Mark's Homes Inc. (see STAT.0802.001.0321, STAT.0802.001.0322 and STAT.0802.001.0343).

20. Set out below are the current legal, financial, administrative, governance and/or any other relationship between the ADT and:

Signature: ................................ Witness: ................................
a. any para-church Diocesan youth groups, such as the Crusaders or Youthworks

Anglican Camping Tasmania is a body within the ADT which evolved from the Diocesan Board of Christian Education within the Department of Mission. It is administered by a part-time Executive Officer who is paid by the ADT with a committee of volunteers, and is responsible to the Director of Ministry Services; an employee of the ADT. It has no legal standing, and relies financially on camping fees with support from Ministry Services. It is subject to all ordinances and policies of the ADT.

b. Anglicare, or entities known as Anglicare

Anglicare Tasmania Inc is an incorporated association. However, there is a relationship between the ADT and Anglicare Tasmania as follows:

i. The Bishop of the ADT is a member of the Association ex Officio (Rule 5 (1)), may preside at Board meetings (Rule 26 (10)), and receives a copy of the minutes of each meeting of the Board (Rule 26 (11)) (see STAT.0802.001.0215)

ii. The Bishop of the ADT may, on the recommendation of the Board, appoint the Chief Executive Officer of the Association (Rule 21 (3)), appoints the Chairman from among the members of the Board (Rule 22 (2)), and appoints two members of the Board (Rule 23 (1) (c)).

iii. The Synod of the ADT elects two Board members (Rule 23 (1) (a)).

iv. The Diocesan Council of the ADT elects two Board members (Rule 23 (1) (b)), receives audited accounts and the Auditor's Report (Rule 10 (6)), and approves any alterations to the Rules of Anglicare Tasmania Inc. (Rule 35).

There is no financial relationship between the ADT and Anglicare.
c. Anglican schools, and/or

The Boards of Launceston Church Grammar School, St Michael's Collegiate School, The Hutchins School and Christ College (which ceased in the 1990's) comprise a corporate body named "Christ College Trust" ("the Trust"), established by Section 2 of the Christ College Act 1926 (see STAT.0802.001.0227). The Trust is managed by a Board consisting of two trustees from each school. The Bishop is Visitor of the Trust of all Institutions comprised therein; Section 8. The trustees manage all property vested in the corporation and all affairs of the Trust as outlined in Section 11 of the Act. The Bishop receives a copy of the audited accounts each year; Section 25.

Sections 39 and 42 of the Act, outline the constitution of the Boards of The Hutchins School and Launceston Church Grammar School. Of the nine members of The Hutchins School Board, one member is appointed by the Board of Christ College and three are appointed by the Bishop. Of the twelve members of the Launceston Church Grammar School Board, two members are appointed by the Board of Christ College and four by the Bishop. The St Michael's Collegiate School Board is provided for in St Michael's Collegiate School Board Regulations for Establishment and Conduct of Business 2012, and comprises ten members with three members appointed by the Bishop and one by Synod.

The Bishop of Tasmania is Visitor to the Boards of the three schools, and receives copies of all minutes of meetings. The Bishop approves the appointment of the Headmaster/Principal of each of the three schools; Section 43.

There is no financial relationship between the ADT and the Anglican schools.

d. any Anglican-run or affiliated children's homes.

There are no longer any Anglican-run or affiliated children's homes in the ADT.
21. The relationship between the ADT and parish run youth groups is described below:

The ADT authorises, under the guidelines of the Safe Church Communities Ordinance 2009 (see ANG.0038.003.0362) (The Ordinance), the appointment of children and/or youth work volunteers, who work in parish run youth groups.

Children or youth work volunteers are those people, over the age of 18 and appointed by the parish, who engage in a responsible role with children and/or young people, often in the context of a team and under the direction of a Leader.

The Incumbent, or Parish Coordinator, registers potential volunteers on the database (Safety Management Online), and completes a Permission to Proceed and Risk Management check, which is submitted to the Safe Church Communities Coordinator for approval.

The Ordinance sets out the ADT’s requirements for team leaders and team members of parish run youth groups (see Schedule 1, Part A Sections 21 and 22).

Section 21 – Children and/or youth program leaders are required to:

i. Read the Faithfulness In Service Code as adopted by the General Synod, October 2004, and last revised by General Synod Standing Committee March 2011, and to sign a commitment to this code.

ii. Submit a Safe Church Communities application form for voluntary ministry, which includes the names of two referees, their Tasmanian Working with Vulnerable People card number and expiry date, and complete a satisfactory Anglican National Register Check. Referees are not to be family members or best friends. Possible referees need to have known the applicant for a period greater than two years and well enough to be able to answer questions about character in some detail.

Signature: ................................................ Witness: ...........................................
Schedule 1, Part B outlines the training requirements for Team Leaders:

i. Successful completion of Team Leader ChildSafe modules (L1 ChildSafe Team Leader; L2 Safety Management and Permission to Proceed)

ii. Previous endorsement as a Team Member

Section 22 - Children and/or Youth Team Members are required to:

i. have completed the above requirements as are set out in Section 21 and in relation to training in Schedule 1 Part B successfully complete ChildSafe Team Member training modules (M1 Keeping People Safe; M2 Child Protection).

Schedule 1, Part C outlines the re-endorsement requirements, which are that re-endorsement training requirements are to be met, a new application form with two referees is to be submitted, the National Register Check and Working with Vulnerable People Card are all to be undertaken or renewed every 3 years.

ChildSafe training can be done online or face-to-face with Diocesan accredited trainers.

Online training requires a pass rate of 75% or over. ChildSafe is a product which provides standards, guidelines and training materials for people working with children, young people and families. It is used nationally by Scripture Union and in a range of church organisations. It has also been developed in consultation with the National Council of Churches Safe Church Project Training Agreement.

Children under 14 cannot be appointed or recognised as a team member. They cannot be entered on the Safety Management Online. They can carry out a team role under the direct supervision of an accredited person, and can be referred to as an assistant.

When all of the requirements are met, the parish is notified that the applicant is endorsed.

Signature: .................................. Witness: ..................................
and can begin working with children and/or young people.

The Incumbent (ordained person in charge of the parish) in each parish is responsible for ensuring compliance with this process.

The Safe Church Communities Coordinator oversees this process and performs regular parish compliance audits.

Theological perspectives

22. Set out below is my understanding of the ADT's practices and theological perspectives in relation to:

a. marriage of clergy

There is no bar on clergy being married (see Holy Orders (Reception into Ministry) Canon 2004 at STAT.0802.001.0363.

b. celibacy, and

Arising from Schedule 5 Faithfulness in Service (A code for personal behaviour and the practice of pastoral ministry by clergy and church workers) to the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001) the ADT has an expectation that people will "be chaste and not engage in sex outside of marriage" (see Section 7.4).

c. homosexuality.

The Synod passed a resolution on human sexuality in 2012 (see Section 10 at STAT.0802.001.0365) which referred to a number of documents one of which "recognises that there are many among us persons who experience themselves as having a homosexual orientation ... we wish to assure them that that they are loved by God and
Statement of Christopher Randall Jones continued

that all baptised, believing and faithful persons, regardless of sexual orientation, are full members of the Body of Christ” (Resolution I.10 of the 1998 Lambeth Conference) (see STAT.0802.001.0366). Also arising from Schedule 5 of the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001) the ADT has an expectation that people will “be chaste and not engage in sex outside of marriage” (see Section 7.4).

23. The Anglican Church of Australia’s website, as at 30 October 2015, includes the following statement under the heading ‘Internal Diversity’:

Significant theological differences also exist which can prevent closer co-operation between dioceses. The conferencing approach and development of community fostering initiatives have served to improve mutual understanding and co-operation on matters of considerable importance, such as child protection.

My understanding of any significant theological differences between the ADT and any other diocese, and the effect, if any, of those differences on the protection of children in the Anglican Church is as follows.

I don’t believe there are any theological differences between the ADT and other dioceses of the Anglican Church that effect the protection of children in the Anglican Church.

Ordination and theological training

24. The relationship, if any, between the ADT and any of the theological colleges in Australia is as follows:

We currently have an informal relationship with Moore Theological College, Sydney, and Ridley College, Melbourne, in the provision of units of distance study for our local Certificate level course in theology and ministry.

Signature: ........................................... Witness: ...........................................
In recent times Ridley College, Melbourne, has been a preferred institution for Tasmanian students wishing to undertake full-time theological study at masters degree level.

25. The ADT's approach, policies and practices in relation to conducting psychological assessments of candidates for ordination training and ordination itself, since 1 January 1960 is as follows:

The ADT has not conducted psychological assessments as a compulsory or standard component of selection processes for ordination candidates. Diocesan records show that on the one occasion the Bishop was advised to seek such an assessment, the ADT engaged a psychologist who was competent and experienced in assessment and selection of candidates for ordination training.

National approaches to professional standards and inter-diocesan cooperation

26. The ADT's approach to adopting the Anglican Church of Australia General Synod model ordinances and policy guidelines on child protection is as follows.

The ADT has considered the model ordinances and policy guidelines from General Synod and their adoption, or otherwise, is shown in Schedule B (see STAT.0802.001.0089).

27. The General Synod model ordinances, policy guidelines and resolutions on child protection that have been adopted or responded to by the ADT, and how, is set out in the table at Schedule B.

28. The key differences, if any, between the national model Professional Standards Ordinance (as amended 2008) and the ADT's equivalent ordinance/s, and the reasons for the ADT either adopting the national model, not adopting it, or partially adopting it is set out below:

The ADT's equivalent document to the national model Professional Standards Ordinance (as amended 2008) is the Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0323). This Ordinance was adopted
KEY DIFFERENCES AND REASONS

**Name of Ordinance**

The national model Ordinance provides for professional standards with the Church, and for other purposes; the Tasmanian Ordinance is specifically for the protection of children and adults from sexual misconduct.

*Reason:* To make clear that the purpose of the Ordinance was explicitly for the protection of children and adults from sexual misconduct.

**Part 1 - Preliminary**

The Tasmanian Ordinance includes Section 1A outlining the object of the Ordinance to establish processes for responding effectively and fairly to complaints of sexual exploitation, abuse, assault and harassment. This object is not specified in the national model Ordinance.

*Reason:* To make the purpose of the Ordinance clearer.

The Tasmanian Ordinance, section 2, does not include a definition of “child” or “child abuse”.

*Reason:* This comes under the definition of misconduct in section 2.

The Tasmanian Ordinance, section 2, definition of “Church body” does not include school.

*Reason:* In Tasmania the three Anglican schools are incorporated under a separate Act and are not under the authority of the ADT.

In Section 2 the definition of “Information” in the Tasmanian Ordinance contains a more detailed description of child abuse and sexual misconduct.
Reason: To make clear the coverage of the Ordinance.

In Section 2 the definition of "process failure" in the national model Ordinance refers to process failure prior to the Ordinance coming into effect, whereas the Tasmanian Ordinance only applies after the commencement of the Ordinance.

Reason: It was believed that it was not appropriate to apply the Ordinance to past matters when people, at that time, were not clear what the process was.

In Section 2 the Tasmanian Ordinance does not define "spiritual abuse".

Reason: The purpose of the Tasmanian Ordinance is specifically for the protection of children and adults from sexual misconduct.

Part 4 – Professional Standards Committee (PSC)

The Tasmanian Ordinance, Section 10 (1), prescribes that the PSC shall have at least 5 members one of whom is the Director, whereas the national model Ordinance prescribes a PSC of at least 3 members. The Tasmanian Ordinance, Section 10 (2), includes an additional (fourth) level of experience and understanding, that of the needs of victims of sexual abuse.

Reason: The PSC membership was expanded from three to five members to include the Director and to ensure that the membership of the PSC included a person with experience and understanding of the needs of victims of sexual abuse.

The Tasmanian Ordinance, Section 20(1)(j) specifies that referral will be made, when the information involves a child or someone who is still a child, to a member of a law enforcement, prosecution or child protection authority of a State or Territory or of the Commonwealth of Australia to which the information is or maybe relevant. In all other cases this referral will only be made with the consent of the person alleged to have been harmed.
or if no consent is given, the report will be anonymous. The national model Ordinance refers all information to the above listed authorities.

Reason: Adult victims have a right to privacy and it is believed that it would violate the adult victim's privacy if a report identifying them was made without their consent.

The Tasmanian Ordinance, Sections 20 (2) (a) and (b) specifies that the PSC can exercise its function in respect of examinable conduct by a person who is a Church worker resident or licensed in the Diocese at the time the information was received. This time restraint is not specified in the national model Ordinance.

Reason: If the person was not resident in the ADT at the time the information was received then the matter will be addressed in the Diocese where the person is resident. The risk is greater in the Diocese where the person is now resident.

The Tasmanian Ordinance, Section 20(2)(c) specifies both conduct and omission the subject of information, whereas the national model Ordinance Section 20(2)(c) only specifies conduct.

Reason: To make clear that the Tasmanian PSC has the power to investigate anyone who fails to give information.

The national model Ordinance Section 20(2)(d) has a broader application, than the same clause in the Tasmanian Ordinance, whereby the PSC can exercise its functions when conduct may affect a Church body or Church authority in the Diocese, or Church property or property held in trust.

Reason: To make clear the Tasmanian Ordinance is specific to sexual misconduct and only applies to bodies or property under Diocesan control.
Part 5 - Director of Professional Standards

The Tasmanian Ordinance, section 21 has an additional clause that specifies that the Director will report to the PSC who will be responsible for ensuring the Director undertakes his/her functions as prescribed by this Ordinance.

Reason: To make clear the reporting lines for the Director of Professional Standards.

The Tasmanian Ordinance, Section 22 does not specify the following functions of the Director:

(aa) to receive information on behalf of the PSC;

(c) to attend meetings of the PSC except for any part of a meeting which deals with conditions of employment, remuneration or performance of the Director.

Reason: The Director of Professional Services is a member of the PSC as specified in Section 10(1) of the Tasmanian Ordinance and thus these two subsections (aa) and (c) are not relevant.

The Tasmanian Ordinance, Section 22(a) includes the additional sub-clause that the Director will manage the provision of support and counselling to all persons involved in the information.

Reason: it was important to ensure that there was a mechanism to provide this support and counselling to all persons involved in the information.

Part 6 - Examinable Conduct

The Tasmanian Ordinance, Section 24(1) specifies that information shall be referred by a Church worker, whereas the national model Ordinance specifies a member of the Clergy.
Reason: The Tasmanian Ordinance definition of Church worker includes members of the clergy. The term Church worker was used in Section 24 to increase the number of people who are subject to the requirements of the Ordinance.

The Tasmanian Ordinance, Section 25 provides additional requirements for the reporting of information by the PSC to the Police or child protection authorities, and specifies the process for investigation of the information.

Reason: This section in the Tasmanian Ordinance was included to make clear what the process for investigation of the information is.

The national model Ordinance, Section 26(5) the Director shall not be bound by the views or instruction of the PSC when making a decision under subsection (2), whereas in the Tasmanian Ordinance, there is no specification about this.

Reason: The role of the Director of Professional Standards in Tasmania is different in that the Director is a member of the PSC.

The Tasmanian Ordinance, Section 27(c) does not specify the requirement of verifying the allegation by statutory declaration.

Reason: The Tasmanian Ordinance does not require this higher standard of verification for the provision of information. Information is accepted at face value.

The Tasmanian Ordinance, Section 29(1) specifically notes that it will seek a response from the respondent to the information.

Reason: To make it explicit the intention to give the respondent the opportunity to respond to the information.
The Tasmanian Ordinance, Section 34(d) specifies a time limit for the payment of stipend, etc. following suspension or prohibition.

Reason: This sets a potential limit for the payment of financial entitlements to a respondent, with the discretion to extend this limit depending on the circumstances. This clause reflects the limited resources available in a small diocese.

Part 7 - Professional Standards Board

The Tasmanian Ordinance, Section 39(c) does not specify the requirement that at least three lay persons, who are certified by the PSC, be appointed to the Board.

Reason: This change to Section 39(c) is consistent with other processes in the ADT.

The Tasmanian Ordinance, Section 42(1) has an additional allowance for the Director of Professional Standards to be involved in the selection of members of the panel.

Reason: The involvement of the Director of Professional Standards is in a consulting role limited to work with the Deputy President when there is a vacancy in the position of President and to consult regarding specific expertise and to ensure that people with appropriate expertise and experience are sought for the panel.

The Tasmanian Ordinance, Section 42(2) the number of clerical and lay members of the Board are specified as a minimum of 1 clerical and 1 lay member, whereas the national model Ordinance specifies not more than two clerical and lay members. In addition the Tasmanian Ordinance allows for the appointment of people with particular expertise to be appointed to the Board. Also in Section 42(2) the Tasmanian Ordinance specifies that if there is any disagreement as to the members of the Board for any reference it will be determined by the PSC.

Signature: ................................ Witness: ................................
Statement of Christopher Randall Jones continued

Reason: These modifications to Section 42 ensure that the appropriate expertise and experience is represented on the Board.

Part 8 – Reference of Matters to the Professional Standards Board

The Tasmanian Ordinance, Section 54(1) contains an additional option “if the PSC is satisfied that there are no concerns about the Church worker’s fitness to hold office then the PSC may recommend whatever action it deems appropriate including counselling, mediation, apology or retraining or referral as a ministry issue under the Ministry & Tribunal Ordinance. If the Church worker refuses to accept the recommendations of the PSC, the PSC will refer the matter to the Board, or to an equivalent body, which has jurisdiction”. This is not contained in the national model Ordinance.

Reason: This change to Section 54 allows for situations where there has been a minor matter such as behaviour that indicates a misunderstanding of principles in this area, but not deemed as making the Church worker unfit to hold office. This change to Section 54 allows for the PSC to recommend appropriate support and training to be provided to the Church worker to address the behaviour.

The Tasmanian Ordinance Section 63 has four additional sub-sections specifying that any certificate of conviction or equivalent, reasons for judgment of a court or tribunal, certificate of disqualification or equivalent from a professional body or reasons for judgment or a transcript of proceedings before a court or tribunal containing an admission are conclusive evidence that the Church worker engaged in misconduct.

Reason: These subsections were included to make clear that the Board is to take any court or tribunal findings, reasons, disqualifications, or admissions into account in any proceedings it is conducting.
The Tasmanian Ordinance, Section 67, does not include Section (1)(i), (ii) and (iii) of the national model Ordinance.

Reason: These provisions were not included as they are not relevant to the purpose of the Tasmanian Ordinance, which is explicitly for the protection of children and adults from sexual misconduct.

Part 9 – Implementation

The Tasmanian Ordinance includes an additional Part 9 that provides for the implementation of this Ordinance.

Reason: This section was included to provide for the orderly implementation of the Tasmanian Ordinance.

Other differences in wording are not material and reflect the Tasmanian context, without altering the intent of the various clauses.

29. Set out below are my views on whether each diocese in Australia should:

a. maintain its own, unique professional standards framework

The basic unit of the Anglican Church of Australia is the diocese and, accordingly, I believe that each diocese should maintain its own professional standards framework. This framework would helpfully be informed by work done nationally.

b. agree to and adopt a nationally consistent professional standards framework that is administered by each diocese

I believe each diocese should agree to and adopt a nationally consistent professional standards framework that is administered by each diocese. However, each diocese may
strengthen the standards to reflect best practice.

c. refer its powers in relation to professional standards to a centrally administered quasi-independent Church body to make decisions on matters such as clergy and Church worker discipline, complaints-handling and redress, with the outcomes of such decisions to be implemented by each diocese, or

The basic unit of the Anglican Church of Australia is the diocese and accordingly I don't believe each diocese should refer its power in relation to professional standards to a centrally administered body.

d. adopt any other approach for managing professional standards.

I believe each diocese should manage its professional standards but I am open to a diocese with limited resources seeking assistance from others.

30. Any process, procedure or practice adopted by the ADT, or adopted or recommended by the General Synod of the Anglican Church of Australia, in relation to responding to complaints of child sexual abuse made in relation to one or more other dioceses, and where multiple dioceses may have jurisdiction to respond, including but not limited to the handling of such complaints, the conduct of disciplinary proceedings, or the payment of compensation is set out below:

The ADT's process for these issues is outlined in the Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0923) which has since been amended.

The process was used once in relation to a claim made against the ADT and the Dioceses of

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1 Please refer to File No 10: 2009-01 TAS-C0028 supplied to the Royal Commission pursuant to a notice to produce (C-MP-149) under cover of a letter dated 28 March 2014.

Signature: .......... Witness: ..........
Professional Standards in the ADT

A chronological account of the ADT's approach to professional standards from 1 January 1970 to date, with reference to all key policies, procedures, processes, practices and legislation (if any) relating to the protection of children.

The following matters are addressed:

Prevention

31. Screening and assessing suitability of Bishops, clergy, lay and volunteer staff (collectively for the purpose of this Statement, Church workers), prior to:

a. officiating as a member of clergy

From 1970 to 2000

Screening and assessing the suitability of clergy during this period involved the Ordination Candidates Council, and the Examining Chaplains, who provided advice to the Bishop. Letters Testimonial (see STAT.0802.001.0368) were received from three referees regarding the suitability of the candidate, both theologically and morally. Based on the advice and references, the Bishop made the final decision regarding ordination.

The Bishop's Retirement and Election Ordinance 1985 (see STAT.0802.001.0369) was followed for the appointment of the Diocesan Bishop in 2000. The Bishop's Retirement and Election Ordinance 1947, as amended, was followed for the appointment of the Diocesan Bishop in 1982.

From 2001 to 2009
During 2001 a Diocesan Safe Ministry with Children and Young People Accreditation Panel process (see STAT.0802.001.0375) was established in the ADT for the screening and assessing of people who held the Bishop’s Licence including clergy, bishops, and employed lay people seeking ordination, members of Local Ministry Support Teams and any other person specified by the Bishop.

If a clergyperson came to Tasmania from another Diocese they had to be accredited and a Good Character Statement was also requested from the Bishop of their previous Diocese.

From 2009 to current

In May 2009 the Safe Church Communities Ordinance 2009 (see ANG.0038.003.0352) was adopted by Synod, which replaced the above process. This Ordinance has undergone revisions in 2010, 2011, 2013 and 2014. Schedule 1 Part A of this Ordinance contains the screening requirements for Diocesan ministries including officiating as a member of the clergy.

For clergy who are appointed in charge of a parish they are also required to:

i. provide a written response to a description of the position to which they may be appointed

ii. address key selection criteria

Since 2014 those seeking to be licensed as officiating clergy are required to complete a comprehensive screening questionnaire (see STAT.0802.001.0378).

A new Bishop’s Retirement and Election Ordinance was passed in May 2015 (see STAT.0802.001.0389) and was followed for the appointment of the next Diocesan Bishop.
Statement of Christopher Randall Jones continued

b. participating in activities involving children

1970 to 1998

Anglican Camping Tasmania

During the period 1970 to 1990, there are no records of any policy or procedure regarding screening and assessing in this period.

In 1991 Anglican Camping Tasmania camp staff application included:

- Personal details
- Church Information including Minister
- Ministry Experience and Relevant Skills
- Referees x 2

In 1993 Anglican Camping Tasmania had a leadership screening process for all team members including clergy and lay people on camps (See Safety and Care Manual July 1993 at STAT.0802.001.0898).

Parish Groups

In that period local parishes had responsibility for their own leadership selection arrangements for children's activities: this included Sunday Schools, youth groups, parish youth group camps, parish camps, children's holiday club.

Girls Friendly Society (GFS) and Church of England Boys Society (CEBS)

GFS and CEBS had responsibility for their own leadership selection.

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From 1999 to 2009

From late 1999 onward all lay people involved in working with children were required to complete Safe Ministry with Children and Young People processes and undertake its screening requirement if they were currently in positions or if they were commencing a position. See Information Sheet and Application Form (see STAT.0802.001.0450 and STAT.0802.001.0451).

From 2009 to current

The Safe Church Communities Ordinance 2009 (see ANG.0038.003.0362) replaced the earlier system and was adopted and implemented in 2009 to provide:

- online as well face to face training options for all people involved in children and youth ministry as well as clergy, bishops and people in a range of leadership positions.

- four levels of training applicable to a person's ministry responsibilities apply.

  ▶ Team Member
  ▶ Team Leader
  ▶ Coordinator
  ▶ Risk Management Officer

Schedule 1 of the Safe Church Communities Ordinance 2009 (see ANG.0038.003.0362) has guided the endorsement, training and re-endorsement of people working with children and young people as well as people in leadership positions and people contributing to policy making since its adoption in 2009.

c. holding positions of authority in relation to the formulation of policy on

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professional standards matters.

From 1970 to 1989

There are no records of any policy or procedure for this period.

From 1990 to 1998

In this period there was no formal screening process for people involved in the formulation of policy on professional standards matters in the ADT. Significant policy development during this period was actioned by a number of working groups, which comprised people with a range of relevant professional backgrounds.

From 1999 to 2008

People on committees involved with policies concerning children and young people were screened through the Safe Ministry process depending on their role in the ADT. For people who held the Bishop’s Licence, or were seeking ordination, this occurred from November 2001. For people working with children and young people in parishes or children’s organisations this commenced in 1999. For lay worship leaders, or office bearers, this commenced in 2003.

The Review of the Code of Ethics commenced in September 2003, which was then replaced by Faithfulness in Service in 2004 (revised) and adopted as Schedule 5 of the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001). The Professional Standards Committee was involved in this task and the suitability of their membership was constituted so as collectively to provide:

- Experience in law;
Statement of Christopher Randall Jones continued

- Experience in the ordained Ministry;

- Experience and appropriate professional qualifications in child protection, social work or counselling; and

- Experience and understanding of the needs of victims of sexual abuse.

From 2009 to current

The Safe Church Communities Ordinance 2009 (see ANG.0038.003.0362), Schedule 1, outlines the requirements for the screening, training and re-endorsement of all Church workers. Amendments in 2014 expanded the scope of this Ordinance to include all people on committees.

d. Presiding over or participating in disciplinary proceedings.

From 1970 to 2008

In this period there was no specific formal process for screening and assessing the suitability of people involved in presiding over, or participating in disciplinary proceedings.

2009 to current

The Safe Church Communities Ordinance 2009 (see ANG.0038.003.0362) now provides the basis for determining the suitability of people presiding over disciplinary proceedings.

32. Training and educating Church workers and Church members on child sexual abuse and responding to instances of child sexual abuse.

Responding to instances of child sexual abuse.

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Witness: [Signature]
From 1970 to 1989

There are no records of any policy or procedure for this period.

From 1990 to 1998

During this period of time there was a range of professional development opportunities made available to clergy and church leaders that contributed to developing a 'culture of awareness and an arena of safety' regarding the vulnerability of children, the risk of child sexual abuse and the identification of perpetrators.

Anglican Camping Tasmania have had information regarding child abuse, guidelines for dealing with victims of suspected or alleged abuse, and a child abuse report form, in their policies since 1993.

From 1999 to 2009

Training for all people in the ADT working with children and young people commenced in 1999 following the adoption of A Code of Practice for the Protection of Children within our Churches (1998) (see STAT.0802.001.0455).

In 1999 a consultant developed a training module called, "Safe Ministry with Children and Young People". This was a 5 hour seminar which covered:

- An Introduction to The Code of Practice for the Protection of Children within our Churches.

- Listening to survivors tell of their experiences of child abuse.

- How to recognize, respond to and report abuse.

- Exploring myths about child abuse.
• General Safety of children in the church.

These Seminars continued to be delivered in the following years by Diocesan staff. Local Seminar Facilitators also commenced facilitating Seminars in their districts.

From 2009 to current

The Safe Ministry process was replaced with the Child Safe System in 2009. The Child Safe system now sat within the broader system called Safe Church Communities.

The Code of Ethics was replaced by Faithfulness in Service in 2006. (Ministry and Tribunal Ordinance 1998 [see WEB.0095.001.0001]; Schedule 5.

To ensure all church members had an understanding of creating an arena of safety for children and young people, including in the area of sexual abuse, the ADT included a quite detailed section on the safety of children in its version of the nationally approved Faithfulness in Service Code (adopted by the National Church in 2004) and in Tasmania in 2006 (Schedule 5 of the Ministry and Tribunal Ordinance 1998 [see WEB.0095.001.0001]).

A training module was developed to introduce all church workers to Faithfulness in Service and a commitment statement was required to be signed by each church worker.

Significant additions have been made to the Safe Church Communities Ordinance 2009 as amended (see ANG.0038.003.0362), to ensure clarity regarding the required training, screening and re-endorsement requirements of all church workers in the Diocese.

Since October 2013, parish local trainers can also engage with a ‘Safe Church Communities’ Train the Trainers program to offer training in local Churches. They attend annual updates.

Local Safe Church Communities Coordinators are appointed and trained in each parish to
Statement of Christopher Randall Jones continued

assist people to respond to matters related to abuse.

Disclosure and response

33. Internal reporting processes following a disclosure of child sexual abuse.

1970 to 1996

In this period disclosure of child sexual abuse was reported to the Bishop or Assistant Bishop.

In 1993, at the October meeting of Synod, the Social Responsibilities Committee outlined the policy and procedures, including a flow chart, for the handling of problems of, or about, sexual harassment. At the same meeting of Synod, the Diocesan Sexual Harassment Response Group (DSHRG) was established. It was responsible for the management of the ADT’s dealings with ‘alleged cases of inappropriate behaviour by ministers’. The DSHRG was established to receive reports of sexual abuse and, following a process of assessment, make recommendations to the Bishop.

1997 to 2000

The Principles and Procedures for dealing with Sexual Harassment (December 1996) (pages 138-144 of Not the Way of Christ Report - see ANG.0038.003.0009 and the Appendices at ANG.0038.003.0084 to ANG.0038.003.0200) was launched at Synod in May 1997. This set of procedures applied to all church workers (ordained and lay) within the ADT, and outlined the process for responding to a disclosure of sexual harassment that was based on the procedures described above involving the DSHRG and the Bishop.

A Code of Practice for the Protection of Children within our Churches was adopted at Diocesan Council in April 1998 (see STAT.0802.001.0455). This document provided guidelines, a checklist and a flowchart for dealing with disclosure and complaints of abuse. At
the same meeting of Synod the DSHRG was renamed the Diocesan Sexual Misconduct Response Group (DSMRG) and it was resolved that a toll-free Sexual Misconduct line be established and a Contact Person appointed to receive calls. The DSMRG established the protocols for the Telephone Support Line.

Within this document the reporting processes outline that the person who receives the disclosure of sexual abuse will report Internally to the relevant Diocesan Nominee.

Also in 1998 the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001) provided, in Schedule 2, the Complaints and Tribunal Procedures for the handling of complaints against a Clerk, or person to whom this ordinance applies, by the Bishop and the Diocesan Tribunal.

The reporting process in these guidelines was to the Bishop.

In 1999 Diocesan Council adopted the revised A Code of Practice for the Protection of Children within our Churches, which outlined and referred the implementation and training strategies for the protection of children to Anglican Mission Tasmania.

2001 to 2005

In 2001 the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001) was amended to include Schedule 2A, which provided guidelines for dealing with Clergy Complaints Involving Sexual Misconduct (see STAT.0802.001.0489). This required the Bishop to appoint two assessors to form a Board of Enquiry to investigate the complaint and make recommendations. Schedule 2A then guides the action of the Bishop depending on the outcome of the investigation.

The Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001) and the Code of Practice for the Protection of Children within our Churches continued to be effective in guiding the processes following a disclosure of child sexual abuse until May 2005.
2005 to Current

The Professional Standards for the Protection of Children and Adults From Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0323) was adopted by Synod in May 2005. The object of this Ordinance was to establish processes for responding effectively and fairly to complaints of sexual exploitation, abuse, assault, and harassment. The Protocol to this Ordinance (see ANG.0038.003.0341) includes the procedures for receiving information and responding to information of misconduct by clergy and church workers, the role of support persons, provision for informing complainants and respondents and for supporting the persons affected by the information. There are also guidelines for the maintenance of records, cooperation with other Diocese and for working with law enforcement, prosecution and child protection authorities.

This document is supported by a detailed flow chart (see STAT.0802.001.0493) that prescribes the response strategy. The Church worker who receives information about the disclosure of sexual abuse informs the Director of Professional Standards or a member of the Professional Standards Committee (PSC) as soon as possible. The PSC then follows a series of steps to enact a response, depending on the situation. This is detailed in the flowchart. The Bishop is kept informed of all matters that come before the PSC and regularly updated on their progress.

The national code for personal behaviour and the practice of pastoral ministry by clergy and church workers, Faithfulness in Service 2004, was adopted by Synod as an amendment (i.e. the addition of Schedule 5), to the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001) in May 2006. This also provides guidance on the processes following a disclosure of child sexual abuse. This Schedule was revised in June 2012.
Ordinance 2005 (see ANG.0038.003.0323), and the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001), continue to guide the internal reporting processes following a disclosure of child sexual abuse in the ADT.

In addition the ADT has implemented the Safe Church Communities Ordinance 2009 (see ANG.0038.003.0362), and the ChildSafe System to ensure that all Church workers and members of the ADT are trained to support these procedures.

34. Reporting allegations of child sexual abuse to the police, the Ombudsman and/or any government child protection agencies, including where:

   a. a complainant does not consent to such disclosure, and/or

1970-1996

Prior to 1997 the ADT had no written policies and procedures in relation to reporting allegations made by either child or adult complainants of child sexual abuse to the police, the Ombudsman and/or any government child protection agencies including anything that dealt with a complainant not consenting to such disclosure.

1997- Current

Allegations made by a child: ADT policy is that any complaints of abuse made by a child will be reported to government child protection agencies and/or police. The relevant policy and procedure documents in chronological order are:

- Principles and Procedures for Dealing with Sexual Harassment (launched May 1997)
  (see STAT.0802.001.0498)

- A Code of Practice for the Protection of Children within our Churches 1998 (see...
Statement of Christopher Randall Jones continued

- Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001)

- Professional Standards for the Protection of Children and Adults From Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0323). This Ordinance succeeded the Ministry and Tribunal Ordinance 1998

- Protocol for Professional Standards for the Protection of Children and Adults From Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0341)

- Faithfulness in Service - see Schedule 5 of the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001). This code replaced, in 2006, the previous Code of Clergy Ethics in Schedule 5. It has since been amended in 2012

- ChildSafe System on-line Training Module M2 (2009)

Allegations made by an adult: When an adult complainant reports abuse, but does not consent to disclosure, the complainant is encouraged to report the abuse to the police and offered support to do this. In addition information will be provided to the relevant authorities without identifying the person alleged to have been harmed. This is in accordance with Section 20(f)(j) of the Professional Standards for the Protection of Children and Adults From Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0323) and Section 3.2.5 & 14.2 of the Protocol for Professional Standards for the Protection of Children and Adults From Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0341).

b. the information was disclosed in the context of a 'confessional'.

1978-October 2007
During this period allegations of child sexual abuse disclosed in the context of a 'confessional' were not disclosed to any bodies as far as the ADT is aware.

This practice was in accord with the Canon 113 of the Canons of the Church of England 1603 until the General Synod Canon Concerning Confessions 1989 was adopted (see STAT.0802.001.0505).

Section 17 of the Ministry and Tribunal Ordinance 1998 in its original form prior to amendment (see STAT.0802.001.0506) upheld the sanctity of the seal of confession but in all other cases the Bishop was to advise relevant authorities, including the police, of matters the Bishop believed requited criminal investigation.

Under Tasmanian law religious confessions have been exempt from disclosure (Evidence Act 2001, Section 127) (see STAT.0802.001.0517)

November 2007-Current

In November 2007 the ADT implemented the Bishops 2006 Protocol – Private Confession: Pastoral Guidelines with special reference to child sexual abuse – Ad Clerum 15 November 2007 (see STAT.0802.001.0518) This protocol reserved the granting of absolution to a priest who had been specifically trained and held a special licence from the bishop. A subsequent revision (Private Confession Pastoral Guidelines with Special Reference to Child Sexual Abuse, see ANG.0134.015.0001) in March 2011 replaced the 2006 Protocol and has been adopted by the Diocese.

The ADT noted that General Synod is seeking further advice on the Canon Concerning Confessions and is waiting to refer this to its Diocesan Synod when available.

35. Notifying an alleged perpetrator of allegations against him or her.
1970-April 1998

During this period there were no written policies, procedures or defined processes regarding notifying an alleged perpetrator of allegations against him or her.

A more formal procedure was introduced under the Principles and Procedures for Dealing with Sexual Harassment 1996 (launched 1997) (see STAT.0802.001.0498) which required that a respondent be notified of a complaint made against them and that an assessor (investigator) interview them to determine that they understood the substance of the complaint, that their response to the version of events in the complaint was clearly understood, and whether they may need assistance. This occurred in a timely manner after receipt of the complaint and to comply with the principles of natural justice the practice was to inform the respondent of the name of the person/s who made the allegations/complaint. Under this procedure there was a provision to offer a support person to the complainant but no provision to make a corresponding offer to the respondent.

May 1998-April 2005

The above procedure continued under the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001) which required that in the matter of complaints made against a Clerk or person licensed by or holding authority from the Bishop, the Bishop would advise the respondent of the complaint and of the appointment of the assessors comprising the Board of Enquiry whose role was to advise whether or not there were sufficient grounds for a charge to be heard by the Diocesan Tribunal, and that the Board of Enquiry would give the respondent an opportunity to be heard. This Ordinance contained a provision that the Bishop may appoint support persons for both the complainant and respondent.

May 2005-current
In May 2005 the Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0323) and Protocol for Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0341) were introduced.

In matters that fall under the Ordinance, i.e. a church worker against whom allegations have been made holds a current licence or authority from the Bishop, the Protocol to the Ordinance provides for the respondent to be informed of the substance of the complaint, allegation or information against them and to have access to support persons “at the earliest possible stage” (s.8.1). The Protocol provides for an offer of a support person to the respondent at the time of being informed of the allegations.

In matters that do not fall under the Ordinance, i.e. the church worker about whom allegations have been made is not licensed or holds no current authority from the Bishop, the Procedures to be Followed on receipt of a Complaint not covered by the Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0323) apply. The Procedures are contained in document ANG.0038.003.0502. These procedures provide for the respondent to be informed of the allegations/complaint against them and to be offered a support person. In these matters the practice has generally been to inform the respondent of the allegations at the time of seeking a response following investigation. In the majority of matters brought to the Professional Standards Committee in this period most of the respondents have been deceased and hence notification of allegations is not possible.

36. Providing pastoral care and counselling to complainants and/or alleged perpetrators following allegations of child sexual abuse.

1970-April 1998

Signature: ........................................ Witness: ........................................
Prior to the introduction of the Principles and Procedures for Dealing with Sexual Harassment 1996 (see STAT.0802.001.0498) the Bishop managed reports of allegations of sexual abuse.

Available records file (1992-01-01 TAS-C0004) Part 1 supplied pursuant to notice to produce C-NP-149 on 28 March 2014 indicate that the Bishop of the period was prepared to spend time to hear a complainant's story as a pastoral response. In his notes of a 1991 matter Assistant Bishop Stone records that Bishop Newell advised him the church would bear any costs for psychological treatment for a young complainant but notes there was no record of an offer of counselling actually being made to the complainant.

In late 1997, the needs of complainants was provided for in the terms of reference to the Independent Pastoral Inquiry into Sexual Misconduct by Clergy or Officers of the Anglican Diocese of Tasmania with particular reference to paedophilia (see Not the Way of Christ report) (see ANG.0038.003.0009 and the Appendices at ANG.0038.003.0084 to ANG.0038.003.0200). The 5th term of reference was that the Inquiry was to "liaise closely 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" (page 5).

Consequently the Diocesan Sexual Harassment response group developed a network of support persons and a list of qualified psychologists, social workers and counsellors across Tasmania to take on referrals for continuing post-submission counselling, of which a number of persons made use.

At this time, the Principles and Procedures for Dealing with Sexual Harassment 1996 (see STAT.0802.001.0498) specifically included the provision that complainants were to be offered a support person and specified the functions of this role. While no reference was made to a corresponding offer to respondents one of the tasks of the assessor was to
determine whether the respondent may need assistance.

May 1998-2005

When the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001) came into effect in May 1998 it contained a provision that the Bishop may appoint support persons for both the complainant and respondent.

All of the allegations, elicited by the Pastoral Inquiry (noted above), in relation to clergy or lay persons of the ADT were in regard to historical abuse, and in half of these the alleged perpetrator was deceased or whereabouts unknown. Of the remaining respondents, only a small proportion were still licensed clergy and only one was currently in the ADT and whose matter could be dealt with under the Principles and Procedures for Dealing with Sexual Harassment, or under its successor, the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001). A similar situation was encountered in regards to allegations subsequently made to the ADT.

In response to this the ADT developed the Procedures to be Followed on Receipt of a Complaint not covered by the Ordinance in 2003 (see ANG.0038.003.0502) and the Pastoral Support and Assistance Scheme (see ANG.0038.003.0495, ANG.0038.003.0498, ANG.0038.003.0504 and ANG.0038.003.0506). The Procedure provided for pastoral support in the form of a support person. Both the Procedure and Scheme have been in continuous operation since.

2005-current

2005 saw the introduction of the Professional Standards for the Protection of Children and Adults From Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0323) and the Protocol for Professional Standards for the Protection of Children and Adults From Sexual Misconduct.
Ordinance 2005 (see ANG.0038.003.0341). Where the complaint was not covered by those Ordinances the Procedures in ANG.0038.003.0502 applied. The 2 Ordinances and the Procedures policy provide for the pastoral and emotional support of both complainants (and others associated with them) and respondents.

Investigation

37. Investigating allegations of child sexual abuse.

1970 to 1989

There are no records of any policy or procedure in this period.

1990 to April 1998

Up until 1997 the ADT had been formulating policies and procedures in regards to sexual misconduct with a focus on prevention. In terms of response, available records indicate that there were limited investigation procedures, and that any investigation was conducted by the Bishop or Assistant Bishops.

In the case of allegations against clergy or licensed or authorised lay persons, where the police were involved the ADT cooperated with the police and ceased any internal investigation to avoid prejudicing the police investigation.

When Bishop Newell initiated the Independent Pastoral Inquiry into Sexual Misconduct by Clergy or Officers of the Anglican Diocese of Tasmania with particular reference to Paedophilia in 1997 his stated aim was that this was a pastoral inquiry and that 'its function was not investigative or quasi-judicial' (p 4, Not the Way of Christ Report) (see ANG.0038.003.0009 and the Appendices at ANG.0038.003.0084 to ANG.0038.003.0200).
The Principles and Procedures for Dealing with Sexual Harassment 1996 (see STAT.0802.001.0498) provided for interview of the complainant and of respondent. It appears that this procedure was not implemented until 1998. The procedure applied to clergy and lay persons holding a position in the ADT. The investigation was to be conducted by an assessor appointed by the Diocesan Sexual Harassment Response Group, thus removing the investigative role from the Bishop. In instances where allegations involved a child “victim”, these were to be reported to “legal authorities as required by State Law” and the ADT was to cooperate with any investigation by the authorities regarding criminal charges.

May 1998 to April 2005

The Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001) was adopted by Synod in May 1998. Schedule 2 provided for a two person Board of Enquiry to assess and investigate complaints about clergy and licensed or authorised lay persons. Although this continued the practice of removal of the investigative role from the Bishop, the Board of Enquiry members were appointed by the Bishop. There were no restrictions on what information they could gather and how they might gather it; however they were required to allow the respondent an opportunity to be heard. The first reference to sexual misconduct occurs in a 1999 amendment which inserted the Code of Ethics (Schedule 5) and which was followed by the introduction of a specific procedure for complaints about clergy sexual misconduct in 2001 (Schedule 2A).

May 2005 to current

Professional Standards for the Protection of Children and Adults From Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0323) and the Protocol for Professional Standards for the Protection of Children and Adults From Sexual Misconduct Ordinance 2005 (see
The first Ordinance places the responsibility for investigation and the appointment of investigators with the Professional Standards Committee. The second Ordinance sets out criteria for the selection of assessors/investigators and how they will go about their task. The second Ordinance seeks to comply with the principles of natural justice. While the investigators are not bound by the rules of evidence and there is no restriction on what information they gather and how they might gather it, they are required to obtain all materials as determined by the Committee and to interview the complainant and, if able to do so, the respondent.

When a police investigation is being conducted any Diocesan investigation is placed on hold until the police investigation has been concluded.

38. Imposing restrictions on an alleged perpetrator's duties or involvement with the Church pending resolution of an investigation.

1970-April 1998

Section 61 of the Constitution of the Anglican Church of Australia provided for the ability to suspend "from the duties of his office" a person licensed by the bishop against whom a charge had been promoted before a tribunal until the determination of the charge or for a lesser period. The requirement that the suspension was dependent on a charge having been promoted precluded any constitutionally sanctioned ability to suspend during the investigative period that occurred prior to any charge being promoted. Despite this the ADT did suspend a cleric in 1994 who had been charged by police with a number of sexual offences against an adult.

April 1998-April 2001
In 1998 the Constitution was amended to allow for suspension when a charge “is pending” and gave the synod of each diocese the power to “define the occasions on which or conditions under which such power may be exercised”. This amendment remained in force until it was repealed in 2001.

The Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001) provided for the suspension of a “Clerk from office at any time after receiving a complaint under Schedule 2” thus allowing for suspension during an investigative period and overcoming the restriction in Section 61 of the Constitution.

The 1999 amendment to this Ordinance (see STAT.0802.001.0522) broadened the definition of Clerk to include all those licensed as Lay Readers and Authorised Lay Ministers.

In addition to the Ordinance, The Code of Practice for the Protection of Children within our Churches (see STAT.0802.001.0455), adopted at Diocesan Council in April 1998 and implemented for use in parishes and church organisations throughout the Diocese from that time until 2008, contained a provision for a ‘leader’ against whom allegations of abuse were made to be suspended from “duties as they relate to the care of children” (see Section 4-6-1), and for reappointment to be at the discretion of the governing body in cases where the matter had not been proven or tested before a court of law.

May 2005-current

When the Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0323) was introduced to replace Schedule ZA of the Ministry and Tribunal Ordinance 1998 (see STAT.0802.001.0506) it contained a provision for suspension or application of a prohibition order against a respondent pending resolution of an investigation, this being conditional on the respondent being given an
opportunity to be heard (see Section 30-32).

In cases where the respondents have been lay persons and wished to continue to have some involvement in the parish, such involvement has been considered under the principles set out in the Guidelines for Parish Safety where there is a Risk of Sexual Abuse by a Person of Concern (see ANG.0038.003.0469) in association with the Guidelines for Dioceses Undertaking Risk Assessments relating to Sexual Abuse (see ANG.0134.013.0001) and have included the undertaking of a Memorandum of Agreement/Safety Agreement.

**Discipline**

39. Codes of conduct or expected behaviours for Church workers.

The following presents a timeline of policy documents and Ordinances as they came into effect in the ADT.

**1970 to 1989**

There are no records of any policy or procedure in this period.

**1980 to 1996**

During this period of time the ADT was developing policies and procedures to prevent sexual misconduct and to specify an appropriate code of conduct for clergy and church workers.

**1997**

A Code of Clergy Ethics (pages 129 to 136 of the Not the Way of Christ Report, see ANG.0038.003.0009 and the Appendices at ANG.0038.003.0084 to ANG.0038.003.0200) was presented to Synod in May 1997 and it was resolved that "this Synod welcomes the development and publication of the Code of Clergy Ethics, circulated with Synod papers, and
commends it to the attention of people of the Diocese.” This Code included specific reference to behaviour regarding sexual exploitation and sexual harassment.

1999

This Code of Clergy Ethics became Schedule 5 of the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001), at the April-May meeting of Synod in 1999.

2006

At Synod in May 2006, the Code of Clergy Ethics in Schedule 5 of the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001) was replaced by the Faithfulness in Service Code for Personal Behaviour and the Practice of Pastoral Ministry by Clergy and Church Workers.

2012

Schedule 5 of the Ministry and Tribunal Ordinance 1998, Faithfulness In Service, (see WEB.0095.001.0001) was amended in 2012 and remains the guiding code for personal behaviour for all clergy and church workers.

40. Conducting disciplinary proceedings in respect of Church workers against whom:

a. Allegations of child sexual abuse have been made, or

b. Allegations have been made in relation to the way a complaint of child sexual abuse has been handled.

1970 - March 1998

The Offences Canon 1962 (see ANG.0038.001.0351) allowed for a diocesan tribunal to hear and determine charges in relation to 5 specified offences and a sixth category of “any other offence prescribed by a diocesan ordinance”. The specified offences

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relevant to child abuse are "unchastity" and "conduct, wherever occurring, (a) which would be disgraceful if committed by a member of clergy, and (b) which at the time the charge is preferred is productive, or if known publicly would be productive, of scandal or evil report."

The function of hearing such charges was undertaken by the Diocesan Tribunal, as elected at Synod and in accordance with the Tribunal Ordinance 1966 (see STAT.0802.001.0532).

The Principles and Procedures for Dealing with Sexual Harassment 1996 (see STAT.0802.001.0498) provided for a complaint regarding sexual harassment to be responded to and for recommendations to be made to the Bishop by the Sexual Harassment Response Group for appropriate action to "ensure the cessation of any harassing behaviour", but made no mention of subsequent formal disciplinary action.

The ADT has had two matters of allegations addressed under the Principles and Procedures for Dealing with Sexual Harassment. Neither of these matters resulted in a Tribunal hearing. In one matter the respondent's Authority to Officiate was suspended during the investigation period and while the cleric subsequently underwent a period of counselling as required by the Bishop. In the other matter none of the respondents held a licence in the ADT at the time of receipt of the complaint such that disciplinary proceedings could be undertaken.2

April 1998-April 2005

The adoption of the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001)

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introduced a mechanism under which more specific complaints about clergy and
licensed or authorised lay persons could be addressed. It allowed for the Bishop to
institute processes that may result in a sitting of the Diocesan Tribunal.

In 1999 this Ordinance was amended and a code of ethics (schedule 5) was
introduced as a standard for clergy behaviour and in regards to which the Bishop
could receive a complaint alleging that the code had been breached and
subsequently could institute proceedings that may result in a sitting of the Diocesan
Tribunal.

Further amendment was made in May 2001 to make specific reference to sexual
misconduct and to include Schedule 2A, which provided a procedure for dealing with
"clergy complaints involving sexual conduct". Schedule 2A specified criteria for
membership of the Diocesan Tribunal that would hear matters involving sexual
misconduct with the object of such a tribunal having members with appropriate
experience and expertise to deal knowledgably with the matters referred to it.

The ADT has had one matter (Garth Hawkins) heard under the provisions of Schedule
2A of the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001). This led
to the removal of Garth Hawkins' Holy Orders (June 2002). The ADT also initiated
the disciplinary process carried out in the Canberra-Goulburn Diocese in regards to
Louis Daniels resulting in the removal of his Holy Orders (December 2002).

May 2005-current

The Professional Standards for the Protection of Children and Adults from Sexual

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3 Please refer to File 2 Tas-RO02-Garth Hawkins forwarded to the Royal Commission undercover of a letter of 28
March 2014 in response to notice to produce C-NP-149.
4 Please refer to File 1-Tas-R001-Louis Daniels forwarded to the Royal Commission undercover of a letter of 28
March 2014 in response to notice to produce C-NP-149.
Misconduct Ordinance 2005 (see ANG.0038.003.0323) superseded the provisions of Schedule 2A of the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001) and is the current Ordinance relating to allegations of 'examinable conduct' which includes child sexual abuse.

This Ordinance provides for the establishment of a Professional Standards Committee and a Professional Standards Board. Following an investigation the Professional Standards Committee must refer any matters in which it has concluded it has concerns regarding the respondent's fitness for office to the Professional Standards Board. The procedures to be followed by the Professionals Standards Board and the determinations that it may make and recommend to the Bishop for implementation are specified in Part 8 of the Ordinance.

The ADT has had one matter regarding child sexual abuse (possession of child exploitation material) referred to the Professional Standards Board under this Ordinance. The respondent was a church worker (lay volunteer member of a Parish Council). The Board made findings which were implemented. Most allegations of child sexual abuse received by the ADT relate to historical matters involving respondents who are deceased, hence the Ordinance does not apply.

41. Church law offences that apply in the Diocese to matters concerning child sexual abuse and the handling of complaints of child sexual abuse.

From 1970 to 2005, complaints of child sexual abuse were dealt with as an offence under the Offences Canon 1962 as "Conduct, whenever occurring, (a) which would be disgraceful if committed by a member of the clergy, and (b) which at the time of the charge is preferred is productive, or if known publicly would be productive, of scandal or evil report".
In 2005 church law offences concerning child sexual abuse came under the Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0323), and moved from a disciplinary system based on charges and consequential penalties, to a process, which determined the person’s fitness for office.

The following presents a timeline of Ordinances that are related to church law offences concerning child sexual abuse as they came into effect in the Diocese of Tasmania.

1947 to 1966

The Ecclesiastical Offences Act 1947 and the Incumbents Removal Ordinance 1947 (see STAT.0802.001.0528 and STAT.0802.001.0531) dealt with church law offences.

1966 to 1998

The Ecclesiastical Offences Act 1947 was repealed in 1966 and the Tribunal Ordinance 1966 (see STAT.0802.001.0532) came into effect and the Incumbents Removal Ordinance 1947 remained in operation.

1998 to 2005

In 1998 the Tribunal Ordinance 1966 and the Incumbents Removal Ordinance 1947 were repealed and the Ministry and Tribunal Ordinance 1998 (see WEB.0095.001.0001) commenced.

2005 to Current

In 2005 the Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0323) came into effect. This Ordinance was amended in 2006, 2009, 2010 and 2014 and is the current Ordinance addressing church law.

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42. The standard of proof applied in the Diocesan disciplinary proceedings relating to child sexual abuse matters.

The standard of proof that has applied to disciplinary proceedings relating to child sexual abuse matters in the ADT, in the period 1970 to the present, is that stipulated in the decision of Briginshaw v Briginshaw (1938) 60 CLR 336. My understanding of that decision is that the standard to be applied before a Tribunal can find a charge proved is the Tribunal must be reasonably satisfied of guilt. The standard rises or falls depending on the seriousness of the allegations and the gravity of the consequences if the conduct complained of is true.

Redress

43. What follows is a brief overview of the ADT's processes and procedures relating to the resolution of claims for financial compensation, counselling, apologies and other redress by way of mediation, settlement negotiations, and/or civil litigation.

In May 2003 the ADT adopted the Pastoral Support and Assistance Scheme (see ANG.0038.003.0495, ANG.0038.003.0498, ANG.0038.003.0502, ANG.0038.003.0504 and ANG.0038.003.0506) out of concern for victims of child sexual abuse especially by Church Workers. A Facilitator was appointed to implement the Scheme.

The guidelines for administering the Pastoral Support and Assistance Scheme include the provision of a support person once a complaint is made, to assist a victim to follow the procedures. Where a written complaint is received by the Director of Professional Standards, against a Clerk, it is dealt with according to the Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0323). Other procedures apply if the complaint is against a former Clerk. If
the allegations in the complaint are established to the Board or Committee's satisfaction
then the applicant is invited to submit an Application for Pastoral Support and Assistance.

Resolution of Claims for financial compensation:

In 1994 a claim made by BYG was resolved.6

In 2004 a claim made by Brett Skipper resolved.6

In 2003 and following, after the Pastoral Support and Assistance Scheme was established,
grants of pastoral support and assistance were made on the recommendation of an
Independent Assessor.

The recommendations are made to, and are binding on, Diocesan Council to make set
payments for Pastoral Support and Assistance to those applicants whose allegations of sexual
misconduct have been established.

The Independent Assessor is not bound by the rules of evidence.

Interim grants can also be made, where the Independent Assessor deems it appropriate.

Once a grant of pastoral support and assistance is made it is final.

Grants in 2003-2014 could not exceed $50,000. In May 2015 this was increased to $75,000
by Diocesan Council.

Consideration is also given by the Assessor to any amounts already paid for counselling.

In all cases the ADT has accepted the recommendation of the Independent Assessor.

5 Please see File 5-1987-03, 1994-01 TAS CO018-BYG which was forwarded to the Royal Commission
undercover of a letter of 28 March 2014 in response to notice to produce C-NP-149.
6 Please see File 8-1998-01 TAS CO02 Part 1 and File 9 Part 2 and File 10 Part 3-Brett Skipper which was
forwarded to the Royal Commission undercover of a letter of 28 March 2014 in response to notice to produce
C-NP-149.
Apology:

Bishop Newell and Bishop Harrower have issued public apologies to all victims of sexual abuse by Anglican clergy and church workers in Tasmania (Bishop Newell in 1998 and Bishop Harrower on 26 July 2000).

Bishop Harrower has met with any person who requested a meeting and apologised to them personally on behalf of the Church.

In 2004, services of lament, Out of the Depths – A Prayer and Reflection Service, were held in Hobart and Launceston.

An apology and acknowledgement of the ADT’s failure to respond and the impact this has had on survivors of this failure is also recorded in Section 2.1.1 of the Protocol for Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0341).

Counselling:

The provision of counselling support is documented in Protocol for Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0341) Protocol Section 6. In the first instance a support person is offered (6.1) to survivors, complainants and respondents of child abuse, sexual harassment, sexual assault and sexually inappropriate conduct as defined in Section 2 of the Ordinance involving members of the clergy and church workers. Counselling and other processes as appropriate are offered. Following initial counselling, a transparent process is determined as to what extent on-going counselling will be provided.

Secondary victims, families, friends and congregations and communities are also considered.
Mediation:

Provision for mediation is documented in Protocol for Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0341) Protocol Section 9. The Professional Standards Committee may, where appropriate arrange for the conciliation or mediation of any complaint which is the subject of information. Mediation and conciliation would only be considered after conferring with the survivor and usually after investigation.

Settlement Negotiations:

Since 2003 with the establishment of the Pastoral Support and Assistance Scheme the Independent Assessor has made findings as to payments.

Civil Litigation:

Brett Skipper issued a Writ against the ADT, Louis Daniels and Bob Brandenburg in or about May 1998 and that claim was resolved at mediation in or about May 2004. 7

Risk management

44. Notifying Church members and Church workers of allegations against a particular Church member or Church worker. Where there is such a policy, the level of detail included in any such notification is set out below:

1970 to 1992

There are no records of any policy or procedure in this period.

7 Please see File 8-1998-01 TAS 002 Part 1 and File 9 Part 2 and File 10 Part 3-Brett Skipper which was forwarded to the Royal Commission under cover of a letter of 28 March 2014 in response to notice to produce C-NP-149.
1993

The Anglican Camping Safety and Care Manual (see STAT.0802.001.0398 at page 37) provides guidelines for preserving the confidentiality of an alleged victim and alleged offender whilst the matter is reported. Team leaders and Directors of camps are to provide leadership in reporting, providing support to all parties until other responsible people become involved such as police, parents, governing body members.

1998

The Code of Practice for the Protection of Children Within our Churches 1998 was adopted. (see STAT.0802.001.0455)

Section 4 of this document provides guidelines as to who to speak to in the case of a disclosure of abuse or alleged offending by a leader (church worker). The Organisation and Diocesan contact person in that system would have been a church worker.

2005

The Professional Standards for the Protection of Children and Adults Ordinance 2005 was adopted (see ANG.0038.003.0323). The Protocol for Professional Standards for the Protection of Children And Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0341). Part 3 provides guidelines regarding:

- reporting to police 3.2.4,
- reporting to the Committee of Professional Standards 3.2.1 and
- the need for confidentiality.

Part 5 provides guidelines as to the provision of information to complainants, respondents
and survivors who may be church workers.

Part 11 gives guidelines regarding the provision of regular information, reports, advice and recommendations to the Bishop and any other relevant Church authority at each stage of the process or dealing with information. These people are also church workers.

Our practice is to give consideration to matters such as:

- involvement of the Police and Child Protection
- what investigations are underway
- any continuing risk to children
- the wishes of the victim
- who needs to know
- the provision of pastoral support to those given information
- natural justice issues

Whilst there are guidelines in the above Ordinances, advice would be sought from the police regarding information regarding any person.

45. Risk managing known or alleged offenders involved in the Diocese as Church workers or Church members.

1970 to 2001

There are no records of any policy or procedure in this period.

Since 2002 the ADT began developing resources to assist in the management of situations
where there was a risk of sexual abuse by a person of concern in a parish as a Church member or Church worker.

Over time the learning which took place contributed to the development of the National Guidelines which are now followed: Anglican Church of Australia Professional Standards Commission Guidelines for Parish Safety where there is a Risk of Sexual Abuse by a Person of Concern (see ANG.0038.003.0469).

These guidelines require a risk assessment to be completed for known or alleged offenders and the development of a safety plan. The Director of Professional Standards assists with advising clergy in charge of Parishes in such situations. The Director also notifies clergy if a known or alleged offender moves into their area.

45. Identifying any other victims of known or alleged offenders.

From 1970 to 1996 There is no record of any action being taken.

1997 An Independent Pastoral Enquiry invited by letter clergy, registered psychologists and psychiatrists throughout Tasmania and parents of children involved in Anglican Youth activities in the ADT to provide oral/written submissions related to alleged paedophilia or sexual misconduct in the Church. The letters and the outcomes of the enquiry are published in the Not the Way of Christ Report (see ANG.0038.003.0009 and the Appendices at ANG.0038.003.0064 to ANG.0038.003.0200).

1998 Policy Document No. M2 (see STAT.0802.001.0534) developed by the Bishop and Diocesan Council to set up a toll-free Sexual Misconduct line, independent of the Diocesan office. This service is still available as at the date of this Statement. Calls are taken and actioned by the Director of Professional Standards.
A brochure (see STAT.0802.001.0535) was produced to advertise the toll-free telephone support line. This was distributed to parishes and available at the Diocesan Registry (it is also available currently).

2002 – Media releases by Bishop John Harrower in February (see STAT.0802.001.0536), June (see STAT.0802.001.0537) and December (see ANG.0038.003.0567) contained information about the telephone help-line. The December release encouraged people to take any criminal matters to the police.

2002 – Bishop John Harrower held a media conference in Hobart the day after the February Media release. Bishop John also took part in a number of radio and television interviews during which he encouraged people to come forward with information about alleged offenders.

2003 Bishop John Harrower forwarded a letter (see STAT.0802.001.0538) inviting victims of known or alleged offenders to apply for a Pastoral Support and Assistance Scheme package, to the police to hand on to people as and when they deemed it to be appropriate. The Bishop also forwarded a similar letter to Commissioner Richard McCreadie to pass on to a victim (see STAT.0802.001.0539).

Current The toll-free number is still available and is recorded in the Diocesan Directory. An advertisement is permanently in place in the bi-monthly Tasmanian Anglican magazine which is available on-line and in hard copy and distributed to parishes, informing readers of the availability of the toll-free service.

The toll-free number is also in a prominent position on the home page of the ADT’s website www.anglicantas.org.au.
47. The process of declaring and managing actual or perceived conflicts of interest among Church workers involved in developing policy, conducting disciplinary proceedings, providing legal advice, giving pastoral care or otherwise responding to child sexual abuse, where they have a long-standing personal or professional relationship with a known or alleged offender is set out below:

The ADT has never had any process to manage such conflicts of interest.

Information-sharing and record-keeping

48. Set out below is information in relation to record-keeping in relation to allegations and complaints of child sexual abuse in the ADT, parishes, para-Church youth groups, and Church institutions, including the:

a. form of the records (for example, excel database or paper-based case files)

An Excel database has been prepared listing all cases of sexual abuse reported since 1998.

Paper-based files on victims and abusers are held in a limited access filing cabinet in the Diocesan office safe.

b. nature of the information contained in the records, including what information, if any, is routinely recorded, and how consistently the information is represented across all records

The database contains:

i. the date of the report;

ii. the date of the offence;
iii. the victim;

iv. the abuser; and

v. the action taken.

Paper-based files contain all the above together with more detailed information and records of communication with abusers, victims, and appointed assessors and support persons.

c. maintenance and archiving of records.

The Director of Professional Standards is responsible for the maintenance and archiving of all records relating to sexual abuse.

49. Information-sharing about or related to instances and allegations of child sexual abuse between the Diocese and:

a. other Anglican dioceses in Australia

From 1970 to 2004

In this period communication to other Anglican dioceses was at the discretion of the Bishop.

2005 to Current

The Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0323), outlines in Section 16 the role of the Professional Standards Committee to share information with an “equivalent body”.

Signature: ____________________________  Witness: ____________________________
The Protocol for Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005, (see ANG.0038.003.0341) in section 13, provides for the sharing of information with other Dioceses and includes recording in the Diocesan Registry, and in the National Register.

The Bishop continues to have discretion to communicate with bodies outside the ADT.

b. other Anglican dioceses outside of Australia

Communication to Anglican dioceses outside of Australia was, and is, at the discretion of the Bishop.

This occurred following the recommendations of Not the Way of Christ (see ANG.0038.003.0009 and the Appendices at ANG.0038.003.0084 to ANG.0038.003.0200).

c. the General Synod

The ADT has no process established to share information with the General Synod.

d. other faith-based institutions

The Protocol for Professional Standards for the Protection of Children and Adults from Sexual Misconduct Ordinance 2005 (see ANG.0038.003.0341), in section 13, provides for the sharing of information with other Dioceses, other denominations and other child related employers.

e. government and non-government institutions or statutory authorities.

The ADT has no process established to share information with non-government
Statement of Christopher Randall Jones continued

Institutions.

See the response in paragraph 34 above regarding government and/or statutory authorities.

50. Information-sharing about or related to instances and allegations of child sexual abuse, directly between parishes, schools and Church institutions within the ADT and:

a. each other

b. any of the institutions or bodies listed in sub-paragraphs 49 (a) to (e).

a. each other

The ADT is unaware of any policies, procedures, processes and practices followed by parishes, schools and Church Institutions, within the ADT, for the sharing of information with each other regarding instances and allegations of child sexual abuse.

Past practice indicates that such information has been shared with the ADT with the expectation that it will appropriately disseminate that information.

b. any of the institutions or bodies listed in sub-paragraphs 49 (a) to (e)

The ADT is unaware of any policies, procedures, processes and practices followed by parishes, schools and Church Institutions, within the Diocese, for the sharing of information with any of the institutions or bodies listed in sub-paragraphs 49 (a) to (d) and non-government institutions regarding instances and allegations of child sexual abuse.

The ADT understands that schools and Church Institutions fulfil their obligations to share information about or related to instances and allegations of child sexual abuse with

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government and statutory authorities.

Inquiries and reviews

51. Set out below are details of any past inquiries into instances and allegations of child sexual abuse in the ADT, including the:

a. reasons the inquiry was established

Bishop Phillip Newell commissioned the 'Not the Way of Christ' Report (see ANG.0038.003.0009 and the Appendices at ANG.0038.003.0084 to ANG.0038.003.0200) in 1997. The report was presented in March 1998. The Report included the following explanation:

"The exploitation of the vulnerable for sexual purposes by those in positions of power, has been a major issue in the late twentieth century. This has been highlighted recently in Australia with the release of the findings of Justice James Woods' Royal Commission into paedophilia in N.S.W. in August 1997.

Considerable prominence has also been given to the large numbers of clergy, priests and religious brothers who have faced allegations or charges of sexual abuse in recent years. The Catholic Church has recently responded with a document entitled "Towards healing: Principles and procedures in responding to complaints of sexual abuse against personnel of the Catholic Church in Australia" and a more recent draft document "Integrity in Ministry" which seeks to prescribe to Catholic Clergy a minimal set of ethical standards with which they should comply.

A Code of Ethics for clergy and pastoral care workers (Appendix 5) has recently been accepted by the Anglican Church in Tasmania and a Sexual Harrassment Response Group has been established with a clear statement on Principles and Procedures for dealing with Sexual Harrassment (Appendix 6). A draft document entitled "A code of practice for the protection of children within our churches" (Appendix 8) has also been circulated throughout parishes, institutions and organisations of the Diocese of Tasmania.
In Tasmania, on 30 August 1997, the "Mercury" newspaper featured the story of "Simon", who told of the abuse and betrayal of trust he said he had experienced at the hands of a number of Anglican priests in Tasmania. The Anglican Bishop of Tasmania, Right Reverend Philip Newell, in replying to that article said that the Anglican Church sought to secure a commitment to the highest moral and ethical standards from its clergy.

Out of concern for the continued integrity of the Church in Tasmania and to establish a forum for victims of sexual abuse and misconduct to be heard, Bishop Newell commissioned the present Inquiry.

The Inquiry was established as a pastoral inquiry in that its function was not investigative or quasi-judicial. Survivors of sexual abuse who wished to bring allegations to the attention of the Police would be expected to take that action independently of any submission they may make to the present Inquiry.

Those conducting the Inquiry were also to be clearly independent of any involvement or relationship with the Anglican Church.

On 30 October 1997, Bishop Newell announced to the Media that Ms. Tonia Kohl, Barrister, and Dr. Michael Crowley, Clinical Psychologist, had accepted the Bishop's invitation to conduct the Inquiry, with the expectation that their report would be complete within about three months.

b. determination of the scope of the inquiry

The Inquiry was charged with the responsibility to:

i. "Receive oral and written submissions from any person who alleges paedophilia or sexual misconduct by a member of the clergy or officer of the Anglican Church.

ii. Receive oral and/or written submissions from clergy or officers of the Anglican

Signature: [Signature] Witness: [Signature]
Church relevant to the issues of paedophilia or sexual misconduct.

iii. Receive oral and/or written submissions from any person with professional expertise in responding to allegations of paedophilia or sexual misconduct.

iv. Present a report to the Bishop in relation to paedophilia or sexual misconduct within the life of the Anglican Church in Tasmania together with any recommendations on the life, structure, policy and practice of the Church.

v. Liaise closely 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.

vi. Liaise with the Bishop on any matter."

c. process by which those presiding over the Inquiry were selected

Ms Tonia Kohl, barrister, and Dr Michael Crowley, Clinical Psychologist accepted Bishop Newell’s invitation to conduct the Inquiry.

d. report and recommendations of the Inquiry

A copy of the report, which includes, on pages 66-71, the recommendations, is at ANG.0038.003.0009. The Appendices are at ANG.0038.003.0084 to ANG.0038.003.0200.

e. extent to which the Inquiry’s recommendations were implemented.

framework or processes are set out below:

There have been no such reviews or legal challenges to the ADT's professional framework or processes.

Research into prevalence of child sexual abuse

53. The processes and procedures, if any, in relation to recording statistical data on child sexual abuse in the ADT is set out below:

A list of child sexual abuse claimants is maintained showing date, place and perpetrator.

54. The involvement in any research or study on sexual offending against children in the ADT, and the results of any such research is set out below:

In July 2006 the Bishop of Tasmania was asked, in a letter dated 14 June 2006 from Garth Blake SC, Chair Professional Standards Commission, to participate in the research into child sexual abuse in the Anglican Church in Australia, being conducted by Professor Patrick Parkinson and Emeritus Professor Kim Oates, both from the University of Sydney. The study was limited to cases of child abuse that had emerged since 1990, and focused only on cases involving clergy and church workers engaged or employed in a paid or voluntary capacity by parishes, or diocesan bodies, but not those employed by schools or welfare agencies.

In April 2007 the Bishop of Tasmania was asked, in a letter dated 11 April 2007 from Garth Blake SC, Chair Professional Standards Commission, to provide data for this research. The ADT provided data on 26 complainants and 32 cases.

A questionnaire was completed on each reported case of child sexual abuse based on the data collected from archived diocesan files. Information was provided, as available, on the accused person and complainant in each case, as well as the characteristics of the abuse and
the relationship between the accused person and complainant. Information on the case investigations and conclusions was also sought and provided.

The final report of this research, Study of Reported Child Sexual Abuse in the Anglican Church (Patrick Parkinson, Kim Oates and Amanda Jayakody, May 2009) (see CEBS.0004.001.0020), including eight recommendations, was provided to the Bishop of Tasmania in June 2009. In a letter, dated 14 June 2009, from the Bishop of Tasmania to survivors of sexual abuse, assurance was given that all data was supplied without any person being identified, and the report did not identify any individuals. The letter also informed the recipients: “that the Anglican Diocese of Tasmania has in place a program called Safe Church Communities, previously known as Safe Ministry, which addresses Recommendations 1-6. The Diocese has committed both human and financial resources to ensure that parishes and church organisations are able to meet the requirements of the program and to provide safe and healthy environments. The Pastoral Support and Assistance Scheme (PSAAS) that has been available since 2003, satisfies Recommendation 8. The Diocesan Director of Professional Standards had been liaising with the Directors in other Diocese to make sure that we can comply with Recommendation 7.”

Challenges and reform

55. Dialogue the ADT has sought or engaged in with government for changes to civil or criminal law affecting professional standards matters is set out below:

Bishop John Harrower first called publically for a Royal Commission into child sexual abuse in 2000. He repeated that call on several occasions.

Since 2004 the ADT has lobbied for a ‘Working with Children’s Card’.

In 2005 the ADT negotiated an agreement with Medicare for a Bulk Payment Agreement for
the ADT's Pastoral Support and Assistance Scheme payments.

56. The understanding of the Diocese of any historical or current challenges facing the Diocese in relation to any of the above matters is set out below:

The demands of the ADT to respond to past abuse continue to be challenging. Our Pastoral Support and Assistance Scheme is crucial.

The need for the ADT to create and maintain safe church communities is vital and the ADT is committed to continuing the work that this requires.

Signed: 

Date: 14th January 2016

Witness: 

Date: 14th January 2016

Signature: 

Witness: