

15.2 SAFE MINISTRY WITH PERSONS WHO HAVE BEEN CONVICTED OF A SEXUAL OFFENCE OR ARE THE SUBJECT OF A NEGATIVE FINDING

The Anglican Diocese of Newcastle sees as a central part of the Church's mission "To proclaim the Good News of the Kingdom". As part of that Good News, we believe that Jesus Christ calls into his church all kinds of people – some who are vulnerable and also some whose brokenness has involved them causing sexual harm to others.

We firmly believe that the Church, as a part of God's kingdom, is a place where people should be safe, nurtured, and protected from violence and any kind of harm.

This policy aims to create an environment where children, young people and vulnerable adults can participate with confidence in all church activities. To protect them we are committed to ensuring that persons who have been charged with or convicted of serious sexual misconduct who seek to worship with us will be carefully monitored and managed.

The Diocesan policy follows.



ANGLICAN DIOCESE OF NEWCASTLE

SAFE MINISTRY POLICY

WITH PERSONS WHO HAVE BEEN CONVICTED OF A SEXUAL OFFENCE OR
ARE THE SUBJECT OF A NEGATIVE FINDING

Table of Contents

1.	Policy Statement	2
2.	Purpose	2
3.	Principles	3
4.	Definitions	
5.	Safe Ministry Practices	3
6.	Safety Policy	5
7.	Appendices	7
	Appendix 1 - Sample Worship Agreement	

1. POLICY STATEMENT

The Anglican Diocese of Newcastle sees as a central part of the Church's mission: "To proclaim the Good News of the Kingdom". As part of that Good News, we believe that Jesus Christ calls into his church all kinds of people – some who are vulnerable and also some whose brokenness has involved them causing sexual harm to others.

We firmly believe that the Church, as a part of God's Kingdom, is a place where people should be safe, nurtured, and protected from violence and any kind of harm.

This policy aims to create an environment where children, young people and vulnerable adults can participate with confidence in all church activities. To protect them we are committed to ensuring that persons who have been charged with or convicted of serious sexual misconduct who seek to worship with us will be carefully monitored and managed.

Management will include meeting and making a written agreement with the person who has been charged with or convicted of serious sexual misconduct, to ensure that they are clearly aware of the limitations that will need to be placed on them. These limitations will be to protect them and others from being in situations where trust could be betrayed and abuse re-occur. Management will be a shared task between clergy, a small group of trusted members of the parish and the Director of Professional Standards.

While always remaining vigilant and alert to danger, we seek to be aware of what God is doing to change and renew those who have offended, and what part we are called to play in this.

The Anglican Diocese of Newcastle is committed to the physical, emotional, spiritual welfare and safety of children, young people and vulnerable adults who participate in the activities and programs offered in parishes. Each Parish will:

- Ensure that clergy and church workers are trained in child protection matters and are provided with information that assists with understanding sexuality and sexual deviation as specified in the Safe Ministry Practice Protocols.
- Adopt the identified Safe Ministry Practice Protocols which are to be undertaken by the parish clergy and church workers.
- Respond promptly to each concern raised about the behaviour of its clergy and church workers and report to the Director of Professional Standards.

2. PURPOSE

This Policy is underpinned by the Five Marks of Mission:

- To proclaim the Good News of the Kingdom
- To teach, baptise and nurture new believers
- To respond to human need by loving service
- To seek to transform unjust structures of society, to challenge violence of every kind and to pursue peace and reconciliation

- To strive to safeguard the integrity of creation and sustain and renew the life of the earth

(Bonds of Affection-1984 ACC-6 p49, Mission in a Broken World-1990 ACC-8 p101)

This Policy focuses on the protection of people within a Worshipping Community where a person who has been charged with or convicted of serious sexual misconduct worships. It draws on advice from the Children’s Guardian NSW which includes recognition that “Good child safe policies and practices are the best way to reduce potential environmental risks and keep children safe in these environments. The child safe approach includes education, supervision of both paid and unpaid staff about appropriate acceptable behaviours.” This Policy:

1. Sets out the principles which inform the requirements for such protection.
2. Establishes the Safe Ministry Practices.
3. Provides the details of the Worship Agreement into which the parish and the person who has committed, or has been charged with, a sexual offence are required to enter.

3. PRINCIPLES

God’s forgiveness and grace is recognised and celebrated, and it is affirmed that all people are loved by God and are called into relationship with God and God’s people.

God identified classes of vulnerable people who were to be protected and given special care and treatment in society because of their powerlessness (e.g. Ex 22:21-22, Deuteronomy 10:17-19, Jeremiah 22:2-4, James 1:27).

Those who are abused by another person’s sinful or criminal behaviour must remain in the centre of all our thinking and actions.

The [Parish] has a primary responsibility to provide an environment where children, young people and vulnerable adults, members of the Parish and visitors are safe and protected from harm.

Vigilance is required in providing a safe sanctuary and support for a person who has been charged with or convicted of serious sexual misconduct. A Parish is ultimately concerned with the protection of children, young people and vulnerable adults and this will not be overshadowed or replaced by concern for those who have offended.

4. DEFINITIONS

“Charged with” in the context of this document means the criminal process of charging and any formal administrative process by which a person’s suitability or fitness for a particular office is formally placed before a formally constituted board of review.

“Convicted” in the context of this document means the court process of conviction and any formal administrative process by which an adverse finding against a person’s suitability or fitness for a particular office is made by a formally constituted board of review.

“Serious sexual misconduct” means sexual offences which would result in a person not being granted clearance to work with children in the state of NSW in accordance with the Child Protection (Working with children) Act 2012, and sexual conduct against a person under the age of consent before a Board or Tribunal such as the Professional Standards Board and/or sexual conduct about which the Professional Standards Committee has made an adverse risk assessment.

5. SAFE MINISTRY PRACTICES

1. A notification to a parish Priest could come from one of the following:
 - a. Self-Referral
 - b. Director Professional Standards
 - c. Samaritans Chaplain (Corrections)
 - d. Parole officer

2. Upon receiving notification, the Parish Priest will establish a small team to assist in the pastoral supervision and support of the person who has been charged with or convicted of serious sexual misconduct. This team, known as the Support and Accountability Team, is to ensure that the person who has been charged with or convicted of serious sexual misconduct is:
 - a. protected from those who may oppose them participating in practices of the Christian faith;
 - b. compliant with the restrictions outlined in the Worship Agreement; and
 - c. compliant with parole and reporting conditions while attending Parish / Church activities.

It is important for the Support and Accountability Team try and discern what God is doing in the life of this person and what the role of the parish could be. Membership of the Support and Accountability Team must be approved by the Director of Professional Standards whose determination will be final.

3. The Parish Priest and the Support and Accountability Team will meet with the person who has been charged with or convicted of serious sexual misconduct, and agree to a level of support. The level of support and accountability must be approved by the Director of Professional Standards. This ensures the necessary preparations have been made and that procedures and guidelines are in place to ensure that no person is at risk of abuse. This will vary according to the seriousness of prior or alleged offences, but could include:
 - a. to only attend specified worship services and other authorised activities;
 - b. to sit apart from children, young people and designated adults at specified worship services and other authorised activities;
 - c. to stay away from areas of the parish property where children, young people and designated adults meet;
 - d. to decline offers of hospitality where children, young people and designated adults will be gathered;
 - e. to never be alone with children, young people and designated adults in specified worship services and other authorised activities;

- f. to never work with children, young people and designated adults in authorised activities;
 - g. to not be part of a parish activity that includes children, young people and designated adults;
 - h. to not attend any parish activity or camp where children, young people and designated adults may be present, and which requires participants to stay overnight;
 - i. to not accept nomination for election to any leadership role in the parish;
 - j. to meet regularly with the Support and Accountability Team; and
 - k. if a member of the clergy, to not wear any clerical clothing or accessory and not to use a title used by clergy.
4. The Parish Priest and the Support and Accountability Team participate in ongoing education concerning the supervision and pastoral care of people who have been charged with or convicted of serious sexual misconduct, and agree with the Director of Professional Standards to a level of support.
- Training is to cover:
- a. overview of the criminal justice system in relation to sexual abuse;
 - b. understanding sexuality and sexual deviation;
 - c. sexual abuse from victim, abuser and community perspectives;
 - d. the needs of sexual abusers and their supporters;
 - e. risk factors and relapse prevention strategies;
 - f. group dynamics and the functions of the Support and Accountability Team;
 - and
 - g. self-care of the members of the team.
5. Where a person who has been charged with or convicted of serious sexual misconduct, is participating in parish life the agreement reached with the Parish Priest and the Support and Accountability Team will be recorded in a Worship Agreement which must be approved by the Director of Professional Standards. The Worship Agreement aims to create a safe environment and minimises the risk of re-offending. The Worship Agreement is required to be:
- a. finalised prior to a person who has been charged with or convicted of a serious sexual offence, or the subject of a negative finding by a board or tribunal of sexual misconduct involving a person under the age of consent, attending or continuing to attend the Parish;
 - b. signed by the Parish Priest, the person who has been charged with or convicted of a serious sexual offence, or the subject of a negative finding by a board or tribunal of sexual misconduct involving a person under the age of consent, and the Director of Professional Standards; and
 - c. specific to the person who has been charged with or convicted of a serious sexual offence, or the subject of a negative finding by a board or tribunal of sexual misconduct involving a person under the age of consent.
 - d. It is anticipated that the conditions contained in the Worshipping Agreement will vary according to the seriousness of the offence and the length of time since the offence occurred. There may be rare occasions when the parish priest, with the approval of the Director of Professional Standards, chooses not to appoint a Support and

Accountability Team. In such situations the parish priest will be accepting full responsibility for the supervision of the parishioner during the time of the agreement.

If the Worshipping Agreement is breached, or a child or vulnerable person is considered to be at risk, the Parish Priest must act to ensure the safety of people in the church and notify the Director of Professional Standards immediately.

If sexual abuse has occurred, the Police must be advised.

Where a person who has been charged with or convicted of serious sexual misconduct refuses to enter into the Worship Agreement the Bishop may on the advice of the Director of Professional Standards issue directions to the Parish Priest and Parish Council to ensure the safety of people participating church activities.

Where this policy has come into effect because of an adverse risk assessment by the Professional Standards Committee that risk assessment must be reviewed by the PSC at least annually.

The Diocese of Newcastle recognises the work of the Anglican Diocese of Perth in the formulation of the Policy.

6. SAFETY POLICY

This policy is a safety policy issued in accordance with Part Ten of the Administration of Parishes Ordinance 2010 and is binding on clergy and parish councils.

7. APPENDIX 1 – SAMPLE WORSHIP AGREEMENT

**ANGLICAN DIOCESE OF NEWCASTLE
WORSHIP AGREEMENT**

Between _____ (Parishioner)

and

The Parish of _____

The Parish of _____ recognises and celebrates God's forgiveness and grace and affirms that all people are loved by God.

We are committed to providing members and friends with a true sanctuary for worship, education, fellowship and service.

We are also committed to providing a safe worshipping environment and will, at all times, ensure that the children and vulnerable people of our Parish can attend without concern for their safety.

You have made a decision to live your life based on Christian principles and we welcome you to attend Church Services and all church fellowship events.

To make certain that both you and the Parish of _____ are protected at all times and risk is mitigated, very clear boundaries need to be defined and maintained.

We ask that you will respect the leadership of, and follow reasonable direction given to you by the Priest and your Support and Accountability Team.

Parishioner's Commitment: [Delete those sections that do not apply.]

I acknowledge that I have been convicted of a sexual offence, or the subject of a negative finding by a board or tribunal of sexual misconduct involving a person under the age of consent. As a sign of my genuine desire to follow a Christian life and to ensure that no-one within the Worship Community is put at risk by my behaviour in the future, I make the following commitments:

1. I will adhere to all the conditions of my Parole in respect of association with children.
2. I will continue to demonstrate an attitude of respect to ALL those in attendance.
3. I will respect the leadership of, and follow reasonable direction given to me by, the Parish Priest and my Support and Accountability Team.

4. I will avoid any situation where I am alone, or likely to be alone with children, young people or designated adults.
5. I do not expect to be offered leadership positions within the Parish or hold any office including:
 - a. Leader of a prayer group
 - b. A reader at worship
 - c. Leader of a bible study group
 - d. Leader of a choir or Musical Director
 - e. Leader of Ministry team
 - f. Liturgical Assistant
 - g. Organiser of refreshments/catering
 - h. Coordinator of volunteers at a working bee, etc.
 - i. Church Treasurer
6. I do not expect to hold any office in any position pertaining to children's ministry, including:
 - a. Christian education classes for children and youth,
 - b. Children's gatherings during worship
 - c. Youth Group events
 - d. Children's musical or theatrical productions
 - e. Transporting children and/or youth to and from church outings
 - f. Participating in children's camps.
7. I will not ask for, seek access to, nor remove from the church any materials, files, directories or rosters listing children, young people or designated adults in the church.
8. I will not engage in any physical behaviour that may be deemed inappropriate or offensive (touching, kissing, and hugging).
9. I will not discuss my past offences or details of my criminal charges or convictions with those attending the Parish. If these matters are raised by an attendee, I will refer that person to the Parish Priest.
10. If my circumstances change, or if I have concerns regarding my inclusion into the Parish, I will advise the Director of Professional Standards immediately.

I understand that approval will be sought from me prior to disclosure of any matter pertaining to me to any other persons, not including the Parish Priest, Support and Accountability Team and Director Professional Standards.

By adhering to this Commitment, I can expect _____ Parish to offer me

Pastoral Care, spiritual encouragement and guidance, the opportunity to share in fellowship and worship and to support me by addressing anyone within the Worship Community who may act adversely towards me.

If I breach this Worship Agreement, it will be addressed by the Parish Priest and referred to the Director of Professional Standards for further action.

In the event that I am acquitted of the Sexual Offence Charges, this Worship Agreement will be reviewed and amended accordingly.

I understand that this Worship Agreement will be reviewed every year, however, if my situation changes, I will advise the Director of Professional Standards so that any necessary amendments to this Worship Agreement can be made. I understand that the Director of Professional Standards will discuss these amendments with the Parish Priest. This Worship Agreement shall only apply if, and to the extent that, I remain a member of the Parish of _____.

If I chose to leave this Parish, I understand that the Director of Professional Standards will assist me to integrate into a Parish that is appropriate to my circumstances. I am also aware that the Parish Priest at my new place of worship will be advised of my offence(s).

Signature: _____ Date: _____

Print Name: _____

Signed on behalf of the Parish of _____

Name: _____ (Priest)

Signature: _____ Date: _____

Name: _____ (Director of Professional Standards)

Signature: _____ Date: _____