Statement

Name: Glenn Naunton Davies
Address: [REDACTED] Sydney NSW
Occupation: Archbishop of Sydney
Date: 3 February 2017

BACKGROUND

1. This statement accurately sets out the evidence that I am prepared to give to the Royal Commission into Institutional Responses to Child Sexual Abuse. The statement is true and correct to the best of my knowledge and belief.

2. I have made three earlier statements to the Royal Commission. The first, dated 18 January 2016, concerned the development of professional standards within the Diocese of Sydney, Anglican Church of Australia. I shall refer to that statement as ‘my earlier professional standards statement’. The second, also dated 18 January 2016, concerned specific matters arising from allegations of child sexual abuse made against Simon Jacobs. The third statement, dated 20 December 2016, was an update to my earlier professional standards statement.

3. My two statements, dated 18 January 2016 ([STAT.0819.002.0001_R] and [STAT.0843.001.0001_R] respectively) were tendered during the Royal Commission’s Case Study 36 into the Church of England Boys’ Society (‘CEBS’), which was held in Hobart in January/February 2016. My third statement has been provided to the Royal Commission for the purposes of Case Study 52 but has not yet been tendered.

4. This statement, together with my third statement, updates information provided in my earlier professional standards statement.

5. There are two sources for the information contained in my statement. The first is my own personal knowledge, based on my experience. The second is information that has been obtained on my behalf, including from staff in the Sydney Diocesan Secretariat and the Professional Standards Unit of the Diocese, which I believe to be true.
THE PUBLIC HEARING INTO CEBS AND SUBSEQUENT STEPS

6. I want to acknowledge the survivors of abuse in the Diocese of Sydney and their families, particularly those whose stories were told during the Royal Commission’s Case Study 36 into CEBS.

7. I attended the first day of the CEBS hearing on 27 January 2016, and was present when Counsel Assisting opened the Case Study, including when the stories of BYC and his mother BYD, and of Mr Wayne Guthrie and his mother Mrs Marion Fortescue, were told. At the time of this hearing Wayne was identified as BYJ and Mrs Fortescue as BYX. However, on 9 December 2016, Mrs Fortescue made an application to the Royal Commission to vary the non-publication directions that were previously in place so that Wayne and Mrs Fortescue could be named in connection with the Royal Commission. This application was granted by the Royal Commission on 13 December 2016.

8. BYC and Wayne were both abused by Simon Jacobs in the Diocese of Sydney, as were other children. After I returned to Sydney, I watched the evidence that BYC and BYD gave and listened carefully to their stories, as well as reading Wayne Guthrie’s statement to the police that was tendered during the Case Study (identified by the number [NSW.2062.001.0956_R]). It was an honour to hear and read their stories, and I was and continue to be deeply grieved at the betrayal of trust by those who were in positions of power and authority, and who should have provided a safe environment for the boys in their care. I also acknowledge and am deeply saddened by the anguish and pain that the abuse caused and that it continues to cause the survivors and their families.

9. Wayne died prematurely in December 2015, only weeks before the start of the CEBS hearing. I was saddened by his death, and for the profound grief it caused his mother. I acknowledge that Mrs Fortescue’s grief is not just due to Wayne’s passing, but also due to the pain he experienced during his life following the abuse. Regrettably, due to Wayne’s premature death weeks before the public hearing, Mrs Fortescue did not have the opportunity to speak on behalf of her son or on her own behalf at the hearing.

10. I therefore want to acknowledge Wayne’s story. Simon Jacobs was one of Wayne’s CEBS leaders at the St Ives Branch of CEBS in Sydney. He abused Wayne many times between 1979 and 1981 at CEBS camps, during Friday night CEBS meetings at the church, at Jacob’s house
and at Wayne’s house. Wayne’s statement to the New South Wales Police Force was tendered at the CEBS hearing and it describes the abuse he suffered in detail. Wayne was only ten years old when the abuse started.

11. The pain, shame and humiliation that Wayne suffered because of the abuse affected him in profound ways. His physical, mental and spiritual health suffered dramatically. Wayne died on 30 December 2015, when he was only 47 years old.

12. Mrs Fortescue and I have met on several occasions since the CEBS hearing. One of the things we have discussed is how the Diocese could honour Wayne and acknowledge his premature death, as well as improving the way the Diocese deals with the families of survivors of sexual abuse who pass away prematurely. Both Wayne and Mrs Fortescue have helped us to realise that as a Diocese we can and should do better.

13. In consultation with Mrs Fortescue, the Diocese is now developing a protocol to improve our response to the family members of those who die prematurely after having been sexually abused in the church. Mrs Fortescue has agreed to the protocol being called ‘The Wayne Guthrie Protocol’, in Wayne’s honour.

14. As at the date of my statement, ‘The Wayne Guthrie Protocol’ is still being developed. However, the aim of the protocol will be threefold:

   (a) To provide guidelines for the support of grieving families that include trauma-informed approaches, and that acknowledge the severe trauma experienced by anyone who has lost a family member due in part to childhood sexual assault;

   (b) To encourage practices that promote the physical, emotional, psychological and spiritual safety of survivors’ families; and

   (c) To provide guidelines for the offer of grief counselling by experienced grief counsellors, pastoral care by the Professional Standards Unit Chaplain, and parish support by local clergy, where appropriate.

15. In August 2016, the Diocese of Sydney made submissions to the State Parole Authority opposing Jacob’s application for parole. However, despite our submissions, he was released from prison in September 2016. After the decision was made to release Jacobs, I wrote to the Minister for Corrections, the Hon. David Elliott MP, requesting that the decision to release
Jacobs be reconsidered. A true copy of my letter dated 13 September 2016 is annexed and marked with the letter 'A'. Although the decision was not changed, I met with the Minister for Corrections on 14 November 2016 to discuss my concerns about Jacobs' release from prison on parole. I conveyed my concerns to the Minister about the courts’ apparent leniency in sentencing child sex abusers and the grant of early parole for such offenders.

16. Since the CEBS hearing, a Prohibition Order has been made against Jacobs under the Diocesan Discipline Ordinance 2006. As set out in my earlier professional standards statement at paragraph 277, a prohibition order is the strongest sanction available under the Discipline Ordinance for a lay person. The effect of such an order is that Jacobs is prevented from engaging in ministry or being appointed to any role in the church. The process started by serving a complaint from the Director of Professional Standards on Jacobs (who did not acknowledge the letter nor respond to it in any way). The complaint was then considered by an adjudicator, who recommended that a prohibition order be made. The order was made under the authority of the Archbishop. The process, which began on 24 May 2016 and finished on 3 August 2016 when the prohibition order was made, was timed to start and finish before Jacobs’ release from prison. The prohibition order was in place before Jacobs’ release in September 2016.

17. A true copy of the Prohibition Order dated 3 August 2016 is annexed and marked with the letter 'B'. The terms of the Order are that:

Mr Simon Antony Jacobs is indefinitely prohibited from holding any office or position within the Diocese [of Sydney] or with any church body or church authority, whether employed or voluntary, paid or unpaid or as a contractor performing services.

18. All Rectors, Regional Bishops and Executive Assistants in the Diocese were informed of the details of this Prohibition Order by letter on 10 August 2016 and have been asked to advise the Professional Standards Unit immediately if they have any contact with Jacobs or become aware that he is attending any Anglican Church in the Diocese of Sydney. A photograph of Jacobs was also sent with the letter. A true copy of this letter dated 10 August 2016 is annexed and marked with the letter ‘C’.

19. On 14 September 2016, all Rectors of Anglican parishes in the Blue Mountains were likewise informed of the Prohibition Order against Jacobs. The Diocese of Sydney took this step
because it had recently been informed that Jacobs was living ‘within 1 hour of Bullaburra’ and we needed to warn those parishes in close proximity to Bullaburra about the Prohibition Order. A true copy of the letter dated 14 September 2016 is annexed and marked with the letter ‘D’.

20. On the same day, the Diocese wrote to all Rectors in Hornsby and Ku-ring-gai in Northern Sydney to inform them that Jacobs’ parole conditions prevented him from frequenting or visiting the Hornsby and Ku-ring-gai Local Government Areas until 3 March 2020. The Rectors and Ministers-in-Charge have been told to contact the police immediately if they see or become aware of Jacobs’ entering those areas. A true copy of this letter dated 14 September 2016 is annexed and marked with the letter ‘E’.

21. Since the CESS hearing, the Diocese has continued to engage with BYC and BYD. The Diocese’s Pastoral Care and Assistance Scheme Chaplain and I have met with BYD, BYC’s mother on a number of occasions. One of the things we discussed was how the Diocese could make reparation to BYC in relation to Jacobs’ abuse of him. I am very pleased to inform the Royal Commission that reparation has now been made, and a long-standing injustice has been addressed. Since the agreement on reparation was reached, I have spoken to BYD and, through her, made contact with BYC. They have expressed their appreciation and relief that reparation has been made (and that it has been made in a way that acknowledges and accommodates BYC’s specific needs).

22. For the sake of completeness, I note that at the time of signing this statement, the Royal Commission’s report in relation to the CESS case study has not yet been released. However, when it is released, I shall consider it very carefully as will the Standing Committee of the Diocese of Sydney.

Signed: 
Date: 3rd February 2017
Witness: 
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