



Anglican Diocese  
of Adelaide

**Royal Commission into Institutional Responses  
to Child Sexual Abuse**

**Update to Response of the Archbishop of the  
Anglican Diocese of Adelaide  
of 20 January 2016**

**1 December 2016**

## Summary

In response to your letter dated 21 October 2016, I have prepared a supplementary statement addressing those matters that have changed since the submission of the Anglican Diocese of Adelaide Statement (20 January 2016) prepared by Archbishop Jeffrey Driver. That statement was prepared in relation to *Case Study 36: Responses of the Church of England Boys' Society and the Anglican Dioceses of Tasmania, Adelaide, Sydney and Brisbane to allegations of child sexual abuse*.

On 9 April 2016 Archbishop Jeffrey Driver announced to the Diocese his intention to retire from the See of Adelaide on 19 August 2016 and advised the Diocese of my appointment as Administrator (*Sede Vacante*), in effect, acting Diocesan Bishop, from the date of his retirement.

This supplementary statement primarily addresses changes to Anglican Diocese of Adelaide governing bodies and statistics provided in the 20 January 2016 Statement, as well as the inclusion of a revised *Professional Standards Protocol*, adopted by the Diocese in October 2016. The *Protocol* responds to the revised *Professional Standards Ordinance* approved by Synod in October 2015. The adoption of the *Professional Standards Ordinance 2015* was addressed in the original Statement.

Work is already underway in the Anglican Church in Adelaide to take on board the key recommendations of the Royal Commission's *Redress and Civil Litigation Report* (the Report). Acknowledging that one of the key Report recommendations is an independent redress scheme, the Diocese has been an active participant in the General Synod workshops exploring how the National Anglican Church might achieve this, in the possible absence of a Commonwealth-facilitated scheme. To date there have been two General Synod workshops, on 1 June and 21 September 2016 attended by former Archbishop Driver and the Registrar (1 June), and, the Administrator and Registrar (21 September).

Diocesan Council has been briefed on the contents of the Report and recommendations. It is evident that the redress scheme specific to the Anglican Diocese of Adelaide, *Healing Steps*, will need to evolve into something different – namely, a scheme independent of the Synod. Diocesan Council agrees with the view that this may require the Synod to participate in a scheme wider than our own diocese, either by establishing an independent redress scheme or participating in a scheme that meets the Report's recommendations.

A meeting has also been convened with all the principals of the Anglican Schools in South Australia to brief them on the contents of the *Redress and Civil Litigation Report*. The meeting identified that *Healing Steps* is coming to the end of its effective life. At this briefing it was emphasised that, in the absence of a State or Commonwealth legislated redress scheme, the Anglican Church in South Australia (at a Provincial level), including its schools and institutions, will need to work together to determine how the key redress principles from the Report can be adopted.

The South Australian Provincial Council established a Working Group on 28 July 2016 tasked with creating a consistent set of guidelines and structures for redress applications for all three dioceses in the Province. This work may well be superseded by the collaborative approach initiated by General Synod and the announcement of the Commonwealth Government for a National Redress Scheme.

In the President's Pastoral Address to Synod, on 28 October 2016, I re-affirmed the Church's apology to survivors of abuse. At that time, Synod also passed the following resolution affirming my remarks and offering its collective apology to survivors:

*That this Synod affirms the President's remarks acknowledging the courage of survivors prepared to come forward and share their story of abuse within the Church; and*

- *offers again its unreserved apology to those who had been harmed by people holding positions of power and trust in the Church; and*
- *affirms the Royal Commission into Institutional Responses to Child Sexual Abuse report into Redress and Civil Litigation and its key principles that redress to survivors must be survivor centred, just and fair, independent and accountable.*

The language for the resolution was drawn from the 2004 'Apology to Survivors of Abuse', previously offered by the Synod.

The Anglican Diocese of Adelaide has long advocated for the need of a consistent, fair and independent redress scheme that addresses survivors of child sexual abuse on an equitable and just basis. The Diocese welcomed the most recent Federal Government announcement of the formation of a national redress scheme and looks forward with interest to further details regarding how the scheme is to be implemented, and what opportunities there will be for entities like the Diocese to participate.

To provide the best outcomes for survivors of child sexual abuse, we believe that a national redress scheme requires the participation of all State and Territory Governments. We have urged our South Australian Government to cooperate and engage constructively with the Commonwealth to ensure that South Australian institutions such as the Anglican Church are in a position to fully participate in the scheme.

The Anglican Diocese of Adelaide continues to review, improve and learn from reports and recommendations. We are committed to seeking greater uniformity and consistency across the national Anglican Church, and recognize that there is still much to be learned and addressed both in our own context, and within the Anglican Church of Australia more broadly.



**The Right Rev'd Dr Tim Harris**  
Administrator (*Sede Vacante*)  
Anglican Diocese of Adelaide

1 December 2016

## Schedule A Responses

### The Anglican Diocese of Adelaide

**Q3. The current number of parishes in the Diocese**

No change.

**Q4. The approximate number of Church members in the Diocese**

Based on data collected for the 2015 reporting year, an average of 10,660 people attended Church services each week in the Diocese of Adelaide.

**Q5. The number of clergy currently licenced to officiate in the Diocese, including retired clergy with permission to officiate.**

As at 1 November 2016 there were:

- 128 Active Licensed clergy (generally means that the clergy person is in receipt of a stipend).
- 95 Clergy with a Permission to Officiate (clergy who are not in regular paid ministry, many of whom are over the age of 70 and retired, but on occasion act in some form of ministry capacity).
- 12 Retired Clergy (clergy who are retired and do not have permission to act in any ministry capacity).

**Q6. The financial position of relevant Diocesan entities, including by reference to its assets holdings, liabilities and cash reserves**

As at 30 June 2016 the financial position of Synod Operations was the following:

Total Current Assets:	\$3,029,889
Total Non Current Assets:	\$45,067,477
<b>Total Assets:</b>	<b>\$48,097,366</b>
Total Current Liabilities:	\$2,595,911
Total Non Current Liabilities:	\$1,297,512
<b>Total Liabilities:</b>	<b>\$3,893,423</b>
Net Assets:	\$44,203,943

Total assets include some monies held in trust for specific purposes.

For the complete financial position of Synod Operations as contained in the 2016 Synod Notice Paper commencing at page 17, see Annexure 1.

For complete audited financial statements as contained in the 2016 Synod Reports & Accounts Book commencing at page 42, see Annexure 2.

### Governance of the Anglican Diocese of Adelaide

The Constitution of the Diocese of Adelaide vests the governance of the Diocese in the Bishop and the Synod.

**Q8. The names, employment status, and periods of appointment of those people occupying the following positions in the Diocese between 1 January 1990 and the date of this letter:**

- a) Bishop
- b) Assistant Bishop
- c) Chancellor
- d) Deputy Chancellor
- e) Registrar / General Manager
- f) Professional Standards Director
- g) Chair of the Professional Standards Committee or similar body
- h) Diocesan Solicitor, or any person appointed to advise the Diocese on legal matters relating to child sexual abuse
- i) Diocesan Advocate, or any person appointed to represent the Diocese in disciplinary proceedings for clergy and other Church workers
- j) Presiding members of the Professional Standards Board, Panel of Triers, Disciplinary Tribunal, Diocesan Tribunal or similar bodies, and
- k) Trustees on any Boards of Trustees established to manage the real property of the Diocese

Since 20 January 2016, the following changes have taken place:

<b>Bishop</b> (Paid position)	Jeffrey Driver	(2005 – Retired 19.8.2016)
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<b>Administrator</b> <i>(Sede Vacante)</i> (Paid position)	Timothy Harris	(Appointed 19.8.2016 – present)
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<b>Chancellor</b> (Honorary position)	Hon Justice David Bleby	Retired 30.6.2016
	Richard Dennis PSM	Appointed 1.7.2016 - present

<b>Deputy-Chancellor</b> (Honorary position)	Tom Cox SC	Appointed 1.7.2016 - present
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<b>Professional Standards Directors</b> (Paid position)	Theodora Ekonomopoulos	(24 August 2015-present)  Commenced parental leave on 17.10 2016.
	Peter Caporaso (Honorary position)	Deputy Professional Standards Director (August 2015 - 10.8.2016)
	Christine Crosby	Acting Professional Director (Appointed 12.10.2016-present)

<b>Chair (Convenor) of Professional Standards Committee</b> (Honorary position)	Catherine Bridgland (Convenor)	(2015 – 02.08.2016)  <i>Members:</i>  Annette Cinnamond, Rev'd Peter Brown, Jan Nicholson,  Rev'd David Patterson,  Carolyn Grantskalns, Amanda Harfield.
	Annette Cinnamond (Interim Chair)	(Appointed 10.08.2016 – present)  <i>Members:</i>  Rev'd Peter Brown, Jan Nicholson,  Rev'd David Patterson,  Carolyn Grantskalns, Amanda Harfield, Peter Caporaso (appointed 10.8.2016)

<b>Presiding Members of the Professional Standards Board</b> (Honorary position)	Margaret Kelly (Deputy President)	(2013 -present)
	Hon Justice David Bleby QC (President)	Appointed 10.8.2016 - present

<p><b>Presiding Members of the Diocesan Tribunal</b></p> <p>(Honorary position)</p> <p><i>We are reading this to mean 'Assessors in Ecclesiastical Trials'</i></p>	<p>Only one Diocesan Tribunal has been held in recent times. The last being in 2004.</p>					
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<p><b>Trustees of any Boards – Members</b></p>	<p>In addition to the Archbishop of Adelaide and, ex officio, the Dean of Adelaide, the Assistant Bishops, the Chancellor and the Diocesan Secretary, Diocesan Council comprised the following individuals:</p>
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<p><b>of Diocesan Council</b></p> <p><b>(Honorary positions)</b></p>	<p>Most Rev'd Jeffrey Driver, David Bleby, Keith Stephens, Right Rev'd Tim Harris, Rev'd Matthew Anstey, Rev'd David Covington-Groth, Very Rev'd Frank Nelson, Rev'd Janet Phillips, Rev'd Martyn Woodsford, Rev'd Andy Wurm, Geoff Bloor, Alastair Lea, Sandy Mitchell, Allan Perryman, Chris Purton, Ven Lyn McRostie, Ven Paul Mitchell, Simon Murray, Right Rev'd Chris McLeod.</p> <p><i>Resignation:</i> Ven Paul Mitchell (06.12.2015)</p> <p><i>Retirement:</i> Most Rev'd Jeffrey Driver (19.08.2016), David Bleby (30.06.2016)</p> <p><i>Appointments:</i> Ven David Bassett (06.12.2015), Richard Dennis PSM (01.07.2016)</p>	<p>(2015 – 30.10.2016)</p>
	<p>Right Rev'd Timothy Harris, Richard Dennis, Keith Stephens, Right Rev'd Chris McLeod, Rev'd Matthew Anstey, Very Rev'd Frank Nelson, Rev'd Janet Phillips, Rev'd Martyn Woodsford, Rev'd Andy Wurm, Geoff Bloor, Sandy Mitchell, Allan Perryman, Ven Lyn McRostie, Ven David Bassett, Simon Murray, Rev'd Canon Jenny Wilson, Emma Riggs, Helen Carrig, Kevin Stracey, Ian Gray, Wendy Hoare.</p>	<p>Term of office commenced on 30 October 2016 at the 43<sup>rd</sup> Triennial Synod.</p>

**Q9. The current function, composition, and legal status of the:**

**a. Bishop-in-Council or Diocesan Council**

As at 2 December 2016, Diocesan Council comprises the following people:



- Rt Rev'd Timothy Harris (Administrator (*Sede Vacante*))
- Rt Rev'd Christopher McLeod (Assistant Bishop)
- Mr Richard Dennis (Chancellor)(non-voting)
- Mr Keith Stephens (Secretary of Synod) (non-voting)
- Ven David Bassett
- Ven Lyn McRostie
- Rev'd Canon Dr Matthew Anstey
- Very Rev'd Frank Nelson
- Rev'd Janet Phillips
- Rev'd Canon Jenny Wilson
- Rev'd Martyn Woodsford
- Rev'd Andy Wurm
- Dr Geoff Bloor
- Ms Helen Carrig
- Mr Ian Gray
- Ms Wendy Hoare
- Ms Sandy Mitchell
- Mr Simon Murray
- Mr Allan Perryman
- Ms Emma Riggs
- Mr Kevin Stracey

**c. Synod of the Diocese of Adelaide**

Lay members to the 43<sup>rd</sup> Triennial Synod were appointed during 2016. The Roll of Synod members of the first annual session of the 43<sup>rd</sup> Triennial Synod (28<sup>th</sup> – 30<sup>th</sup> October 2016) is attached as Annexure 3. 156 lay members and 112 clergy were summonsed by the Archbishop, making a total Synod membership of 268.

**Q10. An Overview of the responsibilities, theological training, qualifications, licencing and employment arrangements of Deacons, Priests, and Bishops**

No change.

**Church and para-Church institutions**

**Q14. Any arrangements under which schools or other institutions in your Diocese are permitted to use the Anglican Church name in their title or brand.**

Diocesan Council adopted a policy entitled *Incorporation of Anglican Bodies Policy* on 4 April 2001. This policy was omitted by error from the original statement and forms Annexure 4. The main focus of the policy is on the creation of separate incorporated entities within the Diocese. For any incorporated association to be associated with the Anglican Church in the Diocese of Adelaide, and to use a name associated with the Anglican Church, or where the objects of an

association are associated with the activities of the Anglican Church, the policy stipulates that the association's Constitution must be approved by the Diocesan Council, which will give particular attention to the following:

- (a) The objects of the association, and their association with the Anglican Church;
- (b) Its membership provisions;
- (c) How its governing body is constituted. In particular, the Council will require at least a substantial majority of the committee to be members of the Anglican Church and to have some identifiable connection with the Church.

As mentioned in the previous statement, from time to time, the Synod issues, in consultation with Anglican schools, statements that characterise an Anglican School. Diocesan Council adopted such a statement on 2 December 2015 (See Annexure 5).

### **Theological perspectives**

**Q17. Your understanding of your Diocese's practices and theological perspectives in relation to: Marriage of clergy; Celibacy; and Homosexuality**

No change.

**Q18. 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.*

**Please set out your understanding of any significant theological differences between your and any other diocese, and the effect, if any, of those differences on the protection of children in the Anglican Church.**

No change.

### **Ordination and theological training**

**Q19. The relationship, if any between your Diocese and any of the theological colleges in Australia.**

No change.

**Q20. Your Diocese's approach, policies and practices in relation to conducting psychological assessments of candidates for ordination training and ordination itself, since 1 January 1960.**

No change.

### **National approaches to professional standards and inter-diocesan cooperation**

**Q21. Your Diocese's approach to adopting the Anglican Church of Australia General Synod model Ordinances and policy guidelines on child protection**

No change.

**Q22. Please indicate which General Synod model Ordinances, policy guidelines and resolutions on child protection have been adopted or responded to by your Diocese, and how. (Schedule B)**

No change.

**Q23. The key differences, if any, between the national model Professional Standards Ordinance (as amended 2008) and your Diocese's equivalent Ordinance/s, and the reasons for your Diocese either adopting the national model, not adopting it, or partially adopting it.**

The new *Professional Standards Ordinance 2015* came into effect on 2 December 2015.

The *Protocol* required by section 8 of the *Professional Standards Ordinance 2015* was adopted by Diocesan Council on 12 October 2016 (see Annexure 6). The Diocesan Council appointed a working group to draft a new Protocol at its meeting on 2 December 2015. In preparing the new *Protocol*, the Working Group had regard to the recommendations contained in the Royal Commission's *Redress and Civil Litigation Report*. In the interim period before the new *Protocol* was adopted, the provisions of the 2006 *Protocol* were applied *mutatis mutandis*.

**Q25. Any process, procedure or practice adopted by your Diocese, 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.**

The Diocese has participated in the General Synod's Working Group Consultation with a view to establishing how best to establish or be part of a redress scheme that is survivor centred, just and fair, accountable and independent, so as to implement the Royal Commission's recommendations as contained in its *Redress and Civil Litigation Report*. The former Archbishop and the Registrar attended a Consultation Forum organised by the GS Working Group on 1 June 2016 and the Administrator (*Sede Vacante*) and the Registrar attended a further Consultation Forum on 21 September 2016.

## Professional Standards in the Anglican Diocese of Adelaide

Please provide a chronological account of your Diocese's approach to professional standards from 1 January 1990 to the date of this letter, with reference to all key policies, procedures, processes, practices and legislation (if any) relating to the protection of children.

In providing your account please address each of the following matters.

### Prevention

- Q26. 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
  - b. participating in activities involving children
  - c. holding positions of authority in relation to the formulation of policy on professional standards matters, and/or
  - d. presiding over or participating in disciplinary proceedings.

The Diocesan Council decided to participate in the online National Police Checking Service Support System (Crimtrac) at its meeting on 12 October 2016. This has necessitated some changes to the forms and permissions required in the Diocesan Safer Ministry screening processes. As part of its continual quality improvement programme, the Synod has taken this opportunity to conduct a wider review of its existing forms and processes, so as to streamline the Safer Ministry screening processes. These changes will be rolled out early in 2017.

- Q27. Training and educating Church workers and Church members on child sexual abuse and responding to instances of child sexual abuse.**

No change.

### Disclosure and response

- Q28. Internal reporting processes following a disclosure of child sexual abuse.**

It remains the case that 'information of whatever nature and from whatever source relating to alleged misconduct on the part of a Church worker' is to be received by the Professional Standards Director and passed on to the Professional Standards Committee in accordance with the *Professional Standards Ordinance 2015*. (See sections 10(c), 10(d), 10(e), 16 and 18). Clergy and Church authorities are required to pass on information relating to alleged misconduct by a Church worker to the Professional Standards Director (section 17), who must in turn report that information to the Professional Standards Committee (section 18).

The *Protocol* adopted for use with the *Professional Standards Ordinance 2015* provides that neither a Church authority nor the respondent is to have any contact with a person who has provided information or with an alleged victim in the course of a resolution or a matter except through, or on the advice or permission of, the Professional Standards Director or the Professional Standards Committee (clause 10).

**Q29. 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**

Where a complaint involves child abuse, clause 2(h) of the new *Protocol* provides that 'we will comply with mandatory reporting requirements under State law'. In addition, clause 9(1) of the new *Protocol* provides:

'The Director will then keep a matter the subject of information provided to the Director confidential unless or until – ...

- (b) the matter discloses criminal conduct that should be reported to the police or conduct constituting child abuse that should be reported to the appropriate State authority.'

**b. the information was disclosed in the context of a ‘confessional’.**

No change.

**Q30. Notifying an alleged perpetrator of allegations against him or her.**

Clause 9 of the new *Protocol* provides as follows:

- 9(1) The Director will then keep a matter the subject of information provided to the Director confidential unless or until -
- (a) the person who has provided the information has provided his or her consent to the further disclosure of the matter;
  - (b) the matter discloses criminal conduct that should be reported to the police or conduct constituting child abuse that should be reported to the appropriate State authority;
  - (c) a formal complaint has been lodged with the PSC;
  - (d) the subject-matter of the information is substantiated in some other way;
  - (e) or the disclosure is otherwise authorised under the Ordinance or this protocol.
- 9(2) Nothing in subclause (1) prevents –
- (a) the Director from providing information or a report to the PSC; or
  - (b) the Director from taking steps to gain information about the functions or duties being performed by a person at a particular time; or
  - (c) the Director from providing, for reporting purposes, information or other material in a form that does not identify a particular person while it remains confidential.

Clause 14(1) of the new *Protocol* provides that ‘if

- a) a formal complaint has been made and accepted as a matter of information which, if established, would constitute misconduct; or
- b) the Director has otherwise determined that a matter should be further investigated and that it is appropriate to do so after taking into account the requirements of clause 6, the Director (or a person appointed by the Director) will contact the respondent with a view to arranging a meeting (and this should normally occur within one week of receipt of a formal complaint or any relevant consent (whichever is the later)).’

**Q31. Providing pastoral care and counselling to complainants and/or alleged perpetrators following allegations of child sexual abuse.**

Part 2 of the new *Protocol* deals with the provision of pastoral care and counselling to complainants as follows:

- 6(1) The PSC must establish a scheme for the provision or funding of suitable persons for the care or support of any person who may be involved (directly or indirectly) in a process under the Ordinance.

- 6(2) The care or support provided under subclause (1) may include:
- (a) counselling;
  - (b) spiritual support or direction;
  - (c) pastoral care;
  - (d) other services or support considered appropriate by the PSC.

Additional support is available to complainants in that the new *Protocol* allows for the complainant to appoint a suitably qualified support person.

- 7(1) Where a complaint has been made to the Director, the Director may offer any person who may be involved in the processes under this protocol the services of a support person.

Furthermore, pursuant to clause 7(7), the role of the support person appointed to assist a complainant or victim may include providing counselling.

Clause 11 of the new Protocol also deals with provision of appropriate services to complainants.

- 11(1) With permission of the complainant, the Director may refer a person who has provided information or an alleged victim to counselling or other services, as appropriate, from a support person (and this may occur even if a formal complaint is not subsequently made).
- 11(2) The Director and any support persons are expected to listen fully, honestly and compassionately to the person (including concerning the facts of the situation and its emotional psychological and spiritual effects).
- 11(3) Consideration is to be given to any other measures that may be able to be provided to meet the needs of a person in relation to whom proceedings under this protocol may be relevant.

The new *Protocol* prescribes for the provision of pastoral care and counselling to respondents in clause 14, as follows;

- 14(2) The respondent will be offered the assistance of a carer to be present at the meeting, or the respondent may select his or her own carer.
- 14(4) The carer should follow up on any initial advice provided about the availability of professional counselling support and, if the respondent seeks a support person through the carer, should ask the Director to make an appropriate appointment.
- 14(6) Unless this has already occurred, the respondent will be offered the services of a support person from a panel constituted under this protocol.

## Investigation

### Q32. Investigating allegations of child sexual abuse.

Part 8 of the Professional Standards Ordinance contains detail as to how allegations of child sexual abuse are currently investigated within the Diocese (see especially s23, s25, s26, s27 and 28).

These requirements are supplemented by the new *Protocol*. The relevant provisions of the *Protocol* are as follows:

- 5(1) The Director may contact or meet with the person who provided the information or made the complaint to obtain preliminary information about the matter.
- 5(2) The Director must provide advice to the person about the procedures that may be undertaken with respect to the information or complaint.
- 5(3) The Director must advise the person that the Director is required to keep a record of the name of the respondent if it is provided or when it becomes known.
- 5(4) The Director must also make an initial assessment of what (if any) support must be provided to any person on account of the provision of information of the making of a complaint.
- 10(1) The Director will make an initial assessment of any information or a complaint to determine whether the matter may constitute information which, if established, would constitute misconduct.
- 10(2) If the Director considers (or subsequently forms the view) that the matter does not constitute information which, if established, would constitute misconduct, or that the matter can properly be dealt with by other means, the Director will advise the complainant accordingly.
- 10(3) In a case where subclause (2) applies, the Director may assist the person to refer the matter to another body or authority, or may assist in resolving the matter through some other process.
- 14(1) If –
  - a) formal complaint has been made and accepted as a matter of information which, if established, would constitute misconduct;
  - b) the Director has otherwise determined that a matter should be further investigated and that it is appropriate to do so after taking into account the requirements of clause 6.
- 14(5) If the Director (or a person appointed by the Director) will provide the respondent with a copy of the complaint setting out the information on which the complaint is



based and will advise the respondent of his or her right to obtain independent legal or other professional advice, at their cost, before responding to the complaint

- 14(7) The Director will also advise the respondent that in order to determine whether the facts of the case are significantly disputed, a written response to the complaint is required to be provided to the Director within 3 weeks of the respondent being provided with a written copy of the complaint, or within such longer period as appears appropriate to the Director (and a carer or support person may assist the respondent with this process and may liaise with the Director as appropriate).
- 14(8) In the event that the respondent chooses not to participate actively in the process, the Director will prepare a report for the purposes of the PSC and make a record on an appropriate register maintained by the Director.
- 14(9) The details on the register may then be taken into account when the Director is next required to provide a clearance to any Church authority or Church body, whether for paid or voluntary work.
- 16(1) If there is a significant difference between the facts reported by the complainant and the facts reported by the respondent, or where a complaint has been made by someone other than the person directly affected by the misconduct complained about and the matter appears to justify investigation, the Director may take steps to investigate the matter or to appoint an investigator.
- 16(2) The appointment of an external investigator will be made by the PSC or by the Director after consultation with the PSC.
- 16(3) The complainant, the respondent and any other relevant person will be provided with ongoing care and support while an investigation is undertaken.
- 16(4) If the matter is under investigation by another competent body or is the subject of legal proceedings, the Director, in consultation with the PSC, should consider whether an investigation under this protocol should be suspended pending the determination of the other processes or proceedings.
- 16(5) The role of an investigator is to gather information about any complaint or allegation and to prepare a report to the Director for consideration by the PSC.
- 16(6) The complainant and the respondent will be afforded a reasonable opportunity to be interviewed by an investigator.
- 16(7) A report prepared by an investigator will be the property of the PSC. The parties will be advised of this before being interviewed by an investigator.

**Q33. Imposing restrictions on an alleged perpetrator's duties or involvement with the Church pending resolution of an investigation.**

No change.

## Discipline

**Q34. Codes of conduct or expected behaviours for Church workers.**

No change.

**Q35. 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.**

**allegations of child sexual abuse have been made**

As noted in the original Statement, the PSC and the PSD conduct investigations into allegations of child sexual abuse in respect of Church workers. The outcomes of these investigations include the range of disciplinary measures described at Q34 of the original Statement. The way in which these proceedings are conducted is regulated by the new *Protocol 2016* in the manner described at Q32 above.

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

No change.

**Q36. Church law offences that apply in your Diocese to matters concerning child sexual abuse and the handling of complaints of child sexual abuse.**

No change.

**Q37. The standard of proof applied in your Diocesan disciplinary proceedings relating to child sexual abuse matters**

No change.

## Redress

**Q38. A brief overview of your Diocesan 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 the new *Protocol* specific provision is made for mediation to occur as follows:

- 17 If the Director considers that mediation is likely to resolve the issues raised by a complaint, the Director may, after consultation with the PSC, seek the consent of the relevant parties to refer the matter to mediation.

Whilst the *Protocol* provides for mediation to occur in certain circumstances, it is not envisaged that the Professional Standards Director would rely on this provision where a

complaint of child sexual abuse is involved. In such cases, apologies and mediation would be more likely to be dealt with within the *Healing Steps* framework.

With regard to future redress, it was noted at the Annual Session of Synod (28 – 30 October 2016), that the Diocese welcomes the announcement made by the Federal Government on 4 November 2016 about the formation of a national redress scheme. The Diocese is looking forward with interest to further details regarding how the scheme is to be implemented, and what opportunities there will be for entities like the Anglican Diocese of Adelaide to participate.

The Diocese believes that the best outcomes for survivors of child sexual abuse requires a national redress scheme which includes the participation of all State and Territory Governments. It is the Diocese's hope that the South Australian Government will cooperate and engage constructively with the Commonwealth to ensure that South Australian institutions such as the Anglican Church are in a position to fully participate in the scheme.

The Synod has continued to monitor the effectiveness of its *Healing Steps* programme, and is open to changes that will render it more survivor-centred, just and fair, independent and accountable. It is open to the prospect of a Commonwealth sponsored national scheme replacing the *Healing Steps* programme in its entirety.

In his Pastoral Address delivered on 28 October 2016 as President of Synod to the first annual session of the 43<sup>rd</sup> Triennial Synod, Right Rev'd Dr Timothy Harris reiterated the Diocese's apology and commitment to survivors of abuse as follows:

*As a Church, and no less as a community, we have much to confess. We have failed the vulnerable entrusted to our care. We fail to love our neighbours as ourselves. We take God for granted, use and too often abuse others, including God. We live for ourselves, hold on to our idols (whatever they may be), and take our relationship with God as a matter of convenience.*

*To the survivors of abuse, we state again our apology as a Church, and commit ourselves never to forget the painful lessons learned over our failures. We commit ourselves to turning away from such neglect, wrong-doing and institutional self-interest, and undertake to employ rigorous accountability and transparency of process. We commit ourselves to placing the well-being of survivors as our top priority, recognising that theirs will be a lifelong journey with no quick or easy solutions. As much as we may want to move on and put this past season behind us, that is not an option for those who carry the scars and bruises, and to such survivors we commit ourselves to continue to listen, to learn, to grieve, and to repent in the truest way, as the BCP prayer book expresses it, "with full purpose of amendment of life" and turning from past failures.*

In addition, the following motion was passed by the Synod on 29 October 2016:

*That this Synod affirms the President's remarks acknowledging the courage of survivors prepared to come forward and share their story of abuse within the Church; and*

- *offers again its unreserved apology to those who had been harmed by people holding positions of power and trust in the Church; and*
- *affirms the Royal Commission into Institutional Responses to Child Sexual Abuse report into Redress and Civil Litigation and its key principles that redress to survivors must be survivor centred, just and fair, independent and accountable.*

Moved by Mr Keith Stephens, Secretary of Synod

Seconded by The Rev'd Peter Sandeman

#### **Summary of Settlements through Healing Steps (update 2015 - 2016)**

Nov 2015 – Nov 2016	The Synod made 2 payments between November 2015 and November 2016 as financial redress to survivors of sexual abuse (totalling \$205,000). This total comprised 1 payment relating to Brandenburg and 1 payment relating to Others. Of the six other matters under consideration during 2016, two are unlikely to proceed further.
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#### **Risk management**

**Q39. 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.**

No change.

**Q40. Risk managing known or alleged offenders involved in the Diocese as Church workers or Church members.**

No change.

**Q41. Identifying any other victims of known or alleged offenders.**

No change.

**Q42. 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.**

No change.

## Information-sharing and record-keeping

- Q43. Record-keeping in relation to allegations and complaints of child sexual abuse in the Diocese, parishes, para-Church youth groups, and Church institutions, including the:**
- a. form of the records (for example, excel database or paper-based case files)**
  - 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**
  - c. maintenance and archiving of records.**

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

Involvement in the Royal Commission's Anglican Data Project has assisted the Diocese to consolidate its records concerning allegations and complaints of child sexual abuse into one data set. This information is compiled in an Excel spreadsheet.

**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**

Involvement in the Royal Commission's Anglican Data Project has assisted the Diocese to have a consistent overview of the information it holds concerning allegations and complaints of child sexual abuse.

**c) maintenance and archiving of records**

While the operations of the Synod's archives were already effective, Diocesan Council adopted an *Archives Policy* on 12 October 2016, to strengthen Synod's capacity to ensure records created by the Synod are appropriately archived. (See Annexure 7).

- Q44. Information-sharing about or related to instances and allegations of child sexual abuse between your Diocese and:**
- a. other Anglican dioceses in Australia**
  - b. other Anglican dioceses outside of Australia**
  - c. the General Synod**
  - d. other faith-based institutions**
  - e. government and non-government institutions or statutory authorities (to the extent these are not addressed in paragraph 29).**

**a) other Anglican dioceses in Australia**

The General Synod Standing Committee approved a '*Statement of Principles for the sharing of Information between the Directors of Professional Standards dated 6 April 2016*'- (See Annexure 8). The Diocese's Professional Standards Director has adopted and is participating in the procedures set out in the Statement.

**b) other Anglican dioceses outside of Australia**

See answer at a).

**c) the General Synod**

See answer at a).

**d) other faith-based institutions**

No change.

**e) government and non-government institutions or statutory authorities (to the extent these are not addressed in paragraph 29).**

No change.

**Q45. Information-sharing about or related to instances and allegations of child sexual abuse, directly between parishes, schools and Church institutions within your Diocese and:**

**a. each other**

**b. any of the institutions or bodies listed in sub-paragraphs 44 (a) to (e).**

No change.

**Inquiries and reviews****Q46. Details of any past inquiries into instances and allegations of child sexual abuse in the Diocese, including the:**

**a) reason the inquiry was established**

**b) determination of the scope of the inquiry**

**c) process by which those presiding over the inquiry were selected**

**d) report and recommendations of the inquiry**

**e) extent to which the inquiry's recommendations were implemented**

No change.

**Q47. Details of any reviews of, or legal challenges to, your Diocese's professional framework or processes**

No change.

**Research into prevalence of child sexual abuse****Q48. Your processes and procedures, if any, in relation to recording statistical data on child sexual abuse in your Diocese**

No change.

**Q49. Your involvement in any research or study on sexual offending against children in your Diocese, and the results of any such research**

No change.

## Challenges and reform

**Q50. Any dialogue you have sought or engaged in with government for changes to civil or criminal law affecting professional standards matters**

No change.

**Q51. Your understanding of any historical or current challenges facing your Diocese in relation to any of the above matters**

No change.