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, including the information provided in response to Schedule A and Schedule B, is true and correct to the best of my knowledge and belief.

Kay Maree Goldsworthy
Bishop of Gippsland
2 December 2016
Schedule A

Please prepare a statement addressing the following matters:

The Anglican Diocese of Gippsland

1. The date the Diocese was established.

   The Diocese was established on 3 October 1901 under the New Dioceses Act 1901. The first bishop was consecrated on 20 May 1902 and enthroned on 10 July 1902.

2. The Province in which the Diocese is located.

   Victoria

3. The current number of parishes in the Diocese.

   31

4. The approximate number of Church members in the Diocese.

   Active – 2,400
   Census – 53,000

5. The number of clergy currently licensed to officiate in the Diocese, including retired clergy with permission to officiate.

   Active clergy: 35
   Retired clergy with permission to officiate: 46
   Total: 81

6. The financial position of relevant Diocesan entities, including by reference to its asset holdings, liabilities and cash reserves (a high level overview is sufficient).

   See consolidated Balance Sheet and Income and Expenditure Statement for the Diocesan Central Operations to 30 September 2015 at Appendix 1.

7. A description of the general relationship between the Diocese and parish asset holdings.

   The Trusts Corporation of the Diocese of Gippsland is the corporate trustee for the Diocese. Property held for the use of the Anglican Church of Australia within the Diocese is vested in the Anglican Trusts Corporation of the Diocese of Gippsland, a statutory body formed under the Anglican Trusts Corporations Act 1884 of the Victorian Parliament. Property of the Diocese, including parishes and organisations, is held on Trust by and in the name of the Corporation.

8. Governance of the Anglican Diocese of Gippsland

   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:

   See Appendix 2
9. The current function, composition, and legal status of the:

a. Bishop-in-Council

The function of the Council is to assist the Bishop in managing the “temporal” affairs of the Church as in all such matters the Bishop acts with the consent of the Council. It manages and administers property and finances. Generally, it takes such action as is necessary or expedient to manage diocesan matters and to promote the mission of the Church.

The membership of the Council is determined by the Bishop-in-Council Act, 1997 of the Diocese. It is as follows:

- Ex officio members: The Vicar-General, Dean of Sale, Archdeacons of the Diocese, Registrar, Chancellor, Advocate and the elected members of the Anglican Trusts Corporation of the Diocese of Gippsland.
- Appointed members: three licensed clergy and three eligible lay persons appointed by the Bishop.
- Elected members: three licensed clergy and six eligible lay persons elected by Synod in accordance with the Synod Act.

b. Board of Trustees established to manage the real property of the Diocese

See item 7 above.

The Trustees act in accordance with instructions given by Bishop in Council. The membership of the Trust is determined by the Trustees Act 1972 of the Diocese:

- Ex Officio: The Bishop, the Chancellor and the Registrar.
- Elected members: 4 persons resident in the diocese elected by Synod
- Appointed by the Bishop: 2 persons resident in the diocese.

c. Synod of the Diocese of Gippsland

The Synod is the governing body of Diocese. Its authority comes from the Church of England Act 1854 of the Parliament of Victoria.

Its membership is determined by the 1854 Act and the Synod Act 1997 of the Diocese:

- Ex officio: The Bishop, the Chancellor and the Registrar
- All licensed clergy of the Diocese;
- 3 lay members of each parish.

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

- Deacons
- Priests, and
- Bishops

in parish ministry and any variations if appointed to other forms of ministry in the Diocese.

a. Deacons
Responsibilities according to the Ordination Service for Deacons

- Together with the Bishop, priest and people, take his or her place in public worship,
- To assist in the administration of sacraments
- To participate in the life and councils of the church.
- To preach in the place where he or she is licensed
- To pray and work for peace and justice in the world.
- To model his or her life according to the Word of God
- To study the scriptures reflecting with God’s people on their meaning
- To put away all that does not make for holiness of life; and
- To be faithful in prayer

Theological training and qualifications

The minimum desirable academic qualification is a Bachelor of Theology although a lower level qualification may be acceptable depending on the age and experience of the person to be ordained as a deacon. It is also expected that deacons undergo practical training in ministry practice in the early part of their ministry. This is typically achieved through a diploma course conducted by a registered training organisation (RTO) or similar.

 Licensing and employment arrangements

Deacons are licensed by the Bishop to specific positions usually in parishes under the oversight of the priest. Occasionally a deacon may be licensed as a deacon-in-charge of a parish but this is not usual. Deacons often work in hospital and prison chaplaincies. Clergy are not considered to be employees but office-holders who are authorised to conduct ministry in terms of the Bishop’s licence. This may be carried out in an honorary capacity or the clergy member may receive a stipend, travelling allowance and accommodation.

There is only one deacon licensed in the Diocese at present.

b. Priests

Responsibilities according to the Ordination Service for Priests

- To proclaim the gospel of Jesus Christ
- To seek the lost
- To announce God’s justice
- To warn and correct those in error
- To encourage and build up the body of Christ by
- Preaching the word of God
- Leading God’s people in prayer
- Declaring God’s forgiveness and blessing
- Faithfully ministering the sacraments of God’s grace with reverence and care.
- To take part in the life and councils of the church together with the Bishop and other ministers
- Be a pastor
- Be a teacher
• Lead the people of God; and
• Love and serve the people with whom they work.

Theological training and qualifications

As for deacons the minimum desirable academic qualification for a priest is a Bachelor of Theology although a lower level qualification may be acceptable depending on the age and experience of the person to be ordained as a priest. It is also expected that priests continue to undergo practical training in ministry practice particularly in the early part of their ministry. This is normally achieved through a diploma course conducted by a registered training organisation (RTO) or similar. Regular professional development and a willingness to be a life-long learner is expected.

 Licensing and employment arrangements

Priests are licensed to specific positions usually in parishes and sometimes under the oversight of another priest. Clergy are not considered to be employees but office-holders who are authorised to conduct ministry in terms of the Bishop’s licence. This may be carried out in an honorary capacity or the priest may receive a stipend, travelling allowance and accommodation.

c. Bishops

Responsibilities according to the Ordination Service for Bishops

• As a chief minister and minister of the church, to guard its faith, unity and discipline
• To promote the church’s mission in the world
• To ensure that God’s word is faithfully proclaimed, the sacraments are duly administered and Christ’s discipline is applied justly with mercy
• To lead the priests and deacons under his or her care
• To be faithful in choosing and ordaining ministers
• To watch over, protect and serve the people of God; to know and be known by them; and
• To be a good example to all.

Theological training and qualifications

The minimum academic qualification for a bishop would normally be a Bachelor of Theology with higher level qualifications in theology also being well regarded. In addition, Bishops are receiving higher level ministry training to fit them for their particular leadership role.

 Licensing and employment arrangements

Bishops are appointed in a variety of ways. In this Diocese the election of a Bishop is undertaken through a committee process under arrangements approved by the Diocesan Synod. The committee issues a certificate at the conclusion of the selection process which is forwarded to the metropolitan bishop which in this case is the Archbishop of Melbourne. The metropolitan issues a confirmation of election after consulting with other provincial bishops and the new Bishop is then installed
at a service in the Diocesan Cathedral. As mentioned above clergy are not considered to be employees but office-holders. The Bishop receives a stipend, travel and other allowances together with accommodation.

11. In relation to any corporate entities created by the Diocese to respond to any legal claims arising from allegations of child sexual abuse:

a. the name of the entity

   Anglican Diocese of Gippsland Administration Limited

b. the date of incorporation

   13 May 2015

c. the mode of incorporation

   Australian Public Company

d. any assets held by the corporation.

   None at this stage. The company has been set up initially as an employing body that will enable clergy to be deemed as employees under WorkSafe legislation in Victoria. This was approved in July 2015. In the light of this, Bishop-in-Council has now undertaken the task of assigning assets to this company. The functions of the company are capable of being expanded to deal with claims arising from allegations of child sexual abuse.

The Church of England Boys’ Society (CEBS)

12. The nature of any past and/or present relationship between the Anglican Diocese of Gippsland 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
   b. governance arrangements
   c. staffing arrangements, and
   d. record-keeping and archiving arrangements.

CEBS commenced in the Diocese of Gippsland in 1937 with the formation of the first branch in the parish of Korumburra. The operation of CEBS in the Diocese was wound up in 2010.

Branches of CEBS were formed in parishes across the Diocese. The Rector of each parish was the president of the branch and the leaders were appointed with the approval of the Rector. As parish organisations they were subject to the Parish Administration Act of the Diocese. All branches were required to report to and have any of their activities approved by the relevant parish council. Annual reports and financial statements were required to be presented to the Parish Annual General Meetings.

The Branches of the Diocese formed a Diocesan Council, the Bishop was the President and elections for Office Bearers were held at Annual Meetings presided over by the Bishop. Annual reports were presented to the Synod. Branches paid an annual registration fee to
the CEBS Diocesan Council for each member and leader.

The Diocesan Council of CEBS was affiliated with the CEBS Provincial Council of Victoria and CEBS Australia. An annual affiliation fee was paid to these bodies. Each branch and diocese was independent of the higher body and were only required to follow policy where the higher body had the authority e.g. the design of uniforms, badges, publications and regulations regarding involvement at national or state events that the appropriate body was conducting.

The appointment of leaders and administrative arrangements were always subject to the rules and acts of the Diocese as they were made at various points of time. The Diocese of Gippsland regularly gave annual financial contributions to CEBS Gippsland to help with the costs of running activities.

13. The nature of any relationship, between 1 January 1965 and the date of this letter, between the Diocese 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 Diocese in respect of youth attending camps at those venues.

CEBS Gippsland conducted a number of camps at the Gippsland Diocesan Campsite, A’Beckett Park at Raymond Island. Camps were also conducted on private farm land owned by various parishioners within the Diocese.

Branches would often hold their own camps at various venues, including parish halls, private camp sites or bush camp sites.

CEBS Gippsland hosted a National CEBS Camp in 1989. The base camp site was located at Gippsland Grammar in Sale with sub camps at A’Beckett Park and the Woorabinda School Camp at Yallourn North, the Peninsular Grammar School Site near Glenmaggie and the Mitchell River National Park. CEBS Gippsland also hosted a Victorian State CEBS Camp at the Delhuntie Youth Camp, Trafalgar East.

Policies regarding attendance at these camps were in accordance with Diocesan and CEBS’ policies as they applied at various times over the years e.g. Working with Children’s Check & Police Checks when these have been required. All camps were approved by Parish or Diocesan bodies as appropriate.

Church and para-church institutions

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

BIC approval is required.

15. The current legal, financial, administrative, governance and/or any other relationship between the Anglican Diocese of Gippsland and:

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

The Girls’ Friendly Society Kidsplus+ Network in Gippsland exists to serve individuals, and parishes. It has been the only continuing diocesan network offered
in Gippsland over many years and continues to minister in the following ways.

- Provision of an annual camp for children and youth
- Support of parish based GFS, Kidsplus+, and other affiliated children’s and youth groups (through leader fellowship, resourcing, newsletters and training.)
- Sponsoring of special activity days, picnics for diocesan participation
- Link to wider diocesan, State, National and its world ministry groups for support, programs, education, training and to keep informed of current ministry trends.
- It has been a more personal conduit of information regarding changing recommendations and requirements for those considering leadership.
- Provides fellowship, nurturing and forums for discussion through the Adult Friends Fellowship.

The Diocese also supports a youth and families officer to assist parishes with youth programs. In addition, the current occupant is promoting a drop-in and training centre for youth in Sale, Victoria. This is receiving considerable community support.

b. Anglicare, or entities known as Anglicare

Anglicare Victoria operates within the Diocese under a memorandum of understanding. It is not part of the Diocesan structure.

c. Anglican schools, and/or

Gippsland Grammar is an Anglican co-educational school which operates in accordance with the principles and practices traditionally associated with independent schools. It is governed by a public company limited by guarantee. Its Board of 10 to 15 members includes 5 nominees of the Diocesan Council and 2 nominees of the Bishop. The Diocese does not have any legal, financial, administrative or governance relationship other than appointing its nominees and the licensing by the Bishop of a cleric as School Chaplain. The School has recently used the Diocesan Office of Professional Standards to manage some complaints.

St Paul’s Anglican Grammar School Ltd is a public company limited by guarantee. Its Board of 9 directors includes one nominee of the Bishop of Gippsland and one person appointed by the Board with the approval of the Bishop. The Diocese does not have any legal, financial, administrative or governance relationship other than appointing its nominees and the licensing by the Bishop of a cleric as School Chaplain.

d. Any Anglican-run or affiliated children’s homes.

There are no institutions of this kind within the Diocese.

16. Please describe generally the relationship between the Diocese and parish run youth groups.

Parish run youth groups are under the authority and direction of parish clergy and the parish council. The governance of parishes is established by means of the Parish
Administration Act of the Diocese. This Act gives the authority to the priest of the parish to appoint youth leaders. The Diocese prescribes guidelines for youth programs and requires salaried workers in this area to have the same level of safe ministry checks as clergy. Volunteers are required to complete a screening form, have a National Police Check and a Working With Children Check (See Appendix 3).

17. Your understanding of your Diocese’s practices and theological perspectives in relation to:

a. Marriage of clergy

Anglican clergy are allowed to marry but do not have to be married in order to be ordained as Deacons, Priests or Bishops.

The ordination services for Deacons from The Book of Common Prayer 1662 and subsequent prayer books authorised for use in the Anglican Church of Australia (An Australian Prayer Book 1978, A Prayer Book for Australia 1995) allow for the scripture reading from 1 Timothy 3:8, ‘...Even so their wives must be grave, not slanderers, sober, faithful in all things. Let the Deacons be the husbands of one wife, ruling their children and their houses well...’ The Examination of the candidates by the Ordaining Bishop includes the following. ‘Will you apply all your diligence to frame and fashion your own lives, and the lives of your families, according to the Doctrine of Christ and to make yourselves and them, as much as in you lieth, wholesome examples of the flock of Christ?’

The examination of the Candidates to be ordained priests includes the same question. The Book of Common Prayer order for the Consecration of a Bishop includes a reading from the New Testament scripture of 1 Timothy3:1 ‘A Bishop must be blameless, the husband of one wife ...’

The Diocese of Gippsland ordains and licenses clergy who have been divorced and are either no longer married or have re married with the permission of the Bishop. (A pastoral response in the re marriage of divorced persons following General Synod legislation in the 1980’s) In such situations the discernment and examination of a person seeking ordination or an ordained person seeking a position or licence in the Diocese would be subject to Safe Ministry checks and the consideration of their circumstances by the Bishop.

Most of the current clergy licensed the Diocese of Gippsland are married.

b. Celibacy

A public vow of Celibacy is one part of the vocational call to a life within a Religious Community. There are currently no members of a Religious Order in the Diocese of Gippsland.

Safe Ministry checks in the Diocese of Gippsland are based on the code of personal behaviour and the practice of pastoral ministry by clergy and church workers, Faithfulness in Service. Those to be ordained or licensed in the Diocese answer a questionnaire which asks questions about sexual conduct.

Faithfulness in Service says sexuality is a gift from God and is integral to human nature. It is appropriate for clergy and church workers to value this gift, taking responsibility for their sexual conduct by maintaining chastity in singleness and faithfulness in marriage. This is the expectation of clergy.
c. Homosexuality

The Diocese of Gippsland Synod of 2005 received resolutions passed at the General Synod of 2004 dealing with human sexuality. Schedule B.

In 2015 there is a wide variation of theological views in the Diocese regarding homosexuality. Some people both clergy and lay believe in marriage equality and others that the definition of marriage as being between a man and a woman to the exclusion of all others is a correct biblical view based on Genesis 2:24 Many Anglicans in Gippsland have an open and welcoming theological perspective about the inclusion and welcome of gay and lesbian people in parishes. A very few people believe that homosexuality is something of which a person might either be healed or repent, and that any homosexual Christian may not ever aspire to an intimate partnership which has a physical sexual expression and that to do so risks their personal salvation.

It appears that most parishes would see themselves as wanting to be welcoming and open to members of the GLBTI community. With regard to the ministry of clergy who are homosexual this matter came to a head in 2011 when a priest who is homosexual and has a long term partner moved from the Diocese of Melbourne to Gippsland. This matter was addressed by the then Bishop John McIntyre in his Synod Address of 2012. “In the life of our diocese, we rather belatedly committed to a listening process to hear the stories of gay and lesbian people, and to reflect on how seriously we take the commendation of the 1998 Lambeth Conference motion 1.10, which asks us to offer hospitality to these Christian brothers and sisters, who the motion reminds us are “full members of the Body of Christ”. Recent circumstances have now made this a far more urgent priority than perhaps we had previously failed to recognise.

In my president’s address last year, I indicated my commitment to be inclusive and welcoming of same-sex attracted people in our diocese, “confident that God is at work in and through all those who are open to the call of God in their lives and wanting to offer ministry in the life of our churches”.

18. 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.

The Anglican Church is described as being episcopally led and synodically governed. This is a significant expression of our ecclesiology. In Australia We have become used to describing ourselves as a kind of federation of 23 individual Dioceses bound together by the Constitution and Fundamental Declarations of the National Church. The constitution allows for difference within limits. There are some significant theological differences that have developed over a long period of time in different parts of the Anglican Church around the country. One consequence of this is a lack of trust and confidence between those of
the various theological perspectives. These differences range from the biblically conservative through more moderate theological perspectives in both the Evangelical and Catholic expressions of Anglicanism.

General Synod meets infrequently (every 3-4 years) to enact legislation and pass resolutions which relate to the life of the whole Church. Diocesan Synods meet annually to make decisions about the ministry, life and shape of Diocesan structures. The Diocesan Synod meets under the direction of its Bishop and the General Synod is presided over by the Primate.

Examples of the ways in which this diversity operates have been obvious in matters such as the remarriage of divorced persons and the ordination of women as priests and bishops. With regard to the latter most Dioceses who do not ordain women as priests or bishops teach and promulgate a theological conviction regarding a biblical view of the headship of men over women in marriage and the Church.

Roughly half of the priests currently working in parishes and chaplaincies as well as the current Bishop in the Diocese of Gippsland, are women. This would not be allowed in dioceses that hold a view of male headship.

With regard to any effect these differences may have on the protection of children the General Synod Canon Concerning Confessions may be an example. The decision by individual Dioceses to adopt this Canon as amended in 2014 or not would rest in part on the theological perspective of that Diocese. Despite this diversity the increased understanding in the church of the gravity of child sexual abuse, the complexity of the issues surrounding it and of our need to work together across diverse theological beliefs is apparent. This is recognised by the focus on and changes to legislation, policies and practices in relation to Professional Standards, Episcopal Standards and Child Protection.

**Ordination and theological training**

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

The Diocese has a relationship with two theological colleges: Trinity College, Melbourne and St Mark’s National Theological Centre, Canberra. Both colleges are used for the academic training of candidates for ordination and St Mark’s conducts an Advanced Diploma in Ministry and Theology that is designed to give practical ministry training to theological students and new clergy.

20. 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.

All candidates for ordination currently undergo psychological assessment. The practice was introduced around 2001 when Bishop Driver became the Bishop of Gippsland.

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

21. Your Diocese’s approach to adopting the Anglican Church of Australia General Synod model ordinances and policy guidelines on child protection.
The Synod of the Diocese passed the following resolutions in 2004:

22/04 National Code for the Practice of Pastoral Ministry by Clergy and Church Workers

Resolved that this Synod encourages the Bishop to promulgate draft National Code for the Practice of Pastoral Ministry by Clergy and Church Workers released for discussion and comment in April 2004.

23/04 Protocol for Responding to Abuse and Harassment

Resolved that this Synod:

a) endorses the principle of maintaining a protocol for responding to abuse and harassment within the Diocese;

b) encourages the Bishop to put in place as an interim measure the Protocol currently applying in the Diocese of Melbourne with the modifications outlined in his Charge; and

c) supports the current process of discussion within the Province of Victoria which is directed towards aligning the proposed national protocol and the Melbourne protocol.

The Bishop put both arrangements in place as requested.

Subsequently the Diocese adopted the “Power and Trust” Protocol of the Province of Victoria and this has remained the basis of child protection and other professional guidelines since that time. The protocol was amended in 2013. In addition, since 2004 the screening documents recommended by General Synod have been in use. Currently screening is carried out in terms of Appendix 3.

In 2014 the Diocese was considering the adoption of the General Synod model ordinance but with the death of Bishop John McIntyre this process was put on hold. Subsequently, the Provincial Council of Victoria set in process a plan for all Victorian Dioceses to work together under a common system of professional standards. The Diocese has established a working group to look at ways it might implement a provincial scheme. The Diocesan Chancellor is working closely with the provincial working group in developing protocols that will be implemented along with the overall provincial arrangement. It is expected that legislation will be considered by the Diocesan Synod in 2017.

22. 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, by completing the table at Schedule B.

See completed Schedule B.

23. 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.

In principle, the Diocese follows national guidelines and policies on child protection. However, it was felt to be important that the Diocese align itself with the practices and
procedures of the church in Victoria. In recent years there have been some departures from a unified approach in Victoria with the Diocese of Gippsland declining to adopt the legislation passed by three of the five dioceses in Victoria. Primarily this was because the Diocese had developed a different style of dealing with professional standards matters that was less legally based and more preventative and pastoral in its approach. As mentioned earlier a high degree of co-operation is developing among Victorian diocese in this area with the achievement of a common scheme likely in the near future.

24. Your views on whether each diocese in Australia should:

   a. maintain its own, unique professional standards framework

      The Diocese is committed to an approach which is wider than its own jurisdiction. In the first instance and as mentioned earlier, a Victorian framework is being developed and this Diocese is actively involved in that process.

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

      Ideally, both a scheme of this nature or that outlined in question c. below is highly desirable and the Diocese is open to both approaches. What mitigates against either is the differences in secular law between the states in this area and the different culture and practices across the dioceses in the national church.

   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 Diocese understands that the Royal Commission has indicated that a number of abuse survivors seeking redress will not approach a church body. We are supportive of an independent scheme as recently announced by the Federal Government.

   d. adopt any other approach for managing professional standards.

      None at this stage.

25. 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.

   A. When the Gippsland Office of Professional Standards (OPS) receives a complaint about sexual abuse

      1. There is a practice amongst the Director of Professional Standards Network (DPSN) i.e. all Anglican dioceses DPSs within Australia, that prima facie if the respondent is a licensed cleric the Diocese who currently licenses the respondent is contacted and there is a presumption that the Diocese would have the
responsibility for handling the complaint, investigation, substantiation and
determination of the matter. The rationale for this practice is that it is only the
current licensing Bishop of the relevant clergy that can make a determination in
relation to that person’s license and potentially Holy Orders, despite the
misconduct having occurred elsewhere. This is when the Priest is licensed,
engaged or resident of that diocese. Priest will need an MOU etc. Even though
the offence may have taken place in another diocese. The diocese where the
offence took place needs to pay redress and any other expenses of care and
support to victims.

2. However, the licensing diocese may request another diocese to handle the
matter on its behalf. This may be because of the location and access to witnesses
as well as the inconvenience to these persons in relation to potential hearings
etc. This can be agreed between the relevant DPS’s. For example, if a person is
currently licensed in the Diocese of Gippsland and a complaint is made to the
Diocese in relation to a prior offence in another diocese, Gippsland may request
the DPS of an interstate diocese to have care and conduct of these matters. The
appropriate professional standards body in the other diocese would make a
recommendation to the Bishop of Gippsland. For consideration and the Bishop
would then put in place a process which may include the withdrawal of a licence
and/or the relinquishment/deposition from Holy Orders. It is the usual practice
that the administrative costs associated with the conducting such matters would
be paid by the responsible diocese i.e. in this case the Diocese of Gippsland. The
Diocese of Gippsland would be prima facie responsible for paying redress but
may seek contribution from the Diocese where the offence took place.

3. The Gippsland Director of Professional Standards (DPS) may also act in a
corresponding capacity for another diocese either generally or for a particular
matter. The Diocese of Gippsland has in the past covered the cost of such
investigations.

4. If the alleged respondent is deceased at the time of a complainant coming
forward and the Diocese of Gippsland was the last diocese to licence the
respondent, then often the matter will be determined on statements and papers
alone by the Gippsland OPS. The assistance of an OPS from another diocese may
be requested to obtain statements etc. but the determination will often be on
the papers alone. Gippsland would be responsible for the payment of redress but
may seek a contribution from the Diocese where the conduct took place
depending on the circumstances. Alternately where the misconduct occurred in
Gippsland but the respondent was licensed in a different Diocese when the
complaint came to light, Gippsland has in the past paid a substantial amount of
redress ($100,000 in 2008).

5. Where a respondent is no longer licensed but still retains their Holy Orders and
is retired or resident in the diocese, the Diocese of Gippsland has in the past
offered care and assistance to complainants and their families, when the Diocese
where the misconduct took place has declined to do so.

6. The rules in relation to such matters need to be discussed at a National level so
that it is clear for all - complainants, dioceses and respondents. The question is
who ultimately has the responsibility and accountability for such matters?

B. No Anglican diocese within the Victorian Province has a formal and documented
redress scheme. The Diocese of Gippsland as part of the response to the file review
and the Royal Commission recommendations is currently formalizing its practices as
part of the proposed Provincial Professional Standards Scheme in light of the
Commission’s recommendations in the Report on Redress. A separate redress draft Act has been distributed to dioceses within the Province for feedback and comment. It is based on some of the issues raised in the Victorian State Government’s Discussion Paper on Redress as well as recommendations made in the RC discussion papers and reports. It also endeavors to capture the issues which have arisen throughout the province which are related to the overall Anglican claims history. It is envisaged that each diocese in the province could customize their approach under such an Act to ensure that it is supportive and pastoral in nature. The Diocese of Gippsland is acutely aware that one of the keys to success will be the relational skills of those who are employed to carry out the role. Gippsland also understands that an OPS needs to have within its staff people who have an in depth understanding of the long term effects of sexual abuse on the developing brain of a child which cannot only have a diagnosis of PTSD but also a dissociative disorder sometimes called complex trauma. The Gippsland DPS has a professional belief that when interviewing potential victims, if the DPS does not have this knowledge then further harm can certainly occur thus entrenching further system abuse. The way the process is conducted versus the outcome is key to a complainants’ level of satisfaction and one which is often overlooked when implementing such a scheme. This has been starkly seen in the VPI and the RC where civil litigation lawyers have been running such compensation schemes for many denominations, as though it was an asbestos claim or a worker’s compensation matter. This adversarial way of thinking will be difficult to change if such people are employed in key roles again, regardless of what is contained in the legislation or the protocols in place. Gippsland is committed to ensuring that this paradigm is not embraced alongside ensuring that in any scheme complainants to be given proper and independent legal advice.

C. As Gippsland currently has no formal redress system in place, the practice has been that Gippsland will provide redress to a complainant where the respondent was licensed or resident at the time in the Diocese of Gippsland, when the sexual abuse occurred. The Diocese of Gippsland has also been known to provide redress in situations where, under this practice, it may not have had a “legal responsibility” to do so but because no other dioceses were prepared to pay for redress or counseling for particular complainants and their families, the Diocese did so as part of their pastoral response. For instance, this occurred when a priest who no longer held a license, but still held Holy Orders, committed offences in another diocese as a parishioner. The relevant diocese where the priest was a parishioner decided it would not extend care and assistance to the family and complainant, as he had not been licensed there previously. However, the Diocese of Gippsland did extend such pastoral care as the relevant respondent ultimately moved to Gippsland as a parishioner, unbeknown to the Diocese at the time. (When grooming behaviour was first brought to the Diocese of Gippsland attention, the clergy member in question was placed under supervision and restrictions were put in place.) In this area, there are no hard and fast rules and often care and assistance is negotiated between the relevant DPS’s. It is an area which the Diocese of Gippsland intends to raise as part of the establishment of the proposed Provincial Professional Standards Scheme as discussed in Q24 above.

The issue of redress and the interconnection between dioceses is an issue which needs further consideration at a national level within the Anglican Church. This will be a crucial issue both under any Anglican redress scheme and for any national or state redress schemes. This will mean there is clarity around the responsibility and accountability of dioceses within Australia for redress payments in order that it may happen seamlessly. For example, if Victoria sets up its own redress scheme and the misconduct occurred in an interstate diocese prior to the person residing or being
licensed in Victoria, from which scheme should the applicant seek redress? This is why the Diocese of Gippsland considers it imperative that any State redress scheme operates in parallel with an Anglican scheme thereby ensuring that both state and church processes are aligned. There would need to be a system whereby the state and the church in a particular geographical area have redress schemes. This would not be an issue if there was a national scheme. The national Church will need to consider such issues.

Representatives from the Diocese have participated in two recent meetings arranged by the General Synod Office to discuss redress at a national church level.

The Diocese welcomes recent announcements at a federal government level on the matter of redress.

**Professional Standards in the Anglican Diocese of Gippsland**

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**

26. 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.

   See Appendix 4

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

   The Diocese is a member of the Safe Churches Training Agreement (SCTA) of the National Council of Churches. Three or four seminars are conducted around the Diocese every year in conjunction with other churches particularly the Baptist Union of Victoria. Clergy and other church workers are required to attend these seminars every three years.

   Prior to the Diocese joining the SCTA, diocesan based seminars were conducted on matters relating to safe church matters including dealing with child abuse.

   The Diocese distributes a range of relevant material to parishes and organisations within the Diocese including:

   - A statement about safe ministry that is usually fixed to the inside of toilet doors in church facilities. This enables the terms of the notice to be read discretely.
Discourse and response

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

In 2004 Gippsland adopted the “Anglican Province of Victoria: Protocol for dealing with Sexual Harassment complaints. This was developed by the Diocese of Melbourne.

Under the leadership of Bishop Driver in (2001-2005) the first Safe Church Director, Dr Anne Miller, a GP who did psychotherapy and worked in the area of trauma, was appointed to the Diocese to give effect to the discussion paper prepared by the Diocese of Melbourne Sexual Abuse and Harassment within the Church.

In 2004 Dr Miller stood down from her position as she felt it was a conflict of interest as she was a practicing Anglican. Mrs Cheryl Russell, a non-Anglican, and a practicing psychologist was appointed to the role of Director of Professional Standards in 2004 on a contract basis. At the time an interim protocol of the Sexual Abuse and Harassment within the Church paper was adopted which included establishment of the role of the DPS and the Professional Standards Committee. This action was endorsed by the Diocesan Synod.

Members of the PSC were selected by the DPS, which was sanctioned by the Registrar Mr Brian Norris. Ms. Russell also appointed a number of professionals – a child protection practitioner, an academic social worker, a psychologist, a social worker who worked with violent men, and a lawyer. The role of the lawyer was to provide expertise to the Committee but was also called upon to assist with advice and support if required. A retired member of the diocesan clergy was also appointed and later replaced with an active member of the clergy from the Diocese of Melbourne. The independence of the committee is enhanced by the fact that some members non-Anglicans.

Power and Trust protocol of the Province of Victoria was adopted in 2005 (See Appendix 5) and later amended in 2013. This is the current model which the Diocese works under at the moment. Prior to his death, Bishop McIntyre was a member of the Professional Standards Commission of General Synod. He was committed to reviewing the current diocesan Protocol in keeping with recommendations made by the National Church. However, he wanted to ensure that whatever protocol was ultimately adopted, it was part of the robust and contestable model. One of the outcomes Bishop McIntyre stipulated as part of the Gippsland review was to advise on any improvements which could be made to the current Power and Trust protocol over and above those recommended by General Synod. In so doing to look at the features of the Melbourne Professional Standards Act and any other best practices known to the reviewers, which should be incorporated in such a protocol. Bishop McIntyre died before the finalization of the review. The Administrator gave instructions for the review to continue to completion.

In light of the file review, the recommendations made by the Victorian Parliamentary Inquiry (VPI) and the RC, the Diocese is currently considering the proposed Provincial Professional Standards scheme to try to address the issues in relation to child abuse in particular so there can be a consistency across the Province in relation to complainants’ expectation, outcomes and service delivery. The quality of care aspect to the scheme is one of the most critical issues for Gippsland, to ensure that in its implementation it can deliver high quality of care and support in a pastoral and sensitive way. The scheme will need to be properly funded by the Province to ensure that time can be spent with complainants should they desire this, to give a high level of support and care.

When complaints of child abuse are made directly to the Gippsland DPS the DPS records the matter, meets with the complainant, records the relevant names on the Gippsland OPS
file register pursuant to the Power and Trust in the Church Protocol (clause 12). It is also then put on the National Register (NR). If there are no problems with connectivity which there often is; the NR is difficult to use. There is a box in the NR to be ticked if a letter is not sent out to respondent because of potential Police involvement. The DPS reports the matter to police or relevant authorities where appropriate and as required by law. The OPS alerts the Bishop. If the offender is still alive and in active service, the DPS would advise the Bishop if the matter was of such a serious nature that the complainant or others may be in danger of future harm or to prevent future harm. The OPS may recommend and the Bishop may require the respondent to stand down immediately – this is always the case in a matter of alleged child sex abuse. Once a statement has been made and the matter has been considered by the police and the respondent is alive, the Power and Trust protocol sets out the options open to the DPS. The DPS then appoints an independent investigator who prepares a report which is discussed by the DPS with the PSC who determines the matter and makes recommendations to the Bishop. The DPS then writes to the Bishop advising of the recommendations. The Bishop then considers the recommendation and replies to the DPS, who then assists to action the recommendations. The Bishop is currently the final decision maker under the Power and Trust Protocol. The current draft of the Provincial Professional Standards Act removes this discretion form the Bishop and is the subject of current discussions within the Province of Victoria.

It is important to note that when the police are informed no further action is taken by the DPS unless the police state that they will not proceed with any further action in regards the matter reported. The DPS has requested that Victoria Police send written confirmation of such. This is in the process of being implemented.

29. 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

   Pursuant to clause 13.1 “Cooperation with Government Authorities” Power and Trust in the Church protocol, the DPS notifies the police in circumstances where the offender is still alive and is thought to be a serious risk even though the complainant may not consent to such disclosure. In some instances, the DPS has reported matters directly to the Police – the SOCA squad at Morwell, the DHS Child Protection Unit and in the past Crime Stoppers. The DPS now has good working relationship with the local police and does not now have the need to report to Crime stoppers. The Gippsland Centre against Sexual Assault and the Police Investigation Unit and Child Protection are housed in the same multipurpose building, which has greatly increased the co-operation of such agencies with each other and with agencies such as the OPS as “the system” is much easier to navigate.

   It is explained to the complainant that the DPS has an overriding obligation under the Power and Trust protocol to report such matters where the abuse discloses “a serious criminal offence”. However, the DPS has made clear to the police when reporting that the complainant does not wish the matter to proceed and in some cases may report keeping the ID of the complainant anonymous.

   As part of the proposed implementation of the Provincial Professional Standards scheme and in light of the mandatory reporting duties in the draft Anglican Professional Standards Act as opposed to the relevant provisions under the Crimes
Act, which provides that such matters do not need to be reported where the complainant is now an adult and does not wish the matter to be reported, discussions will take place with Victoria Police to ensure that when the DPS is reporting it can be done so cognizant of the complainant’s desire not to proceed with the matter. In this way the public interest in preventing future harm can be balanced against the individual’s right to privacy in such sensitive personal matters. The only concern is that this may discourage individuals from coming forward in the first place.

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

This does not appear to have occurred in the Diocese of Gippsland to date. However, as a result of the Victorian provincial file review, it has been noted that upon the arrival of a new Bishop, care needs to be taken so that any respondents do not attempt to groom the Bishop telling them only partial facts and minimizing their involvement and culpability. The Bishop may believe the person in good faith and admire them for coming to raise these issues not knowing the full facts and circumstances. Clergy meetings which start to raise such issues are now referred to the clergy who are nominated to discuss such matters and hear the confessions of this nature and are trained in how to respond appropriately before, during and after the confession consistent with the Canon concerning Confessions 1989.

The Canon states inter alia:

a) If any person confesses his or her secret and hidden sins to an ordained minister for the unburdening of conscience and to receive spiritual consolation and ease of mind, such minister shall not at any time reveal or make known any crime or offence or sins confessed and committed to trust and secrecy by that person without the consent of that person.

This Canon has potential to create difficulty in respect to mandatory reporting. While wishing to hold true to the sanctity of the confessional in 2006, the national Bishops meeting agreed a Protocol entitled ‘Private Confession –Pastoral Guidelines with Special Reference to Child Sex Abuse’.

This Protocol seeks to reconcile the desire to uphold the importance of confidentiality of confession and provide guidance to priests who may hear confessions of this nature. The guidance is such that absolution of sins would only be provided in exceptional circumstances and usually only after the penitent had reported the conduct to the Police or appropriate authority.

30. Notifying an alleged perpetrator of allegations against him or her.

Where a formal complaint has been made and the complainant wishes to pursue the matter, the respondent is notified pursuant to clause 7 of the Power and Trust protocol. The DPS makes an appointment to visit the alleged respondent within one week of receipt of the formal complaint. If the DPS thinks there is an immediate need to stand the person down for the prevention of further harm or any other reason, then the Bishop would be informed and they would immediately arrange for a meeting with the respondent and stand them down. At this meeting DPS provides a copy of the complaint and outlines the protocols including the respondent’s right to legal representation. She offers a support person to provide professional counselling, the
entire cost of this being borne by the diocese. Prior to the meeting, the DPS will select an appropriate “respondent carer” who will be the liaison person between the respondent and Director throughout the process. All respondent carers are screened to ensure they are suitable for the role.

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

1) Complainants – The DPS is very aware that for many the courage to make the phone call is, in itself, a huge step and is often the first time that a complainant has disclosed the abuse to anyone. Consequently, the DPS makes a concerted effort to meet with the person in a comfortable and secure environment as soon as possible. She often meets people in their homes or a place they nominate, which may be a significant distance from the OPS office and often brings some refreshments to the meeting in an endeavor to make the complainant feel comfortable and safe when disclosing such personal matters. She discusses the need to report the matter to police where the respondent is still alive and offers any assistance in doing this. Gippsland Centre Against Sexual Assault (CASA) is very good as an advocate their role description is as a Counsellor/Advocate so they attend with people to Police and the courts.

2) The DPS recommends that the complainant has a support person to go to the police. Often the mention of police involvement alone is quite daunting to the complainant. The Diocese feels strongly that it has a duty to prevent further harm to others such as complainants. It is a difficult issue to balance the right of an individual to privacy and confidentiality as against the prevention of future harm.

3) Every attempt is made to assist the complainant to understand and consent to the DPS reporting these matters in a confidential way if the complainant does not want to report the matter themselves and/or does not wish to proceed with the criminal matter. The DPS may have to meet with the complainant over a period of time before the person is willing and feels they have the strength to make a formal complaint. During this interim period the DPS offers a range of options which are individualized to a particular complainant e.g. a massage, meal, spiritual direction, mentoring by another priest if a member of clergy, retreat or other items which put the person at ease and in a more confident position to make a formal complaint. They are also provided with independent counseling either through a CASA or Relationships Australia. Where the person already has a counselor engaged, further sessions may be paid for by the OPS during these initial stages.

4) A support person is also discussed with the complainant as set out in clause 5 of the Power and Trust Protocol. This is not an advocate for the complainant but more a person with whom the OPS can liaise at critical points in the process to provide information, clarification and support to the complainant, journeying with them throughout the process. This support person is independent of the diocese and does not have any other role under the Power and Trust protocol in respect of the matter. The DPS monitors the welfare of the complainant one or two years after the finalisation of the matter at intermittent periods.

5) Some complainants decide not to formalize the complaint. Where a complaint is not formalized but the allegations are believed to be credible, the DPS offers ongoing support and independent counseling if this is required. This can often be a couple of years after receipt of the initial complaint. Patience is this area is a virtue.
6) Respondent – Prior to meeting with the respondent, the DPS organises a respondent carer that will contact the respondent within 24 hours of the DPS visiting the respondent, explaining the nature of the complaint and the process. The respondent carer will follow up on the initial advice provided by the DPS re the availability of professional counseling. The respondent carer will also assist the respondent to prepare a response to the allegations and provide pastoral support and liaise with the Director, if they choose not to have legal representation. The respondent carer is in place throughout the entire process from complaint to deposition. They may then remain in place for a year or longer to check on the welfare of the respondent. This may differ if the respondent has been placed on an MOU as a result of the matter being substantiated.

Investigation

32. Investigating allegations of child sexual abuse.

Prior to investigating a sexual assault matter, Clause 6 of the Power and Trust protocol sets out the relevant process for obtaining consent to pursue the matter. Sexual abuse matters are investigated pursuant to Clause 8 of the Power and Trust protocol. An independent investigator is usually appointed where the alleged respondent is still alive and or in active service. In cases where the respondent is dead, the DPS may investigate the matter herself as the issue is not about a fitness matter but about pastoral care and assistance to the complainant as well as appropriate consideration being given to redress. There may be issues which the DPS then takes to the PSC for guidance.

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

Where a complaint is made and the respondent is in active service and is licensed or still retains his/her Holy Orders, the DPS informs the Bishop if the matter is serious e.g. child abuse (physical, sexual, emotional and or neglect,) and there is a possibility of future harm. the Bishop will stand down the respondent immediately from their position if it is a matter of child sexual abuse. See Clause 4.3 & 4.4 of Power and Trust protocol. The DPS informs the parish priest, children or youth workers and anyone else she feels needs to be told who will be able to look after the respondent in a vigilant and discreet way for the protection of children and vulnerable people.

Discipline

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

- A code of conduct was adopted in 2004 by the Bishop with the support of the Diocesan Synod.
- Other material has been made available since that time including a duty of care handbook in relation to children and young people
- This material has been reinforced by means of Safe church seminars that are held regularly around the Diocese

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

a. allegations of child sexual abuse have been made, or
The processes for such matters are set out under Clause 8 -9 of the Power and Trust protocol. A copy of the complaint flow chart can be found at paragraph 15 of Appendix 5.

After the respondent is notified of the complaint they are given three weeks to respond in writing through the respondent carer or a legal representative through the DPS. It is during this three-week period that the DPS is most concerned about the respondent’s presence in the parish. If they were still in the parish worshipping in the parish then an informal MOU needs to be put in place and appropriate people informed. To avoid further harm a Support and Accountability group is formed to ensure vigilance in the protection of children within the parish.

Of particular concern to the DPS is the amount of time it often takes the police to pursue matters, particularly when the police tell the DPS not to mention the matter while their investigations are taking place. This places the Diocese in a difficult position as it has knowledge and wants to reduce the risk of harm but to put anything in place potentially will alert the alleged respondent to the police involvement. The DPS has also notified the Education department/Child Protection or any other body where the respondent is coming into contact with children, telling them of the allegation if she believes other children may be at risk alerting them to the potential allegation after consulting with the police. There is a requirement to put the person on the national register; cognizant of the issues encountered re the National register, the DPS would send an email to all other diocese also. Where there is no police involvement, and the respondent significantly disagrees with the substance of the complaint, an investigation commences and the respondent is offered the opportunity to talk with the investigator to put their side of the story or make a statement.

After gathering the evidence, a report is received by the DPS. When the Director receives the report she calls a special meeting of the PSC or consults with the Assistant DPS (lawyer) re the contents of the report. The usual practice is to take the report to the PSC for discussion and make recommendation to the Bishop. If the DPS and the PSC disagree with the proposed recommendations, both recommendations are put in the report to the Bishop for her consideration. The Bishop can seek counsel with the Chancellor or the Diocesan solicitor to discuss any matters in relation to the matter. The protocol allows for this course of action to ensure that the Bishop is receiving the best advice, with a divergence of views expressed if necessary.

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

There appears to be no formal grievance policy contained in the Power and Trust protocol. Where a complaint is made about the way a matter has been handled, the nature of the grievance will determine who ultimately determines the matter. If the grievance is about the DPS’s conduct, the matter is referred to the Registrar, (the DPS’s supervisor in the Gippsland model,) who then requests the assistant DPS to investigate the matter or requests another DPS to investigate the matter and makes recommendations to the PSC who then informs the Bishop.

It should be noted that as a result of the file reviews the Provincial Professional Standards scheme provides for an Ombudsman to oversee the whole of the scheme.
This means that where grievances are made about any part of the process i.e. The DPS, the PSC or the Bishop, then a person truly independent of the process can review the matter and make recommendations on the specific case as well as any systemic improvements.

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

The conduct provisions under the Offences Canon of General Synod (Sections 1. (5) and 2. (4)). This canon has been adopted by the Diocesan Synod.

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

While the protocol does not specifically mention a standard of proof, (which has been noted as part of the diocesan file review), it would appear that the standard of proof used in practice is that of “on the balance of probability”. This is where allegations have been made against a respondent who is still alive and disciplinary proceedings have been commenced. In cases where the perpetrator is deceased, the “standard of proof” in practice is more of plausibility i.e. packages of redress are offered on that basis.

Redress

38. 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.

Gippsland has no formal documented redress scheme. This is currently being rectified as part of the Provincial Professional Standards Scheme where the experience of all dioceses within the province is being considered to develop an overall scheme for the province. A current draft Act is currently being considered by the Diocese for feedback and comment. The Anglican Church of Australia is considering a national approach to redress.

The file review noted that in practice the Diocese of Gippsland has been providing holistic care and assistance practices including financial redress in a range of matters for over ten years and the best example of such in the province. The process is relational. People are asked to tell their story and it is heard and acknowledged with care and respect. This includes face to face apologies by the Bishop. This practice was commenced by Mrs. Cheryl Russell (DPS) under Bishop Driver in 2004 and then continued by Bishop John McIntyre now deceased. Bishop McIntyre had a particular concern that all complainants must be dealt with in a fair, compassionate and pastoral way. He would often travel great distances to meet with complainants of both recent and historical abuse, and sit with them to hear their stories and discuss the betrayal of the church where this occurred rather than asking the victim to travel to him. Often he would speak with complainants for a number of hours. In some cases, he would follow up on the person’s welfare and be in fairly regular contact with that person. He always gave them his direct telephone and mobile phone numbers with an invitation to ring him any time. He had a genuine desire and commitment to “bring grace” and to try and ease their spiritual discomfort and pain.

Other gestures of redress included providing healing and remembrance services for victims of abuse at one of the schools which was instigated by the DPS and Bishop John McIntyre. There has also been a concerted effort to address not only the psychological abuse but also the spiritual abuse suffered by many.
Ecumenical retreats have been offered and taken up by complainants as well as spiritual mentoring to those who desired it. Financial redress has been proactively offered by the DPS to all abuse victims. However, it has been only accepted by two complainants since 2004 with the highest figure of $100,000 being offered in 2008. Other services offered included assistance with travel expenses, school fees, TAFE fees and medical expenses.

The other complainants only wanted their stories heard and their pain acknowledged. One complainant requested the church altar where she worshipped be destroyed and a new one be purchased. The above practice has already been continued by the current Bishop Goldsworthy.

Risk management

39. Notifying Church members and Church workers of allegations against a particular Church member of Church worker. Where there is such a policy, the level of detail included in any such notification.

Since 2006 the OPS has considered the “Guidelines for the Pastoral Supervision and Support of Known and Suspected Sexual Abusers in Parishes” published by General Synod Dec 2006. The DPS also takes into account the “Model Parish Memorandum of Understanding for Known and Suspected Abusers” as a basis for creating a more relevant, user friendly version of the MOU used in the Diocese. The Gippsland DPS uses this as a basis for developing MOUs which are tailored to the needs of each individual case. As a result, the Diocese of Gippsland has had a number of Memorandum of Understanding (MOU) in its parishes since 2010. The OPS is involved in the development of the MOUs and follows them up from time to time, to see if they are still relevant to the needs as they exist at the time. After the recent file review, these are now recorded in the OPS MOU register, with reminders to follow up such MOU’s or review periodically re the nominated dates.

In the majority of cases the OPS would notify the local parish priest of the known abuser. The OPS, together with the parish priest, would meet with the respondent and would request them to enter into an MOU, outlining the limitations and restrictions as well as supervision required while involved in parish activities.

While initially it was thought prudent to inform all members of the parish about the person’s misconduct, the experience of the Diocese of Gippsland’s implementation of MOUs in practice, caused a revision of this practice and policy. As soon as respondents were advised that the whole parish would know of their abuse, many then “disappeared” and left the parish. It is not known where they are now worshipping, if at all. However, a few did move faith denominations and in one case diocese. In light of the “flight pattern” emerging, it was considered more prudent that a select group of parishioners within the parish be advised of the detail of the conviction or allegation. These are the people who were put in place for the care, supervision and accountability of the respondent. The change in this policy was given much thought and was quite controversial in the Diocese at the time and perhaps still is in light of the RC recommendations and insurance risk. It was based on the research and data as well as conversations by the DPS with clinical psychologists that it was less likely for perpetrators to reoffend if they were under some type of supervision within a “community”.

The majority of these offenders had either not been through the criminal justice system or their parole period and supervision had come to an end. Many of them pre –date the sex offender the State register. In effect if not on these MOU’s there would be no supervision at all. In these circumstances, the policy was changed based on the experience of the diocese that such people disappear when confronted with such allegations becoming known throughout a whole community of people, and leave. In this way there is
no way of knowing where they are or being able to supervise them in any sense, nor their
activities. Sex offenders are often drawn to church communities that are less likely to
identify them as such; this also then provides them with access to groom parents and
offend against children. Consequently, while some parishes may have felt a sense of relief
to have such offenders leave, a policy decision was taken that it is not only Anglican
children which the church must seek to protect. The diocese took the view that it was
important to have these respondents being able to worship and to have a sense of
community while acutely aware of the risk they posed. Consequently, it was decided that
the OPS should be involved in having such respondents undergo a risk assessment where
relevant, (if not subject to a previous correctional order,) and to have a select group of
people informed in details of the conviction or substantiated allegation.

It is acknowledged that this is a complex and controversial area. However, the diocese has
taken the view that it is better to know the whereabouts and have the person supervised
than to exclude such people from parishes and pastoral life, only to find they have
resurfaced in another denomination, Parish or organisation, which are unaware of the
prior history. The diocese would welcome the RC’s insight into this issue in light of other
faith denominations’ case history and experience in this area.

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

Where allegations have been substantiated against a church worker who is a member of
clergy, the usual practice is that their license would be immediately cancelled. The
question of whether these people should retain their Holy Orders or be deposed is a very vexed one. The diocese is aware of the criticism that has been made by the RC re other
faith denominations by allowing them to retain their Holy Orders. Once matters have been
substantiated while a person’s license may be removed the issue of whether Holy Orders
should be deposed raises a number of issues. On one hand the church could be criticized
as other religious denominations have been, for not deposing a person of their holy
orders. This has been depicted from the perspective of not taking the matter of child
abuse seriously enough to warrant such deposition.

In the Diocese of Gippsland’s case, this issue has certainly not been approached from that
perspective. The two previous bishops had a total abhorrence for child abuse as does the
current Bishop. However, they also recognized that should such respondents be deposed
from Holy Orders, then the church would have no jurisdiction over them. This would
mean they could not require the use of an MOU or supervise such people. Again the
majority of such people had not been through, and will not go through, the criminal justice
system or if they had their period of supervision had ceased.

The following case raises the issue well. It became known that a member of clergy, who
held no licence, was residing in the Diocese of Gippsland and attending Church as a
Parishioner. A complaint was made in relation to this Parishioner re a person from within
the wider community. This was how the matter was brought to the attention of the DPS.
Prior to the complaint, the Diocese did not know that this Parishioner was a member of
clergy with no licence. Upon further investigation it became apparent that the SA police
had been looking for the unlicensed clergy man re complaints in SA. While the police
where developing their brief of evidence before being able to charge the respondent, the
South Australian police commended the Gippsland OPS for having an MOU in place as they
needed to ensure the whereabouts and conduct of the person before any charges could
be laid which was a lengthy process. In a sense the MOUs become de-facto bail or parole
conditions depending on if the person will be charged or the matter has been proven or
the allegations give rise to suspicion only.

In this case the reason why the Diocese still had jurisdiction over him was because he retained his Holy Orders. This is not seen as a soft option in the Diocese of Gippsland at all. It would be much easier to depose all such people of Holy Orders and have them join the general community with no supervision or any such terms and conditions placed on them with no financial cost to the Diocese or assumed risk. They often are displaced and will try and find another sense of community. The new community will often be unaware of the serious risk the person poses, if the DPS does not know where they have gone. If she does, she notifies the new faith denomination or organisation.

In some such cases respondents are asked to undergo risk assessments using psycho sexual testing to endeavor to determine the level of risk posed by the relevant respondent. The OPS have used forensic psychologists to undertake such tasks who often work for the office of community corrections as well. This ensures that the risk assessment is commensurate with that of community standards and expectations as seen through the criminal justice system. In this way the diocese can impose conditions and supervise the respondent in a way that had they been deposed of Holy Orders would not be possible. The Anglican case history across the province has demonstrated that a number of clergy then join other faith denominations. Where possible the DPS notifies the receiving denomination of any allegations that have been made. She also attempts to notify other denominations through their DPS networks of any known parishioners that may be moving into their congregations.

The diocese would ask that the RC give further consideration to this vexed issue and using the MOUs as a mechanism to prevent future harm to all children rather than a way of protecting the interests of the clerical respondent and the reputation of the church. It should also be noted that the Gippsland DPS has made inquiries with the Uniting Church who provide a specific service for known clerical respondents to worship on a regular basis where they pose too high a risk to worship within a Parish. This is done under strict supervision from a minister who has had correctional services background and understands the minimizing behaviors and psychology of abusers. The diocese of Gippsland is in current discussions with the Uniting Church to see if such a model could be further developed in other parts of the state. The Diocese of Gippsland understands the issues which are inherent in such a proposal but considers it worth pursuing so that such offenders who pose serious threats and are not suitable to be placed on MOUs in the local parish as the risks are too high, feel that they are still part of a church community without posing risk to others.

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

It is the Gippsland OPS practice to contact any victim who has been identified as a potential victim in a matter. It is recognized by the DPS this issue can be a sensitive one in relation to approaching potential victims of sexual assault who have chosen not to complain to date. However, the prevention of further harm and the offer of a healing process is one which the OPS believe is crucial. It also informs the risk assessment of an alleged respondent i.e. one off incident or a serial offender, cognizant that there is always the possibility re many unreported acts. In cases where schools have asked for the OPS’s involvement, the OPS has also instigated notices to the school and alumni naming alleged abusers and requesting any other potential victims to come forward and report matters. An advertisement was placed in “the Age “notifying alumni of a convicted abuser and welcoming others to come forward should they have any concerns or wanted to make a complaint themselves, advertising the fact that new reports were welcome. Having
instituted such processes, the DPS acknowledges that other potential victims have declined the offer to come forward or have not seen the advertisements. Note too that the OPS advertise their services behind every church toilet door in the diocese as well as in the Diocese newspaper.

42. 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.

The Diocesan file review identified a number of potential conflicts in the current PS scheme. This included:

1. Having the Registrar of the diocese as a member of the Professional Standards committee which is made privy to and makes recommendations in relation to members of clergy and church workers; note the Registrar upon becoming aware of the recommendation immediately removed himself from the PSC.

2. Having members of clergy as members of the PSC. Note however the member of clergy on the Gippsland PSC is not part of the Diocese of Gippsland. Prior to all matters being discussed at each meeting, all members are asked if they have a potential conflict of interest in relation to any matter on the agenda. While it is not suggested that there has been to date an actual conflict of interest, the file review notes that from a public perception having members of clergy investigating, substantiating and recommending determinations would not appear to be independent of the church itself. Consideration is being given under the Provisional Professional Standards Scheme, to have members of clergy in an advisory capacity only when and if they are needed to inform PSC and Board and members of particular nuances or issues particularly to increase the understanding of the non-Anglican Board members etc. in relation to fitness issues generally not re child abuse issues.

3. The PSC consists of some practicing Anglican members of parish communities within the Diocese of Gippsland. Many of the people who come before the committee for their consideration are known to them and makes it difficult in such a small community for there not to be a perceived if not real conflict of interest. The PSC has tried to address this with having members of the committee from other faith denominations. However, the voluntary nature of the committee, time commitment and subject matter often does not lend itself to a voluntary capacity in such a small community where skilled and experienced professional in child abuse and related matters who are available and willing to be on such committees are scarce.

The proposed Provincial Professional Standards Scheme is expected to address this issue by customizing the PSC and relevant boards to ensure that the culture and ethos of the particular diocese is embraced by the relevant body when considering matters of that particular diocese. The diocese is aware of the perception of potential conflict or more precisely a perception of a lack of independence. It is noted that the protocol requires that the DPS to be independent of the church administration and structures and not be a member of clergy or be married to a member of clergy. Nearly all these roles are provided in the diocese on a pro bono basis. Asking other professionals from other faith denominations to provide such services on a pro bono basis could be considered.

It also should be noted that the DPS usually request GCASA or Relationships Australia to provide independent counseling to the complainants themselves to avoid the perception of lack of independence, if provided by Anglican counselors.
In relation to respondent carers and support people, the file review stressed the importance of the DPS screening and appointing such persons to the roles rather than respondents choosing their own carers. While the respondent carer may be of the Anglican faith they usually do not personally know the respondent nor have any prior association with them. It is acknowledged that in cases prior to the implementation of the DPS such relationships impeded on the independence of the Professional Standards processes.

The current Power and Trust protocol provides for the Bishop to be the final decision maker in relation to clergy and church workers where child abuse has been substantiated. In many cases the Bishop has been the respondent’s Bishop, giving pastoral care and support to that person over many years in their role as Bishop prior to the allegations of misconduct arising. They may also have been doing the same to the complainant a member of clergy or Parishioner. This often places the Bishop in a very difficult position from a number of perspectives:

A. From the community’s perspective the Bishop is now the final arbiter in the matter and may be very well known to the Bishop who no longer can provide any pastoral care to the complainant or respondent.

B. Not only from the perception of independence of the decision making but also the inability of the Bishop to provide pastoral care to the complainant and if needs be the respondent, places the Bishop in a very difficult position which most complainants in particular do not seem to comprehend. I.e. while a matter is still under investigation and before a determination, the Bishop cannot be in contact with them as to do so would compromise the final decision.

C. As a result of the file review the new proposed Provincial Professional Standards Scheme provides for the new independent body to make this determination. Under the proposed Act the bishop would no longer be involved in the ultimate disciplining of a church worker where child abuse allegations have been substantiated.

Information-sharing and record-keeping

43. 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)

In the OPS, there are paper based files held on each child sexual abuse case. Since the file reviews recommendations have been implemented, summaries are also included on an excel data base of all files held by the OPS. The recent file review recommended OPS files are scanned so as to have an electronic copy. This is currently being undertaken.

In the Diocesan office there are also paper copies of parts of child sex abuse complaint files which related to correspondence between the OPS and Bishop / OPS and Registrar. These are kept in a locked filing cabinet in the Registrar’s office.

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 recent file review alerted the OPS to the fact that a lot of information and records of good work done were not actually evident on the file but rather in the DPS’s day to day record keeping books. After discussions with the DPS this was rectified with processes put in place to ensure all conversations and correspondence in relation to a particular matter was included in the file. This appears to be working efficiently now.

The OPS files in future will include details of all correspondence / contact with complainants and respondents either through their legal representatives, support people or respondent carers and place on the file.

Statements detailing the alleged abuse from the complainant and responses to the allegations from the respondent are included as well as notes from any discussions with witnesses or others involved in the matter. Detailed notes of telephone conversations are included as are copies of any correspondence sent or received. Previously much of this was found on the DPS’s workbook which had many other matters in it and so therefore hard to follow the history of a particular case quickly.

Since the file review, routine information recorded during the initial interview will include:

Name
Address
Contact details
Date of Birth
Nature of complaint
Details of complaint
Did they wish to make a formal complaint?
What they would like to see happen as a result of making the complaint?
Details of the allegations
Do they require any support / counseling?
Do they feel in danger at all now?

To date this has not been put into practice as fortunately there have not been any reported incidents of child sexual abuse since the implementation of these processes.

c. maintenance and archiving of records.

Fortunately, the Gippsland OPS does not have a huge number of files relating to child sex abuse hence archiving has not been an issue as yet. As victims of child sex abuse often take many years to come forward it is anticipated that the OPS will not archive files of this nature for the foreseeable future.

The OPS in conjunction with the Diocese is in the process of developing rules regarding archiving of OPS files. It is anticipated in the future that the diocese has an independent office where all paper files from the OPS will be kept as well as any archived OPS files.

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

a. other Anglican dioceses in Australia
The use of the National Register after it was established in 2007
Warning letters and discussions between Bishops before 1990 and up to the present time and
Shared communications between the Directors of Professional Standards since 2004 in this Diocese.

b. other Anglican dioceses outside of Australia

Where the location of the person of interest is known to the losing Diocese, the Bishop would communicate with the Bishop responsible for the new location.

c. the General Synod

The National Register.

d. other faith-based institutions

The OPS’s current practice is to make other faith based institutions aware of any ex clergy or parishioners who have been respondents and who have left the Diocese of Gippsland and further have matters substantiated against them in relation to child abuse. While there is no formal protocol to do so, the DPS is concerned about the prevention of harm to all children. She states the fact that there was a complaint rather than any opinion which is not factually based to avoid concerns re defamation. The Diocese of Gippsland is currently forming a policy in relation to this practice to ensure that the laws of defamation are not inadvertently breached. The Diocese of Gippsland has also made enquiries about a Uniting Church based respondent group called Dismas, where respondents can be referred so they can worship from different faiths under supervision by experienced prison Chaplains. This means that where the risk of worshipping in a Parish is too high for whatever reason there is an alternative supervised place where offenders can worship. This idea needs further exploration to enable such places to be created in rural areas also. The Diocese would welcome the RC further consideration and discussion of such issues from the perspective of further prevention.

The Diocese of Gippsland is concerned that where matters of child abuse are substantiated through the internal Anglican process and there has been no criminal conviction, that currently this does not affect a respondent’s Working With Children Check. There have been a number of instances where despite serious allegations being substantiated, such people would be eligible for a VIT or WWCC. The Diocese of Gippsland is also concerned that the findings of the OPS are not notifiable to the bodies managing the WWWC and the VIT. This matter needs to be expedited by state government.

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

Nothing further to the answer at paragraph 29.

45. 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
Schools – currently there is no formal protocol between the OPS and the two Anglican secondary schools in Gippsland. Historically the Bishop of Gippsland may have had some contact with the schools in either the capacity of a Board member or in the role of “visitor” at the school. In light of the RC’s review of the role of the visitor in a school and the limitations of that role, the current Bishop of Gippsland has requested that the role of the Bishop be reviewed in this context as a matter of priority. Bishop Goldsworthy commenced as Diocesan Bishop on 21 March 2015. As part of her review of all matters within the diocese and professional standards in particular, she is enquiring of both schools in the diocese inquiring in relation to the school’s current policies in relation to complaints of sexual abuse to ensure that the current policies are consistent with the recent learnings and understandings from the RC case studies and reports. The Bishop is requesting that the schools work in conjunction with the OPS to ensure that their policies, protocols and practices conform to best practice as outlined by the RC. The governance structure of an individual organisation is no excuse for not having the appropriate policies in place, as to do so reflect poorly on the Anglican Church regardless of the governance arrangements. However as seen from other provinces the governance arrangements can be an impediment to the Bishop effecting change within the school system as recently seen in the RC Tasmanian case study where the Diocesan Bishop’s impact on the school Board was minimal.

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

Communications of this nature are almost always through the Office of Professional Standards.

Inquiries and reviews

46. Details of any past inquiries into instances and allegations of child sexual abuse in the Diocese, including the:

No specific enquiry of this nature has been held in this Diocese

a. reasons 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.

47. Details of any independent reviews of, or legal challenges to, your Diocese’s professional framework or processes.

- Review by the Rev’d Tim Dyer 2012

The professional standards arrangements were initiated in the diocese under the leadership of Bishop Driver in March 2002 with the appointment of a Safe Ministry Officer. In mid-2003 the Safe Ministry Officer resigned. A Director of Professional Standards was appointed in March 2004. At the time the Diocese managed the PS issues
under the interim protocol. In 2005 the Power and Trust protocol was issued by the Diocese of Melbourne. This was adopted for the Diocese of Gippsland by the Bishop in Council in August 2005. Tim Dyer was invited to conduct a review of professional standards arrangements in the Diocese of Gippsland to ensure that the protocol at the time was adequate and in keeping with best practice.

- **Review by Cannon Consulting 2014**

  This review was commissioned by the Victorian member of the Anglican Church Royal Commission Working Group as part of the Anglican Church’s organizational response to the Royal Commission into Institutional Child Sexual Assault. Each diocese was requested to conduct a review of the OPS, personnel and archived files.

  The review was designed to identify information and issues to:
  
  - Assist Dioceses identify and understand issues re child sexual abuse which have been dealt with in the past;
  - Identify any potential mismanagement and due diligence issues;
  - Identify issues re disclosure and complaints;
  - Identify any issues, processes and procedures which may not have accorded with best practice complaint models; and to
  - Identify any matters where, the process, procedures and the outcome, from an objective point view, could lead to complainant dissatisfaction of the process.

  This was to be done, with the view of recognizing the above and identifying and recommending responses so that the OPS or Diocese could consider and rectify any issues which arose during the course of the review, where appropriate to do so.

  The Diocese of Gippsland was aware that Cannon Consulting had completed reviews on the four other Victorian dioceses and the senior reviewer had extensive experience over 25 years in relation to the issue of sexual abuse in the context of the criminal justice scheme including victim support services and redress or compensation schemes being involved in the design and implementation of two previous government scheme. As a result, Cannon Consulting was chosen to conduct the Gippsland review to see what improvements they could make to their own scheme. It should be noted at the time the then Bishop had just adopted the General Synod’s revised Power and Trust protocol 2013, and he was wanting to see what improvements if any could be made to this protocol as a result of issues arising out of the file review.

  **Research into prevalence of child sexual abuse**

  48. Your processes and procedures, if any, in relation to recording statistical data on child sexual abuse in your Diocese.

  The number of instances of child abuse have been quite small over a long period. The recording of statistical data has not been necessary in a formal way.

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

  There has been no such research.

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

The representatives of the Diocese of Gippsland have not had personal contact with government in relation to the issues noted below, but the Anglican representative who have had contact, report back to the Anglican Provincial Professional Standards Working party of which Gippsland is a member.

This issue raised by the representatives is about the status of an Anglican professional standards matter, where allegations of child abuse are substantiated, yet are not recognised by the State Working with Children regime as an adverse finding. Consequently, such people would be eligible for a WWCC. To be effective the recognition of such findings would need to be retrospective as there are a number of cases within the province where such people should at least be in a “show cause position.” This is a matter of concern for the Diocese.

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

The Diocese has the following issues:

- Deposition of Holy Orders – the issues as outlined above in relation to the Bishop deposing clergy of their Holy orders where child abuse has been substantiated is a vexed one. While some dioceses have theological objections to doing so, the Diocese of Gippsland’s primary concern has been around the prevention of future harm. It also recognizes that such respondents do still have a right to Worship within the Church as long this can be done so in a Safe environment where possible but not always so. Placing people on MOU and putting Safety and Accountability groups around them, seems to try and balance these competing public policy issues. If they were not on such agreements, then in all likelihood there would be no institution charged with their care and supervision. While understandably from a survivor’s perspective this may appear to look like “the Church” is supporting “the abuser ”, in effect it is doing so to try and prevent future harm. This needs to be communicated in a much more effective way than currently done if such a policy continues.

Publicly disclosing any non-convicted offender to the whole parish as recommended by the Insurer. This has been referred to the Registrar to discuss with the insurer. Once marginalized these people will move into ghettoes and start behaving badly. Forensic research is much more relevant than statistical data on child sexual abuse.

Having said this there are clergy within the history of the Diocese of Gippsland who have been deposed from Holy Orders. Consideration could be given by the Church to allow such people to retain their Holy Orders but in doing so be clear that they cannot call themselves or in any way hold out that they are till members of clergy. E.g. they cannot use the title Reverend. It is also recognized that allowing clergy to retain Holy Orders also raises issues of liability for the diocese. I.e. should the person commit further offences when they have not been deposed, then it would appear that the Diocese is prima facie liable for such conduct, being aware of prior issues. These issues needs to be further explored.
• Currently the Gippsland DPS advises other organizations both Anglican and non-Anglican if known offenders move. The DPS Network do not share this practice as they fear defamation proceedings been brought against them and breach of State law privacy laws. Information sharing is currently being discussed by the Network as part of their due diligence processes. Such recommendations have been made to all Anglican dioceses within the province as part of their due diligence process. It is proposed to set up a provincial data base to ensure that relevant information is accessed by all DPS’s within the province at least and in time on a National basis. To put the matter beyond doubt, the OPS would seek this matter to be allowed where there the DPS does so where she believes the complaint is credible and is doing so on a bona fide basis for the prevention of harm. State laws should provide for such exceptions.

• The need to work with church schools in developing agreed protocols on professional standards.

• Ensuring that all archives relevant to professional standards are appropriately stored and catalogued.
## APPENDIX 1

### ANGLICAN DIOCESE OF GIPPSLAND

**CONSOLIDATED BALANCE SHEET AS AT 30 SEPTEMBER 2015**

*(Includes Bishop-in-Council, Trusts Corporation, A'Beckett Park, ADF Gippsland & Church Bookroom)*

### ASSETS

<table>
<thead>
<tr>
<th>Notes</th>
<th>2014/15</th>
<th>2013/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td>43,884</td>
<td>352,961</td>
</tr>
<tr>
<td>Receivables</td>
<td>2,492,659</td>
<td>4,128,397</td>
</tr>
<tr>
<td>Investments</td>
<td>13,609,009</td>
<td>10,887,312</td>
</tr>
<tr>
<td>Property, Plant &amp; Equipment</td>
<td>8,727,878</td>
<td>15,391,457</td>
</tr>
<tr>
<td>Total Assets</td>
<td>24,873,429</td>
<td>30,760,128</td>
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</table>

### LIABILITIES

<table>
<thead>
<tr>
<th>Notes</th>
<th>2014/15</th>
<th>2013/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Creditors &amp; Borrowings</td>
<td>6,882,818</td>
<td>9,353,724</td>
</tr>
<tr>
<td>Provisions</td>
<td>45,639</td>
<td>51,939</td>
</tr>
<tr>
<td>Total Liabilities</td>
<td>6,928,457</td>
<td>9,405,663</td>
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</table>

### NET ASSETS

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<thead>
<tr>
<th></th>
<th>2014/15</th>
<th>2013/14</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>17,944,972</td>
<td>21,354,465</td>
</tr>
</tbody>
</table>

### DIOCESAN CAPITAL & TRUST FUNDS

<table>
<thead>
<tr>
<th>Notes</th>
<th>2014/15</th>
<th>2013/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Funds</td>
<td>1,818,015</td>
<td>9,427,514</td>
</tr>
<tr>
<td>Trust Funds</td>
<td>10,027,611</td>
<td>8,915,271</td>
</tr>
<tr>
<td>Other Reserves</td>
<td>3,818,078</td>
<td>1,559,640</td>
</tr>
<tr>
<td>Revaluation of assets to market value</td>
<td>226,888</td>
<td>226,888</td>
</tr>
<tr>
<td>General Reserve</td>
<td>2,054,379</td>
<td>1,225,153</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>17,944,972</strong></td>
<td><strong>21,354,465</strong></td>
</tr>
</tbody>
</table>
## ANGLICAN DIOCESE OF GIPPSLAND
### CONSOLIDATED INCOME AND EXPENDITURE STATEMENT
#### FOR THE YEAR ENDED 30 SEPTEMBER 2015
*(Includes Bishop-in-Council and the Trusts Corporation plus surplus/(deficits) for ADF, Church Bookroom and the Abbey)*

### INCOME

<table>
<thead>
<tr>
<th>Description</th>
<th>2014/15</th>
<th>2013/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aboriginal Ministry Funds Received</td>
<td>66,950</td>
<td>65,044</td>
</tr>
<tr>
<td>ADF Distribution</td>
<td>968</td>
<td>19,456</td>
</tr>
<tr>
<td>Capital Profits</td>
<td>190,165</td>
<td>328,019</td>
</tr>
<tr>
<td>Capital Recovery</td>
<td>3,618</td>
<td>9,634</td>
</tr>
<tr>
<td>Clergy Car Loan Interest</td>
<td>5,842</td>
<td>5,353</td>
</tr>
<tr>
<td>Dividends and Interest</td>
<td>469,250</td>
<td>523,992</td>
</tr>
<tr>
<td>GAAC &amp; Botterill Court Interest Received</td>
<td>-</td>
<td>67,468</td>
</tr>
<tr>
<td>Gippsland Home Mission Fund</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Gippsland Ministry Fund Grant</td>
<td>90,000</td>
<td>90,000</td>
</tr>
<tr>
<td>Income from Diocesan Trusts</td>
<td>58,046</td>
<td>73,164</td>
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<tr>
<td>Management Fees Received</td>
<td>15,500</td>
<td>-</td>
</tr>
<tr>
<td>Parish Contributions</td>
<td>265,804</td>
<td>257,213</td>
</tr>
<tr>
<td>Profit on Sale of Assets</td>
<td>-</td>
<td>167,969</td>
</tr>
<tr>
<td>Property Income</td>
<td>242,678</td>
<td>227,913</td>
</tr>
<tr>
<td>Sundry Income</td>
<td>88,593</td>
<td>28,367</td>
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</tbody>
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**GROSS INCOME**

1,497,413

Less Income Applicable to:

<table>
<thead>
<tr>
<th>Description</th>
<th>2014/15</th>
<th>2013/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clergy Car Depreciation Deposit</td>
<td>14,118</td>
<td>17,287</td>
</tr>
<tr>
<td>Diocesan Trusts</td>
<td>101,577</td>
<td>125,603</td>
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<tr>
<td>Gippsland Anglican Aged Care Limited</td>
<td>62,677</td>
<td>62,913</td>
</tr>
<tr>
<td>Gippsland Ministry Foundation</td>
<td>55,707</td>
<td>78,294</td>
</tr>
<tr>
<td>Parish Trusts</td>
<td>202,278</td>
<td>228,619</td>
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436,357

**NET INCOME**

1,061,056

### EXPENDITURE

<table>
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<tr>
<th>Description</th>
<th>2014/15</th>
<th>2013/14</th>
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<tbody>
<tr>
<td>Administration</td>
<td>430,156</td>
<td>340,359</td>
</tr>
<tr>
<td>Allocations</td>
<td>266,678</td>
<td>249,633</td>
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<tr>
<td>Staffing</td>
<td>418,340</td>
<td>402,095</td>
</tr>
<tr>
<td>Miscellaneous Expenses</td>
<td>12,095</td>
<td>480</td>
</tr>
<tr>
<td>Property and Investment Expenses</td>
<td>121,859</td>
<td>132,588</td>
</tr>
</tbody>
</table>

1,249,129

### OPERATING SURPLUS/(DEFICIT)

(188,074)

224,722

Add/(Less): Transfer to Reserves (BIC)           | (4,750)  | (4,750)  |
Add/(Less): Transfers from Reserves (BIC)        | -        | -        |
Add/(Less): Gippsland Anglican Surplus/Loss (BIC)| (27,512) | (23,392) |
Unrealised Gains/(Losses) on Trust Corporation Investments | (300,901) | (228,917) |
Gain on GARLL Contract                           | 1,147,869| -        |

BISHOP-IN-COUNCIL & TRUSTS CORPORATION SURPLUS/(DEFICIT)

626,633

(32,337)
## ANGLICAN DIOCESE OF GIPPSLAND
### CONSOLIDATED INCOME AND EXPENDITURE STATEMENT
### FOR THE YEAR ENDED 30 SEPTEMBER 2015

*(Includes Bishop-in-Council and the Trusts Corporation plus surplus/(deficits) for ADF, Church Bookroom and the Abbey)*

### OTHER ENTITIES - SURPLUS/DEFICIT

<table>
<thead>
<tr>
<th>Description</th>
<th>2014/15</th>
<th>2013/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Add/(Less): Anglican Development Fund Surplus/Loss</td>
<td>24,205</td>
<td>52,296</td>
</tr>
<tr>
<td>Add/(Less): Church Bookroom Surplus/Loss</td>
<td>2,023</td>
<td>(1,090)</td>
</tr>
<tr>
<td>Add/(Less): The Abbey Surplus/Loss</td>
<td>5,692</td>
<td>18,988</td>
</tr>
<tr>
<td>Add/(Less): Prior Years' Adjustment</td>
<td>-</td>
<td>(16,861)</td>
</tr>
</tbody>
</table>

### TOTAL OTHER ENTITIES - SURPLUS/DEFICIT

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>31,919</td>
</tr>
</tbody>
</table>

### NET SURPLUS/DEFICIT

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>658,553</td>
</tr>
</tbody>
</table>

Unrealised Investment Losses included in Surplus/Deficit

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trust</td>
<td>(300,901)</td>
</tr>
<tr>
<td>ADF</td>
<td>(83,427)</td>
</tr>
<tr>
<td>Total</td>
<td>(384,328)</td>
</tr>
<tr>
<td>Position</td>
<td>Name</td>
</tr>
<tr>
<td>----------</td>
<td>------</td>
</tr>
<tr>
<td>b. Assistant Bishop</td>
<td></td>
</tr>
<tr>
<td>c. Chancellor</td>
<td>Rowena Margaret Armstrong, AO, QC</td>
</tr>
<tr>
<td>d. Deputy Chancellor</td>
<td></td>
</tr>
<tr>
<td>e. Registrar / General Manager</td>
<td>Peter Laurence Wallis Brian John Norris</td>
</tr>
<tr>
<td>f. Professional Standards Director</td>
<td>Cheryl Anne Russell</td>
</tr>
<tr>
<td>g. Chair of the Professional Standards Committee or similar body</td>
<td>Ann Miller (no previous chair)</td>
</tr>
<tr>
<td>h. Diocesan Solicitor, or any person appointed to advise the Diocese on legal matters relating to child sexual abuse</td>
<td>Colin Robert Isaac Vivian Fitzhardinge Braham</td>
</tr>
<tr>
<td>i. Diocesan Advocate, or any person appointed to represent the Diocese in disciplinary proceedings for clergy and other Church workers</td>
<td></td>
</tr>
<tr>
<td>j. Presiding members of the Professional Standards Board, Panel of Triers, Disciplinary Tribunal, Diocesan Tribunal or similar bodies, and</td>
<td></td>
</tr>
<tr>
<td>k. Trustees on any Boards of Trustees established to manage the real property of the</td>
<td>Bishop (See above) Registrar (See above) Chancellor (See above) Eric Rowley Edward George Gibson</td>
</tr>
<tr>
<td>Diocese.</td>
<td>Frank Scott</td>
</tr>
<tr>
<td>------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td></td>
<td>David Tulloch</td>
</tr>
<tr>
<td></td>
<td>David Benson</td>
</tr>
<tr>
<td></td>
<td>Tom Phillipson</td>
</tr>
<tr>
<td></td>
<td>Marion Shields</td>
</tr>
<tr>
<td></td>
<td>Clem Watts</td>
</tr>
<tr>
<td></td>
<td>John Delzoppo, OAM</td>
</tr>
<tr>
<td></td>
<td>Robert Fordham, AM</td>
</tr>
<tr>
<td></td>
<td>Brian Turner</td>
</tr>
<tr>
<td></td>
<td>Russell Macqueen</td>
</tr>
<tr>
<td></td>
<td>Heather Marten</td>
</tr>
<tr>
<td></td>
<td>Neale Taylor</td>
</tr>
<tr>
<td></td>
<td>Tim Gibson</td>
</tr>
<tr>
<td></td>
<td>David Gittins</td>
</tr>
<tr>
<td></td>
<td>Phillip Davis</td>
</tr>
</tbody>
</table>
## DIOCESE OF GIPPSLAND

### SAFE MINISTRY PROGRAM INFORMATION

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>LICENCE/AUTHORISATION/APPOINTMENT RENEWAL</th>
<th>SAFE MINISTRY SCREENING (On entry or appointment to a diocesan/parish position)</th>
<th>SAFE MINISTRY EDUCATION</th>
</tr>
</thead>
</table>
| Clergy (including PTO’s) Ordination Candidates Salaried Ministry Workers | • As per relevant Act or terms of appointment | • Be familiar with and uphold Diocesan Code of Conduct *(Faithfulness in Service)*  
• Safe Ministry Questionnaire  
• National Criminal History Record Check – Once only **  
• Working with Children Check – subject to renewal **  
• National Professional Standards Screening | Diocese  
Safe Ministry Education every three years |
| Visiting Clergy engaging in ministry who do not hold the Bishop’s licence and do not hold a PTO | | • National Professional Standards Screening | Diocese  
None |
| Members of Bishop-in-Council and its committees, Members of the Trusts Corporation, Directors of Gippsland Anglican Aged Care | • New members to be briefed | • Be familiar with and uphold Diocesan Code of Conduct *(Faithfulness in Service)* | No Records  
None |
<table>
<thead>
<tr>
<th>Administrative Staff – Diocese</th>
<th>As per terms of appointment</th>
<th>Be familiar with and uphold Diocesan Code of Conduct (<em>Faithfulness in Service</em>)</th>
<th>National Criminal History Record Check – Once only **</th>
<th>Diocese</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaried Administrative Staff – Parish</td>
<td>As per terms of appointment</td>
<td>Be familiar with and uphold Diocesan Code of Conduct (<em>Faithfulness in Service</em>)</td>
<td>National Criminal History Record Check – Once only ++</td>
<td>Working with Children Check – subject to renewal ++</td>
<td>Diocese</td>
</tr>
<tr>
<td>Lay Readers and Pastoral Assistants</td>
<td>At the commencement of each new Synod Cycle (i.e. every three years). Letter sent to incumbents in first quarter of the year in which the new Synod meets.</td>
<td>Be familiar with and uphold Diocesan Code of Conduct (<em>Faithfulness in Service</em>)</td>
<td>Safe Ministry Questionnaire</td>
<td>Working with Children Check</td>
<td>National Criminal History Record Check – Once only ++</td>
</tr>
<tr>
<td>Lay Spiritual Directors (Anam Cara and other groups)</td>
<td>At the commencement of each new Synod Cycle (i.e. every three years).</td>
<td>Be familiar with and uphold Diocesan Code of Conduct (<em>Faithfulness in Service</em>)</td>
<td>Safe Ministry Questionnaire</td>
<td>Working with Children Check</td>
<td>National Criminal History Record Check – Once only ++</td>
</tr>
<tr>
<td>Children and Youth Workers in Parishes – Volunteer</td>
<td>Certificate of compliance issued by the Registrar</td>
<td>Be familiar with and uphold Diocesan Code of Conduct (<em>Faithfulness in Service</em>)</td>
<td>Safe Ministry Questionnaire</td>
<td>Working with Children Check</td>
<td>National Criminal History Record Check – Once only ++</td>
</tr>
</tbody>
</table>
**APPENDIX 3**

| Liturgical Assistants & Eucharistic Assistants | At the commencement of each new Synod Cycle (i.e. every three years). Letter sent to incumbents in first quarter of the year in which the new Synod meets. | Be familiar with and uphold Diocesan Code of Conduct (*Faithfulness in Service*) | No Records | None |
| Parish Council members including wardens, parish treasurers and secretaries, synod members and voluntary parish administrative staff. | As per the relevant Act | Be familiar with and uphold Diocesan Code of Conduct (*Faithfulness in Service*) | No Records | None |

**At Diocesan expense**

**At Parish or personal Expense**

**Note on Working with Children Check**

Not all criminal offences are relevant to the Working with Children (WWC) Check. Broadly, applicants will be checked for serious sexual, serious violent or serious drug-related offences. Other offences may also be considered, but only in exceptional circumstances and only if there is a significant link between the offences and a risk to children. Applicants are also checked for relevant findings from certain professional disciplinary bodies (currently only the Victorian Institute of Teaching and the out of home care Suitability Panel).

**Note on National Criminal History Record Check**

The National Criminal History Record Check will display all releasable court outcomes from all states of Australia based on respective policies/legislation. Where release policies/legislation differ, the original states releasable policy/legislation will be applied first and then the Victorian Information Release Policy.
Screening and assessing suitability of Bishops, clergy, lay and volunteer staff in four categories

<table>
<thead>
<tr>
<th>Year</th>
<th>Bishops</th>
<th>Deacons</th>
<th>Priests</th>
<th>Lay and Volunteer Staff</th>
</tr>
</thead>
</table>
| 1990 | 1. The Bishop’s Election Committee made enquiries in this area.  
2. Provincial Bishops also confirmed the appointment of a Bishop. | Typically, the following process would be followed (not always in the order indicated):  
1. Interview with the Bishop on the recommendation of the incumbent of a parish. If the Bishop is satisfied that the person may be suitable;  
2. Person completed a form applying for ordination. A physical medical check is undertaken;  
3. Assessment by a panel of examining chaplains who would make a recommendation to the Bishop.  
4. Referral to a Provincial Selection Conference;  
5. Academic and other theological training is undertaken;  
6. Assessment by the Bishop as to whether to proceed to ordination as a deacon;  
7. Recommendation of three priests is sought before proceeding;  
8. A notice is read in the church where the person attends seeking advice of any just cause or legal impediment to that person’s ordination.  
9. Ordination | Typically, the following process would be followed:  
1. Assessment by the Bishop as to whether to proceed to ordination as a priest;  
2. Recommendation of three priests is sought before proceeding;  
3. A notice is read in the church where the person attends seeking advice of any just cause or legal impediment to that person’s ordination.  
4. Ordination | Salaried Staff  
1. Advertising of position  
2. Interview  
3. Referees opinion sought  
Volunteer Staff  
1. Appointed on the recommendation to or by the incumbent of a parish.  
2. Diocesan appointments made with the consent of the Bishop |

2004 The above processes continued to be followed with the overlay of screening procedures outlined in Appendix 3 although the latter were introduced over time coming to its full development by March 2014.
APPENDIX 5

Anglican Church of Australia

Diocese of Gippsland

POWER AND TRUST IN THE CHURCH

A PROTOCOL FOR RESPONDING TO ABUSE AND HARASSMENT WITHIN THE CHURCH

Revised by Synod
18 May 2013
(Adapted from a document formerly used in the Province of Victoria dated 7 June 2005)
This document is published by the Anglican Diocese of Gippsland and is based on a document issued by the Diocese of Melbourne on behalf of the Dioceses in the of Victoria on 7 June 2005.

Anglican Diocese of Gippsland
P.O. Box 928, Sale, Victoria 3850
Phone: (03) 5144 2044
POWER & TRUST IN THE CHURCH

A PROTOCOL FOR RESPONDING TO ABUSE AND HARASSMENT WITHIN THE CHURCH

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FOREWORD
Abuse of power and breach of trust occur when one human being disregards, ignores or deliberately overbears the interests, wishes and feelings of another. Abuse and bullying result from one person treating another human being, a knowing, feeling subject, as an object. Such an act denies that the other person is a knowing, feeling subject and suggests that the person is an object to be used. It is a denial of the dignity God gives to every created being. If abuse is experienced from a member of the clergy or other church worker, it is also a gross misuse of the trust expected of the spiritual role and professional status of an ordained person, or any person authorised to minister to another.

The damage caused by abuse never just goes away by itself. It may be pushed down and hidden for a time, but it festers and eventually resurfaces, often with damage multiplied and the pain intensified. We have seen this in the lives of victims of sexual abuse where the hurt wreaks havoc for decades, destroying the life of the individual concerned and distorting close relationships. The damage can even impact succeeding generations. What is true in the lives of individual victims is also true in the lives of institutions and parish communities. We can move only on if we face the hurtful reality of what has happened, extend care and support to those harmed, and take steps to ensure that as far as possible it never happens again.

It is acknowledged that the Church has not dealt effectively and in some cases not dealt at all with issues of child abuse, sexual harassment, harassment, sexual assault, assault and sexually inappropriate conduct involving church workers. This failure of the Church has caused spiritual, mental, psychological and physical harm, pain and loss to many people; Complainants, Respondents, and secondary victims. The Church deeply regrets our failure and the consequent effects. We unreservedly apologise to those who have been harmed. We state our resolve to do all in our power to avoid such failure and to avoid being the cause of such harm in the future.

All people should be able to live and work in an environment that is free from abuse. This “Protocol for Responding to Abuse and Harassment within the Church” is intended to respond to all complaints of abuse – physical, sexual, spiritual, financial or emotional, including bullying - by church workers. Through this protocol and a process of screening church workers, the Church is also seeking to ensure the chance of future abuse occurring is minimized.

When it is alleged or reasonably suspected that a church worker has engaged in conduct constituting abuse, harassment or inappropriate conduct or there has been a process failure in dealing with these matters, the Church will always take these concerns seriously.

Protocols and processes to respond to complaints of sexual abuse and sexual harassment in the Diocese of Melbourne have been in place since 1994. An updated protocol was introduced in 2003. The current version arose out of a review by representatives of province in 2005 and has now been adapted for use in the Diocese of Gippsland.
By using this Protocol the Anglican Diocese of Gippsland aims to:
meet the pastoral needs of Complainants, Victims, Respondents and communities, address their concerns; and
ensure that no further harm is caused.

Using this protocol we will:
promptly respond and provide support to every Complainant, Victim or Informant,
document the allegation, complaint or information;
offer conciliation if appropriate;
investigate the circumstances;
determine, as far as possible, the truth of the matter;
assess what action should be taken to resolve the allegation, complaint or information and to prevent further harm; and
deal fairly with and facilitate support of the Respondent.

Related documents are:
Faithfulness in Service

1 Statement of Basic Principles
This Protocol for Responding to Abuse and Harassment within the Church is integrated with the Code of Good Practice for clergy that recognizes, provides a positive framework for and legitimises their pastoral work.

1.1 The Protocol adopts the following principles
The Anglican Diocese of Gippsland within the Anglican Church of Australia will not tolerate abuse or harassment within its communities.

1.1.1 All complaints will be taken very seriously.
1.1.2 We offer respect, pastoral care and ongoing long-term or episodic support, including professional counselling where appropriate, to anyone who makes a complaint and for those who have suffered the secondary effects of abuse. We will do all we can to lessen harm by providing the best care possible.
1.1.3 We will also offer support to any church worker who is accused of abuse or harassment. The rights of a person accused of wrongdoing must be respected.
1.1.4 We will be as open, transparent and accountable as possible while respecting the rights of Complainants to privacy and to make their own informed choices about whether to engage with Diocesan processes or to seek assistance elsewhere.
1.1.5 We will use confidentiality clauses in agreements settling claims only where there is clear justification for doing so with respect to the rights of individuals to privacy.
1.1.6 Where allegations of abuse involve illegal behaviour, we will support Complainants if they decide to report those matters to police.
1.1.7 We will continue to invite any person who has been abused, no matter when, to come forward and make the matter known, so that his or her ongoing needs can be addressed.
1.1.8 Any person engaged in ministry or in our employ who is alleged to have committed criminal or non-criminal abuse must face the appropriate diocesan process.
1.1.9 Confidentiality must be respected by all participants in this protocol.
1.1.10 No person may interfere with or attempt to influence Support Persons, the Committee, the Director, Respondent Carers, or the investigator in the exercise of their functions.

1.2 Scope
Nothing in this Protocol shall exclude the jurisdiction of a secular court or tribunal or prevent any person from pursuing other actions and procedures which are available at law. It is not intended that this Protocol shall protect people from the law.

In this Protocol:

1.2.1 “Bishop” means for the purposes of this protocol, the Bishop of Gippsland.
1.2.2 “Abuse” includes physical, sexual, spiritual, financial or emotional abuse, including bullying, and any breach of the Code of Good Practice for Clergy;
1.2.3 “Church authority” means the Bishop or a person or body having administrative authority of or in a Church body to license, appoint, authorise, dismiss or suspend a Church worker;
1.2.4 “Church body” includes a parish, school, any body corporate, organization or association that exercises ministry within, or on behalf of, the Church;
1.2.5 “Church worker” means a person who exercises the authority of the Church including: all members of the clergy; and any person holding an office in the diocese or parish including volunteers.
1.2.6 “Committee” means the Professional Standards Committee established by this Protocol;
1.2.7 “Complainant” means a person who makes an allegation of abuse, harassment or inappropriate behaviour involving a church worker under this protocol;
1.2.8 “Director” means the Director of Professional Standards;
1.2.9 “National register” means the national register established under the National Register Canon 2004 of the General Synod of the Anglican Church of Australia;
1.2.10 “Respondent Carer” – means a person engaged by the Director to support the Respondent and be the Respondent’s main contact person in respect of the processes under this protocol.
1.2.11 “Respondent” means the church worker against whom an allegation of abuse, harassment, inappropriate behaviour or omission is made;
1.2.12 “Support Person” – means a qualified professional engaged by the Director to support a person engaged in this protocol, and who, in the case of the Claimant is that person’s main contact person in respect of the processes under this protocol.

2 Role of the Director of Professional Standards

There shall be a paid Director of Professional Standards, whose responsibility will be to implement all actions under this protocol. The Director will be appointed by the Registrar with the consent of Bishop-in-Council for a minimum negotiated specified term. The Director will be a full member but not the Chair of the Committee.

Each individual is encouraged and expected to refer any matters of concern to their appropriate church officer. In matters subject to this protocol, they should directly contact the Director. It is expected that individuals in leadership roles will promptly contact the Director to advise of matters of concern relevant to this protocol.

2.1 The Director must:
   2.1.1 be independent of the Church administration and structures,
   2.1.2 have qualifications or experience in legal practice or procedure, or in counselling or an associated area; and
   2.1.3 not be a member of the clergy or married to a member of the clergy.

2.2 The Director assists the Diocese in:
   2.2.1 Providing a central focus in matters involving personal ethics and behaviour including advice about appropriate standards and enforcement;
   2.2.2 Managing and implementing this Protocol;
   2.2.3 Assisting in the screening process for church workers;
   2.2.4 Providing input into education and vocational training programs for members of the
diocese, including those involved in managing or providing pastoral care and other community services; and

2.2.5 Providing confidential advice to all those who seek to appoint clergy or church workers to positions within the Church. Applicants will be expected to provide their appointer or employer with authority to obtain that advice.

2A Role of Deputy Director of Professional Standards

2A.1 There shall be a Deputy Director of Professional Standards who will perform the functions of the Director when the Director is unavailable or has stood aside in relation to a particular matter. The deputy director shall be appointed by the Registrar with the consent of Bishop-in-Council. In addition to or instead of the appointment of a deputy director, a Director of Professional Standards of another Diocese may be appointed to perform the functions of director in relation to a specific matter.

3 The Role and Composition of the Professional Standards Committee

3.1 There shall be a Professional Standards Committee comprising not less than 4 and up to eight people, being the Director and up to seven other individuals. Its role will be to review and monitor the work of the Director and provide advice to the Bishop on matters referred to it by the Director. The Chair of the Professional Standards Committee will be appointed by the Registrar and will not be a clergy person, or the Director.

3.2 The Committee shall be constituted to collectively provide experience in Law and experience and appropriate professional qualifications in child protection, social work, ethics or counselling. No more than one member of the Professional Standards Committee will be a member of the clergy.

3.3 The Committee shall include at least one person who is not a member of this Church and so far, as it is reasonably practicable, it shall have an equal number of men and women.

3.4 The members of the Committee shall be appointed by and shall hold office on such terms and conditions as may be determined by the Registrar after discussions with the Director.

3.5 The Registrar may attend the meetings of the Committee but will not vote.

3A The Role of the Safe Ministry Administrative Committee

3A.1 There shall be a Safe Ministry Administrative Committee of 4 to 6 people appointed by Bishop-in-Council and shall include the Director of Professional Standards and the Registrar. Its role is to co-ordinate in a proactive way the preventative dimensions and activities of Safe Ministry within the Diocese and to make recommendations on training and safe ministry accreditation requirements for clergy and other church workers engaged in liturgical and pastoral ministry.

3A.2 The committee reports to Bishop-in-Council annually.

4 Commencing the Process

4.1 The Director will be the first point of formal contact for disclosures of abuse by clergy or church workers. All complaints and disclosures of abuse by church workers must be immediately referred to the Director.

4.2 When the disclosure of a complaint or abuse occurs, the matter remains confidential until and unless the Director has obtained informed consent from the Complainant/Complainant’s Support Person to provide information to other participants in the process, or the report has been found to be valid.

The Director shall assess the complaint as to whether abuse as defined in this protocol has occurred and whether the Respondent is a person defined as a church worker under this Protocol.

If the Director is of opinion that the complaint does not fall within the provisions of this Protocol, or that the behaviour or subject matter of the complaint does not represent a
serious breach of the Code of Good Practice for Clergy, or can properly be dealt with by other means, the Director shall advise the Complainant accordingly.

4.3 If the Director considers that the complaint is of such a serious nature that the Complainant or others are in need of immediate protection or there appears to be a likelihood of a continuation of the alleged behaviour, or that there is other good reason, the Director immediately shall notify other relevant authorities as appropriate and in accordance with the law, e.g. police or child protection authorities and co-operate fully with them. Where possible a formal protocol for co-operation will be sought from these authorities.

4.4 Upon advice from the Director the appropriate Church authority may require the Respondent to stand down from any office held by the Respondent.

4.5 The Director may take independent professional advice as s/he considers necessary when assessing/investigating a complaint. Such professional advisors shall not be associated with the Professional Standards Committee.

5 Support Persons

5.1 The Director will engage suitably qualified professionals (“Support Persons”) to provide assistance to Complainants, Respondents, church workers, informants, and victims involved in disclosures of abuse by church workers. Support Persons may also provide informal advice to the Director from time to time as requested.

5.2 Support Persons will act in their individual capacity in their work for the Diocese. Their duty is to the person, for whom they are providing services, and they are required to always act in that person’s best interests even when there is a difference between that interest and their own personal interests or those of the Diocese or other parties involved in the matter.

5.3 Support Persons will be independent of Diocesan organisations, structures, and office holders and not have any other role under the Protocol in respect of the current matter.

5.4 The Complainant’s Support Person will assist the Complainant by providing counselling, explaining the process, and clarifying what outcomes are possible and what the Complainant may seek from disclosure. They may also assist the Complainant where this is requested, to document their complaint. The Support Person will also provide acknowledgement to the Director of the Complainant’s informed consent to the process.

5.5 Support Persons’ services are available to all parties involved in this process. A Support Person may not provide services to, or receive information from, a Complainant and Respondent in the same matter.

6 The Complaint

6.1 When a complaint or disclosure of abuse is reported or referred to the Director, the Director will contact the Complainant and seek to obtain preliminary information about their story. The Director will advise the Complainant that the Director is required to keep a record of the name of the Respondent if that is provided. The Director will also advise the Complainant that the matter is to be referred to the police if it is alleged that child abuse is currently occurring or any other serious criminal offence is disclosed.

6.2 The Director will explain the processes available through this Protocol and obtain informed consent to proceed on the basis of these procedures. The Director will also explain the voluntary nature of the Protocol as far as the Complainant is concerned and advise the Complainant of alternative avenues of formal and informal redress that are open to them e.g. make a report to police, or complain to the Equal Opportunity Commission.

6.3 With permission of the Complainant, the Director may refer the Complainant to counselling or other services as appropriate from a Support Person, irrespective of whether a formal complaint is subsequently provided. This Support Person will usually be the main contact person for the Complainant throughout the process. They will listen fully, honestly and compassionately to the
person making the complaint or disclosure, both concerning the facts of the situation and its emotional psychological and spiritual effects. They may assist the Complainant in deciding whether to make a formal complaint to the Director and whether there are other measures that can be provided by the Respondent or the Diocese to meet the needs of the Complainant.

6.4 As part of this process, the Director may receive a written and signed formal complaint or written notes of the details of the complaint confirmed by the Complainant’s signature. The Director will assess whether the written complaint is abuse and whether the Respondent may be defined as a church worker under this Protocol.

6.5 If the complaint does not concern a matter which is dealt with by this Protocol or the behaviour does not represent a serious breach of pastoral ethics and can be properly dealt with by correction or an informal personal apology, the Director, or Support Person, will advise the Complainant of this and of other means to address the issue.

6.6 If the Director assesses that mediation is likely to resolve the issues raised by the Complainant, the Director will seek consent to mediate or refer the matter to a mediator.

6.7 In cases arising from a report made by someone other than the direct victim of the abuse complained about, the Director must advise the relevant officer of the diocese as soon as it has been determined that the matter should be investigated, and the process shall be commenced as outlined in this document. The protocol will be followed until the matter is finally determined.

6.8 No person should have any contact with a Complainant in the course of a resolution of a complaint except through or on the advice of the Director.

6.9 Nothing should be done or said that the Complainant or others could reasonably interpret as questioning their capacity to make the complaint, denying them their right to determine whether or not to speak publicly about their complaint or the Church’s response to it, questioning their right to pursue alternative therapy or redress, or questioning or qualifying their ability to continue their active participation in the life of the Church.

6.10 The Director will determine if, when, and to whom in the diocese, the existence of a matter is made known.

7 The Respondent

7.1 When a formal complaint has been made and accepted as valid under the Protocol, and after obtaining informed consent from the Complainant, the Director (or delegate) will contact the Respondent. This will occur within one week of receipt of the formal complaint or informed consent, whichever is the later.

7.2 The Director (or delegate) will provide the Respondent with a copy of the complaint and inform the Respondent of their right to obtain independent legal or other professional advice, at their cost, before responding to the complaint. The Respondent will be offered the services of a Support Person to provide professional counselling. If the Support Person is engaged by the Director, reasonable costs for the service will be borne by the Diocese.

7.3 The Director will contact a relevant Church Worker to select an appropriate Respondent Carer. The person selected will become the Respondent’s Carer in respect of the matter before the Director and will liaise with the Director. The Respondent will be advised that a Respondent Carer has been engaged on their behalf, that the Respondent Carer will be provided with a copy of the complaint, and that the Respondent Carer will become the main contact person for the Respondent throughout the process.

7.4 The Respondent Carer will contact the Respondent within 24 hours of accepting the role. They will follow up on the initial advice provided regarding the availability of professional counselling support and if the Respondent seeks a Support Person, contact the Director to provide a referral. The Respondent Carer 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, through the Respondent Carer, within 3 weeks of the Respondent being provided with a
written copy of the complaint. They will offer pastoral support and liaise with the Director as required.

7.5 In the event that the Respondent chooses not to actively participate in the process, an unresolved matter will be maintained by the Director on a register and taken into account when the Director is next required to provide a clearance to any licensing or employing authority, whether for paid or voluntary work. The matter will also be reported in the National Register when this is commenced.

7.6 If both parties have given their consent and, in the opinion of the Director and the Respondent Carer this is an appropriate way to proceed, the Director will arrange a face-to-face or written apology or mediation between the parties.

7.7 In consultation with the Director, the Respondent Carer should also consider whether there should be a recommendation that the Respondent be stood down until the process is complete.

7.8 The Respondent Carer will be in regular contact with the Respondent, and if appropriate with the Support Person assisting them, to inform them of how the matter is proceeding and of any actions that will involve or affect the Respondent.

7.9 The Respondent Carer must keep all information associated with the matter strictly confidential.

7.10 Throughout this process nothing should be done or said such that the Complainant or others could reasonably interpret as questioning their capacity to make the complaint, denying them their right to determine whether or not to speak publicly about their complaint or the Church’s response to it, questioning their right to pursue alternative therapy or redress, or questioning or qualifying their ability to continue their active participation in the life of the Church.

8 The Investigation

8.1 Where there is significant difference between the facts reported by the Complainant and the Respondent or where the report is made by someone other than the person directly affected by the abuse complained about and the matter appears to justify investigation, the Director may investigate the matter or appoint another person to do so. During the course of any investigation the Respondent and Complainant will be provided with ongoing care and support.

8.2 If the subject matter is under investigation by some other competent body or is the subject of legal proceedings, the investigation in the terms of this protocol will be discontinued until these other proceedings are concluded.

8.3 The role of the investigator, who is appointed by the Director and is a person skilled and experienced in investigation, is to gather information about complaints and allegations and to make a report to the Director.

8.4 The Complainant and the Respondent will be afforded an opportunity to be interviewed by the investigator.

8.5 All investigation reports remain the property of and confidential to the Director. Parties shall be advised of this prior to being interviewed by the investigator.

9 Outcomes

9.1 When the Director receives a report from the Investigator s/he will form a view as to whether:

9.1.1 no further action will be taken, in which case all parties will be advised;

9.1.2 the matter should be referred to the Committee for consideration;

9.1.3 s/he will make a recommendation to the Bishop;

9.1.4 s/he will make a recommendation to another appropriate body; or

9.1.5 another appropriate action should be taken.

9.2 Where the Director has formed a view that a recommendation is to be made to the Bishop, where penalties or discipline in relation to a Respondent are in consideration, the Professional Standards Committee will review the matter, prior to the recommendation being provided to the Bishop unless the provisions of clauses 4.3 and 4.4 apply.
9.3 Where a matter is referred to the Committee, the Committee may, amongst other recommendations:

9.3.1 seek further information from the Director;
9.3.2 recommend what action, if any, should be taken in regard to the Respondent;
9.3.3 recommend what action, if any, should be taken in regard to the Complainant/Victim; and
9.3.4 recommend what action, if any, should be taken in regard to supporting the parish and congregation.

9.3.5 In such cases where the Director may disagree with the recommendations of the Committee, s/he will present the Committee’s recommendations of the Bishop and may make note of how and why his/her recommendation differs from that of the Committee.

9.4 Where a recommendation is made to the Bishop by the Director and/or the Committee, this may include a recommendation about appropriate action to be taken in respect of the Respondent. The Bishop may:

9.4.1 exercise his discretion in relation to implementing any penalties or discipline or in taking any other actions recommended by the Director and/or the Committee;
9.4.2 bring a charge before the Diocesan Tribunal; or
9.4.3 where requested by appropriate bodies, refer the matter to a Board of Reference constituted under the Appointments Act 1994.

9.5 The Bishop should not have any contact with a Respondent or Complainant in relation to a formal complaint except through the Director until he determines his response to the advice of Director and/or the Committee.

10 Pastoral Response
The Director will ensure that where appropriate a pastoral response is developed for the care of any church community or congregation affected by the matter.

11 Completion of the Process
11.1 As appropriate the Director will liaise with those involved in this Protocol at the completion of the case and will seek feedback about the process and may discuss possible improvements.
11.2 Proposals regarding any changes within the structures of the Church which may assist to prevent further occasions of abuse will be considered.
11.3 Any recommendations resulting from this activity will be provided to the Registrar.

12 Records
12.1 The Director will keep a record of all disclosures that come to his/her notice including the names of the Complainant and the Respondent, the parish or organization where the alleged abuse occurred, the history of the matter and the outcomes.
12.2 Completed files under this protocol will be retained separate from any other files relating to the parties.
12.3 The Director will keep all records under the Protocol confidential and secure.

13 Co-operation with Government Authorities
13.1 If there are reasonable grounds to suspect that a child or children are at current risk of harm the relevant child protection authorities will be notified.
13.1 The Police will be notified where the conduct disclosed is a serious criminal offence.

14 Co-operation with other Dioceses, other Denominations and other Child Related Employers
For employment purposes the Director will co-operate with other Dioceses, church bodies of other denominations and child-related employers and respond appropriately to inquiries.
Flow Chart

Complaint Disclosed

DPS advised – determines validity, considers substance

Complaint not valid under protocol

Complainant advised

DPS involvement ceases

Complaint able to be handled informally

DPS/delegate addresses issues as appropriate to conclusion of matter

Matter required to be passed to another authority, eg. police

Protocol procedures on hold until authority’s involvement ceases

Authority’s Involvement ceases – issues remain

Authority handles to conclusion

Matter raised as a formal complaint by victim or 3rd party. Complainant offered Support Person services

DPS follows through re outcome as it may affect the Respondent’s involvement in the Diocese

Signed written complaint and informed consent received by DPS

DPS/Delegate contacts Respondent, provides copy of Complaint and relevant information

Respondent Carer contacts Respondent

Support Person made available to Respondent

Respondent does not significantly disagree with substance of complaint

DPS/Delegate liaises with all parties and co-ordinates appropriate response

DPS makes a decision to
  * make a recommendation to the Archbishop/Bishop or other appropriate party, or *
  * to take other appropriate action

Matter concluded

Respondent significantly disagrees with substance of complaint

Investigation commenced, Respondent offered opportunity to talk with Investigator, report received by DPS

or

Report conclusions presented to Professional Standards Committee

or

Matter concluded

DPS/PSC makes a decision to
  * make a recommendation to the Archbishop/Bishop or other appropriate party, or
  * to take other appropriate action

* If the recommendation to Archbishop/Bishop involves penalties or discipline, matter to be first reviewed by the Professional Standards Committee unless complaint is of such a serious nature that Director considers immediate action/referral to a relevant authority is required.
STANDARD OPERATING PROCEDURES
Professional Standards

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The Director of Professional Standards
The Director of Professional Standards will:
1. Assist Church bodies to ensure they have in place protection policies to satisfy statutory and
   Diocesan requirements;
2. Assist Church bodies to ensure they screen all workers to satisfy statutory and diocesan
   requirements;
3. Consult and co-operate with Church associated organisations to ensure consistency between
   them and the Diocesan protection policies and procedures;
4. Keep records of employment screening details, including Police Checks;
5. Manage all complaints of abuse by Church workers according to Diocesan protocols;
6. In cases of illegal behaviour, support the Complainant in making a report to police;
7. Keep records of people affected by allegations of abuse;
8. Co-ordinate the pastoral response to complaints or disclosures of abuse in the Diocese;
9. Monitor, conduct and advise in relation to education and other prevention programs aimed at
   preventing abuse;
10. Advise the Registrar about structural changes that would reduce the risk of abuse in the
    Diocese;
11. Answer and respond to the potential professional standards matters raised by calls made to
    the designated phone number.

DPS and Police Checks
1. A church worker holding the Bishop’s licence must obtain a “DPS Clearance” from the Director
   prior to commencing any role or position within the Diocese.
While this role/position remains unaltered, an updated “DPS Clearance” must be obtained for each subsequent three-year period. If there is any alteration to the clergy person’s or church worker’s role or position after a three-month period from the last “DPS Clearance” a new “DPS Clearance” must be obtained before this role/position may be commenced.

In considering the provision of a “DPS Clearance”, the Director will take into account advice obtained from Victoria Police and any other information at his/her disposal.

**Support Persons**

1. Support Persons must demonstrate to the Director that they understand their role and will abide by the protocol procedures.
2. They must exercise strict confidentiality, write clear, informative and factually accurate reports and understand the legal processes and implications.

**For the Complainant**

Complainants must be able to discuss the matter confidentially with the Support Person, find out what options they have under the Protocol and what processes will occur once they provide any information or make a complaint and then have the opportunity to think about it or discuss it further before deciding what to do.

The Support Person must be knowledgeable about the protocol and advise the Complainant of:

1. options available under the Protocol, i.e. conciliation/mediation or investigation and determination;
2. the Complainant’s rights to take external action and other avenues of redress;
3. the rights of the Respondent to be informed and to respond;
4. any action which the Director may take of his/her own initiative e.g. Investigation;
5. the responsibility of the Director to report alleged serious criminal conduct to the police and where it is alleged that child abuse is currently occurring, to report this to Child Protection Authorities (subject to relevant State laws).

**For the Respondent**

1. A Support Person engaged on behalf of the Respondent will provide immediate initial assessment, advice and counselling. This may include addressing the Respondent’s on-going professional and pastoral needs, admissions and mitigating issues.
2. The Support Person may also assist the Respondent to prepare his/her response to the Director.
3. With the Respondent’s authority appropriate issues may be discussed with the Respondent’s Carer.
4. Where appropriate, issues relating to the possibility of a face-to-face or written apology or mediation will be addressed.
**Respondent Carer**

A Respondent Carer MUST disclose to the Director any reason by which it may be perceived that they have a conflict of interest in regard to the matter made known to them. In such cases the Director will provide an alternative Respondent Carer.

The following examples illustrate some of the circumstances where a conflict of interest would exist:

1. A belief that there may be personal or professional prejudices in respect of the substance of the allegation,
2. A prior relationship with any person involved in the matter, or
3. Previous involvement in the matter.

Where it is determined that a conflict of interest does exist the initial Respondent Carer must have nothing more to do with the matter and must keep confidential any information which they have been privy to in their preliminary involvement, including the fact that they have been involved.

**The Investigator**

The investigator must:

1. Carry out the investigation promptly;
2. Interview and obtain a written and signed statement from the Complainant or victim unless the investigator considers that any statement already obtained under the Protocol is sufficient;
3. Interview and obtain a written statement or record from relevant witnesses;
4. Advise each witness that the statement is to be used for the purposes of the Protocol;
5. Liaise with the Respondent Carer;
6. Notify the Respondent of the complaint or allegations at an appropriate time if they have not already been notified, offer them an opportunity to be interviewed on the matter, and invite them to provide a response and any material relevant to the complaint or allegation;
7. Make a written, or with the consent of the Respondent, a taped record of all interviews with the Respondent and provide the Respondent with a copy of any such record;
8. Allow each person interviewed to have another person present who is not likely to be a witness to the complaint or allegations;
9. Inform the Director of any matter or circumstance which causes the investigator to form the view that the investigation should be terminated; and
10. Provide to the Director a written report setting out the results of the investigation together with copies of all statements, records of interviews and any other relevant material.

**The Committee**

Where a matter is referred to the Committee by the Director, the Committee will:

1. not be permitted to meet with, or to consider information directly presented by, any parties involved in the formal complaint;
2. not be bound by the rules of evidence;
3. make whatever inquiry is considered appropriate;
4. be assisted by the Director;
5. be satisfied that procedural fairness has been provided to the Respondent;
6. be satisfied that all available information has been considered;
7. determine whether they are reasonably satisfied that the disclosed conduct has occurred;
8. determine to what extent, if any, the conduct affects the Respondent’s fitness to hold office; and
9. recommend what action, if any, should be taken in regard to the Respondent, the Complainant/Victim and the parish or other community.
The proceedings and deliberations of the Committee are to be kept confidential.
The Committee may meet from time to time as determined by the Director or a majority of its members and may conduct its business by telephone or electronic communication.

1 The procedures of the Committee shall be as determined by the Committee.
2 A majority of the members shall constitute a quorum.
3 A decision taken other than at a meeting of the Committee, if supported by a majority of members of the Committee, constitutes a decision of the Committee.
4 The Committee shall act in all things as expeditiously as possible.
5 An act or proceeding of the Committee is not invalid by reason only of a vacancy in its membership and, notwithstanding the subsequent discovery of a defect in the nomination or appointment of a member, any such act or proceeding is as valid and effectual as if the member had been duly nominated or appointed.
6 Subject to the provisions of this Protocol, a member of the Committee, or any person employed or engaged on work related to the affairs of the Committee must not divulge information that comes to his or her knowledge by virtue of that office or position except:
   6.1 in the course of carrying out the duties of that office or position; and
   6.2 as may be authorised by or under this Protocol, or as required by Law.

Range of Outcomes
At any stage in the process a range of actions are possible. These include but are not restricted to, one or more of the following:

1 dismissal of the complaint;
2 mediation;
3 an apology;
4 agreed forms of subsequent behaviour;
5 counselling of either or both of the parties;
6 a recommendation to the Bishop in regard to appropriate actions
7 suspension of or leave by the Respondent without loss of entitlements;
8 suspension of or leave by the Respondent with loss of entitlements;
9 transfer or dismissal of the Respondent;
10 withdrawal of licence;
11 a conditional licence;
12 referral of the complaint to an appropriate civil authority;
13 postponement of further action pending the resolution of any criminal charges; or
14 referral of the complaint to a Board of Reference.

15 Pastoral Response
The pastoral response will address, but is not limited to:

1 issues of confidentiality, as related to natural justice;
2 consultation with the clergy in any congregation which may be affected by the complaint;
3 issues of safety for the Complainant, Respondent, and members of the congregation;
4 education required relating to the matter within the congregation;
5 strategy for pastoral care, healing, counselling within the congregation;
strategy for pastoral care of the individuals affected, i.e. Complainant, Respondent, their family members and friends;

debriefing if a number of people involved;

consultation where appropriate (including the vestry for any congregation in which the Respondent and Complainant are members or adherents);

management and care of the congregation or other community that may be affected;

overall management strategy;

provision of professional, pastoral and spiritual support for subsequent clergy in their role of healing the parish; and

where appropriate, the appointment of a local member of the congregation or other member of the community to implement the strategy.

The Director will monitor and facilitate implementation of the pastoral response.

**Funding**
The Diocese will provide sufficient funds to enable the Protocol to operate.
APPLICANT’S SCREENING QUESTIONNAIRE
FOR VOLUNTARY CHURCH WORKERS

Please tick either “yes” or “no” for each question. If the answer to any of the following questions is “yes”, please give details. A yes answer will not automatically rule an applicant out of selection.

1. Do you have any health problem(s), which may affect your work with children or young people?
   Yes ☐ No ☐

2. Have you ever been convicted of a criminal offence?
   Yes ☐ No ☐

3. Have you ever been charged with a criminal offence?
   Yes ☐ No ☐

4. Have you ever had permission to undertake paid or voluntary work with children refused, suspended or withdrawn in Australia or any other country?
   Yes ☐ No ☐

5. Has your driver’s licence ever been revoked or suspended?
   Yes ☐ No ☐

6. Have you ever had an apprehended violence order, order for protection or the like issued against you as a result of allegations of violence, abuse, likely harm, harassment, stalking, etc.?
   Yes ☐ No ☐

7. Has a child or dependent young person in your care (as a parent or in any other capacity) ever been removed from your care, or been the subject of a risk assessment by the authorities?
   Yes ☐ No ☐

8. Have you done anything in the past or present that may result in allegations being made against you of child abuse?
   Yes ☐ No ☐

Child abuse means:
- bullying;
- emotional abuse;
- harassment;
- neglect;
- physical abuse; or
- sexual abuse.
APPLICANT’S SCREENING QUESTIONNAIRE FOR ORDINATION CANDIDATES, CLERGY AND PAID CHURCH WORKERS

Please tick either “yes” or “no” for each question.

If the answer to any of the following questions is “yes”, please indicate the question number and provide relevant information regarding your response. Please also indicate the current status of the issue(s) if any.

A yes answer will not automatically rule an applicant out of selection.

Throughout this document charged* or charges* indicates charges made in a court, disciplinary tribunal or other disciplinary process in Australia or in any other country.

1. Have you ever, since the age of eighteen, been known by any name other than the one given above?
   Yes  No

2. Do you have any health problem(s), which may affect your work with children or young persons?
   Yes  No

3a. Has disciplinary action of any sort ever been taken against you by a licensing board, professional or community association, employer, educational institution, Church or any other body?
   Yes  No

3b. Have there been charges* against you to the above named bodies that did not result in discipline?
   Yes  No

3c. Are there charges* pending against you before any of the above-named bodies?
   Yes  No

4. Have you ever been convicted of a criminal offence?
   Yes  No

5. Have you ever been charged* with a criminal offence?
   Yes  No

6. Have you ever been asked to resign or been terminated by a training program, employer or Church body?
   Yes  No
7. Have you ever had permission to undertake paid or voluntary work with children refused, suspended or withdrawn in Australia or any other country?

   Yes  No

8a. Have you ever had a civil suit brought against you arising out of alleged professional misconduct, or is any such pending?

   Yes  No

8b. Have you ever had professional indemnity insurance declined, suspended or revoked for any reason?

   Yes  No

9. Have you ever been charged* with having engaged in sexual conduct or attempted sexual conduct with a person with whom you had a pastoral or professional relationship (e.g. a parishioner, a client, a patient, an employee, a student, a subordinate)?

   Yes  No

   Sexual conduct includes sexually motivated touch and conversation through to sexual intercourse of any kind.

10. Have you ever been charged* with having engaged in sexual conduct with persons under the legal age of consent?

    Yes  No

11. Have you ever been charged* with the production, sale or distribution of, or illegal access to pornographic materials?

    Yes  No

12. Have you ever been charged* with an offence related to sexual misconduct?

    Yes  No

    Sexual misconduct includes:
    • abuse of power or role for sexual purposes
    • sexual conduct with a person under the age of consent or an adult incompetent to give consent
    • sexual assault (e.g., rape)
    • soliciting for sexual purposes
    • an offence related to pornography or public indecency (e.g., indecent exposure)

13. Have you ever been charged* with an offence related to sexual harassment?

    Yes  No
Sexual harassment includes:
- sexual advances
- requests for sexual favours
- sexually motivated physical contact
- verbal or physical domination of a sexual nature?

14. Have you ever been charged* with verbal or physical harassment?
   Yes  No

15. Do you have a history of alcohol abuse?
   Yes  No

16. Do you have a history of substance abuse including prescription, over-the-counter, recreational or illegal drugs?
   Yes  No

17. Do you have a history of problem gambling?
   Yes  No

18. Have you ever been charged* with any offence related to cruelty to animals?
   Yes  No

19. Have you ever been charged* with a traffic offence which required you to attend court?
   Yes  No

20. Has your driver’s licence ever been revoked or suspended?
   Yes  No

21. Have you ever had an apprehended violence order, order for protection or the like issued against you as a result of allegations of violence, abuse, likely harm, harassment, stalking, etc.?
   Yes  No

22. Have you ever had a licence to own firearms refused or revoked?
   Yes  No

23. Has a child or dependent young person in your care (as a parent or in any other capacity) ever been removed from your care, or been the subject of a risk assessment by the authorities?
   Yes  No

24. Have you ever been charged* with misappropriating funds, or otherwise breaching fiduciary
duties in any capacity?  

Yes  
No  

25. Have you ever been charged* with an offence under the taxation laws?  

Yes  
No  

26. Have you ever had an order made against you or entered into a composition with creditors or an assignment for the benefit of creditors under the Bankruptcy Act or have you ever had an order made against you under any Act regulating corporations?  

Yes  
No  

27. Have you done anything in the past or present that may result in allegations being made against you of child abuse?  

Yes  
No  

Child abuse means:  
- bullying;  
- emotional abuse;  
- harassment;  
- neglect;  
- physical abuse; or  
- sexual abuse.