smr | safe ministry resources

Handbook

2016

HANDBOOK

with Sample Forms for Implementation

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Introduction

This Safe Ministry Handbook (Handbook) provides the theological, theoretical and practical frameworks for understanding the issues of Safe Ministry. It is an in-depth handling of the material covered in the Safe Ministry Manual (Manual).

This Handbook is aimed at ministers, pastors, those coordinating ministry programs, local church Health & Safety Teams, and Safe Church Contact Teams.

The foundations for creating Safe Ministries established in the SMR Manual, i.e. God's love for all people, the gift of boundaries, team ministry and duty of care; transparency, accountability, meeting legal requirements and considering insurance implications underpin this Handbook.

It is important that as we examine the topics of boundaries, conflict, ministry misconduct, and abuse issues in the church, we remember that Christian ministry has a 2000 year tradition of positive, life giving, servant ministry to all the world.

This Handbook then, is not a negative statement on Christian service and ministry. Rather, it aims to assist in preventing the great damage done to this 2000 year tradition when those given positions of trust and power as a Christian leaders misuse power, betraying the trust placed in them.

To achieve this we call all church leaders to acknowledge the significant difference between leading in the church (representing the church) and attending church (being a follower).

This is a handbook for those who lead others in Christ's power, with the knowledge that leading others comes with great responsibility, hope and expectations.

As the Catholic Bishop Geoffrey Robinson says in his book Confronting Power and Sex in the Catholic Church:

> "The time has come for the church to truly reclaim the Spirit of Jesus and defend the rights of the vulnerable, change our practices and where necessary the beliefs that have allowed abuse to occur in the church."
> (Robinson, 2007)

Over the past 20 years the establishment of Professional Standards and Ethics Committees across the Australian church.

These were established initially in response to revelations of historical child sexual abuse within the church.

This was reactive or a response focused approach, i.e. responding once harm had already occurred. Processes were adopted for caring for those harmed, and for holding offenders accountable.

As pictured in the illustration (left), this may be likened to picking people up at the bottom of a cliff once they have fallen off, and taking them to hospital for care.

More recently, over the past 10 years, there has been a focus on preventative policy, procedures, training and codes of conduct. In the illustration these are represented by the fence at the top of the cliff preventing harm. Together, strong prevention and response policy, procedures and implementation strategies might be called a holistic approach.

Establishing and maintaining policy and procedures for Safer Churches is still seen by many as a distraction from real ministry, from gospel ministry, or something done to avoid litigation.

After all, aren't all churches basically safe places? If only this was true.

The church has not always lived up to its calling. Church history is coloured with wonderful acts of love flowing through God's humble servants, but it is also coloured with some of the most shameful acts of abuse imaginable. In Australia some people have sought to abuse innocent victims, be they children, young people or adults, and these 'predators' have seen church communities as places where they can exploit the innocent. "Often this is because, by its very nature, the church has historically been a trusting body and sometimes an 'easy target'" (Gillian Calvert, 2006).

Futher, church leaders have not always acted safely or been proactive in preventing abuse or assisting those harmed when they disclosed their abuse to church authorities. Rather, leaders have attempted to protect the institution of the church. The Royal Commission into Institutional Responses to Child Sexual Abuse has borne witness to current and past abuse and abusive responses within churches and para-church organisations. If you are not convinced, then reading though transcripts of the public hearings of this Royal Commission should lay to rest the assumption that churches are safe places.

The need to establish Safer Churches is also becoming increasingly a legislative requirement. Laws surrounding Work Health and Safety (WHS), child & elder abuse, concealment of crime, reporting to government agencies concerns child well-being and Working With Children Checks all make it important for local churches to have quality policies and procedures for Safe emotional and physical environments. To fulfil legal obligations churches should have in place, recruitment processes, supervision of leaders, codes of conduct and information about services provided, ensuring they act with a duty of care towards all people who engage in their programs or visit their sites.

As Christ's body - the church our motivation for being safe in our churches is more than a risk management exercise or legal responsibility, it a biblical imperative. It is outworking of what James 1:27 calls true religion - caring for the vulnerable (widows and orphans), and an expression of what is required of all people, that is "to seek justice, love mercy and walk humbly before our God" (Micah 6:8).

Jesus cared for the have nots, served the lowly and cried with those who mourned. Jesus' model of ministry crossed the social and expected norms, as he shared table fellowship with sinners and tax collectors, and touched the most vulnerable and outcast people, including the lepers, Samaritan (women), and children. Jesus' ministry was a model based on an intimate relationship with the Father in Heaven. Jesus said in John chapter 5 verse 19, "I say to you, the Son can do nothing of his own accord, but only what he sees the Father doing" (ESV). Jesus' ministry was ministry empowered and flowing out of His relationship with the Father.   In Mark 10:42-44 Jesus gave a directive to his disciples that in their exercise of ministry, not to lord it over others, as the rulers of this world did, but rather to be 'slaves of all.' This is counter cultural - those with positions of power serving, and being slaves to all people.   This is Christian ministry; to serve others, bind up the wounded and preach good news to all i.e. the 'cure of souls', and to do this in God's power.

When 'safety' is core to real ministry, Safer Churches becomes **God-honouring, person valuing, respectful, abuse and harm free.**

Establishing and maintaining safe ministry can often feel like wearing many 'hats', and sometimes the 'hats' we must put on do not even feel like they are compatible. e.g. pastoral -vs- insurance 'hats' (illustration right.) Wearing all our 'hats' i.e. sustaining a commitment to Safe Ministry does require cultural change. It requires an ongoing commitment from the senior church leadership and gentle Holy Spirit gifted administrators working alongside pastors and ministry teams to keep the safety on the agenda.

smr *Holistic Approach*

Pastoral   Legal

Denominational   Insurance
& structural

Ethical   Risk Management

God honouring, person valuing, respectful, abuse and harm free ministry.

The hats model adapted from James Cobble

Sustainable Strategy

We acknowledge that the Manual and Handbook do not create safe ministry.

Safe ministry is first and foremost about God's love for all people, and in response to His love for us, we as his people demonstrating his love and care for each other. Safe Ministry occurs as we act in safe ways towards each other, truly living out Jesus' new commandment to love one another and that by this, all people will know that we are his disciples (John 13:34-35). We also wish to acknowledge the local church is now more than ever is faced with a complex set of legal, insurance and risk management challenges, as well as public scrutiny including through the hearings and findings of the Royal Commission into Institutional Responses to Child Sexual Abuse.

Making a good start by having your leaders trained at a Safe Spaces Workshop, and agreeing to implement a Safe Ministry policy, is only the first step. A Safe Spaces Strategy, which is sustainable, needs to become part of the DNA of church leadership.

Sustaining a strategy will require cultural change, take an ongoing commitment from the senior church leadership, and gentle, Holy Spirit gifted, administrators (a safety team) who can work alongside pastors, ministry coordinators and ministry teams to keep the strategy on the agenda.

Practically, this Strategy includes the implementation of policies and procedures in the areas of due diligence and duty of care, as well as providing just and fair response processes for responding to grievances and/or allegations of ministry misconduct and/or abuse.

The Strategy involves involvement from both the denomination and local church.

At the local church level the strategy should include:

1) Policy & Procedures
- Safe Church Policy (see Chapter 8 of this Handbook)
- Procedures adoption (as stated in the Manual, implementation help Chapter 8 of this Handbook).

2) Staff for resourcing the strategy
- Appoint a Safe Church Concerns Team (from senior leadership) to whom complaints/concerns of a Safe Church nature can be made, and who can coordinate pastoral care for all parties impacted.
- Appoint a Work Health & Safety (WHS) Team to oversee implementation of policy and procedures including; recruitment, approval for ministry, health & safety issues.

3) Safe Ministry education processes
- Awareness and refresher education programs for all leaders and pastors, i.e. Safe Ministry workshops.
- Additional training aimed specifically at team leaders, ministry coordinators and pastors.

4) Annual approval for ministry process
- This process helps ensure that safe people establish and maintain safe programs.
- It is recommended that ministry coordinators are resourced with administration support for the implementation of the approval for ministry process.

5) Implementation of response strategies:

- Concerns of abuse should be reported according to state legislation and via transparent church processes.

These processes are pictured (right), including workplace grievance and response to complaints.

- Physical injuries and other incidents should be reported to the WHS Team and where serious incidents occur a report made to your insurer

- Local congregations should seek denominational assistance in handling church conflict and/or complaints against senior church leaders (see chapter 8 for process documents).

Safe Ministry Resources provides services and has a network of consultants across Australia for assisting local churches (independent churches) respond the Safe Ministry Concerns.

Contact Safe Ministry Resources (SMR)
Abuse and Safe Ministry concerns Helpline (freecall) 1800 070 511
Email: info@smr.org.au
Mail: PO Box 1012 Riverwood NSW 2210
Web: www.smr.org.au

Acknowledgements

Definitions for the purpose of this Handbook

abuse: all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in harm to health, survival, development or dignity, often in the context of a relationship of responsibility, trust or power. It is the robbing of one's personhood (Faithfulness in Service (FIS)- an Anglican National Code of Conduct - 2011).

certificated person: person provided with the recognition of the denomination to minister i.e. hold as certificate.

approval for ministry: a written process of accountability where church boards approve all advertised ministry events and programs.

assessor (investigator): suitably qualified investigator of allegations of abuse against church employees for WHS, safe ministry and/or insurance purposes.

bullying: repeated behaviour directed to a person or persons which a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten the person or persons, and which creates a risk to their health and safety. Where it involves the use of information and communication technologies, it is often called cyberbullying.
It can include:
  • making derogatory, demeaning or belittling comments or jokes about someone's appearance, lifestyle, background, or capability;
  • communicating in an abusive manner;
  • spreading rumours or innuendo about someone or undermining in other ways their performance or reputation;
  • dismissing or minimising someone's legitimate concerns or needs;
  • ignoring, or excluding someone from information or activities;
  • touching someone threateningly or inappropriately;
  • invading someone's personal space or interfering with their personal property;
  • teasing, or making someone the brunt of pranks or practical jokes;
  • displaying or distributing written or visual material that degrades or offends.
Behaviour which is not bullying includes:
  • respectfully disagreeing with or criticising someone's beliefs or opinions;
  • setting reasonable performance goals, standards or deadlines;
  • giving reasonable directives, feedback or assessments of performance or behaviour;
  • taking legitimate disciplinary action (FiS)

case manager: suitably qualified person to ensure procedural fairness (natural justice) occurs. Appointed by the denomination to manage an allegation of serious misconduct by a church employee. The case manager will present a report to the denomination with finding of the case and include recommendations in relation to possible outcomes for all parties, i.e. person(s) making the allegation(s), the person(s) subject of the allegation(s) and the local church leadership.

case response group (CRG): A small group of persons, from the appropriate level of local church or denominational leadership who can make binding decisions in an investigation into serious misconduct of a church employee.

child (children): A child is from ages 0-17 years. An adult is 18 years and over. In some jurisdictions there is a special class of child known as a young person, aged 16 and 17 years .

child abuse: means the following conduct in relation to a child: bullying, emotional abuse, harassment, neglect, physical abuse, sexual abuse or & spiritual abuse (FiS).

child exploitation material/child abuse material: material that describes or depicts a person who is or who appears to be a child – (a) engaged in sexual activity; or (b) in a sexual context; or (c) as the subject of torture, cruelty or abuse (whether or not in a sexual context) in a way that a reasonable person would regard as being, in all the circumstances, offensive. Child exploitation material can include any film, printed matter, electronic data, computer image and any other depiction (FiS). Child exploitation was in the past (but less so today) referred to as 'child pornography'. This term however fails to convey the abusiveness and criminality inherent in this material.

leaders (workers): Includes all paid and unpaid local church leaders in ministry roles. Includes pastors, senior leadership i.e. councils, committees, boards, etc, team leaders, team members, volunteers, and casual helpers. Note these are all considered workers under Work Health and Safety legislation.

civil authorities: the police and the relevant State or Territory government child protection authority (FiS).

corporal punishment: any punishment inflicted on the body (FiS).

due diligence: refers to the legal care (risk management) that must be taken in terms of the recruitment and supervision of leaders. Failure to practice due diligence in terms of recruiting may occur because you have not properly screened, interviewed, checked a potential leader's/employee's background, failed to contact a potential leader's/employee's referees. In terms of supervision a church may still be legally accountable for acts of abuse on the basis of failure to provide adequate supervision, i.e. no conduct code or lack of training or support.

emotional abuse: acts or omissions that have caused, or could cause emotional harm or lead to serious behavioural or cognitive disorders. It includes:
- subjecting a person to excessive and repeated personal criticism;
- ridiculing a person, including the use of insulting or derogatory terms to refer to them;
- threatening or intimidating a person;
- ignoring a person openly and pointedly; and
- behaving in a hostile manner or in any way that could reasonably result in another person   feeling isolated or rejected. (FiS)

harassment: unwelcome conduct, whether intended or not, in relation to another person where the person feels with good reason in all the circumstances offended, belittled or threatened. Such behaviour may consist of a single incident or several incidents over a period of time. It includes:
- making unwelcome physical contact with a person;
- making gestures or using language that could reasonably give offence including continual and unwarranted shouting;
- making unjustified or unnecessary comments about a person's capacities or attributes;
- putting on open display pictures, posters, graffiti or written materials that could reasonably give offence;
- making unwelcome communication with a person in any form (for example, phone calls, email, text messages); &
- stalking a person (FiS)

hazards: a source of danger that could result in an accident or incident if undue care is not exercised.

individual pastoral ministry: pastoral ministry carried out between a member of the clergy or church worker and one other person. Examples include spiritual direction, or pastoral counselling arising out of bereavement, divorce or other life crises (FiS).

leaders' code of conduct: a set of clearly defined behavioural boundaries for church leaders, this might also be referred to as a Conduct Covenant or Code of Good Practices for Church Leaders. The covenant idea is that as brothers and sisters in Christ living under that grace of God, we are called in to a relationship with each other that goes beyond a 'code' or set of rules. In this way, church leaders are in a type of 'covenanting' relationship with each other to keep each other and the people they lead safe.

ministry coordinators: oversee a group of programs and/or events in the church, for example the children and youth leaders. This is a role that should be undertaken by a senior church leader e.g. priest/pastors, elders, deacons as is it contains significant positional power.

mandatory reporting: the legal requirement to report suspected cases of child abuse and neglect. The people mandated to report and the abuse types for which it is mandatory to report are different in each Australian state and territory.

mediator/conciliator: suitably skilled and qualified persons to help mediate healing processes.

ministry misconduct: Ministry misconduct is the violation of boundaries. These boundaries can be violated unintentionally, negligently, or deliberately. There is a continuum of ministry misconduct that extends from conduct that is generally considered minor through to abuse that is also criminal. This is a broad definition that considers the failure to respect, esteem & put value in persons with whom we come into contact. It incorporates disrespectful thinking and actions towards others.

negligence: failure to act with the prudence or use the standard of care that a "reasonable person" would exercise in any given situation, or under the same circumstances.

neglect: means the failure to provide the basic necessities of life where a child's health and development are placed at risk of harm. It includes being deprived of: food, clothing, shelter, hygiene, education, supervision and safety, attachment to and affection from adults; and medical care (FiS).

offensive language: includes blasphemy, verbal harassment, racial and other forms of vilification, personal insult or comment and obscene words (FiS).

pastoral ministry: means the work involved or the situation which exists when a member of the clergy or church worker has responsibility as part of their role for the wellbeing of others. This includes the provision of spiritual advice and support, education, counselling, medical care, and assistance in times of need (FiS).

person(s) making an allegation(s): A person or group of people who make an allegation of abuse of ministry misconduct to the denomination or to their local church leadership, against a leader in the church. In a legal process this person might be referred to as the complainant, in this procedure the focus is on the allegation(s).

person(s) subject of allegation(s) (PSOA): a ministry leader or credentialed leader against whom the allegation(s) are being made. In a legal process this person may be called a respondent.

procedural fairness: (also known as natural justice) is a process characterised by these principles::

Without undue delay; i.e. acting as quickly as possible shall be a genuine recognition of the seriousness of allegation. Care should be taken to avoid delays.

Clear communication; i.e. all parties should be fully and speedily informed regarding decisions made, the reasons for the decisions and what processes are being used at all stages, particularly where there is any delay.

Non-biased manner; i.e. the case will be managed, assessed, conciliated, and facilitated by persons who have no relationship (biological or other) with any party. They shall not have a negative or bias view of the case matter, e.g. persons who have experienced past sexual abuse should not manage a sexual abuse claim.

No conflict of interest; i.e. the case will be managed, assessed, conciliated, and facilitated by persons who have no stake in benefiting from any particular outcome of the case.

Decisions made on evidence based outcomes; i.e. assessment of disputed facts to be conducted by a suitably qualified assessor (NSW Ombudsman Child Protection in the Workplace 2004).

professional supervision/consultation: formal, collaborative process which a more senior or experienced person uses to develop and support a person in their ministry. This relationship is confidential, evaluative, and extends over time. It is preferable if the supervisor: has no other pastoral or personal relationship with the person being supervised; and has been trained in professional supervision. (FiS)

prohibited material:
• publications, films and computer games that have been classified by the Office of Film and Literature Classification as being unsuitable for a child to read, see or play;

• any other images or sounds not subject to classification by the Office of Film and Literature Classification that are considered with good reason within the Church to be unsuitable for a child to see or hear; and

• any substance or product whose supply to or use by children is prohibited by law, such as alcohol, tobacco products, illegal drugs and gambling products.

• prohibited substance means any substance banned or prohibited by law for use or consumption by adults (FiS).

reportable incident: A single or set of events where injury, harm, abuse or loss occurs. A critical incident is an event or set of circumstances resulting in significant physical or psychological outcomes or fatality for one or more people.

restricted material:
• publications, films, and computer games that have been classified as Category 1 or 2 restricted, X or R classification by the Office of Film and Literature Classification; and

• any other images or sounds not subject to classification by the Office of Film and Literature Classification (for example, internet material) that are considered with good reason within the Church as being offensive on the grounds of violence, sex, language, drug abuse or nudity (FiS).

risk: exposure to the possibility of such things as economic or financial loss or gain, physical damage, injury or delay, as a consequence of pursuing or not pursuing a particular course of action. The concept of risk includes: perception that something could happen, likelihood of it occurring and consequences if it does occur.

risk management: the process of managing your organisation's exposure to potential hazards. It does this by identifying risks in order to prevent them or reduce them, and by providing funds to meet any liability if it occurs. Risk Assessment looks at what might happen, whereas Hazard Identification looks at what is present at the venue at a specific time.

safe ministry: God honouring, person-valuing, respectful abuse & harm free ministry. This includes prevention and response policies, procedures and implementation support in: duty of care; caring for vulnerable people; positions of power; codes of conduct; response to allegations of ministry misconduct and/or abuse; incident reporting; monitoring of practices; safe recruitment; and the supervision of leaders.

safe church concerns team: a local church team to handle any reporting of Safe Church (safe ministry) concerns including suspicion of harm or actual disclosures of harm of children.
The team comprises of the Senior Pastor/Minister and 1-2 other senior leaders, ensuring for a mix of gender.. The team is responsible for the implementation of the denominational and state government reporting processes, and providing a pastoral role to the person who is reporting.

standards manager: The denominational resource to local churches in the area of Safe Ministry and insurance. Has an oversight role over Safe Ministry education and prevention strategies for the denomination. The role also includes triage of allegations of abuse, organisation of pastoral care and to contact relevant persons such as state and national officer holders, case managers, contact persons, conciliators, and facilitators in investigations into allegations of serious misconduct against church leaders.

safe ministry environment: 'safe' is a reference to an abuse free and harm free environment. Such an environment is also a friendly environment, i.e. values and respects the rights of individuals. In a local church context this includes the physical, emotional & spiritual environments. It assumes that foreseeable risks have been managed so as to ensure the safety of all people.

safety team: Is to be appointed from the members of senior leadership and complimented by gifted administrators and/or department leaders. A small group of people whose roles it is to oversee the implementation of Safe Church policy and procedures. It is important that your safety team has a good awareness of risk management and also the unique setting of the church as a living an active expression of God's love and care for people.

sexual abuse of an adult (see state based legislation): In general terms (for the purposes of safe ministry) sexual assault, sexual exploitation or sexual harassment of an adult.

It includes:
- having vaginal or anal intercourse with a person without their consent;
- penetrating another person's vagina or anus with an object or any bodily part without that person's consent;
- sexually touching and fondling a person without their consent;
- kissing another person without their consent;
- holding another person in a sexual manner without their consent;
- forcing a person to sexually touch or fondle another person; and
- forcing a person to perform oral sex (FiS).

sexual abuse of a child: the use of a child by another person for his or her own sexual stimulation or gratification or for that of others. It includes:
- exposing oneself indecently to a child;
- having vaginal or anal intercourse with a child;
- penetrating a child's vagina or anus with an object or any bodily part;
- sexually touching or fondling a child;
- kissing, touching, holding or fondling a child in a sexual manner;
- staring at or secretly watching a child for the purpose of sexual stimulation or gratification;
- making any gesture or action of a sexual nature in a child's presence;
- making sexual references or innuendo in a child's presence using any form of communication;
- discussing or inquiring about personal matters of a sexual nature with a child;
- exposing a child to any form of sexually explicit or suggestive material;
- forcing [or manipulating] a child to sexually touch or fondle another person;
- forcing [or manipulating] a child to perform oral sex;
- forcing [or manipulating] a child either to masturbate self or others, or to watch others masturbate; and
- forcing [or manipulating] a child to engage in or watch any other sexual activity.

Sexual abuse of a child does not include:
- sex education with the prior consent of a parent or guardian;
- age appropriate consensual sexual behaviour between peers (i.e. the same or a similar age); or
- inquiries by clergy and church workers with pastoral responsibility for a child or investigation responsibility into complains that may involve sexual abuse (FiS).

sexual grooming: manipulative cultivation of a relationship in order to initiate or hide sexual abuse of an adult or a child. In the case of child sexual abuse, an offender may groom not only the child, but also the child's parents or guardians, and clergy and church workers (FiS). The term may also be referred to as conditioning, and is considered as part of the tactics a person uses in their choice to abuse.

sexual exploitation refers to any form of sexual contact or invitation to sexual contact with an adult, with whom there is a pastoral or supervisory relationship, whether or not there is consent and regardless of who initiated the contact or invitation. It does not include such contact or invitation within a marriage (FiS).

sexual harassment: unwelcome conduct of a sexual nature, whether intended or not, in relation to an adult where the person reasonably feels in all circumstances offended, belittled or threatened. Such behaviour may consist of a single incident or several incidents over a period of time. It includes:
- asking a person for sex;
- giving a person a reason to understand that you would like sexual favours from them;
- making any gesture, action or comment of a sexual nature to a person directly or making a comment of a sexual nature about them in their presence;
- making jokes containing sexual references or innuendo using any form of communication;
- exposing a person to any form of sexually explicit or suggestive material;
- making unwelcome physical contact such as touching, pinching, or patting;
- making unwelcome or unnecessary inquiries about or attempts to discuss personal matters of a sexual nature;
- deliberately intruding on an individual's personal space;
- staring at or secretly watching a person for the purpose of sexual stimulation or gratification; and
- stalking a person (FiS).

spiritual abuse: mistreatment of a person by actions or threats when justified by appeal to God, faith or religion. It includes:
- using a position of spiritual authority to dominate or manipulate another person or group;
- using a position of spiritual authority to seek inappropriate deference from others;
- isolating a person from friends and family members; and
- using biblical or religious terminology to justify abuse (FiS).

vulnerable person: Vulnerability, the susceptibility to harm, results from an interaction between the resources available to individuals and communities and the life challenges they face. Vulnerability results from developmental problems, personal incapacities, disadvantaged social status, inadequacy of interpersonal networks and supports, degraded neighbourhoods and environments, and the complex interactions of these factors over the life course. (Health Affairs 2007)

work, health and safety: refers to the framework enshrined in Commonwealth and State legislation by which employers & employees are to ensure safe work environments (including paid and volunteer leaders in churches).

Chapter 1
Boundaries

In this chapter we will:
• Define boundaries
• Explore the nature of boundaries
• Examine the importance of healthy boundaries in ministry
• Explore self care within the context of healthy boundaries and church ministry

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Boundaries: a gift from God

Boundaries define that I am distinct from you, that we are equal but separate beings.

One way of defining boundaries is as socially-determined markers between individuals or parties in spiritual, financial, physical, emotional, language, sexual and other areas.

As Christians God's word also provides us with God given boundaries.

In creation God established boundaries: day from night, sea from land, each animal in its kind. In the garden there was a boundary to "not eat from the tree of the knowledge of good and evil." (Genesis 3). When this boundary was violated by humanity the effects brought about broken relationships.

The Bible contains many instances of relationship boundaries. Boundaries outline what loving relationships look like, from the 10 commandments, or boundaries for the covenant between Israel and God, through to Ephesians 5:15-21 which is about how to relate to each other i.e. submitting to one another out of reverence for God.

Boundaries & personhood

As people created by the 'community' God (triune) we are created in the image of our maker . Genesis 1:26-31 says that we are made in God's image.   Distinct from the other animals, who are spoken into being, God "breathed into" the man's nostrils " the breath of life" (Genesis 2:7). God gets up close and personal with the human being in creation, placing us above all other beings, to have dominion over the creation God has given us.

The Psalmist says that as people we are "Fearfully and wonderfully made" Psalm 139.

The bible is also very clear that we are loved by God (John 3:16-17), God's adopted children (Ephesians 2:15) and that as adopted children we are "co-heirs of the kingdom with Christ" (Romans 8).

These bible passages remind us that we are made as the crown of God's creation, we are the image bearers of God, created to have dominion over the earth and animal - created relational, created with purpose, individual and separate and in relationships. People matter to God!

Personhood is important to God.

Consider three levels of personhood: self respect, i.e. I am morally and legally equal in the eyes of the Law and God, self esteem. i..e. I am a valid member of the human race, I am valued, by myself and others, for who I am & self confidence = I have a voice and my contributions matter. (adapted from Quadrio, 2009).

The way a person relates towards other depends greatly on the way other people have respected, esteemed and placed confidence in them. If they have had their boundaries violated, personhood 'robbed', it is likely their self respect - esteem - confidence will be low and in turn they may have poor social or relational capacity.

"Boundaries give shape to our relationships, all of our relationships" (M. Fortune, Boundaries 201, 2012, p.5).

Boundaries define that I am distinct from who you are.

Boundaries define where you stop and I start.

Boundaries remind us that personhood matters.

Boundary respecters show an understanding that God has created us all equal and complimentary, we are made for each other, but only as we live out of Jesus' commandment - to love each other as he has loved us (John17:23).

Respect for other people will cause us to ask 4 important questions considering a boundary crossing:

- is this the right time to cross this boundary?
- is this the right place (physically) to cross this boundary?
- is this the right circumstance for this boundary crossing?
- is this boundary crossing right for this person?

By asking these questions we will be seeking the interests of those we serve first, not our own needs.

Another important question to ask when considering crossing a boundary is: "Would I be comfortable if all my acquaintances knew I was doing this?" (FaithTrust Institute, Boundaries 101, 2012, p.7)

Some boundaries are flexible: How we interact with the boundaries may be different depending on the time, place, circumstance & the people we are serving.

Some boundaries are inflexible (strong): They are designed to show us clearly where we must not go, they are designed to be hard to get through.

It is our responsibility as church workers (leaders) to: Establish a system of accountability. That is, we should arrange to meet regularly with a spiritual director, teacher, or colleague with whom we can speak honestly [or meet regularly with and be accountable to our team]. We also need to remember that "boundaries are not always easy to discern and that there are often no clear guidelines for the best action to take when confronted with an issue." (ibid, p.7)

Boundaries & ministry relationships

Ministry is about serving people, therefore ministry life is filled with dual relationships, i.e. where those who are entrusted with the power and authority to serve will also be engaged in friendships with those they serve.
There is a necessary power imbalance in leader - follower relationships.

In a ministry setting "Boundaries protect the space that must exist between the professional and the client by controlling the power differential in the relationship … Operating within the boundaries that define a healthy professional-client relationship produces the consistency and predictability in behaviour that lowers the risk to clients." (Peterson, At Personal Risk, 1992, p.46)

Marie Fortune & Faithtrust Institutes's extensive work on boundaries in ministry provides an excellent framework for understanding boundaries and crossing them appropriately. The following section draws heavily from Marie's various works on boundaries (in italics and referenced) and is combined with our own observations.

What every spiritual leader needs to know about relational boundaries
- They help us maintain clear professional relationships.
- They are guidelines (usually unwritten) that help us know when and when not to

participate in a given activity, especially if we have more power.
- They are not intended to shackle us but to free us in our work as spiritual leaders.
- They help us keep perspective when people's problems seem overwhelming.
- They signal to others that it is safe to trust us.
- They protest congregants/students from our abuse of power. Our power is derived from our education, our position as a spiritual leader, and our resources.
- The very act of ordination sets us apart as having more power and designates us for leadership.

What boundaries are NOT
- They are NOT clear rules about where and when we can be friendly.
- They are NOT blocks to authenticity and friendliness.

How can we keep from violating boundaries inappropriately?
- Be aware of our needs and find healthful ways of having them met other than by the people we are supposed to be serving.
- Ask ourselves these questions: "Is this in the best interests of the other person or does it only satisfy my needs?" ,"Would I be comfortable if all my acquaintances knew I was doing this?"
- Establish a system of accountability. That is, we should arrange to meet regularly with a spiritual director, teacher, or colleague with whom we can speak honestly.
- Understand that boundaries are not always easy to discern and that there are often no clear guidelines for the best action to take when confronted with an issue.
  (FaithTrust Institute, Boundaries 101, 2012, p.7)

However, in a culture which celebrates the absence of boundaries as individual freedom, it is sometimes difficult to recall the values of boundaries in our lives and in particular, in our ministry or teaching. But without boundaries, we cannot really be in relationships. With boundaries, we develop trust in relationships and minimize the potential to cause harm (M. Fortune, Boundaries 201, 2012, p.5).

The role of the minister (pastor)

Professional, pastoral relationship: A relationship whose purpose is to meet the congregant client's need for ministerial (professional) assistance or service. Under the best of circumstances, these relationships are marked by clear, healthy boundaries and warmth, caring, concern, and sensitivity.

The job of the faith leader is to attend to the needs of the congregant or student.

There is a fiduciary aspect to this relationship: the faith leader, who has greater resources than the congregant/student, is expected to act in the best interests of that person.

The needs of the congregant/student are primary, and the needs of the faith leader are secondary.

This does not mean that the faith leader is expected to respond to all of the expectations of the congregant/student, but rather that her/his pastoral or educational needs are primary in the relationship. It also does not mean that the faith leader has no needs here. He/she has legitimate professional needs in this relationship: the need to be involved in meaningful service, to be adequately compensated, to receive constructive feedback, to receive time off for self-care. One's personal needs for affirmation, love, sex, should be met in one's personal relationships.

The faith leader holds significant power in the ministerial or teaching relationship, i.e. he/she has resources (knowledge, expertise, experience, access to other resources) that the congregant/ student wants to access. This does not mean that the congregant/student is powerless; it does mean that she/he is likely to be vulnerable in this circumstance and trusting of the integrity of the faith leader. Certainly, some lay people in leadership also hold the power to hire and fire a faith leader, which can make for a challenging dual relationship.

There are some appropriate boundaries that should not be crossed in a ministerial or teaching relationship. Sexual and emotional intimacy is high on that list. The reason is that crossing these

boundaries fundamentally changes the nature of the relationship to one of mutual intimacy that compromises the possibilities of a safe ministerial or teaching relationship.

The faith leader is primarily responsible for the boundaries in the ministerial or teaching relationship. In other words, ordinarily he/she has the capacity and resources to establish the parameters of the relationship so as to respect the vulnerability of the congregant/student. Even if the congregant/ student pushes the emotional/sexual intimacy boundaries, the faith leader is usually in a position to maintain the boundaries. ...

Personal, intimate relationship: A relationship whose purpose is to meet the personal needs of the people involved. Contrast the ministerial, professional relationship with one's personal, intimate relationships. A personal, intimate relationship may include coldness, indifference, insensitivity, and even cruelty. In other words, it is not the type of relationship that determines its qualities.

Two partners in an intimate relationship mutually serve the needs of each other. Both persons' needs are legitimate. Meeting those needs requires negotiation and compromise. Ideally both partners share the power and resources of the relationship, i.e. they are peers to one another.

There are important boundaries: financial, physical, sexual, and emotional. Each person can hopefully be clear about needs, expectations, and limitations, e.g. the need for private time apart from one's partner; possibly the expectation to retain control over one's finances. Both partners share responsibility for attending to these boundaries and renegotiating as needed.

Ideally, in an intimate relationship, there is emotional intimacy, trust, and open communication. Self-disclosure holds the possibility of allowing one to be fully known by one's partner. There may be limits, e.g. parts of one's history that a person does not share until a deep trust is established.

There is not a fiduciary responsibility in the same sense as there is in a ministerial relationship. Our own interests are a legitimate consideration within an intimate, family relationship. Although we may have a similar responsibility for the care of vulnerable family members, such as children or elders, we are called upon to balance the needs of those who are vulnerable with our own needs.

Professional vs. Personal Relationships

This graph provides in a limited way some understanding of the impact of increased personal intimacy: (emotional and sexual) on a pastoral, professional relationship. An increase in personal intimacy begins to compromise the effectiveness of our helping relationship. We begin to focus on our own needs for intimacy and lose sight of the responsibilities of our leadership role. Once we make a significant move toward increased personal intimacy we cannot really retreat back to a more professional relationship; it's like trying to un-ring a bell.

Dual Relationships

A dual relationship or multi-relationships are ones in which a person attempts to fulfil two or more roles with the same person-for example, to have a professional and a personal relationship with the same person. In other words, it's when we are in a situation in which we are playing two or more very different roles. This could be a peer relationship concurrent with a professional relationship or even a professional relationship that is also reversed, such as a therapist seeing a client while the client is providing financial counsel to the therapist as a client.

Sexualized behaviour within a professional relationship, or any attempt to sexualize a professional relationship, automatically creates a dual relationship-namely a relationship between a professional and a congregant/client and a relationship between intimate partners.

Examples of Dual Relationships:
- A Ph.D. student and his adviser who are 'drinking buddies'
- A physician who attempts to treat a family member
- broker
- A minister who becomes a close family friend of a family in her congregation
- A minister who serves as pastor to his/her own family

When a minister attempts a dual relationship with a congregant, client, employee, student, or staff member, the ministerial or teaching relationship is in jeopardy. If the attempted dual relationship includes sexualized behaviour, the congregant/client may experience a betrayal of trust on several levels. The congregant/student loses the ministerial relationship on which he/she has relied, often resulting in spiritual, emotional, psychological, and sometimes physical suffering.

The Dilemma

Dual relationships are a fact of life for most of us. If we are faith leaders in a congregational setting or seminary and live in the community with our congregants, we are especially likely to be both a minister and a customer or client of the same person. While it is not possible to always avoid dual relationships, it is important that we recognize and manage them.

This is not something that most people have even thought about before. Education and clarity with congregants or students can help to address the challenges of dual relationships and lessen misunderstandings. Both parties can then share understanding of these circumstances and the management together with a shared sense of the importance of this effort.

Where a dual relationship is unavoidable, we recommend a frank discussion about its reality and the challenges that this represents to both parties. Hopefully, this will help both people be aware and manage healthy boundaries between them." (abridged, M. Fortune, Responding to clergy misconduct, 2009, pp.35-40)

Power in relationships

In all relationships there is a balance of power between the parties. Relationships are either equal in power, i.e. relationships in which two or more parties have the same amount of power, or alternatively, they are unequal, or there is a power imbalance, as is the case between adults and children. In some relationships it is appropriate that the more powerful person takes steps to redress the balance of power. In other relationships the more powerful person needs to consider how their actions will empower the less powerful person, whilst retaining the power imbalance. The balance of power can be impacted by a number of factors such as size, experience, knowledge and position (role).

In relationships where a person's position gives them power over another in order that the less powerful person might be protected or educated (e.g. teachers and pupils), it is inappropriate to change the balance of power. Within hierarchical organisational structures, or where someone is charged, for example, with upholding the law of the land, or where a person's health is being attended to, there exists an appropriate power imbalance.

In a church context, church workers/ those in positions of leadership also hold varying levels of power to influence others for God. In the eyes of those under their authority, leaders may be seen as representing God's authority and, in some cases, God's will for their lives. Therefore, those in positions of power must have a sound understanding of, and must uphold, appropriate relationship boundaries so as to protect the less powerful person. Unfortunately, some abuses of positional power have been treated as 'sin issues' and/or moral failures. In many of these cases, the leader is suspended for a short period and then given another position of leadership without addressing the abuse of power that occurred.
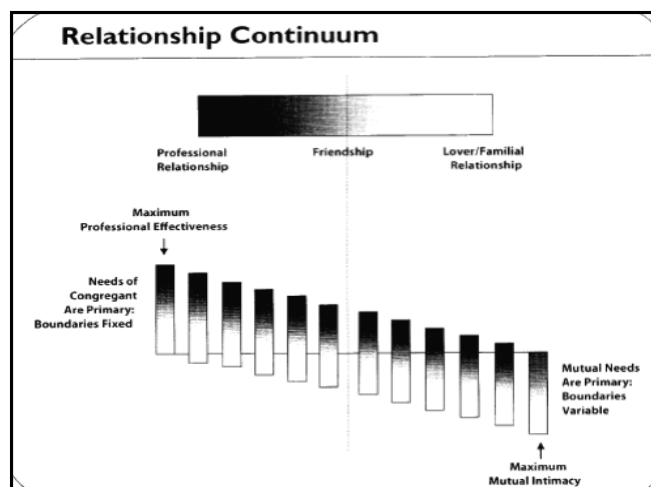
The relationship continuum (right - taken from "Responding to Ministry Misconduct - Faithtrust Institute) explores the relationship between fixed boundaries and effectiveness in being able to provide professional (pastoral) care, friendships and lover/familial relationships. Friendships are more mutual in their care and the more intimate the relationship the less effective it is in general to be able to be professionally effective. Which is to say, that maximum intimacy comes as boundaries are relaxed and as mutual needs are the focus, not the needs of the person receiving care from the professional.

In pastoral relationships, dual relationships, friendship will develop, but appropriate boundary crossing must occur to fulfil the primary duty care the pastor has for the congregation member.

Power - more than a feeling!

In this context power is not how powerful a leader feels, how strong or how empowered they think or feel they are, but rather about resources at their disposal. The more resources a person has at their disposal the more they are able and need to be in charge of the situation.

This can be confusing where dual relationships occur, and the person in the position of trust must ensure they use the resources they have to maintain boundaries appropriate to the pastoral relationship.

Faith leaders have more resources in terms of:
- usually have theological education and training
- represent God
- are guardians of sacred symbols, rites, and rituals
- many be viewed as vessels or channels for divine Power
- are congregants' resource for the mysterious aspects of God and the meaning of life
- interpret sacred texts
- define the moral context of congregants' circumstances
- initiate pastoral contact
- have access to people in vulnerable circumstances
- are set apart by ordination, consecration, commissioning, or license to be leaders within a faith community
- have consistent access to an audience
- have the ability to influence others
- have the ability to draw people
- engender congregants' loyalty and trust

Power is:
- Relational - we have power/resources in relation to someone else. I may have more power than my grandnephew and less power than my Board President.
- Contextual - power and/or resources depend on context. I may have power/authority vis a vis the congregant listening to my sermon or student hearing my lecture, who becomes my PA.
- About Resources - what we have or don't have materially, psychologically, and socially.
- Neutral -power is neither good nor bad. Like fire, it can cook a meal or burn down a house (Editor's note: God's power is more than neutral i.e. God is power (all-powerful) and gives us power through the Holy Spirit "But you will receive power when the Holy Spirit comes on you;"
(Acts 1:8). Paul encourages Timothy that God has given us a Spirit of "power not timidity" in 2 Timothy 1:7. God's power is good, it creates, it heals, brings salvation and is self-giving - empowering others).

Vulnerability is:
- The absence of resources.
- Relational - we are vulnerable in relation to a particular person. I am vulnerable to my therapist in ways I am not as director of my agency.
- Contextual - vulnerability depends on a context in which we have fewer resources. The Board of Trustees/Dean of Faculty can take steps to have me fired.
  (Fortune, Responding to Misconduct, 2009, p.45)

Understanding ministry as both privilege and responsibility is important.

We have the resources to lead and care for others and these resources also come with an obligation.

A useful metaphor for this is the 'international rules of the sea'.

The rules of the sea are literally the international standards for navigation on any body of water. The purpose of the rules is to clarify that the vessel with greater resources has a responsibility to a vessel with fewer resources in terms of the power to manoeuvre.

SPEED BOAT is the "burdened" (obligated) party
- Has power and control of movement
- Is obligated to avoid boats under sail
- Has the "burden" (obligation) of responsibility.

SAILBOAT is the "privileged" party
- At the mercy of the wind; less control of movement
- Is vulnerable to power boats
- Has the "privilege" of being protected

The language used in the Rules is very interesting in this context. The vessel with greater power is the "burdened" party; the vessel with lesser power is the "privileged" party. These classifications by definition create a moral responsibility based on power and vulnerability. Although this runs counter to our standard social analysis which associates privilege with having power and resources and burden (of poverty, for example) with the absence of power and resources, it is language more fitting for our moral awareness as people of faith (FaithTrust Institute, Boundaries 2012, 2013, p.32).

Unfortunately, some abuses of positional power have been treated as 'sin issues' and/or moral failures. In many of these cases, the leader is suspended for a short period and then given another position of leadership without addressing the abuse of power that occurred. Abuse is in essence a violation of 'personhood' . Abuse results in a robbing of personal 'power', hindering the person's ability to act in healthy, life-enriching ways .

Boundary crossing vs violations

(FaithTrust Institute - Healthy Boundaries 201 - Beyond Basics, 2012)

Boundary crossings are a fact of life. All communication is a boundary crossing. Touch is a boundary crossing. Sexual activity is a boundary crossing. These activities are neutral in and of themselves. Boundary crossing is a necessity of ministry and teaching. We reach out to one another, we inform, we meet, we offer a healing touch, we preach, we write, etc.

The issue is for what purpose and in whose interest?

Boundary violations occur when the boundary crossing is not in the best interest of the other and results in harm.

The activity may be the same: for example a phone call. A phone call can be used either to build up the other person or to cause harm. The faith leader can either be calling to inform the congregant about an important meeting or to sexually harass them.

For Christians, Jesus' ministry provides a valuable paradigm for understanding the difference between boundary crossing and boundary violation. Jesus was all about boundary crossings: eating with sinners, talking with women, touching lepers, healing on the Sabbath, etc. But we never hear of him violating boundary and causing harm to another person. He crossed boundaries that were oppressive and hurtful in order to bring forth justice, love, and healing.

When boundaries are not crossed appropriately it may negatively impact the person on the receiving end of the action or inaction. These are known as boundary violations and can cause harm to others.

Boundary violations can occur across a variety of boundaries be they spiritual, financial, physical, emotional, language, &/or sexual.

It is important to acknowledge that not all boundary violations are carried out with malicious intent, which is to say, boundary violations can be thought of as a being on a continuum from unintentional 'wandering' across boundaries, to intentional actions of harm and /or carefully-planned, predatory-style boundary violations.

The following descriptions are not an attempt to define types of offenders, but rather to provide church workers with the language needed to understand the continuum from respecting boundaries, through to intentionally violating, and/or predatory type violations.

All boundary violations are examples of people putting their own needs above others.

NON-OFFENDER (BOUNDARY RESPECTER): Discovers that a boundary is approaching, or that they have overstepped a boundary, and makes a deliberate correction or crosses the boundary appropriately.

WANDERER: Approaches a boundary and engages in inappropriate behaviour without boundary awareness.

INTENTIONAL VIOLATIONS: The offender understands that the boundary should not be crossed, but does so intentionally to do harm to the other person.

PREDATOR: The predator heads directly for the boundary, and aims to break down a person's boundaries.

Codes of conduct that outline the nature of the professional boundaries which should exist between employees and children/young people can be particularly useful. For employees who either intentionally breach such codes or have demonstrated an inability to apply them appropriately, it may be necessary to provide more detailed written advice about what constitutes appropriate behaviour.

For the wanderer the code makes clear what is and is not acceptable, for the intentional boundary violator a code can be used to exclude the person from a position of trust.

Codes should be connected with your grievance / disciplinary/complaints procedures so as to provide accountability to the code.

Self evaluation

Reflect on these questions which can help us look at our own practices and discern areas where our leadership style might need to be modified.

- Do I every worry that someone I serve as minister or teacher isn't able to do without me?
- Do I sometimes take over during a congregant's/ student's crisis?
- Do I experience inappropriate excitement from being a confidant?
- Have I ever confided in a congregant about my marriage or a serious relationship?
- Have I ever placed a phone call to a congregant/student just because I wanted to hear their voice?
- Do I ever create situations in which I expect congregants/students to take care of me?

Healthy boundaries

In the early days of addressing the importance of healthy boundaries for faith leaders, some people assumed that all that was needed to prevent boundary violations by clergy and spiritual teachers was to establish a policy, do a basic training, and check that box as completed. This approach establishes the rules, tells people about the rules and the consequences of violating the rules, and assumes that this will take care of the problem.

But the "problem" is multifaceted, complex and nuanced. The risk of violating boundaries in our pastoral and teaching relationships is always before us. The rules can give us clarity about where our faith community stands, what it expects from us, and what will happen if we choose unwise or exploitative conduct. But the work of living out healthy boundaries as a pastor or spiritual teacher belongs to each of us and is an everyday challenge. The work of deepening our understanding of healthy boundaries never ends and one of the reasons is that there are new challenges at every turn. These new challenges are emerging issues: complex boundary situations that we could not have anticipated ten years ago.

The work on healthy boundaries is ongoing because it is at the core of our understanding of ministry and teaching. Many faith groups have begun to realize this and to realize the need to do regular healthy boundary training that expands and deepens our awareness and its application to our work.

Remember the goals and context of healthy boundaries:

- To maintain the integrity of the ministerial or teaching relationship
- To recognize the realities of power and vulnerability always present (FaithTrust Institute, 2012, p.15)

Tips for healthy boundaries:

1. Get a life. If you have one already, protect it. If you don't, get one. In other words, have a life in addition to your ministry: physically, emotionally, intellectually; family and friends who are not part of your ministry setting; a hobby; exercise; days off; a vacation. I walk my dog twice a day. I get a massage every week. I go to baseball games and women's basketball games. Most of my friends are unrelated to the church. I work in my yard and spend real time with my family. Have a life in addition to ministry.

2. Find colleagues for study and support. And meet with them regularly. It is very easy to get isolated in ministry. Don't wait for someone else to do this for you. Find those people with whom you can consult and take your questions and struggles there. Make sure that you include some people you can count on to challenge you as well as support you.

3. When I went away to college, my mother said to me: "Remember who you are and what you represent." In order to remember who we are, we must know who we are. Take the time to reflect on who you are: what is your social location and what does it mean? I hope your time in seminary is helping you do this. If because of your accident of birth you have privilege and access to resources, how do you use these resources to empower others and challenge injustice? What is your personal and familial history? If you recall being abused as a child or growing up in a dysfunctional family, how have you worked on those wounds to find healing for yourself? What are the stresses in your life now, and how do you manage them so that they don't put you at risk to do harm to someone else?

"Remember who you are and what you represent." At this time in history some of us do represent particular realities and communities. Whether as people of colour or women, as gays and lesbians or persons with disabilities, whether we like it or not, we do represent our particular communities. And we have the potential to bring leadership where it is sorely needed.

"Remember who you are and what you represent." And remember who your people are. Who are those who have gone before you, who have carried you, taught you, guided you, cried with you, laughed with you. These are the people that Paul is lifting up in 2 Timothy: "I am reminded of your sincere faith, a faith that lived first in your grandmother Lois and your mother Eunice, and now I am sure, lives in you." They are the cloud of witnesses who go before us. Name them for yourself. "Remember who you are and what you represent."

4. Discover the joy of boundaries. When we have "the boundary discussion," I always worry about the heavy negative connotation that some people feel towards boundaries in relationships. I find that boundaries are a great gift, both personally and professionally. I am not talking about building walls. Rather about boundaries that give shape to relationships and help to build trust they are built on respect for the other person.

So when you consider pushing the boundaries in relation to a congregant or client, I encourage you to consider three things:

1. What is the likely impact on or potential harm to the individual congregant? How will he/she be affected by relaxing these boundaries, by increasing the mutual intimacy of our relationship? Are you attempting to meet your needs at his/her expense? What about her/his family? And what about yours?

2. What is the likely impact on or potential harm to the congregation itself? How will others react? Will this appear to be some kind of favouritism? Will it stimulate jealousy or dissension? Will others expect the same degree of mutual intimacy with you?

3. What is the likely impact on or potential harm to the mission of the church? Will your actions undermine the common mission you share? Will others be distracted from their ministries by your actions?

We must consider each of these questions because our choices and actions regarding ministerial boundaries affect much more than just ourselves and the other person involved. If our mission as a faith community is to sustain ourselves so that we might be able to carry our efforts forth to make justice and bring healing, if we believe that our faith communities should embody the values of justice, protection of the vulnerable and shared power, and if we affirm the need for persons called forth from among us to sustain, teach and lead, then we need leaders committed to clear boundaries and a willingness to be accountable for their actions. Good boundaries make effective ministry possible; effective ministry sustains the faith community and carries forth its message and witness.

4. 'Let go, but stand by.' More wisdom from Frances Willard, reflecting in middle age on her experience of learning to ride a bicycle. " 'Let go, but stand by'-this is the golden rule for parent and pastor, teacher and friend; the only rule that at once respects the individuality of another and yet adds one's own, so far as may be, to another's momentum in the struggle of life." Picture this 53-year-old woman in a long skirt sitting on a bicycle, and picture her teacher/supporter with a soft hand at the back of her bicycle seat, giving balance and a little push. "Let go, but stand by."

5. Lighten up. Don't take yourself so seriously. After all, this is not about you. This is about God's work. We may plant the seeds, water the garden and even harvest on occasion. We may bring the yeast and the salt; we may pass along the light; we may even taste the bread and the cup on occasion. But we are contributing to a foundation for a future that we will not see. God is at work in ways we may never comprehend.

6. Take yourselves very seriously. Ministry is a privilege and a public trust. What we do matters a great deal because people should be able to trust us. As the writer of Hebrews reminds us, "One does not presume to take this honour, but takes it only when called by God, just as Aaron [and Miriam were]." If you are called by God and by the community of faith, you are fortunate to bear the yoke that Jesus promises is easy to bear.

7. Finally, pray always and do not lose heart. This is Jesus' teaching in chapter 18 of Luke's Gospel, which he illustrates with the parable about the persistent widow who goes back time and again to the unjust judge to seek vindication. To pray always and not lose heart doesn't mean that we should spend all our time on our knees with our hands neatly folded. Rather that we should persist in our communication with God-asking for what we need and being thankful for what we have.

I hope these suggestions can help bring balance, self-discipline, and satisfaction in your ministry. I offer all of this in a context of challenge and possibility. (FaithTrust Institute, Healthy Boundaries 101 - Fundamentals, 2012, pp.38-40)

Self care boundaries

Healthy leaders maintain good self care self love boundaries by ensuring that they look after themselves. Maintaining good self care boundaries in ministry is an expression of 'loving yourself as Jesus loves you'. The concept of ongoing ministry monitoring via supervision, coaching, spiritual direction can all be an important tool for ensuring that you are caring for yourself in ministry. Continuing Accreditation Programs for recognised ministers is another positive mechanism which assists in ensuring that those in pastoral ministry stay healthy.

Barriers to self-care

• Invincibility - superman and superwoman: It is very easy for a pastor or spiritual leader to see him/herself as invisible and different from others. Somehow, we can do it all. Somehow the ordinary rules don't apply to us. We begin to see ourselves as 'special', our risk to violate boundaries increases.

• Indispensability - inflated importance: It is also very easy for us to believe without us, nothing will get done. We have to be at every meetings and every activity. We have to preach or teach every week. We can't possibly take time away or everything will fall apart. If this is the case, then we are not doing a very good job of equipping our congregants or students to function as whole, healthy people in the faith community.

• Lack of margin: Finally it is easy to get into the habit of cutting it close. Whether it is time for meeting or preparation for a sermon, we begin to believe that there are more than 24 hours in a day. We lose sight of our own limits and try to carry more than we are literally capable of. We need some margins and some down time. We need to be able to say, 'no'.

SELF-CARE INVENTORY
Answer YES OR NO to each

_____ I take a real vacation each year.

_____ I walk every day.

_____ I have an interest / hobby that has nothing to do with my job.

_____ I have a pet I spend time with him/her.

_____ I have regular prayer time each day.

_____ I am active in an organisation that has no connection with my job.

_____ I have one close friend with whom I can talk honestly.

_____ I spend time gardening.

_____ I fast from electronic activity (email, facebook) at least once a week.

_____ I read at least one book a month for pleasure.

_____ I play a musical instrument and practice regularly.

_____ I take off at least 1.5 days per week.

_____ I meet regularly with a spiritual director or therapist.

_____ I meet regularly with a colleague with whom I can honestly share.

_____ I exercise regularly.

_____ I do not smoke.

_____ I try to eat healthy, regular meals.

_____ I listen to music to relax regularly.

_____ I try to get sufficient sleep.

____ I am careful how much alcohol I consume.

____ I get an annual physical (medical)

For those with a partner

____ I eat most evening meals with my partner/family.

____ My partner and I get away for an overnight at least once every 6 months.

For those with children at home

____ I attend most of my children's extra-curricular activities.

____ Once a month I do something special with my children.

What other self-care strategies do you use? _____

(Faithtrust Institute, Healthy Boundaries 201, 2013, p.55-56)

SELF CARE PRACTICES

As part of your self care it is important to debrief by verbally and emotionally 'unloading' your feelings about your experience e.g. of receiving a disclosure or witnessing abuse.

Other ways of practicing self care include: pleasant, rewarding and/or distracting activities such as work, hobbies or family time; connecting with others; being honest with yourself (e.g. remembering that it is ok to be upset or worried or frustrated); treating yourself in some way; seeking out calming activities; taking a break. Attend to all your senses when thinking about self care.

Develop self care strategies before you start experiencing significant negative impacts from trauma or other aspects of ministry. The often tried method of stuffing away all emotional and cognitive responses to trauma invariably catches up with people, and when it does, it sometimes tragically marks the end of people's careers, ministries and long term relationships.

You may also need to seek professional help to cope is you are finding your usual strategies aren't enough to manage. Investing in good counselling early can help you to maintain a long effective ministry.

Chapter 2
Conflict and grievances

In this chapter we will:

• Explore the nature of church based conflict and grievances

• List indicators and signs of conflict within church ministries

• Consider factors including communication that contribute to conflict

• Examine approaches to dealing with conflict and grievances

a. Conflict and grievances

WHAT IS CONFLICT? WHAT IS A GRIEVANCE?

Many denominational groups have now established policy and procedures in the area of professional misconduct. Anecdotally in sharing with Denominational Professional Standards Committees and Directors it has been noted that there has been a growing number of allegations of misconduct and / or abuse complaints which come to Professional Standards offices that have either had their origin in poorly handled conflict scenarios, or cases which are still church conflict and or grievances. Some of these types of complaints, i.e. those which began with grievances that developed into professional misconduct or and/or abuse, may have been resolved before the boundary violation/s occurred, by early intervention in terms of conflict resolution or by seeking help from the denominational Standards officer.

Church conflict can start off as simply as a difference of opinion or disagreement over any issue, but can lead to people feeling emotionally and or spiritually harmed, and/or aggrieved.

A grievance is defined as
>   1. a. An actual or supposed circumstance regarded as just cause for complaint.
>   b. A complaint or protestation based on such a circumstance. See Synonyms at injustice.
>   2. Indignation or resentment stemming from a feeling of having been wronged.
>   3. a. The act of inflicting hardship or harm.
>   b. The cause of hardship or harm.
>   (http://www.thefreedictionary.com/grievance accessed 051013)

In many instances, it may be appropriate to respond to these using a grievance or conflict resolution process. However, conflict is complicated, and the more we try to oversimplify it then more often than not we will intensify the level of conflict (paraphrase of Tim Dyer, unpublished lecture, at Safe as Churches?6 2013).

There are a number of models and organisations whose aim it is to help people work through conflict, such as the work of PeaceWise. It is advised that you seek assistance for your denomination in helping people understand and appropriately manage conflict scenarios.

Celia Irving in "Understanding and Responding to Conflict" (CMI 2015. p.62) says:

Much has been written about resolving conflict from a scriptural perspective. Indeed Scripture exhorts us in how we should and should not behave with each other. For those who have been involved in church-based conflict, it is highly likely that you would have found that one approach does not always resolve conflict or to put it another way "one size does not fit all". Part of the reason for this, to name just a few, include that church conflict:

- comes from a variety of sources

- develops and exists within unique church cultures

- exists in conjunction with a unique understanding of conflict

- exists where stakeholders have a variety of personal approaches to responding to conflict

- there are differences in how congregations understand the concept of extending grace to each other

In exploring the following Scriptural approaches to resolving conflict, it may be of value to consider the unique aspects of church conflicts you have experienced and consider how the following approaches may be helpful in addressing conflict in your context.

a. Resolution of conflict within a Christian context

b. Rick Warren

c. Peacemakers

d. Agreeing and disagreeing in love

e. Jesus Principles – A Christ-like approach to addressing conflict

a. Resolution of conflict within a Christian context

Within a Christian context, Biblical exhortations advocate the resolution of conflict.

Ephesians 4:31 Get rid of all bitterness, rage and anger, brawling and slander, along with every form of malice.

Colossians 3: 12-13 Therefore, as God's chosen people, holy and dearly loved, clothe yourselves with compassion, kindness, humility, gentleness and patience. Bear with each other and forgive whatever grievances you may have against one another. Forgive as the Lord forgave you.

Romans 12:18 If it is possible, as far as it depends on you, live at peace with everyone.

WHY DO WE HAVE CONFLICT?

"What is causing the quarrels and fights among you?
Don't they come from the evil desires at war within you?" James 4:1(NLT)

James 'pulls no punches' here; he puts the source of conflict with each other as the brokenness of the human heart.

Therefore, as dearly loved by God and imperfect human beings, conflict is simply part of life.

Before taking a look some causes and dynamics in conflict it is helpful to consider and embrace the opportunities that conflict afford us:

1. To glorify God

2. Serve each other

3. Grow in Christ-likeness

(Ken Sande, The Peacemaker, 2004)

Conflict occurs in ministry, just as it may occur in any group working for a common purpose. As part of a healthy approach to parish management, it is helpful to anticipate that conflict will occur to some degree. It can be unhelpful to expect that conflict should not occur in a Christian context. Conflict can become problematic where it is not appropriately addressed. Conflict occurs in ministry, just as it may occur in any group working for a common purpose. As part of a healthy approach to parish management, it is helpful to anticipate that conflict will occur to some degree. It can be unhelpful to expect that conflict should not occur in a Christian context. Conflict can become problematic where it is not appropriately addressed.

There are a number of factors which can contribute significantly to the ongoing nature of conflict. Whilst not an extensive list, ongoing conflict in ministry can be impacted by: organisational culture and structures; clash of personalities; the quest for personal power; hidden agendas; defensive language and always having to be right.

The following discussion of sources of, levels of, and communication styles in conflict are provided here to help pastors and coordinators in managing conflict, before it escalates to a higher level, and or becomes a situation that leads to a grievance or abuse scenario.

THE NATURE OF CONFLICT

Conflicts can take place on two levels simultaneously.

The first level is tangible, which includes observable behaviours and facts. The second level is psycho-social, and refers to fears, insecurities, expectations, desires, feelings, values, taboos, trust issues, control/power issues which cannot be seen, but are present on an extensive basis. At this level conflict often remains unspoken and is covert in nature.

In a ministry situation, the psycho-social level can be more prevalent than the tangible level. Anecdotal evidence suggests that many people in ministry having difficulty with raising conflict issues.

The nature of conflict

Can be operating simultaneously & fueling each other

Tangible – observable behaviours, facts, incidents

Psycho-social – fears, insecurities, desires, feelings, values, taboos, trust issues, control/power issues – not seen, but present on an extensive basis
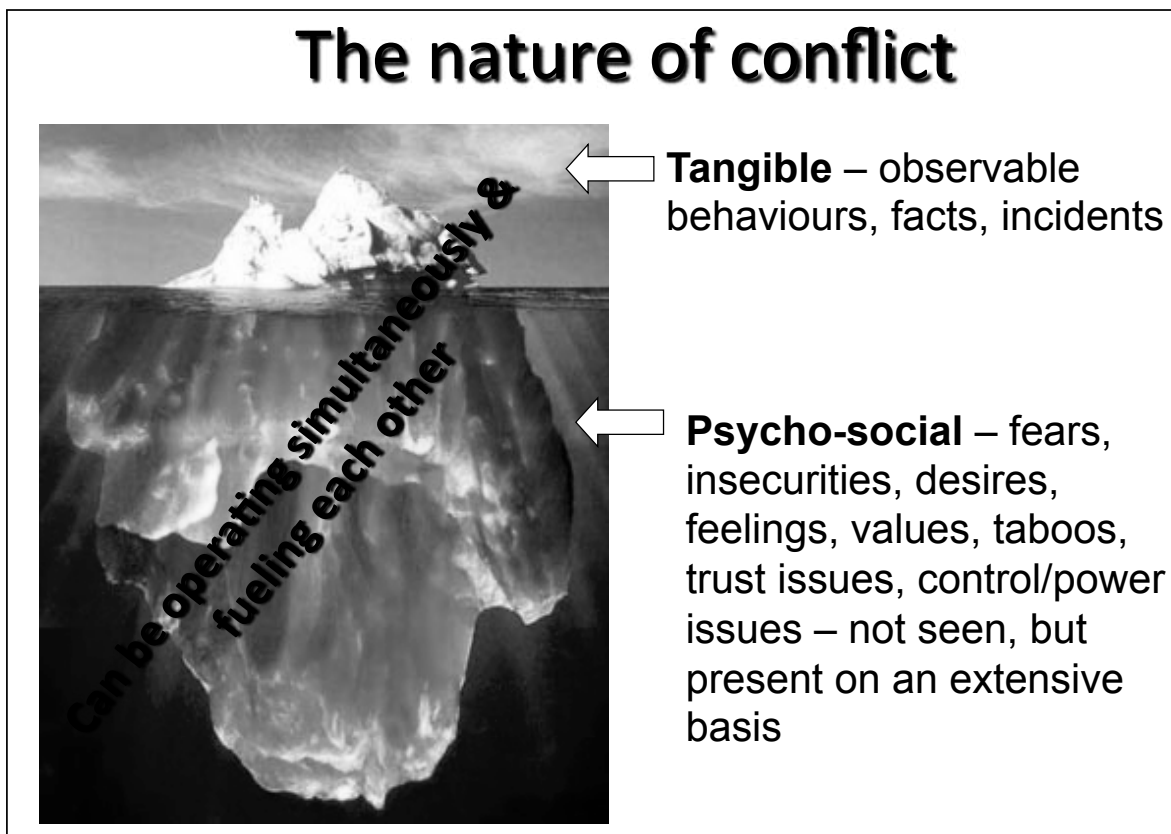
There is a perception that in a Christian community, everyone should get along with each other and many are reticent to spoil this facade.

Indicators of conflict - Moving through the levels

It is not uncommon for a minor conflict to escalate into a major crisis without even those directly involved noticing the signs along the way. People can ignore the early signs of conflict as they do not seem important enough to deal with. Some people work on the 'peace at all costs' principle; however, this often has enormous long term costs.

The first step in the art of resolving conflict is to look for conflict clues. If you learn to recognise the early clues you can often save a situation from escalating into something more serious and difficult to manage.

The first clue is discomfort: discomfort is the intuitive feeling that something is wrong, even though you may not be able to put your finger on it. Sometimes it can be a sense that you did not say all you needed to about an issue and that there is 'unfinished business'.   It is important to pay attention to these feelings. Ask yourself, 'Is there something I can do about this?' If there is, act on it as soon as possible. If there isn't stay alert and look for another opportunity to do something about it.

A minor conflict incident is another clue: something minor happens that leaves you feeling upset or irritated for a while. Often these incidents seem so minor it feels unreasonable to make a fuss, and it is soon forgotten. At least it appears to be. These little incidents, however, might keep simmering at an unconscious level and the next time something similar happens the level of irritation increases.

The next level of conflict is misunderstanding: lack of clear communication or lack of rapport can lead to people making unwarranted assumptions about a person's motives, or a situation. Sometimes misunderstanding arises because the situation raises a touchy issue and perceptions of the problem become distorted. The person may react emotionally or defensively to a situation and the other person is unaware of the past, unresolved conflict which may have triggered these emotions.

Tension: at this level there can be distortions of perception of another person and most of what they do. The relationship can become weighed down with negative attitudes and fixed opinions or positions. The relationship suffers and almost any incident can cause a significant rift.

A crisis can result from such unresolved tension: at a crisis level a person may walk out of a job or relationship over an unresolved conflict. A crisis can lead to heated arguments or abusive behaviour. People can be overwhelmed by their feelings and can no longer behave or think rationally. A crisis can lead to serious, if not irretrievable breakdown in relationships.

Crises can occur because people have ignored or been unaware of the earlier signs of conflict. The point is never to regard something as too minor to deal with at the time of its occurrence. Early handling or management of minor issues can save much time and energy resolving them in the future if they escalate into something more serious.

Sometimes a conflict moves to another level for one person, whilst remaining in a lower level for another. For example, you may have experienced a conflict at the discomfort or incident level with another person. It may have seemed fairly insignificant to you and you did not give it much thought. However, when you see that person again, they seem to be very annoyed with you and in your mind their annoyance is out of all proportion to what you thought the conflict was about.

You may be unaware that since they have spoken to you last, they have discussed the discomfort or incident with others who have "fuelled the fire" in terms of them being angry or annoyed at you. In other words, they have moved up a level or two and you are not aware of it. This can lead to a situation where you perceive they react irrationally, and you think they have overreacted and might tell them so, resulting in the whole situation getting out of control and possibly hitting crisis level.

Intensity of Conflict

These levels of conflict (as described by Speed Leas) highlight the importance of dealing with conflict early and properly. As conflict intensifies it becomes exponentially more difficult to address without stress and harm.

Level 1: We've got a problem, let's solve it
Objective: Solve a real problem with conventional methods of discussion based on trust.
   Identifying Dynamics:
- Clear and specific language
- Participants are able to stay focused
- Significant trust and risk-taking exists
- Parties believe that rational discussion and good communication can fix the problem

Level 2: OK, let's fix the problem but I need to come out looking good....
Objective: Fix the problem but protect myself in the process
   Identifying Dynamics:
- Higher emotional content to the language
- Language moves to generalisations
- Not all facts and aspects of the problems are shared openly
- Participants will admit trust is down
- Sniping can exist - jokes have a hostile edge
- Inaccuracies in the other's case are pointed out possibly to score points
- People start looking for help to deal with the situation

Level 3: The Contest – There is only one way to resolve this, this is it, and you will have to accept it.
Objective: To ensure my position is maintained or my view prevails. To win.
   Identifying Dynamics:
- Contest language (My way rather than 'best')
- Emotional language ("People are upset")
- Language reflects perceptual distortion (fear), either/or, always, never, nobody, everyone.
- Power is used, personal and emotional attacks attempt to influence people's thinking
- Informal clumps or coalitions begin to emerge
- Parties do not easily talk informally
- We are right, the others better see it and come and make peace
- Assumptions about the others' motives and intentions are made

Level 4: Fight/Flight - The only way through this is for one of us to leave….
Objective: Break the need for working the problem through by leaving or getting the other to leave.
   Identifying Dynamics:
- Clear development of factions with leadership and tight boundaries
- The unity of the factional group is more important than the unity of the whole - conflict in the faction is suppressed to give solidarity
- Parties will push their own agenda at the expense of the whole
- The other party is assumed to be hypocritical and stereotypes are used
- Parties attempt to recruit outsiders for validity
- The conflict shifts from the issues to individuals and principles
- Attempts at expulsion
- Emotional attacks on people

Level 5: Intractable - Look at what they have done to me/us,
        someone has to stop them from hurting others.
Objective: Destroy/damage the person - Revenge
    Identifying Dynamics:
    • Parties perceive themselves on the side of some righteous cause
    • Means are justified by ends
    • People are not prepared to withdraw but are prepared to fight and defeat others
    • This is seen as the only option
    • Parties present themselves as true heroes
    • Factions become ideological groups

Common causes of ongoing conflict in churches

Conflict can come from a range of sources. Some common sources include: unmet expectations, communication barriers, communication styles & behavioural choices, miscommunication in ministry, unique perceptions, church frameworks and tendencies, shadow side of communication, different perspectives and frames of church.

Unmet Expectations

Unmet expectations can apply to any relationship within a church.

Some key questions that impact role expectations may include:
    • How will a person fulfil their ministry role (in practice)?
    • How will they fit into the culture of the church?
    • To what degree will they love the congregation/their clergy?
    • To what degree will the lay leadership/clergy lovingly communicate what they expect in roles?
Unmet expectations & role conflicts
    • Expected roles – what we expect of each other
    • Perceived roles – what we perceive each other does
    • Enacted role – what we actually do

    Where the roles don't match – we have conflict!

Communication Barriers

A communication barrier is any barrier which impedes the successful transfer of information to the receiver, anything which impedes the successful interpretation or decoding by the receiver, or anything which impedes the receiver's response to the message.

Communication barriers can be caused by: an individual barrier, a collection of barriers occurring within a short time frame, circumstances or pre-existing conditions or attitudes and/or combination of all of the above.

Examples of Communication Barriers

Lack of shared understanding of information
    • The people involved in the interchange do not have shared understanding of language or context
    • In addition, they may be unaware that they do not share meaning.
Jumping to Conclusions
    • When we are not really interested in either what is being said or the person that is saying it.
    • When we think that we know what they will say, we might "switch off"
    • When we hear part of a message and respond before receiving full message

Emotions
- Strong feelings like love, anger, hate, fear, jealousy, stress or frustration, can affect the way that we deal with other people or complete the task that we are meant to be doing.

Physical Barriers

Include; tiredness, feeling unwell, being too hot or cold, being uncomfortable, not being able to hear or see what is going on.

Insufficient Warning of Change
- This can occur when changes are made to the way things are done without discussing it with those with a vested interest. People can become sensitive when this happens, because they may feel a possessiveness about the way they do things or the way they should be done.

Style of communication and expression of language

Some of the things that can cause problems are:
- When people use words or jargon that all do not understand
- Choice of vocabulary and what is accepted as appropriate by others
- When people use idioms or expressions that everyone does not understand
- Use of sarcasm or other forms of humour
- Inappropriate location for the content being discussed (e.g. private conversations in public spaces)
- Aggressive or intimidating manner (e.g. loud, encroaching on your personal space, waving arms, pointing fingers)
- When people speak in a manner that is physically hard to hear or understand (e.g. strong accent, quietly spoken, mumbling, background noise)
- Cultural differences that are not recognised or respected

Communication styles & behavioural choices

Assertive behaviour refers to appropriate behaviour designed to stand up for your rights, and obtain what you want without violating the rights of another. Assertive behaviour communicates an impression of respect – for oneself as well as for the other person. It says that my wants, needs and rights are just as important as yours – not more or not less. It requires influencing, listening, negotiating and being clear so that the other person feels that their point of view is being respected, even if you don't ultimately agree with it. Assertive behaviour can be used to inform another person that you do not agree with their behaviour towards you. However, in doing so, it is important to do so in an appropriate manner, in an appropriate place and at an appropriate time.

Aggressive behaviour is standing up for yourself in such a way that disregards the other person's feelings, position, or interests. It therefore comes across as an attempt to humiliate, control, hurt, belittle or disregard the other person. Whether the aggressive behaviour is conscious or unconscious, it is likely to encourage the recipient to be more aggressive in his/her response. Other defining characteristics of aggressive behaviour include: attacking a person rather than their behaviour, putting others down through the use of sarcasm or jokes, building yourself up at the expense of another person's feelings and refusal to allow another person to express an opinion. In a church setting disempowering clergy or leaders by giving them authority, then not allowing them to exercise that authority can also be seen as aggressive behaviour.

Non-Assertive Behaviour involves violating one's own rights by failing to express honest feelings, thoughts and beliefs and consequently permitting others to violate oneself, or expressing one's thoughts and feelings in such an apologetic, diffident, self-effacing manner that others can easily disregard them. Non-assertive behaviour is often confused with politeness and with genuine concern for others. The goal of non-assertion is to appease others and to avoid conflict at any cost.

Some personal indicators of whether you are acting non-assertively include:

- Is your relationship with this person likely to change if you honestly express your feelings instead of "politely" keeping quiet?
- Are you trying to avoid confrontations or creating a scene, regardless of the cost to you?

It is important to consider that when in danger physically, emotionally or spiritually; non-assertive behaviour may be the most appropriate behavioural response in a given situation.

Miscommunication in ministry

Within ministry constructs, miscommunication does occur. Evidence suggests that in ministry, as in any team attempting to fulfil its purpose, there is a degree of failure to be understood, to achieve one's communicative goals; to be authentic and honest; and to establish an open dialogue. The key areas of miscommunication are related to actor-bound, time-bound and culture-bound elements.

With actor-bound elements there can be variation between the stakeholders regarding what is miscommunication. At times, those in ministry teams appear to have inaccurate perceptions of interchange between one or more people, both in vocal and written exchanges.

Time-bound elements also provide a platform for miscommunication in ministry. Often enthusiasm or desire to develop and establish a ministry can mean it is launched before appropriate personnel are selected, trained and equipped, and/or necessary infrastructure is in place. The consequence of any vital ingredient missing from a ministry before launching, can have a detrimental and in some cases fatal impact on the ministry and can possibly lead to conflict as stakeholders seek to justify their position.

Culture-bound elements are related to appropriateness or acceptance given national culture, organisational culture and organisational sub-cultures   Miscommunication emerges in relation to organisational sub-cultures, such as when church members value various traditional practices within the parish.

Unique Perceptions

Our perception of a situation may or may not be consistent with what a person intended in their communication and it is likely to be different for each person. Our perception is unique and can be influenced by factors such as:
- Expectations
- Past history with a church
- Degree of empathy and compassion
- Pre-conceived judgments about a person
- Past history with a person or situation
- Our values and priorities
- Time/life pressures we are experiencing
- Level of tiredness
- Physical, emotional and spiritual well-being
- Our level of stress
- Our agreement with what a person is saying
- Our view of the appropriateness of the behaviour of someone
- Our cultural background
- Our own ambitions, desires and agendas
- Our specific beliefs around power

It is important to remember that our unique perspective will influence our communication, our understanding, and the meaning we give to situations. When we take this into account we are less likely to fall into the black and white thinking that is all too often associated with poor conflict management.

Tendencies in churches

Within churches there can be these tendencies: to fail to anticipate conflict, to default to "open honest discussion" which may not take respectful interactions into consideration; to promote peace at all costs even at the expense of honesty; not to intentionally create and maintain safe emotional environments when addressing conflicts; to focus on personal concerns rather than church issues; to overuse 'forgiveness' at the expense of peace-making, justice and restoration; and to perceive that there is only one way to interpret words or actions. Each of these factors can contribute to conflict developing and/or contribute to it continuing.

Shadow side of communication

These are the covert or unwritten and unspoken rules in a church. They are not found in church vision or mission statements, church profiles, clergy covenants and are not likely to be discussed in formal settings such as Church Council meetings.

Clergy new to a parish are particularly vulnerable to the shadow side of communication as they don't know the covert or unspoken "rules" of the town or church, and only find out what they are when someone is offended in some way.

Every town and/or church has different rules, some they have in common, but many are unique to that place.

The manifestation of these covert rules may result in a degree of helplessness and possibly a sense of being bullied by the new person. There can be an unspoken recognition by the congregation members that even though addressing the issue of subversive behaviours could have a positive outcome on the ministry and church in the long-term, they are not necessarily confident in their ability or skills to actually confront the issue or the people involved. There may also be a degree of apprehension that addressing behaviours could lead to a period of upheaval and possible retribution from those who have perceived power in the church.

Another aspect of the shadow side of communication occurs where the authority of a church leader is not recognised and embraced by others, subversive behaviours can result in overt or covert attempts to take control. Anecdotal evidence suggests that whilst the existence of subversive activities is known to most members of the church, it is not raised or addressed.

Different 'Frames' for church

Framing is perceiving a situation or issue through a specific frame or viewpoint. This area can be explored through the model developed by Bolman & Deal (1997).

By adapting their model to a church context we may view the church through perspectives of Structural, Pastoral, Outreach or Traditional frames.

Structural Frame: the purpose of the church is expressed through programs or formal structures. Models of management are used to provide programs, support, teaching and outreach through formal channels established by the senior leadership. In essence, all activities could be measured against purposes and aims and the degree of success is able to be determined. Accountability has a strong place in this frame. The workload for administering the model would be shared across a base of people managing areas or ministries and being accountable to the senior leadership. The measure the success of the church is based on how it is represented through the Structural frame. If a model of management and formal programs do not exist, they may perceive that the church is not successful.

Pastoral Frame: a focus on nurturing the "church family", pastoral care and personal growth as the purpose of the church. May appear to see structure as not particularly important and deem that caring for the people is all that is required. Fellowship is often seen as the main purpose in attending church. These people are often "pastorally minded" and instinctively seek to encourage and nurture without any formal program or ministry through which to exercise their gifting. People also desire to learn and

grow as individuals in their relationship with God. Within this frame spiritual growth may be expressed through reflective and informal activities such as retreats or more structured Bible study groups. Many may resist formal structures to facilitate the nurturing process, seeing it as regimenting what is natural.

Outreach Frame: a strong emphasis on making a difference in the wider community. It could include areas such as social justice and sense of mission. It is within this frame that passion can lead to conflict when the desire to fulfil their mission is thwarted by lack of resources (e.g. financial or lack of people) and imposed structures (e.g. hierarchy and management). People are driven to fulfil their ministry. In the church it is often expressed through social welfare (e.g. reaching out to those in need), social justice (e.g. advocacy for the vulnerable or socially oppressed), and fulfilling the Great Commission through evangelism. People may become frustrated with "red tape" such as working through the established leadership to fulfil their objectives or mission.

Traditional Frame: a strong emphasis on following patterns of the past. Traditions are very important. In a church setting, this frame may be expressed through the style of Worship Services.   Emphasis on procedures, practices and leadership related to tradition as opposed to what is pragmatic or relevant to a given situation. For example, even if a church chose to change the way it conducted meetings, those with a strong Traditional frame are likely to resist change as it breaks with tradition or the "way we do things here", unless they are the ones suggesting the change. Those who operate as "gatekeepers" or the power base of a church may view church through a strong traditional frame.

Most people operate to some degree through all four frames, depending on the situation.

The difficulties arise when a person who operates predominantly through a single frame is unable or unwilling to acknowledge the merit in the perspectives of others. This poses a significant problem when those with a single frame or even double frame are part of a senior leadership team, such as a Church Council or eldership and insist that success can only be measured through their frame/s. It is equally problematic when a senior leadership team operates in a frame that is not consistent with the frames of the congregation.

Before conflict occurs it is helpful to:
- Explore the key frames through which you perceive the church
- Explore the key frames through which your senior leadership perceives the church
- Explore the frames through which your congregation perceives the church
- Acknowledge and validate different frames and perspectives
- Accept that perception is a reflection of a person's reality and doesn't change because they are told to do so
- Explore how something can be "unpacked" from different viewpoints

Personal Conflict Styles

Another major factor at play when conflicts occur is the interplay between the personal conflict styles of each person involved in the conflict. Some people, due to their personality will be more driven by keeping the peace (concerned for relationships) whilst other will be more concerned for the issue/s at hand.

The following set of illustrations are helpful in explaining the basic types of conflict styles, each has its place, but we all benefit from a better understanding each other's styles, and to be peacemakers rather than peace fakers or peace breaker (see the Peacemaker - Ken Sande)
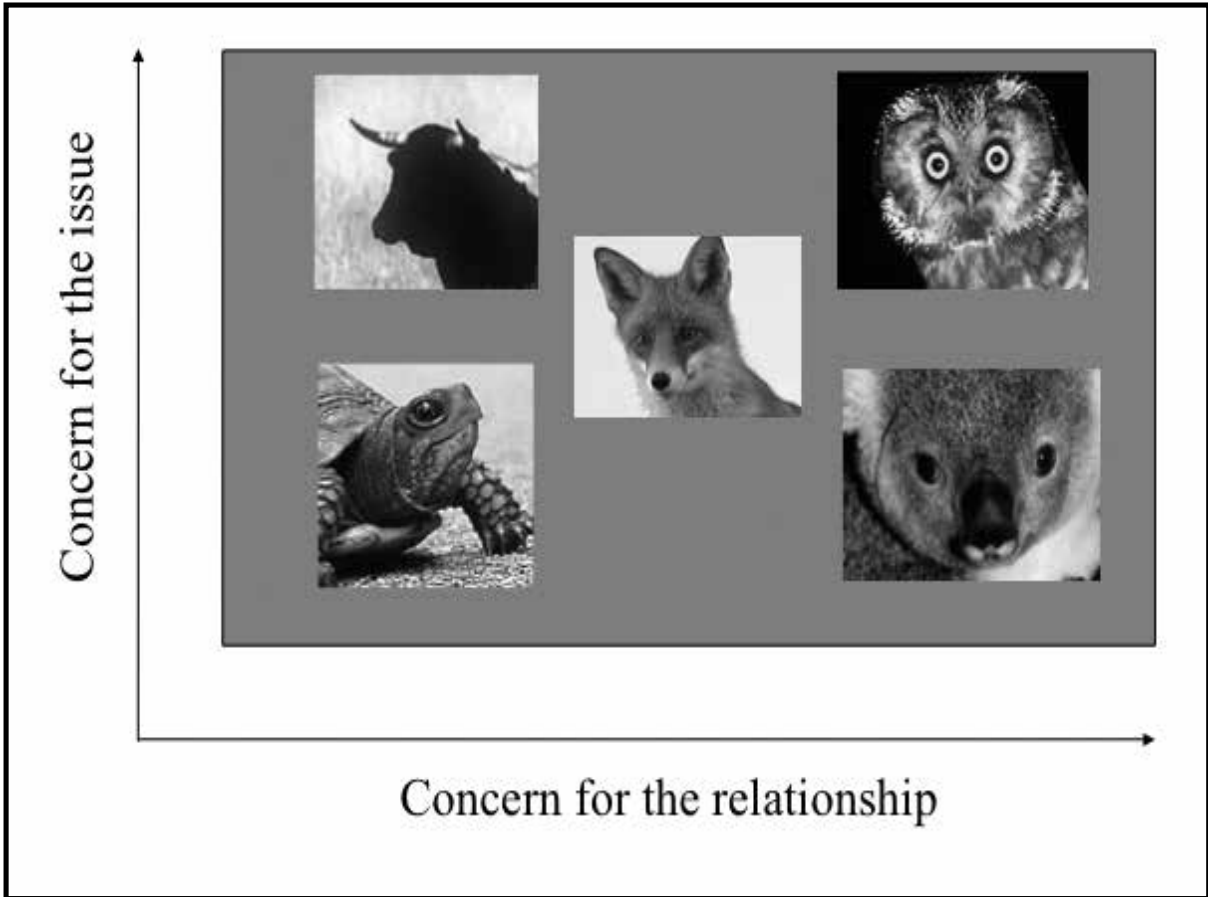
Forcing

Bull

- My way

- I win - You lose

- This is the way!

- Why waste time on discussion and collaboration – there is a solution lets just get it done.

Turtle

Avoiding

- No way

- I lose - You lose

- I'm out of here...

- The best solution to conflict is to get yourself out of the situation

- Ignoring the conflict or leaving the conflicted environment.

Koala

Accommodating / Supporting

- Your way

- I lose - You win

- Staying connected to you is more important to me than being in conflict. I am prepared to back down and support you.

Fox

· **Compromise**

- Half Way

- I win some – I lose some

- Maybe if we are all prepared to give a little we can find a way to get enough of what we need…

Owl

· **Collaborating**

- Our way

- I win - You win

- We need to take time and put some energy into working this out so that we find a creative solution where we both get what we need.

Interpersonal Conflict Styles

- Each style has its own benefits and value
- Each has drawbacks
- Know your natural tendency but also acquire the skills to employ the other styles when needed
- Your choice depends on the circumstances
- Ask:
  - How important is this relationship?
  - How important is this issue?

Illustrations from Power point presentation accompanying UNDERSTANDING & RESPONDING TO CONFLICT Handbook for Clergy 2013, by Celia Irving.

Using & misusing the bible in conflict:

Often Christians when in conflict or misconduct situations will quote Matthew 18:15-20. This passage refers to a person who has 'sinned against you'. In many cases this provides a great process for correcting poor behaviours, 'restoring the person who has sinned'. However, in cases where positional power exists between the parties or where abuse or perceived bullying behaviours have been experienced, this is often counter-productive to bringing about long term restoration of relationships. In many conflict situations, the assistance of a neutral third party is essential to help each party understand the key issues and ways forward. In short, Matthew 18:15-20 is one pathway for addressing grievances but needs careful and prayerful consideration, and is not the only pathway for addressing conflict or grievances.

Dr Ken Newburger of the Institute for Reconciliation and Peacemaker Training takes the misapplication of Matthew 18 a step further. Dr Newburger asserts that:

"Looking for a way out of their quandary many church members and leaders misapply Matthew 18. They confuse this judicial church discipline process with a general model for conflict resolution. The problem with such an approach is that the church discipline process outlined in Matthew 18 is only for sin serious enough to remove a member from fellowship (p. 17).

Jesus' words are wrongly used if applied to issues or disputes that do not involve sin (e.g. Acts 15:36-41). Indeed, when this judicial church discipline process is inappropriately applied to disputes over church goals, policies, allocation of resources, building projects, etc., expect an escalation of the conflict." (Irving 2015, p.68)

Don't Oversimplify it!

The important thing in working toward peace in conflict is not to over simplify things.

Acknowledge that there are a number of factors involved in conflict and grievances within a church setting.

For the safety of your church conflict and grievances need to be properly managed:

- Prepare (your leaders and the congregation for conflict and how to manage it properly)
  - Explore the key frames through which you perceive the church
  - Explore the key frames through which your senior leadership perceives the church
  - Explore the frames through which your congregation perceives the church
  - Acknowledge and validate different frames and perspectives
  - Accept that perception is a reflection of a person's reality and doesn't change because they are told to do so.

- Self evaluate - look for areas of potential conflict, consider questions around expectations and roles, consider the frames your church and its leaders operate under, look at communication styles and address any areas of weakness or potential problems

- Engage in preventative work - build up the entire body, unify, value diversity, establish a healthy and safe culture

- Address conflict thoroughly, for WHS compliance it is important to have a workplace Grievance procedure in place for all workers including volunteers.

  A sample Procedure for addressing workplace grievances is found in this Handbook (Chapter 8)

For additional reading on this topic SMR distributes:
Celia Irving's "Understanding and Responding to Conflict - 2015" Visit www.smr.org.au.

Chapter 3

Misconduct and Abuse

In this chapter we will:

• Explore the nature of misconduct and abuse

• List types and indicators of abuse

• Examine the impact of misconduct and abuse

• Consider the concept of vulnerability, risk factors and protective barriers

• Examine biblical & theological material on boundary violations & abuse issues

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This chapter explores misconduct and abuse in the context of positions of trust in the church i.e. any person who represents the church for us, from volunteer helpers through to the senior office bearers in the church.

Factors influencing our understanding and responses in relation to misconduct and abuse:

Factors such as the amount of information we have about abuse (in general and a specific scenario), social discourse on the topic in our society, our proximity to the issue, moral disengagement, and myths about abuse, can all influence whether or not we see a particular situation as abusive or not. We are also impacted by our perception of that situation, including: our upbringing, parents' behaviour, experiences we have had at the hands of influential people around us, our values, our attitudes concerning what constitutes abuse, our views on people's rights, and our perceived responsibilities toward vulnerable people.

Whilst there are some areas that clearly constitute abuse to most people, there are some "grey" areas that will vary depending upon the factors that inform our view. We need to recognise that we are all coloured in our view, and need to be guided by information and seek help from those with more experience in the field to help inform our concerns about a situation, we need to report our concerns to our senior leaders and where appropriate to the authorities.

Theological framework

Our understanding of God and how God functions in our lives and through the church can greatly assist how we consider and respond to boundaries, misconduct and abuse. It can and should be a source of guidance and courage. Unfortunately, where we have a limited or flawed understanding we can misunderstand the issues, and respond in a manner that causes additional harm to all involved.

In Chapter 5 we outline some of the ways of thinking about God and the church can lead to ministry misconduct and abuse.

Myths relating to misconduct and abuse

Myths are beliefs, which are commonly held, but are not true or accurate. There are myths relating to all kinds of misconduct, some of which are more or less common in different parts of the world. Myths result in a range of views on how to treat certain classes, genders, ethnicities or the views on how to discipline children. Examples of myths relating to misconduct and abuse include: as spiritual head of the household husbands can do whatever they want to their family; difficult children should be punished excessively; people are abused by strangers rather than people that are known to them; that the most commonly reported abuse is sexual abuse; that if my child was being abused by someone they would tell me; children who are sexually abused will go on to sexually abuse others; that vexatious or false allegations are common; the notion that girls and women are temptresses. Myths are not helpful in helping us make informed decisions about responding to the vulnerable and those at risk of harm in society.

Perception

Another major factor colouring and influencing individual responses to this area of misconduct and abuse is that of the person's perception. When we are faced with a situation, our perception of that situation is influenced by a number of factors. These include our up-bringing and perception of our parents' behaviour; experiences we have had at the hands of our parents or other adults; our values; our attitudes of what constitutes abuse; our views on the human rights and our responsibilities to protect the vulnerable. Whilst there are some areas that constitute abuse to most people, there are some grey areas that will vary depending upon individual perception (adapted from Creating Safe Ministries, Anglican Diocese of Canberra and Goulburn, Celia Irving 2014).

Proximity

Proximity is the closeness to the subject matter you are in due to your work and life experience, etc. It is often easier to see the issues in someone else's family or in someone else's church than in our own. Being too 'close' can result in people minimising abuse. There are also times when prolonged exposure to misconduct and abuse can negatively influence the way people see the subject. Hypersensitivity may be one of the results of a long time period of close proximity to abuse issues, e.g. a denominational standards director who is hearing about 'predators' may develop an unhelpful hypersensitivity to thinking that all leaders are 'predators' .

Social discourse

Social discourse is the way society has spoken about a given group of people or viewed and treated a topic or group of people. For example, in relation to women a social discourse around abuse and clothing has been: "The way she was dressed, she was looking for trouble."   This piece of social discourse has been used as a justification by many sexual offenders, and unfortunately has become part of the belief system many people (including religions) hold onto. The problem with this type of social discourse, or that it is attached to a person's race or religion or socio-economic status, is that it has shaped the way people view individual human rights without us actually challenging the statement society is making. (adapted from conversation with Dr Katie Seidler, forensic psychologist, LSC Psychology, 2009.)

Moral disengagement

Misconduct, abuse, particularly in the context of the revelations of child sexual abuse in the Christian church over the past 20 years, has seen many in the Church morally disengage with the horrors and reality of abuse. Moral disengagement includes a failure to act ethically but instead, a rationalisation and / or justification of a survivor's abuse story. This has been seen in the way church leaders have moralised their disengagement in the best interests of the church; euphemistically re-labelling abusive relationships, e.g. "they had an affair" and the way that others have diffused decisions made across a group rather than taking responsibility personally, and in the dehumanising of survivors through legal and unjust church investigation processes. (adapted from Dr Philip Quadrio, 2009, Moral disengagement, recognition and sexual abuse in religious institutions. Unpublished lecture at The NSW Ombudsman Symposium: Child protection in the workplace.)

Ministry Misconduct

What do we mean by ministry misconduct?

Ministry misconduct is the violation of boundaries, as opposed to respectful and appropriate crossing of boundaries within the leader - follower context, the context where because of a delegated position of trust and power the leader is expect to serve the best interests of those who follow or who are being served.

For those who are in accredited and/or ordained or paid ministry roles this might also be called professional misconduct because the violations have occurred in a professional/pastoral relationship and are a betrayal of the trust put in the minister by the community of faith,

Boundaries can be violated unintentionally, negligently, or deliberately.

There is a continuum of misconduct that extends from conduct that is generally considered minor disrespect for another person's boundaries (personhood) through to abuses which have significant impact on the personhood of the other person - these major acts may also be criminal actions.

This is a broad definition that considers the failure to respect, esteem & put value in persons with whom we come into contact, a failure to put the other person's needs above our own and in doing so failing to respect their boundaries. This definition incorporates disrespectful thinking and actions towards others.

Rev Dr Peter Powell's (Pastoral Counselling Institute) Respect Scale is helpful in understanding misconduct on a continuum. Powell's model focuses on four areas of a person's functioning: thinking, language, behaviour and also the way they operate as members of a church community.

The scale is separated into four graded categories: 0-25 being respectful boundary crossings; 25-50 as inappropriate boundary straying (violations); 50-75 actions where social and / or workplace sanctions apply, but not legal ones; Abuse where legal sanctions apply.

The model enables church leaders to focus on specific attitudes, thinking and behaviour in the church community; thus creating a sharper focus for possible action. It is particularly helpful in focusing on the behaviours on the 25 to 50 scale, where the so-called 'minimal' attitudes are forming and language and behaviour are creating concern within the church community. The churches' complaints procedures usually do not adequately cover these concerns, which are often minimised while serious damage is being done within the faith community. (Powell)

THE RESPECT SCALE of 1-100:

     0   TOTAL RESPECT FOR PERSONHOOD

Respectful boundary crossing

     25

Inappropriate boundary pushing/ straying the abuse cycle begins

     50

Social sanctions apply, but not legal ones (workplace discipline processes apply)

     75

Abuse where legal sanctions apply Rape, Murder

     100   TOTAL DISRESPECT FOR PERSONHOOD

Those who violate boundaries may have done so either because they have failed to understand boundaries, or because they intentionally violate the boundary for personal gain, that is to meet their own needs.

The unintentional violation may be named WANDERING behaviour. 'Wanderers' may continue to violate boundaries in minor or major ways because no one had ever told the wanderer that their language and or actions are not being received as respectful boundary crossings, and that they are actually doing harm to others.

Marie Fortune in Responding to Clergy Misconduct introduces the idea of a boundary violation continuum from the 'Wanderer' through to more predatory style violations. This is similar to Powell's respect scale in that some violations may be unintentional, whilst others will be planned and intentional. Fortune comments that 'boundary training will only ever stop the wanderer, the predator will not be deterred' (M Fortune).

Churches need to ensure that all church workers (paid and volunteer) represent our churches appropriately, and are made aware of the boundaries, i.e. via a code of conduct. These written clearly defined ministry boundaries are helpful to the wanderer as they clearly define behavioural expectations. They are also helpful as deterrents to the predator as they say to the predator - You will not be able to act that way as a leader of our program without sanction.

Abuse

"Abuse is the violation of an individual's human and civil rights by any other person or persons. It can vary from the seemingly trivial act of not treating someone with dignity and respect - to extreme punishment, cruelty or torture" (Adult Protection Committee: Yorkshire).

Abuse in terms of boundaries, could be defined as a serious violation leading to harm.

It is a disrespecting of personhood (Powell's scale) which 'steals' or 'robs' from the other person their self respect, esteem and confidence and typically will lead to the victim experiencing short and long term effects.

Abuse and the law

Given the broad scope of behaviours that are classified as misconduct and abuse it is important to remember that not all misconduct will be illegal.

Being aware of this is helpful for a church to understand, and as it can be unclear, it is recommended you contact your denominational office if in doubt about specific situations.

Government websites are also a useful source of information about the crimes acts and abuse related legislation in each state and territory.

Abuse and children

Abuse is "any act of omission or commission that endangers or impairs a child's physical or emotional health and development" (World Health Organisation). Another definition is "anything which individuals, institutions or processes do, or fail to do, which directly or indirectly harms children or damages their prospects of safe and healthy development into adulthood. Child abuse affects the whole community, not just the child and family involved" (NAPCAN).

Child abuse is illegal and considered so important that legal actions can be taken to protect children even where a crime cannot be proven. NSW legislation recognises a number of specific forms of child abuse including physical abuse, sexual abuse, psychological abuse, neglect, and physical and psychological harm arising from domestic violence. (NSW Child & Young Persons Care and Protection Act 1998, NSW Crimes Act 1900). See the next section on child protection for more detailed information as the remainder of this chapter focuses on the abuse of adults.

Abuse and adults

Many forms of abusive behaviours between adults are also illegal. Domestic violence, physical violence/assault, sexual harassment/violence, verbal harassment and intimidation, stalking, and theft are all crimes and need to be reported to the police. Discrimination on the grounds of gender, ethnicity, age, gender, and sexuality may also be illegal.

Other types of abusive behaviour may not be illegal, e.g. an adult sexual relationship between a pastor and a congregation member may not be illegal, but it is still an abuse of the pastoral relationship, a betrayal of trust and abuse of the pastor's position of power.

Types of abuse

Abuse of adults can take many forms. Commonly recognised forms of abuse are physical, emotional, financial, sexual, neglect, institutional, hate crimes, verbal abuse, & medicine abuse (Adult Protection Committee: Yorkshire, mentalhealth.net, Oaknet). In a church context spiritual abuse, bullying and harassment also need to be added as behaviours that come under misconduct and abuse. Whilst we recognise that particular groups of adults are particularly vulnerable and hence more at risk (e.g. the disabled, frail aged, minority groups & powerless), potentially, anyone can be a victim.

In relation to child abuse please refer to definitions and indicators of child abuse in the next section.

Physical abuse

Injuries inflicted upon another without consent or where consent was not able to be given at the time (e.g. due to disability, health, intoxication, being asleep.) Physical abuse also requires either an intent to harm (even if not to the extent that occurred) or a lack of care resulting in physical harm.

POTENTIAL INDICATORS OF PHYSICAL ABUSE
Numerous vague complaints of illness/soreness; high stress levels; flinching on approach; history of unexplained falls; unexplained bruising - in well protected areas or soft parts of the body; bruising in different stages of healing; unexplained burns - unusual location / type; unexplained fractures to any part of the body; unexplained lacerations or abrasions; slap, explanations that don't match injury; general guardedness and isolation (may be imposed by abuser or self imposed); kick, punch or finger marks; injury shape similar to an object; untreated medical problems; weight loss due to malnutrition or dehydration; fewer coping and problem solving skills (Adult Protection Committee: Yorkshire, NSW Interagency Protocol for Responding to Abuse of Older People).

Emotional / Psychological abuse

The use of words and body language to inappropriately criticise another person. This can include intimidation, humiliation, shouting, swearing, emotional blackmail, denial of basic human rights, using racist language, preventing someone from enjoying activities or meeting friends. It can include 'jokes' and name-calling that attacks and pulls down the other person. If the victim speaks up against these statements, they are often told that the criticisms were "just a joke", and that it is their own problem that they do not find the joke funny. Psychological abuse is dangerous because it is often not easily recognized as abuse, and therefore it can go on for extended periods, causing severe damage to a victim's self-esteem and self-worth. Damaged victims may fail to take advantage of opportunities that would enrich their lives because they come to believe they are not worthy of those opportunities.

POTENTIAL INDICATORS OF EMOTIONAL / PSYCHOLOGICAL ABUSE
Fearfulness, avoiding eye contact, flinching on approach; deference; insomnia or need for excessive sleep; change in appetite; unusual weight loss / gain; tearfulness; unexplained paranoia; low self esteem; confusion, agitation; isolation - no visitors or phone calls allowed; restricted access to hygiene facilities; lack of personal respect; carer not offering personal hygiene, medical care, regular food/drinks; signs that the person is not allowed to make decisions within their capabilities; signs that a carer is deliberately trying to restrict movement (e.g. through use of furniture, locked doors, instructions around where the person is allowed to go). (Adult Protection Committee: Yorkshire, Mentalhelp.net, NSW Interagency Protocol for Responding to Abuse of Older People)

Financial / material abuse

Financial or material abuse can take the form of fraud, theft or using of the vulnerable adults property without their permission. This could involve large sums of money or just small amounts from benefits each week. It includes placing pressure on people to provide their banking details and then exploiting that for personal gain.

POTENTIAL INDICATORS OF FINANCIAL / MATERIAL ABUSE
The victim describes having their finances rigidly controlled and not being allowed to make general choices around finances or employment; sudden inability to pay bills; sudden withdrawal of money from an account; person lacks belongings that they can clearly afford; power of attorney obtained when the person is unable to understand what they are signing; extraordinary interest by family members in the vulnerable adult's assets; recent change of deeds of the house; the person managing the finances is evasive and uncooperative; purchase of items that the individual does not require or use; personal items going missing; unreasonable or inappropriate gifts (Adult Protection Committee: Yorkshire, NSW Interagency Protocol for Responding to Abuse of Older People).

Sexual abuse

Sexual abuse is sexual activity where consent is refused, not given or unable to be given. Refusing may be verbal or non-verbal. Consent cannot be presumed and doesn't count if the victim is coerced. Sexual abuse may include date rape, sexual suggestions, coercion to perform sexual acts, physical sexual assault, exposing or flashing, using adults to create pornography/sexual abuse material without their consent.

POTENTIAL INDICATORS OF SEXUAL ABUSE
Sudden change in behaviour; increased depression, anxiety, anger; sudden onset of confusion; incontinence; withdrawal; overt sexual behaviour/language by a vulnerable adult; self inflicted injury; disturbed sleep pattern/poor concentration; difficulty in walking; torn, stained underwear; 'love bites'; pain or itching, bruising or bleeding in the genital area; sexually transmitted disease/ urinary tract/ vaginal infection; bruising to upper thighs and arms; frequent infection; severe upset or agitation when being bathed, pregnancy in a person unable to consent (Adult Protection Committee: Yorkshire, NSW Interagency Protocol for Responding to Abuse of Older People).

Neglect

A person can suffer because their physical and/or psychological (emotional) needs are being neglected by a carer. This could include failure to keep someone warm, clean and well nourished or neglecting to give prescribed medication.

POTENTIAL INDICATORS OF NEGLECT
Inadequate heating and lighting; poor physical condition of the vulnerable adult; person's clothing is ill fitting, unclean and in poor condition; malnutrition; failure to give prescribed medication properly; failure to provide appropriate privacy and dignity; inconsistent or reluctant contact with health and social care agencies; isolation - denying access to callers or visitors (Adult Protection Committee: Yorkshire, NSW Interagency Protocol for Responding to Abuse of Older People).

Institutional/systems abuse

Institutional abuse is different from other categories because it is defined by the abuser and how that abuse comes to pass, rather than about types of harm. Abuse occurs in an institution and it can be perpetrated by an individual or more collectively, by an organisation.

Systems abuse is when a system (e.g. the Court system, health system, media) causes harm to an individual. Harm may occur through an inappropriate response, negligent care, lack of resources, and misinformation being provided.

POTENTIAL INDICATORS OF INSTITUTIONAL AND SYSTEMS ABUSE
Institutional Abuse: no flexibility in bed time routine and/or deliberate waking; people left on the commode or toilet for long periods of time; inappropriate care of possessions, clothing and living area; lack of personal clothes and belongings; un-homely or stark living environments and lack of stimulation, inappropriate use of medical procedures e.g. enemas, catheterisation; 'Batch care' - lack of individual care programmes; illegal confinement or restrictions; inappropriate use of power or control; people referred to, or spoken to with disrespect; inflexible services based, on convenience of the provider rather than the person receiving services; inappropriate physical intervention; service user removed from the home or establishment, without discussion with other appropriate people or agencies, because staff are unable to manage the behaviours.

Systems abuse: cynicism, general mistrust, depression, withdrawal, anxiety, behaviours and decision making that are unusual and reflect desperation (Adult Protection Committee: Yorkshire, NSW Interagency Protocol for Responding to Abuse of Older People).

Cultural oppression and hate crimes

Hate Crimes are a type of abuse that involve verbal, physical, emotional, or sexual abuse toward an individual or a group of individuals based solely on some characteristic they may share in common with others such as their religion, race, skin colour, ethnicity, disability.

Hate crimes involve scapegoating; the placing of blame for something that has occurred (or is believed to have occurred; whether or not it really has occurred) on an undeserving individual or group simply because they share characteristics with those alleged to have been involved in the upsetting event. Attacks on Jews throughout history have been justified by saying that "the Jews killed Jesus". (Mentalhelp.net)

Throughout the history of the church there are stories of utilising or embracing cultural differences and of destroying cultural differences. (eg 1Cor 9:22, Paul when in Athens quoting a Greek poet and philosopher in his messages noted in Acts 17:28, Peter's lessons regarding Jewish and Gentile diets, the missionary work of many from St Patrick to Hudson Taylor). In Australia we have a history of cultural oppression and even genocide. The impacts of this are multigenerational and extremely complex. The dispossession of Aboriginal people from their land, family culture and language, the acts of genocide against communities of Aboriginal people (men, women and children), the use of Aboriginal people as slaves, and the sexual abuse of Aboriginal adults and children by non-Aboriginal people have caused deep wounds. As Christians in Australia we have not always reflected the teachings of Jesus in our interactions with people of different cultural backgrounds.

In the 2006 documentary "Kanyini", Tjilpi Bob Randall who was stolen from his family as a child recounts his experience of being taught about Christianity, in the context of what the non-Aboriginal Christians had done and were doing to his people.

"You learn this thing about this Jesus, but hang on, why do you do those other things to me, because this Jesus isn't saying what you're doing, in fact he's saying you shouldn't do that. Now I can read, I can read, I'm reading this book you're reading from when you stand in the pulpit. And you're teaching me these brilliant things which I have to know to make me strong with my spirituality, with my Kurunpa. I'm reading it and Jesus said "love one another" but that's what we did all the time, the white people took me away from that. Jesus said "have compassion", I had that too but you imprisoned me for that, I'm in your institution, being taught from you, about our spirituality, about our Kurunpa, which is in conflict with the way you're living, and what you're doing. We call that "rama rama" - madness: you're saying one thing and doing another. And another thing I picked up too in what you were teaching me, these are your words, "Thou shalt not kill"… you think I'm silly?"

Medication abuse

The misuse of medications, prescriptions or mood altering substances on purpose or by accident. It can include over-medication and not providing adequate or appropriate medication when needed or when prescribed.

Indicators of medication abuse may include: reduced mental or physical activity; depression; making inconsistent statements; appearing confused. NOTE: Some of these indicators may be present when an older adult is not being abused (Oak-net).

Domestic and family violence

Domestic and family violence includes the types of abuse listed previously, but occurring within a domestic or family relationship. This is often marked by a significant imbalance of power within the household. It is common for perpetrator to be highly controlling. One form of domestic violence has been described aptly as Intimate Terrorism. Another form that occurs far less often is Common Couple Violence, where both adult partners hold roughly equal power within the relationship, and both at times instigate the violence. The term Family Violence recognises that within a household it is possible for there to be multiple perpetrators and victims, e.g. teenage child abusing parent, parent abusing grandparent.

Sometimes people ask the question "why doesn't she/he leave?" This question does two things – it places responsibility of the abuse onto the victim and secondly fails to recognise the complexities of abuse in families. A better question worthy of our attention and efforts is "why doesn't he/she stop abusing his/her family?" Although to observers leaving may seem the obvious solution when a person is experiencing family violence, the situation may look very different from the inside.

Factors that may influence a woman's perceptions around leaving include:
• Fears, often very well-founded, that her partner will pursue her and her children if they leave. Women and children are at greater risk of being killed by the partner at the time of leaving.
• Partner may have alienated the children from the woman as a tactic so her relationship with the children is jeopardised.
• Lack of access to the economic and social resources needed to establish a new household.
• Their relationships with friends and family may have eroded because of pressure from their partner.
• Women may feel shame about the violence.
• Women may have an emotional attachment to their partner, or may feel responsibility for them. Men may have threatened to harm themselves in the past if the woman leaves.
• Women may feel uncomfortable about separating children from their father, especially if they perceive positive aspects to the relationship, for example, father coaching children's sport.
• Women may believe their partner's message that they are not competent to cope without him. Where the violent partner is coercive and controlling with the children, the woman may feel uncertain about her ability to parent without him.
• Women may leave, but return, influenced both by the challenges of sole parenting, and their partner's promises to change.
• Community and cultural perceptions about commitment to relationships and the woman's responsibility for maintaining the relationship.
• Prejudicial views within the community towards single mothers.

What about when women are violent towards men?

While research confirms that women do commit violent acts in the home, women's violence tends to be different to men's in a number of ways. Whilst women's violence should not be ignored, it is important to be aware of these likely differences.
• Men's violence tends to be more severe. Women have been estimated as being 10 times more likely than men to suffer injuries as a result of domestic violence.
• Women's violence is more likely to be in response to frustration and stress, and is more likely to occur in self-defence or retaliation. Men's violence is more likely to be an attempt to control or dominate.
• Women's violence often occurs from a position of financial, material or emotional dependence, while men may be socialised to use aggression as a means of maintaining dominance and control.
• Studies have shown that where women use violence in self-defence the risk to them resulting from their partner's violence is likely to increase. This may be significant in recognising the potential risk of harm to children in the household.

Current approaches to intervention with perpetrators of violence in households emphasise the importance of the perpetrator taking responsibility for their behaviour, and the need for strategies to ensure the safety of other family members. These approaches are relevant regardless of the gender of the perpetrator.

Domestic Violence Protection Orders are Court Orders designed to protect victims of domestic violence or persons at risk of domestic violence. Terminology used, the types of conduct that may constitute domestic violence, the types of orders and the restraints and conditions available, and the capacity for temporary orders made quickly by police all varies across states and territories. The order

s are designed to prevent someone from approaching you, contacting you, or coming near where you live or work. There may be specific conditions attached to the order to allow for your individual circumstances (eg around alcohol or drug use). It is possible to have an order in some situations where you are able to still reside with the person you have taken the order against.

A Domestic Violence Protection Order provides a level of protection and safety. They are not a criminal charge, although breaching an order may result in criminal charges. These orders can be sought by contacting local police or magistrate. You can also get support and advice about your options from community legal centres, community centres and health services.

Spiritual abuse

Spiritual abuse—which is the manipulation and exploitation of others by the misuse of spiritual privilege and power — is a well documented problem in the mind controlling cults and sects of Australia. Unfortunately, as many battered Christians have discovered, its negative effects may also be found in 'normal', mainstream churches.

Most people understand the terms "child abuse", "sexual abuse" and "emotional abuse" but find it harder to grasp the idea of "spiritual" abuse. The task is easier when the definition identifies the common feature of all abuse – the misuse of power.

Spiritual abuse is just that: the manipulation and exploitation of others by the misuse of spiritual privilege and power. By definition, the majority of those who perpetrate such abuse are office-holders in Australia's churches and religious institutions, although it can also occur from those who have power within a church without having an official position.

The act can be as obvious as a public breach of pastoral confidentiality or as private as subtle pressure to give financially beyond your means. The most identifiable are the unspoken rules: Don't trust, don't talk, don't think and don't question. (Dr G. Barker)

In his book, "Healing Spiritual Abuse", Ken Blue talks about how abusive leaders use the following techniques to spiritually rob people of the freedom we have in Christ: stretching the truth, making denial an art form, confusing and manipulating others, using the unwritten "no talk" rule for the sake of unity (with the "no talk" rule itself being among those things never talked about), calls to unity, using big bibles and unctuous voices and demanding people call them by titles, speaking to intimidate rather than communicate their ideas.

"I have heard pastors say to their congregations, "Because I am the pastor, you must follow me." Their demand was not based on the truth or the God-directedness of their leadership but on their title. That is a false basis for authority. I've heard other religious leaders say, in effect, "Because I have a Ph.D., you have to take my words seriously." If their words are not true, they have no authority and we need not listen to them; their degrees are irrelevant." (Blue, p.27)

Bullying behaviours

There are a number of definitions of bullying behaviour, such as:

• "repeated aggression; verbal, psychological or physical, conducted by an individual or group against others". The purpose is to make the perpetrator feel powerful by exploiting the vulnerabilities of their targets (adapted from Kennedy, P & L. 2008, Welcome to BALM, BALM website www.balmnet.co.uk).

• a destructive set of behaviours that damages people whether they are targets or bullies. It is the repeated seeking out or targeting of a person to cause them distress and humiliation or to exploit them (adapted from Mason, R. 2007, Working to Bully-Proof Clergy and Parishes, The Eastern Region Council of the Anglican Diocese of Melbourne.).

Bullying behaviours can include: Bullying is deemed to be a form of emotional and/or physical abuse and is often chronic by nature. Perpetrators of bullying may choose to exercise bullying behaviours in

either overt and/or covert ways. The same perpetrator of bullying may vary between methods to achieve their desired outcome at any given time. Overt bullying, being by nature more open and direct, is more likely to be obvious to others. The hallmarks of covert bullying include using subtle and not obvious means of dominating or controlling a person or their decisions. In this situation the behaviours may be concealed from others not being targeted or they may be aware that manipulation is occurring but feel intimidated and not willing to challenge the behaviours. The bullying actions may or may not be executed by the perpetrator of abuse, e.g. they may have set up a culture where others physically and emotionally bully the intended victim. Both types of bullying may be associated with bullying through words and actions.

Bullying through words

Bullying through words can be used to include outcomes such as manipulation, control, entrapment, humiliation and diminished self-esteem. They may be delivered using a raised voice, in general conversation, very quietly, either face-to-face, over the phone or in writing, in private or in a public setting. Behaviours also include minimization of concerns expressed by the target of the

behaviours, lying, denial of bullying behaviours alleged, threats to target's position or family comfort if compliance is not achieved, speaking over target when they endeavour to express a viewpoint, ignoring the target – including face-to-face encounters and electronic interactions, consistent fault-finding and withholding favour and refusal to acknowledge presence of the target of the bullying behaviours.

There are a number of groupings that could be deemed to be associated with bullying through words: the 'overbearing opinion'; the person who is always right; the 'judge and jury'; the 'put down artist'; the 'stand up comic'; the 'great guilt giver'; the 'historian'; the 'silent treatment'.

Another way of bullying through words is through electronic media. Those exercising bullying behaviours may use emails, text messages and use of social media. By nature, these forms of communication allow for the distribution of and/or request for information in a quick time frame and often without the niceties that might accompany a person to person exchange. For a person who perceives they are being bullied, receiving a message without the inclusion of appropriate social conventions, could contribute to their overall sense of abuse.

Bullying through actions

Bullying can have a physical component ranging from a disregard for the personal space of others through to physical violence. It can also include acts of vandalism, destroying personal or professional items, obstructing someone personally, use of motor vehicles in an aggressive or obstructive way.

There are a number of groupings that could be associated with bullying through actions: the 'commander in chief'; the 'ventaholic'; the 'intimidator'; the 'roller coaster'.
(Celia Irving, 2009)

Suggestions for responding in situations where bullying is perceived - a personal approach:
If you perceive that you are experiencing bullying behaviours, you might consider the following prior to lodging a formal complaint:
• Talk to a confidant outside of the situation - do not triangulate them into the situation but rather ask them to help you formulate a plan for addressing what you are experiencing.
• Begin by considering whether the perceived behaviour is in fact bullying or whether something else is occurring, e.g. poor social or communication skills in the other person.
• Timing is important. Select an appropriate time and place to address the behaviours. At times it may be wiser to wait before addressing concerning behaviours. If a target of bullying behaviours attempts to address bullying behaviours when they are in a weakened physical, emotional and spiritual space, it is likely to be damaging to them. You need to feel strong enough to address the bullying behaviours of the other person on your own.
• If, after such discussion with your confidant, you for any reason are still unable to address the person, seek assistance from a senior leader in your church or denominational Safe Church type person.

• In the one on one meeting with the person who you perceive is exhibiting bullying behaviours toward you, have reconciliation as an aim, by trying to understand the other's perspective on why they have behaved in such a way.

• Be aware that for whatever reason the perpetrator of bullying behaviours may not perceive that they have anything to answer for.

• Speak confidentially to another leader at your church, your elders, or, if you need help beyond your congregation, to other trusted wise counsel.

• Support needs during a bullying incident will vary significantly. Whilst one person may feel equipped to face a perpetrator of bullying behaviours, another person may not. This can also vary for one person, given how strong they are feeling at any given time.

Your church should have a process such as a protocol for addressing grievances for times where people are unable to resolve grievances of bullying behaviours at a personal level. Workcover Australia provides guides for employers and employees in relation to responding to bullying in the workplace.

Electronic communication, cyber-bullying, grooming on the Internet

The explosion of electronic communication has seen a sharp increase in the number of internet-based and telecommunications-based allegations of abuse and bullying. This involves the perpetrator using any form of telecommunication, or electronic communication to: sexually groom, bully, suggest an inappropriate relationship be formed, or engage a child in sexual language or behaviours. In some cases these interactions have led to people being charged with online grooming, or procurement of a child for sexual purposes. In NSW the Office of the Children's Guardian includes "inappropriate personal communication (including emails, telephone calls, text messaging, social media and web forums) that explore sexual feelings or intimate person feelings with a child" as part of its extended definition of sexual misconduct.

It is recommended that those working with children, young people and other vulnerable persons follow a set of protocols, as well as a statement in the Leaders' Conduct Covenant (found in the Implementation Kit) as to how leaders will communicate electronically with program participants, to ensure the safe use of electronic and telecommunication devices.

General principles for the use of electronic communication:

We acknowledge that the use of electronic media for communication is part of everyday life, however, we need to be mindful of the position of trust and power we have been entrusted with as leaders.

• As far as it is practical interact electronically in transparent and accountable ways i.e. as a team, not as individuals, e.g. group emails.

• In the case of communications with minors, seek parental permission beforehand.

• Leaders must not transmit, retrieve or store any communication that is: discriminatory or harassing, derogatory, obscene, sexually explicit or pornographic, defamatory, threatening, for any purpose that is illegal or contrary to your code of conduct.

• Do not send any electronic communication that attempts to hide your identity or represent the sender as someone else.

• Before sending the communication ask the 'boundary respecting' questions: Is this the right time, place, circumstance, and is it right for the other person for me to send this communication to them?

Sexual grooming

Sexual grooming is a pattern of behaviour aimed at engaging a child, as a precursor to sexual abuse. In some cases where positional power exists this can be a reportable matter. In most cases it is non-sexual and a precursor to the abuse. Includes: persuading the child that a 'special' relationship exists, spending inappropriate special time with the child, inappropriately giving gifts, showing special favours to child, but not to other children, allowing the child to overstep the rules, testing boundaries – undressing in front of the child, allowing the child to sit on lap, talking about sex,

'accidental' touching of genitals, etc. In isolation, such behaviours may not indicate risk of abuse occurring, but if there is a pattern of behaviour occurring, it may indicate grooming (NSW Working With Children Check, 2004).

The grooming process can also involve the manipulation of people around the intended victim. In some cases entire congregations have been 'groomed' in a way that protects the perpetrator and silences the victim and bystanders.

Note that in some states and territories 'sexual grooming' is considered sexual misconduct, for example in NSW the outcomes of investigations into allegations of sexual grooming against children's and youth leaders are subject to reporting to the Office of the Children's Guardian (visit www.kids.nsw.gov.au), contact your denominational Safe Ministry type person for more information.

In December 2013, the Victorian Government introduced a new criminal offence which targets 'grooming'. The offense is aimed at offenders who seek to cultivate a child or their family in order to facilitate sexual abuse of the child. The offence prohibits any grooming of either a child or their parents or carers, with a penalty of up to 10 years in jail. Attorney General said the grooming laws apply to any communication with a child, parent or carer intended to facilitate involving the child in a sexual offence. It will apply to both grooming through personal contact and grooming using the internet or any other mean. (http://www.premier.vic.gov.au).

Vulnerability to harm: risk factors and protective barriers

In all forms of ministry it is important to identify and respond appropriately to people who are vulnerable. A person is vulnerable when they have limited resources (personal, social, economic) in a particular situation. "People in addition to children, may be considered to be susceptible to abuse or exploitation based on factors such as their health status (mental or physical), age, grief, social isolation or financial hardship." (Seventh Day Adventist Australian Union Conference, Creating a Safe Place Policy, 2011) Vulnerability is a fluid thing and can change over time and also can change depending on the environment the person is in (e.g. a new Christian may be particularly vulnerable spiritually in a home Bible study but far less so when at work).

The Australian Institute of Family Studies Issues Paper "Child maltreatment in organisations: Risk factors and strategies for prevention", highlighted the following factors that place children at greater risk of maltreatment within an organisation: age, gender, previous maltreatment, disability, a lack of assertiveness strategies, and Aboriginal and Torres Strait Islander children. (Irenyi et al, 2006)

One way of understanding the impact of misconduct and abuse are the vulnerabilities or risk factors a person has in their life. Abuse is more likely to occur and to have a more significant impact when a person has a lack of self protection, people to protect them, and protective systems in their life.

Barriers that help against abuse start with the person themselves (their own resilience), their own ability to cope, provide for themselves and protect their own rights. Layers are added by the care of a loving family and friends, a person's location geographically, and the wider socio/cultural context in which the person lives, e.g. education, employment, financial situation.

It is important to recognise that how a person is impacted by abuse is affected by their vulnerabilities and the protective barriers that are present in their lives at the time.

Personal vulnerability (mental illness, disability, addiction, resilience)

Background (prior trauma, family dysfunction, poverty, stability, secure attachments)

Support persons & family context (who looks out for me, protects me and cares for me?)

Community factors (support services, facilities for help, doctors etc.)

Wider sociocultural factors (value of children, accepted practices, history of oppression)

Some of these factors are more static, e.g. a physical disability, history of family dysfunction. Other factors are more dynamic, in that they change over time, e.g. grief, loss, stress, unemployment, homelessness, geography.
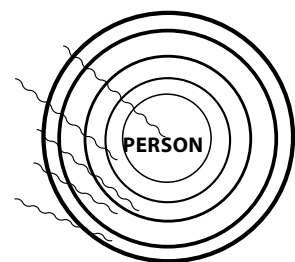
Responding to adults at risk

The Manual outlines the factors involved regarding responding to adults at risk (see Module 2). Considerations need to be made whenever there are concerns that an adult is at risk of harming themselves or another person.

In the majority of situations the church's role will be to support the wishes of the adult who is at risk. This may mean supporting the adult to access services (such as health services, police, legal advice). Seek permission to speak with church leadership , and if obtained consult with the Safe Church Concerns Team.

In matters where there is imminent risk of harm or a risk of significant harm (violence to self or others) then seek advice immediately from the Safe Church Concerns Team. Where risk is imminent and significant a call to 000 is usually required to gain emergency assistance from police or ambulance.

In Chapter 8 there is a sample Elder abuse policy and procedure.

In responding to the suspected abuse of older people considerations around the person's vulnerability and competence can also come into the context.

An important aspect of responding to adults at risk of harm is having a clear system of communicating concerns to a team of people who re responsible to consider the concerns,seek expert advice, and develop a plan of response.

Responding: The Local Safe Church Concerns Team

We recommend that each local church appoint a Safe Church Concerns Team, of 2-3 people with appropriate experience and or skills.

Primarily these are local contact people to whom congregation members can bring their safe church concerns in relation to abuse against congregation members and or concerns about ministry misconduct. The names of the people on the Safe Church Concerns Team should be communicated widely and regularly to the whole local church.

This team is different to the church Work Health & Safety (WHS) Team whose role it is to oversee the implementation of policy and procedures in the area of WHS and safe churches.

The Safe Church Concerns Team must act in accordance with State and Federal legislation and also with denominational reporting requirements.

Please phone your denominational Safe Ministry contact person for advice as to denominational requirements and state based legislation.

In the selection of this team three factors are important to consider:

First, it is important that the head of agency is part of this team or is adequately involved in decision making. Who is the head of agency in your constitution, is this the church secretary, elders or the senior pastor? The head of agency is responsible and may be liable for ensuring correct procedure is followed.

Second, the role is not only a child protection reporting role, but rather a hub for all Safe Church concerns, and as such the senior leaders of the church should have adequate representation on this team.

Third, the role has a coordination of pastoral care and risk management elements to it.

Given these three factors it is in many instances sensible that the Senior Pastor or other Senior church leader be appointed to the team alongside another 1-2 other suitably qualified persons to bring a mix of gender and skills to the team, such pastoral, social work/counselling and legal representation is advisable (were possible).

We recommend denomination /external help in managing individual cases and that the team does not attempt to minister beyond their expertise or skill level.

The Safe Church Concerns Team should be appropriately screened, inducted and supervised in this role and the persons on the team should be made aware of the National Privacy legislation, particularly in relation to the storage of Safe Church Concerns records.

There will be occasions where the a concern is related to a member of the Safe Church Concerns Team (or a pastor), and in these cases we recommend that you report directly to your denomination.

It is essential in these instances not to confide in other persons at your church as these matters need to be managed by persons without bias allowing natural justice for all involved.

Theological reflection

False Shepherds and True Shepherds

Ezekiel 34:1-31

[1] Then this message came to me from the Lord: [2] "Son of man, prophesy against the shepherds, the leaders of Israel. Give them this message from the Sovereign Lord: What sorrow awaits you shepherds who feed yourselves instead of your flocks. Shouldn't shepherds feed their sheep? [3] You drink the milk, wear the wool, and butcher the best animals, but you let your flocks starve. [4] You have not taken care of the weak. You have not tended the sick or bound up the injured. You have not gone looking for those who have wandered away and are lost. Instead, you have ruled them with harshness and cruelty. [5] So my sheep have been scattered without a shepherd, and they are easy prey for any wild animal. [6] They have wandered through all the mountains and all the hills, across the face of the earth, yet no one has gone to search for them.

[7] "Therefore, you shepherds, hear the word of the Lord: [8] As surely as I live, says the Sovereign Lord, you abandoned my flock and left them to be attacked by every wild animal. And though you were my shepherds, you didn't search for my sheep when they were lost. You took care of yourselves and left the sheep to starve. [9] Therefore, you shepherds, hear the word of the Lord. [10] This is what the Sovereign Lord says: I now consider these shepherds my enemies, and I will hold them responsible for what has happened to my flock. I will take away their right to feed the flock, and I will stop them from feeding themselves. I will rescue my flock from their mouths; the sheep will no longer be their prey.

[11] "For this is what the Sovereign Lord says: I myself will search and find my sheep. 12 I will be like a shepherd looking for his scattered flock. I will find my sheep and rescue them from all the places where they were scattered on that dark and cloudy day. [13] I will bring them back home to their own land of Israel from among the peoples and nations. I will feed them on the mountains of Israel and by the rivers and in all the places where people live. [14] Yes, I will give them good pasture and on the high hills of Israel. There they will lie down in pleasant places and feed in the lush pastures of the hills. [15] I myself will tend my sheep and give them a place to lie down in peace, says the Sovereign Lord. [16] I will search for my lost ones who strayed away, and I will bring them safely home again. I will bandage the injured and strengthen the weak. But I will destroy those who are fat and powerful. I will feed them, yes—feed them justice!

[17] "And as for you, my flock, this is what the Sovereign Lord says to his people: I will judge between one animal of the flock and another, separating the sheep from the goats. [18] Isn't it enough for you to keep the best of the pastures for yourselves? Must you also trample down the rest? Isn't it enough for you to drink clear water for yourselves? Must you also muddy the rest with your feet? [19] Why must my flock eat what you have trampled down and drink water you have fouled?

[20] "Therefore, this is what the Sovereign Lord says: I will surely judge between the fat sheep and the scrawny sheep. [21] For you fat sheep pushed and butted and crowded my sick and hungry flock until you scattered them to distant lands. [22] So I will rescue my flock, and they will no longer be abused. I will judge between one animal of the flock and another. [23] And I will set over them one shepherd, my servant David. He will feed them and be a shepherd to them. [24] And I, the Lord, will be their God, and my servant David will be a prince among my people. I, the Lord, have spoken!

[25] "I will make a covenant of peace with my people and drive away the dangerous animals from the land. Then they will be able to camp safely in the wildest places and sleep in the woods without fear. [26] I will bless my people and their homes around my holy hill. And in the proper season I will send the showers they need. There will be showers of blessing. [27] The orchards and fields of my people will yield bumper crops, and everyone will live in safety. When I have broken their chains of slavery and rescued them from those who enslaved them, then they will know that I am the Lord. [28] They will no longer be prey for other nations, and wild animals will no longer devour them. They will live in safety, and no one will frighten them.

[29] "And I will make their land famous for its crops, so my people will never again suffer from famines or the insults of foreign nations. [30] In this way, they will know that I, the Lord their God, am with them. And they will know that they, the people of Israel, are my people, says the Sovereign Lord. [31] You are my flock, the sheep of my pasture. You are my people, and I am your God. I, the Sovereign Lord, have spoken!" (NLT)

The prophet Ezekiel (Chapter 34) describes the false shepherds. These are the shepherds that meet their own needs by taking from the flock they are supposed to be shepherding and that fail to protect and care for the flock, which is their job. Ezekiel bemoans all of this and is clearly speaking to the public figures of his day using the shepherd metaphor-effective no doubt because the people knew that the customary practice for shepherds was that they did not take sheep from their own flock for their needs. The point was that the shepherd was entrusted with the care of the flock in order to insure the wellbeing of the whole community, who relied on the flock as a resource. God condemns the false shepherds for their disregard of the well-being of the flock and for their misuse of their roles." (Fortune, 2009, pp.8-9)

Boundary violations - disrespecting of personhood

Abuse is not a word we would readily associate with the Bible, however after Genesis 3, "the fall", there are many well-known stories of abusive relationships in the Bible.

In 2 Samuel 11:1 we have one of the most well known stories in the bible, the story of David, Bathsheba and her husband Uriah. In this story David sexually abuses Bathsheba, and then to cover this up has Uriah murdered, then David takes Bathsheba as one of his wives and she gave birth to a son. Verse 27 says, "But the LORD was displeased with what David had done."

Chapter 12 [1] So the LORD sent Nathan the prophet to tell David this story: "There were two men in a certain town. One was rich, and one was poor. [2] The rich man owned a great many sheep and cattle. [3] The poor man owned nothing but one little lamb he had bought. He raised that little lamb, and it grew up with his children. It ate from the man's own plate and drank from his cup. He cuddled it in his arms like a baby daughter. [4] One day a guest arrived at the home of the rich man. But instead of killing an animal from his own flock or herd, he took the poor man's lamb and killed it and prepared it for his guest."

[5] David was furious. "As surely as the LORD lives," he vowed, "any man who would do such a thing deserves to die! [6] He must repay four lambs to the poor man for the one he stole and for having no pity."

[7] Then Nathan said to David, "You are that man! The LORD, the God of Israel, says: I anointed you king of Israel and saved you from the power of Saul. 8 I gave you your master's house and his wives and the kingdoms of Israel and Judah. And if that had not been enough, I would have given you much, much more. [9] Why, then, have you despised the word of the LORD and done this horrible deed? For you have murdered Uriah the Hittite with the sword of the Ammonites and stolen his wife. 10 From this time on, your family will live by the sword because you have despised me by taking Uriah's wife to be your own.

[11] "This is what the LORD says: Because of what you have done, I will cause your own household to rebel against you. I will give your wives to another man before your very eyes, and he will go to bed with them in public view. 12 You did it secretly, but I will make this happen to you openly in the sight of all Israel."

[13] Then David confessed to Nathan, "I have sinned against the LORD."

Nathan replied, "Yes, but the LORD has forgiven you, and you won't die for this sin. [14] Nevertheless, because you have shown utter contempt for the LORD [a] by doing this, your child will die."

[15] After Nathan returned to his home, the LORD sent a deadly illness to the child of David and Uriah's wife.

What is the covenant violation?

The interesting thing about Prophet Nathan's use of shepherd and sheep is that is have nothing to do with the covenant violation of coveting, adultery, rape or murder.

"The sin of sexual abuse brings us back to the Ten Commandments. It is not the Seventh Commandment, "You shall not commit adultery," that should concern us. The problem with sexual violence is not that it represents sex outside of marriage. Rather, it is the Eighth Commandment, "You shall not steal" (Deuteronomy 5:19 and Exodus 20:15). It is the theft by the assailant of the security and well-being of the victim, the betrayal of trust, and the theft of her/his future. Let's be clear. It is not property theft, i.e. the taking of the property belonging to the male head of household. It is the theft of the sense of self of the person who is abused. Her/his boundaries are violated, trust is betrayed, and relationships are often broken by the theft of the abuser." (Fortune, 2009, p.13)

Tamar - David's Daughter 2 Samuel 13:1-22

[1] Now David's son Absalom had a beautiful sister named Tamar. And Amnon, her half brother, fell desperately in love with her. [2] Amnon became so obsessed with Tamar that he became ill. She was a virgin, and Amnon thought he could never have her. [3] But Amnon had a very crafty friend—his cousin Jonadab. He was the son of David's brother Shimea. [4] One day Jonadab said to Amnon, "What's the trouble? Why should the son of a king look so dejected morning after morning?" So Amnon told him, "I am in love with Tamar, my brother Absalom's sister." [5] "Well," Jonadab said, "I'll tell you what to do. Go back to bed and pretend you are ill. When your father comes to see you, ask him to let Tamar come and prepare some food for you. Tell him you'll feel better if she prepares it as you watch and feeds you with her own hands." [6] So Amnon lay down and pretended to be sick. And when the king came to see him, Amnon asked him, "Please let my sister Tamar come and cook my favourite dish as I watch. Then I can eat it from her own hands." 7 So David agreed and sent Tamar to Amnon's house to prepare some food for him.

[8] When Tamar arrived at Amnon's house, she went to the place where he was lying down so he could watch her mix some dough. Then she baked his favourite dish for him. [9] But when she set the serving tray before him, he refused to eat. "Everyone get out of here," Amnon told his servants. So they all left.

[10] Then he said to Tamar, "Now bring the food into my bedroom and feed it to me here." So Tamar took his favourite dish to him. [11] But as she was feeding him, he grabbed her and demanded, "Come to bed with me, my darling sister."

[12] "No, my brother!" she cried. "Don't be foolish! Don't do this to me! Such wicked things aren't done in Israel. [13] Where could I go in my shame? And you would be called one of the greatest fools in Israel. Please, just speak to the king about it, and he will let you marry me."

[14] But Amnon wouldn't listen to her, and since he was stronger than she was, he raped her. [15] Then suddenly Amnon's love turned to hate, and he hated her even more than he had loved her. "Get out of here!" he snarled at her. [16] "No, no!" Tamar cried. "Sending me away now is worse than what you've already done to me." But Amnon wouldn't listen to her. [17] He shouted for his servant and demanded, "Throw this woman out, and lock the door behind her!"

[18] So the servant put her out and locked the door behind her. She was wearing a long, beautiful robe, as was the custom in those days for the king's virgin daughters. 19 But now Tamar tore her robe and put ashes on her head. And then, with her face in her hands, she went away crying.

[20] Her brother Absalom saw her and asked, "Is it true that Amnon has been with you? Well, my sister, keep quiet for now, since he's your brother. Don't you worry about it." So Tamar lived as a desolate woman in her brother Absalom's house." (NLT)

Justice and righteousness in these recounts?

In the story of David and Bathsheba we hear the that the Lord was "displeased with what David had done". Ands there are consequences for his sin against Uriah and Bathsheba - the child dies.

However, in the sexual assault /rape of f Tamar by her half brother Amnon there is no commentary on God intervening.

When caring for victims Christian can often be too quick to talk about God's role / place in the world....

Consider the impact of the incest rape: in verse 20 "So Tamar lived as a desolate woman."

Chapter 4

Child Protection

In this chapter we will:

- Explore the factors which impact our view of child abuse and neglect
- build familiarity with indicators of various forms of abuse and neglect
- examine legal framework for responding including mandatory reporting
- consider additional responses to care for those impacted by abuse and neglect

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Addressing the area of child abuse can be both confronting and disturbing. To begin with, the actions of abuse themselves are humanity at its worst. Child abuse is in direct opposition to Jesus' command to love one another.

Child abuse is a serious and complex problem in the lives of children and young people. Often it occurs in environments that are isolated and stressful and affects those who are most vulnerable (Reporting Child Abuse, 2003). Abuse often occurs in situations where trust is involved and often by a person known to, and trusted by the child.

Protecting children and young people is a critical responsibility of any community. We have a clear biblical, ethical and legal mandate to work diligently to keep children and young people safe. The consequences of failing in this regard can be seen throughout all areas of our society.

In consultation with the states and territories, the non-government sector, academics, carers and young people, the Community and Disability Services Ministerial Advisory Committee (CDSMAC) developed the National Framework for Protecting Australia's Children 2009–2020 (COAG 2009). The National Framework is underpinned by the principles of the United Nations Convention on the Rights of the Child, endorsed by the Council of Australian Governments (COAG), and has the aim of ensuring Australia's children are safe and well. As a measure of this outcome a substantial and sustained reduction in child abuse and neglect in Australia has been set as a target.

There are six broad supporting outcome areas under the National Framework:

- Children live in safe and supportive communities.
- Children and families access adequate support to promote safety and intervene early.
- Risk factors for child abuse and neglect are addressed.
- Children who have been abused or neglected receive the support and care they need for their safety and wellbeing.
- Indigenous children are supported and safe in their families and communities.
- Child sexual abuse and exploitation is prevented and survivors receive adequate support.

These supporting outcomes focus effort and actions in order to reach the high-level outcome.

Twenty-eight indicators of change have been developed to measure the extent to which the supporting outcomes are being achieved. Some of the indicators rely on data that are currently collected, while others will require data development before robust data are available for reporting. The first report to COAG was released in 2011 (COAG 2010) (Source: Child Protection Australia 2010 - 2011: Australian Institute of Health and Welfare Canberra).

Key concepts

Perceptions

A major factor colouring and influencing individual responses to child abuse is that of the person's perception. Recognition is an important first step, coupled with adopting practices that limit individual leaders making judgements or decisions in isolation.

As discussed in Chapter 3, there can be a number of factors that impact upon our perceptions. A poor understanding of normal child development, or views and attitudes such as children being liars and trouble-makers, or as sexual beings that flirt or tempt adults can all significantly hinder an appropriate response to concerns that a child is at risk of harm.

Discounting

This is a model developed by Peg Flandreau West that assists us in understanding our reluctance to acknowledge or address societal problems. The concept considers the question, " if my or society's intervention will not help the situation why do anything at all?"

There are four levels of discounting in this model.

EXISTENCE - No acknowledgement of the problem existing. This comes from a natural and human reluctance to believe that unpleasant and horrible things happen within their 'world'. For example, statements that might identify this level are: "It doesn't happen in my class/school/community." "If it does happen it's in low income families, or families from that suburb/town/area." "You can prove anything with statistics." "I've never seen any evidence of this here." "Life isn't always fair."

SIGNIFICANCE - Accept that there is a problem, but don't accept it's significant. This comes from a resistance to accept the possibility that the problem of violence could impact them, although it happens to others. For example, statements that might identify this level are: "Kids tend to exaggerate." "Nothing really happened, just a little rough play." "He slipped up once, everyone makes a mistake." "There are worse things that happen." "The media blows things out of proportion all the time."

SOLVABILITY - Acceptance of the existence and significance of the problem, but believe that it cannot be solved. They cannot do anything about violence. For example, statements that might identify this level are: "Violence is part of human nature, part of the world we live in." "Maybe we can reduce it a bit, but remove the problem completely…I don't think so." "Children cannot do anything about violence." "It's too big a problem." "Experts have tried and failed."

SELF - Acceptance of the existence and significance of the problem, and that there are solutions, but a belief that they personally cannot initiate solutions.   For example statements that might identify this level are: "It's not my problem to solve." "I'm a teacher, not a social worker." "Maybe there are solutions, but it's not something I can do." "Why do I have to do something, it's their job to deal with it." "It's too hard to do everything."

(Flandreau West, P. 1989)

How serious is the issue?

Statistics on the extent of the problem:

It is almost impossible to determine the amount of abuse that does occur since only that which is reported to government authorities can become part of official statistics.

Child Protection Australia 2013–14 reported: "there were 304,097 notifications involving 198,966 children, a rate of 37.8 per 1,000 children in Australia. Of the notifications, 45% (137,585) were investigated, with 54,438 substantiations (after investigation) relating to 40,844 children—a rate of 7.8 per 1,000 children" (Child Protection Australia 2013-2014 AIHW Canberra: 2015, p.17). This is an increase in reporting over the past 4 years from 237,273 notifications in 2010-2011, "first full year of reporting under legislative changes to the New South Wales Children and Young Persons (Care and Protection) Act 1998. This includes raising the reporting threshold from 'risk of harm' to the new 'risk of significant harm" (ibid, 17).

"Nationally, emotional abuse was the most common primary type of abuse or neglect substantiated for children (40%), followed by neglect (28%). However, there was some variation between jurisdictions, with neglect being the most common type substantiated for children in Queensland, South Australia, the Australian Capital Territory and the Northern Territory. Across Australia, physical abuse was the primary type substantiated for 19% of children who were the subject of substantiations. This ranged from 12% in the Australian Capital Territory to 26% in Victoria. Sexual abuse was the reason for substantiation for 14% of children. (ibid, p.20).

"Across Australia in 2013–14, children in younger age groups were more likely to be the subjects of substantiations than those in older age groups. Infants (children aged under 1) were most likely (14.7 per 1,000 children) to be the subjects of substantiations and those aged 15–17 were least likely (3.5 per 1,000 children). This pattern was consistent across all jurisdictions" (ibid p.22).

It is important to acknowledge that, "National child protection data are based on those cases reported to departments responsible for child protection and, therefore, are likely to understate the true prevalence of child abuse and neglect across Australia. Further, notifications made to other organisations, such as the police or non-government welfare agencies, are only included if these notifications were also referred to departments responsible for child protection" (ibid).

Researchers and forensic practitioners estimate that as many 1 in 4 or 5 children will be sexually abused. Given the statistics of reported cases as seen above, this crimes is highly under-reported and research has indicated that on average it takes females 7-14 years to tell someone about their sexual abuse, whilst males take an average of well over 20 years to talk about their child sexual abuse, if they ever talk about it at all.

The national recurrent expenditure on child protection and out-of-home care services was approximately $2.8 billion in 2010–11, a real increase of $137.7 million (5.1%) from 2009–10 (SCRGSP forthcoming).

Experiencing child abuse has been demonstrated to have wide ranging implications. Studies (such as the Adverse Childhood Experiences Study conducted by the Centres for Disease Control) have linked multiple experiences of child abuse and neglect with long term outcomes including lower rates of income, higher rates of chronic illness such as heart disease and chronic obstructive pulmonary disease, higher risk for intimate partner violence, higher rates of alcoholism, higher rates of depression, lower life expectancy, increased likelihood of early uptake of cigarettes, and lower levels of assets. The total 'cost' to the individual and society is huge.

Why does child abuse occur?

It is important to realise that there can be a number of reasons why children and young people are neglect and abused.

As Christians we should be able to understand that every person has the capability of harming another, and not treat this area with an "us and them" attitude.

The risk factors or protective barriers that allow or protect people from abuse have been outlined in Chapter 3. Take time to review these as they are particularly relevant when considering why children are harmed.

Some other risk factors that can contribute to the likelihood of harm include:

- isolation and lack of support - when there is no one, such as extended family, friends, a partner or community support to help with the demands of parenting
- stress - financial pressures, job worries, medical problems or taking care of a family member with a disability can increase stress and overwhelm parents
- unrealistic expectations - a lack of understanding of a child or young person's developmental stages and behaviour
- lack of parenting skills - not knowing how to help children and young people learn, grow and behave in a positive way
- drug and alcohol problems - addiction or substance abuse may limit a parent's ability to meet their children's needs
- low self esteem and self confidence - sometimes insecure parents doubt their ability to meet their child's needs and do not seek help and support
- poor childhood experiences - intergenerational patterns of abuse.

(Queensland Government Department of Communities, Child Safety and Disability)

Sometimes people say things like:

"this can't be abuse, because the parents love their child",

or "but the parents are trying so hard, and they've come so far".

These statements suggest an incorrect assumption that child abuse and neglect cannot happen where the parents or carers are trying or love their child/ren.

The presence of love from parents to children and from children to parents is not an indicator of a safe family. Whilst it is positive when parents and carers make steps to address harmful behaviours, that doesn't necessarily mean that the children are now safe or free from abuse or neglect.

Child focused practice

A child focused or centred approach means that the needs and welfare of children are the primary concern and focus of work practices. This is achieved through a solid understanding of child development and a concerted effort to give children a voice.

'Child centred practice reflects a particular set of beliefs about the capacities, vulnerabilities and rights of children. Its core is a commitment to children's ways of understanding, describing and doing' (The Australian Childhood Foundation (2001 & 2003) cited in Mudaly & Goddard, The Truth is Longer than a Lie, (2006).

The child focused approach places the needs of the child at the centre of child protection.

The first question to ask is:

How is the child experiencing their interactions with the world, other kids and grown ups?

Jesus' view on children "The Greatest in the Kingdom (Matthew 18-1-14)

[18] About that time the disciples came to Jesus and asked, "Who is greatest in the Kingdom of Heaven?"

[2] Jesus called a little child to him and put the child among them. [3] Then he said, "I tell you the truth, unless you turn from your sins and become like little children, you will never get into the Kingdom of Heaven. [4] So anyone who becomes as humble as this little child is the greatest in the Kingdom of Heaven.

[5] "And anyone who welcomes a little child like this on my behalf is welcoming me. [6] But if you cause one of these little ones who trusts in me to fall into sin, it would be better for you to have a large millstone tied around your neck and be drowned in the depths of the sea.

[7] "What sorrow awaits the world, because it tempts people to sin. Temptations are inevitable, but what sorrow awaits the person who does the tempting. [8] So if your hand or foot causes you to sin, cut it off and throw it away. It's better to enter eternal life with only one hand or one foot than to be thrown into eternal fire with both of your hands and feet. [9] And if your eye causes you to sin, gouge it out and throw it away. It's better to enter eternal life with only one eye than to have two eyes and be thrown into the fire of hell.

[10] "Beware that you don't look down on any of these little ones. For I tell you that in heaven their angels are always in the presence of my heavenly Father.

[12] "If a man has a hundred sheep and one of them wanders away, what will he do? Won't he leave the ninety-nine others on the hills and go out to search for the one that is lost? [13] And if he finds it, I tell you the truth, he will rejoice over it more than over the ninety-nine that didn't wander away! [14] In the same way, it is not my heavenly Father's will that even one of these little ones should perish." (NLT)

Reflection

What do we learn about Jesus' view of children in this passage?

How can this passage inform our approach to child protection?

Engaging in child focused practice should be foundational to Christian ministry. (Matt 18:1-6, Mark 10:13-16). It requires us to put the physical, emotional and spiritual needs of children above our own. In a church setting it can be reflected in a range of ways including the structure of Sunday services, the teaching provided to children, the space and resources offered for children's ministries, the efforts taken in recruitment and supervision of leaders ministering to children, the behavioural expectations of children, children's participation in church, and the level of attention given to child protection policies, procedures and their implementation.

Definitions and indicators of child abuse

The following definitions and indicators are not intended to be exhaustive but are helpful in identifying children at risk of significant harm.

> Any act of omission or commission that endangers or impairs a child's physical or emotional health and development (World Health Organisation).

> Child abuse occurs when those given responsibility for the care and protection of a child, abuse the trust of that child and use their power to harm them (NSW Multicultural Health Communication Service, June 2003).

> Anything which individuals, institutions or processes do, or fail to do, which directly or indirectly harms children or damages their prospects of safe and healthy development into adulthood. Child abuse affects the whole community, not just the child and family involved (www.napcan.org.au – accessed 22/12/04).

It is also important to remember that one or two indicators in isolation do not mean that the child is being abused. Indicators must be considered in the context of other indicators and the child's or young person's circumstances.

Neglect

Definition: Continued failure by a parent or caregiver to provide a child with the basic things needed for his or her proper growth and development, such as food, clothing, shelter, medical and dental care and adequate supervision

Neglect can take one or more of the following forms:
- Neglect of basic physical needs
- Neglect of basic psychological needs
- Neglect of necessary medical care
- Failure to provide an education for a child

Indicators in the child or young person

Physical

- low weight for age and/or failure to thrive and develop
- poor primary health care (e.g. untreated sores, serious nappy rash, significant dental decay)
- untreated injuries
- symptoms of illness or poor health where child is likely to suffer harm without treatment
- poor standards of hygiene (i.e. child consistently unwashed, bad odour)
- poor complexion and hair texture
- poor standards of hygiene and self-care (young persons)

Social / psychological

- child not adequately supervised for their age
- scavenges or steals food; focus is on basic survival
- longs for or indiscriminately seeks adult affection
- displays rocking, sucking, head-banging behaviour
- poor school attendance
- stays at the homes of friends and acquaintances for prolonged periods, rather than at home
- cannot access adequate self-care resources such as washing facilities and food
- poor school attendance

Indicators in the parent or caregiver

- unable/unwilling to provide adequate food, shelter, clothing, medical attention, safe home conditions
- leaves the child without appropriate supervision
- abandons the child

- withholds physical contact or stimulation for prolonged periods
- unable or unwilling to provide psychological nurturing – low-warmth parenting
- has limited understanding of the child's needs
- has unrealistic expectations of the child
- permitted chronic truancy: habitual or chronic truancy averaging at least five days month if the parent had been informed of the problem and had not attempted to intervene
- inattention to special educational need: refusal to allow or failure to obtain remedial educational services or following through the treatment of a child's diagnosed learning disorder or other special educational need without reasonable cause.

(NSW Interagency Guidelines of Child Protection, 2006)

Neglect FAQS

Different families have different standards regarding household hygiene and management. How do we make judgements about when a report should be made?

Many factors can influence a family's household arrangements, including access to resources, amount of space, number and age of children, and parent's well-being. The key question to consider is the degree to which the household situation places children at risk. For example, daily contact with dog faeces in living spaces, broken glass, used syringes and inadequately stored meat may pose substantial risks while clean linen piled on seats, or unwashed dishes in the sink would not.

It may be that issues about a child's living situation should prompt a broader concern about a parent's capacity to meet both their child's physical and psychological needs. Parents suffering from depression may find many aspects of life overwhelming, while parents significantly affected by drug use may give little priority to household management and other aspects of their child's care. In such situations noting issues in the child's physical environment may prompt workers to pay attention to whether the child's basic psychological needs are being met.

What if a family comes to us without adequate food or bedding, or without power and asks for help. Do we need to make a report?

The Act refers to 'current concerns' about risk of harm. If an agency can give immediate practical assistance which means that children can promptly be given food, bedding, heating and so on, there would no longer be 'current concerns' about the physical care of the child. An agency might form a different view about risk of harm to the child, if for example, workers received repeated requests for assistance, and there was evidence that a parent's drug use was regularly leading to situations where the child's basic physical needs were not being met.

When are children old enough to be left at home without supervision?

There is no law determining the age at which children can be left alone. Young children can never be left alone safely because of their vulnerability and inability to get help if needed. Many factors including a child's maturity, access to help if needed and the length of time they will be left are important in determining if a child can be left safely. A helpful guide to this issue can be found in 'Home Alone' an article in the NSW Government publication 'Caring for Children 6-12 years'. (Go to www.parenting.nsw.gov.au and search for 'Home Alone'.)

Are immunisations necessary medical care?

Immunisations are not regarded as necessary medical care, and failure to arrange immunisations would not be grounds for a report of risk of harm. This is because immunisations are a public health strategy, and it is not possible to determine the risk of harm for an individual child who is not immunised.

Does it make a difference if parents are acting because of religious or philosophical beliefs?

The law doesn't distinguish between different kinds of motivation for being unwilling to arrange necessary medical care. The key issue is whether the child will experience risk of harm if necessary medical care is not provided.

What if parents have failed to arrange for medical care to date, but are now indicates a willingness to give a commitment to do so?

Workers would need to use their knowledge of the family, and the extent of risk of harm to the child if necessary medical care is not promptly provided in order to decide if there are current concerns, and therefore grounds to report. If parents have previously not kept commitments to act for the child, and if the risk of harm to the child if no medical care is provided is high, the worker may have grounds for current concerns.

Physical Abuse

Definition: Non- accidental injury or pattern of injuries to a child caused by a parent, caregiver or any other person

Indicators in the child or young person

PHYSICAL
- Bruises on face, head or neck
- Other bruises or marks which may show the shape of the object that caused it e.g. cigarette lighter burns - 'smiley faces', adult-sized bite marks
- Lacerations and welts
- Head injuries where the infant may be drowsy or vomiting, or have glassy eyes, fixed pupils or pooling of blood in the eyes suggesting the possibility of having been shaken
- Bone fractures, especially in children under three years old
- Dislocations, sprains, swelling
- Burn marks and scalds
- Multiple injuries or bruises
- Child's explanation inconsistent with injury
- Abdominal pain (may be caused by ruptured internal organs) ingestion of poisonous substances, alcohol or drugs
- General indicators of female genital mutilation (e.g. having a 'special operation')
- Lacerations, welts, bruising, burn marks
- Unspecified internal pains
- Frequent visits with child to health or other services with unexplained or suspicious injuries, swallowing of non-food substances or internal complaints
- Explanation of injury is not consistent with the visible injury

SOCIAL / PSYCHOLOGICAL
- wears clothing that is inappropriate to the weather conditions, to conceal injuries
- fears adults, is aggressive, lacks empathy
- aggressive and violent behaviours toward others, particularly younger children
- explosive temper that is out of proportion to precipitating event
- constantly on guard around adults, cowers at sudden movements, unusual deference to adults

Indicators in the parent or caregiver
- family history of violence
- history of their own maltreatment as a child
- fears injuring their child
- Uses excessive discipline (Source NSW Interagency Guidelines of Child Protection, 2006)

Female Genital Mutilation (FGM)

" Female genital mutilation is an abhorrent practice. It intentionally alters and causes harm to female genital organs for no medical reason and can have serious and long-lasting consequences, including infertility, an increased risk of childbirth complications, and maternal and infant mortality during and shortly after childbirth."

In recognition of the seriousness of female genital mutilation, in December 2012 the United
Nations General Assembly unanimously passed a resolution, co-sponsored by Australia,
banning the practice of female genital mutilation and encouraging member states to intensify
efforts to eliminate this harmful practice." (p.6, Australian Government, 2013)

Whilst each state has different laws about FGM it is important to recognise that in some

jurisdictions it is a crime to facilitate or arrange for a person to undergo FGM, even where the FGM
is planned to take place overseas.

General indicators of female genital mutilation (fgm) could include:
• Having a special operation associated with celebrations.
• Reluctance to be involved in sport or other physical activities when previously interested.
• Difficulties with toileting or menstruation.
• Anxiety about forthcoming school holidays or a trip to a country which practices FGM.
• Older siblings worried about their sisters visiting their country of origin.
• Long periods of sickness.
(NSW Interagency Guidelines for Child Protection Intervention, 2005)

PHYSICAL ABUSE FAQS
How can I tell if an injury is non-accidental?
Remember it is not your job to prove that an injury is non-accidental, just to have reasonable
grounds to report. Some points to consider in deciding whether you have reasonable grounds
include:
• What else do you know about the child and family? e.g. Have other children in the family
experienced physical abuse? How well does the parent generally cope with the child? Is the
family under particular stress at present?
• Are the explanations of the injury from the parent and child consistent?
• Are you aware of any previous injuries? e.g. Has the child previously been seen with bruises?
• Does the explanation account for the injury? e.g. If a child is supposed to have tripped over on
a flat surface, does this account for bruising on the abdomen?
• Does the injury fit with the child's age and developmental level? e.g. A baby of two months of
age who cannot roll over would not be able to roll off the side of a change table.
I know it's not my role to investigate so how do I find out about the explanation?
In many situations there could be a range of explanations for a child's injury. Just observing the
child may not give sufficient information to have reasonable grounds. Talking in a general way
with the child can give useful information. Both what the child says, and the manner in which
they discuss it may assist in making a judgement about reasonable grounds to suspect physical
abuse or ill treatment.
If you need to ask a child about an injury remember:
• Talk with the child in a calm, relaxed, open manner. Don't make a fuss.
• Avoid talking to the child about the injury in the presence of other children since this may make
it more difficult for them to tell you what happened.
• Use open questions: e.g. What happened to your face?
• Avoid leading questions, where you suggest a response to the child: e.g. did your dad do that?
• Don't press for detail, or pressure the child about contradictions.
• Remember that sometimes children will come back later and tell you what really happened. If
the child has clearly not told you what actually happened, don't imply that they are lying.
Remain open to the child.

Sexual Abuse

Sexual abuse is any sexual act or threat to a child or young person that causes them harm, or to be frightened or fearful. It covers a continuum from:

- Non-contact forms of harm, such as flashing, having a child or young person pose or perform in a sexual manner, exposure to sexually explicit material or acts (including pornographic material), communication of graphic sexual matters (including by email and SMS).
- A range of contact behaviours, such as kissing, touching or fondling the child or young person in a sexual manner, penetration of the vagina or anus either by digital, penile or any other object or coercing the child to perform any such act on themselves or anyone else.

Indicators in the child or young person

PHYSICAL

- bleeding from the vagina, external genitalia or anus
- tears or bruising to the genitalia, anus or perennial regions
- trauma to the breasts, buttocks, lower abdomen or thighs including bite/burn marks
- sexually transmitted disease
- adolescent pregnancy and/or reluctance to identify father of child

SOCIAL / PSYCHOLOGICAL

- direct or indirect disclosures
- describes sexual acts with age- inappropriate knowledge
- age-inappropriate behaviour and/or persistent sexual behaviour
- self-destructive behaviour, drug misuse, suicide attempts, self- mutilation
- runs away from home persistently
- eating disorders
- goes to bed fully clothed
- regression in developmental achievements in younger children
- has contact with a known or suspected paedophile
- unexplained money and gifts
- poor self esteem
- runs away from home, homelessness
- particularly negative reaction to adults of only one sex
- desexualisation (e.g. wearing baggy clothes in order to disguise gender/body shape)
- artwork or creative writing with obsessively sexual themes
- sexually provocative behaviour
- engaging in/talking about violent sexual acts
- knowledge about practice and locations usually associated with prostitution
- risk-taking behaviours – self-harm, suicide attempts

Indicators in the parent or caregiver

- defers to partner
- may minimise disclosure
- controlling attitude and behaviour to children and/or partner
- inappropriately curtails child's age- appropriate development of independence from the family
- overly critical of adult partner
- defends against accusations by claiming the child or young person is lying
- encourages/tolerates sexualised behaviour between family members
- exposes child or young person to prostitution or pornography; or uses a child or young person for pornographic purposes
- intentionally exposes child or young person to the sexual behaviour of others
- committed/been suspected of child sexual abuse or child pornography

- coerces child or young person to engage in sexual behaviour with other children and young
- verbal threats of sexual abuse
- family denies adolescent pregnancy

SEXUAL ABUSE FAQS

Do children lie about sexual abuse?

Research suggests that children and young people rarely make false disclosures about sexual abuse. It is important to remember that perpetrators of sexual abuse may use tactics to discredit the child, and discourage them from telling. Once a child's disclosure has been discounted or dismissed it becomes much more difficult for them to tell again. Taking all information about sexual assault seriously may also give other children more confidence to tell their story. Routinely reporting allegations of sexual abuse by staff also ensures systemic protection for children, and greater clarity for staff.

This is why the Ombudsman Act in NSW requires all allegations of abuse by staff to be dealt with by agencies, so that it can be seen that responses are transparent and consistent.

Intervention when a child has been sexually abused can lead to the child's whole life being turned upside down, which isn't what the child wants. Is it really worth it?

Children do sometimes say that they just wanted the abuse to stop, and can feel overwhelmed by the outcome of their disclosure. It is important to remember that children who have been sexually abused will often feel guilty and at fault, and this may influence their perception of events after their disclosure too. It is generally more helpful to assist them to challenge the feeling that they were at fault than to validate their sense in which 'everything has gone wrong'. Unfortunately while children may well just want the perpetrator, who may be someone very close to them, to stop, this is rarely simple to achieve.

It is important to keep in mind the bigger picture. We know from adult survivors of child sexual abuse about the devastating effects that childhood sexual abuse can have on people's lives. We also know how damaging the secrecy and sense of guilt can be on children's development. While we may have real concerns about the impact of intervention on the child and their family, we can't offer the child an alternative that will protect them from the potentially damaging effects of abuse in the future. For this reason it is better to direct our concern into efforts to support the child through the process that may occur after the report is made, rather than trying to decide, without being able to know all the variables, what the outcome of making a report might be.

What about when children are involved in sexual play and experimentation? Can that involve sexual abuse?

If you are concerned about the nature of children's play because of sexual themes talk to your supervisor, or Safe Church Concerns Person who can assist with accessing appropriate advice and support. Child protection services, local health centres or sexual assault services can all offer advice on how to proceed. Reporting not only opens the possibility for protecting children who are being abused, but also the possibility of intervention for perpetrators of abuse as early as possible.

Some general points to consider are:
- Does the child, especially in the pre-school years, display a detailed knowledge of sexual acts?
- Is there an age, developmental or size difference between the children?
- Do these children generally play together, or is it unusual for these children to play together, because for example they are different ages?
- Is there secrecy involved in the interaction? Have efforts been made to evade adult supervision?
- Have there been attempts to conceal or lie about the behaviour?
- Are there indications that a child has been coerced into the sexual behaviour?
- Has the behaviour been distressing for a child?

How can children be protected from sexual abuse?

While children should never have to be responsible for protecting themselves from sexual abuse, there has been substantial work over several decades developing strategies for teaching children protective behaviours. These have been evaluated, and are now often taught within school personal development programs. They may also be used by parents with children individually.

Also see the Self care and protection section of Module 2 of the Manual.

Sexual offenders - This topic is discussed in detail in Chapter 7.

Does the perpetrator know what they are doing?

Sexual abuse always involves a level of decision making. It is not uncommon for people who have abused to offer a range of convincing responses based on their guilt, shame, fear and desire to protect themselves. These responses can include that they didn't have control of themselves, that they weren't aware of what they were doing and to suggest alternative stories that place the responsibility on someone other than themselves.

People who have sexually abused are often able to describe a degree of planning in their abuse. This may include looking for access to the child, either by finding places where they can access a child they do not know, or through their social or other networks. They may plan to introducing sexual activities, and will take deliberate steps to make the child feel they cannot tell others. It is the substantial evidence of planning in these offences that demonstrates the perpetrators are aware of what they are doing.

Mental illness or use of drugs or alcohol may be influential factors (e.g. may contribute to being dis-inhibited), but they do not in themselves cause the abusive behaviour. (Remember that the majority of people who drink alcohol or who have a mental illness do not sexually abuse people.) These factors should not be used to absolve people who have abused from responsibility.

Domestic Violence

Definition: a child being present and hearing or seeing a parent or sibling subject to physical abuse, sexual abuse or psychological maltreatment and/or the damage caused to person or property by a family member's violent behaviour

Domestic or family violence is any abusive behaviour used by one partner or family member in a relationship to gain and maintain control over another's life. It can include a broad range of abusive and intimidating behaviours such as physical, psychological and/or sexual abuse. It may also include behaviour such as restricting a family member's social contact and financial deprivation. Domestic and family violence impacts the whole family, not just the people who are the direct targets or victims of the abusive behaviour.

Indicators in the child or young person

PHYSICAL
- preterm and low birth weight baby
- slow weight gain in infants
- difficulties with sleeping/eating
- unexplained physical injuries
- unexplained physical injuries eating disorders, such as anorexia and bulimia

SOCIAL / PSYCHOLOGICAL
- defiant at school, particularly with female teachers
- aggressive or violent behaviour
- over-protects mother or fears leaving mother at home
- concentrates poorly
- constantly fights with peers
- frequently absent from school

- clingy, dependent, sad and secretive
- regressive behaviour
- delayed or problematic language development
- stealing
- depressed
- suicide attempts
- takes extreme risks
- physically and verbally abusive
- abuses siblings, parents, and peers
- sexually abusive
- disruptive
- socially isolated
- anxious, depressed
- suicidal thoughts and attempts
- low self-esteem
- socially isolated
- submissive and withdrawn
- repeat/after hours presentations at emergency departments
- homeless or stays away from home for prolonged time
- frequently absent from school, and poor academic achievement

In parents & caregivers who are being harmed
- uses alcohol and drugs
- higher rates of genital tract infection
- injuries do not fit the cause/history given
- bite marks
- unwanted pregnancy or sexually transmitted infection through coerced sex/refusal to use contraceptives
- bruising/other injuries, especially if pregnant
- unexplained miscarriage or stillbirth
- nutritional/sleep deprivation or disorders
- physical signs of the victim fighting back, such as facial scratches and injuries to hands
- seldom/never makes decisions without referring to partner
- fears reprisal
- frequent absences from work/studies
- presents as the victim of abuse, discrimination or allegation of abuse
- admits to some violence but minimises its frequency and severity

In perpetrators
- visibly rough handling of victim/children/ pets
- impresses as overly concerned about suspected victim
- threatens to commit acts of violence
- angry outbursts
- always speaks for partner/children
- believes he 'owns' partner/children
- describes partner as incompetent or stupid
- holds rigidly to stereotypical gender roles
- jealous of partner, lacks trust in her or anyone else
- does not allow partner or child to access service providers alone

(NSW Interagency Guidelines of Child Protection, 2006)

DOMESTIC VIOLENCE FAQS
If I report, will I lose my relationship with the client?
It is understandable that workers are concerned about the impact of reporting on their relationship with clients, especially as clients may be angry and distressed when they realise a report is being made. However, it is important to recognise the real dangers present in a household where children are at risk of serious physical or psychological harm because of domestic violence. A number of research studies, including the reports of the NSW Child Death Review Team highlight the risks posed by the presence of domestic violence, and the links between domestic violence and other forms of harm such as physical abuse and child sexual abuse.

If workers don't report, their information is not available to workers in the Department of Family and Community Services who may be responding to concerns raised by others. This may result in child protection or other intervention being less effective than it might otherwise have been. Deciding not to report when there is risk of serious physical or psychological harm may also give a message to the family that their experience of violence is not significant. However good the worker's relationship is with a parent, the worker is not always in the home, and that relationship will not safeguard the children in the event of further or escalating violence.

Explaining that the worker doesn't have a choice about reporting can help workers to focus on the evidence they have seen of risk of serious physical or psychological harm, rather than on the pros and cons of reporting. This process may be easier when the worker's mandatory responsibilities have been explained clearly from the beginning of the working relationship, so that the client enters the relationship with this understanding. In addition and where appropriate, explaining that your concerns lie with the abusive family member and not with your client, and reassuring them that you will be advising of their attempts to keep themselves and others safe, may reduce your client's fear.

Psychological Harm
Definition: Behaviour by a parent or caregiver that destroys a child's confidence resulting in significant emotional disturbance or trauma
Serious psychological harm can lead to significant impairment of a child's or young person's social, emotional, cognitive, intellectual development and/or disturbance of a child's or young person's behaviour.
Although it is possible for 'one-off' incidents to cause serious harm, in general it is the frequency, persistence and duration of the parental or carer behaviour that is instrumental in defining the consequences for the child. Additionally, individual child factors can mediate the impact of psychological harm – such as age, cognitive ability and resilience – as can the nature of support the child receives from others.

Indicators in the child or young person
SOCIAL / PSYCHOLOGICAL
• feels worthless about life and themselves
• unable to value others or show empathy
• lacks trust in people
• lacks interpersonal skills necessary for age-appropriate functioning
• extreme attention-seeking
• takes extreme risks, is markedly disruptive, bullying or aggressive
• avoids all adults
• is obsessively obsequious [submissive] to adults
• has difficulty maintaining long-term significant relationships
• is highly self-critical
• is depressed, anxious, other mental ill-health indicators
• is self-harming, attempts suicide

Indicators in the parent or caregiver
- constantly criticises, belittles, teases a child or young person
- ignores or withholds praise and affection
- excessively criticises a child in comparison to child's peers
- is persistently hostile and verbally abusive, rejects and scapegoats
- makes excessive or unreasonable demands
- believes that a particular child or young person is bad or evil
- uses inappropriate physical or social isolation as punishment

SERIOUS PSYCHOLOGICAL HARM FAQS

How do I know if something is serious enough to report?

Some factors to consider include:
- How old is the child? How might the parent's behaviour impact on the child, given all of the relevant factors, including the child's development, history, and any special needs, alongside relevant protective factors for the child?
- How pervasive is the concerning behaviour? Is it episodic or ongoing? Does the impact on the child last for more than a short time? Ongoing or unremitting behaviour is of particular concern.
- How does the child make sense of the behaviour? To what extent is it directed specifically at them? The more children feel powerless or trapped by parent's behaviour, the more likely they are to experience harm.
- How would you describe the parent's behaviour? Behaviours which may cause psychological harm include: rejecting, isolating, terrorising, ignoring and corrupting. Are any of these terms relevant to what you see?

Remember, if you are not sure, talk to someone who is experienced in child protection, or to staff at the Helpline.

Do I have to be able to prove that the child is being adversely affected to report serious psychological harm?

No. The legislation refers to parents behaving in such a way that the child or young person is at risk of suffering psychological harm. Sometimes the evidence that the child is at risk will include direct observations about the impact of the parent's behaviour on the child, such as evidence of the child withdrawing, experiencing anxiety or being involved in extreme risk taking behaviour. However, if the parent's behaviour is such that it would be reasonable to expect the child or young person would be at risk of suffering psychological harm, it is not necessary to actually observe evidence that the harm has occurred. For example, if a parent made threats towards the life or physical safety of a child that are convincing to a worker, it would not be necessary to wait to see if the child also took them seriously and was adversely affected by them before making a report.

Pre-natal reporting

A person who has reasonable grounds to suspect before the birth of a child that the child may be at risk of harm after his or her birth.

Note: The intention of this section is:
(a) to allow assistance and support to be provided to the expectant mother to reduce the likelihood that her child, when born, will need to be placed in out-of-home care; and
(b) to provide early information that a child who is not yet born may be at risk of harm subsequent to his or her birth; and

Assistance and support could include: referral to family work services, assistance in accessing parent education &/or assistance in accessing accommodation

Homelessness

Definition: Homelessness is where a child or young person is living without any family support in any of the following circumstances:

- No accommodation at all, that is 'roofless'
- Only temporary or transient accommodation
- Emergency, refuge or crisis accommodation
- Other long term supported accommodation for homeless people such as hostels or transient accommodation.

A child or young person who is living in accommodation where they do not have access to basic utilities (such as power and running water) may also be regarded as homeless.

It is important to consider the additional risks that children and young people face when they are homeless, including being exploited financially, being physically or sexually abused, having their possessions stolen, and generally being in a compromised position. The complete instability that comes with not having somewhere to live can cause significant anxiety, frustration and feelings of hopelessness and depression.

(Human Rights and Equal Opportunity Commission 1989 Report of the National Inquiry into Homeless Children)

MANDATORY REPORTING ACROSS AUSTRALIA		
WHO?	WHAT?	GOVERNMENT AGENCY
ACT Doctors; dentists; nurses; enrolled nurses; midwives; teachers; a person providing education to a child or young person who is registered for home education; police; counsellors of children; workers at child care centres; coordinators or monitors of home-based family day care; public servants who work with children and young people or families; the public advocate; an official visitor; a person who, in the course of the person's employment, has contact with or provides services to children, and is prescribed by regulation.	A belief, on reasonable grounds, that a child or young person has experienced or is experiencing sexual abuse or non-accidental physical injury; and the belief arises from information obtained by the person during the course of, or because of, the person's work (whether paid or unpaid).	Care and Protection Services Mandatory reporting phone: 1300 556 728 General Public Phone: 1300 556 729 www.communityservices.act.gov.au
NSW A person who, in the course of his or her professional work or other paid employment delivers health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children; and a person who holds a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children.	Reasonable grounds to suspect that a child is at risk of significant harm; and those grounds arise during the course of or from the person's work. Physical abuse, sexual abuse, emotional/psychological abuse, neglect & exposure to family violence	Child Protection Helpline Mandatory Reporters: 133627 Mandatory Reporter Guide: www.keepthemsafe.nsw.gov.au General Public: 132 111
NT Any person with reasonable grounds.	A belief on reasonable grounds: that a child has been or is likely to be a victim of: physical abuse, sexual abuse emotional/psychological abuse neglect, exposure to physical violence (e.g. a child witnessing violence between parents at home).	Children, Youth and Families - Department of Health and Families Phone: 1800 700 250 www.childrenandfamilies.nt.gov.au
QLD An authorised officer, employee of the Department of Child Safety, a person employed in a departmental care service or licensed care service. Police officers with child protection responsibilities, teachers, registered nurses and doctors.	Awareness or reasonable suspicion: - of harm caused to a child placed in the care of an entity conducting a departmental care service or a licensee - during the practice of his or her profession: harm or risk of harm.	Child Safety Services Phone:During business hours - 1800 811 810 After hours and on weekends - 1800 177 135 www.communities.qld.gov.au

WHO?	WHAT?	GOVERNMENT AGENCY
SA Teachers, police, doctors, nurses, pharmacists, dentists, psychologists, community corrections officers, social workers, religious ministers (except disclosures made in the confessional), employees and volunteers in religious organisations, teachers in educational institutions; family day care providers; employees and volunteers in organisations providing health, education, welfare, sporting or recreational services to children; managers in relevant organisations	Reasonable grounds that a child has been or is being abused or neglected; and the suspicion is formed in the course of the person's work (whether paid or voluntary) or carrying out official duties.	Child Abuse Report Line (CARL): 131 478 www.families.sa.gov.au
TAS Teachers, police officers, doctors, nurses, midwives, dentists, psychologists, probation officers, principals and teachers in any educational institution, childcare providers, employees and volunteers in government funded agencies providing health, welfare or education services to children	A belief, suspicion, reasonable grounds or knowledge that: a child has been or is being abused or neglected or is affected by family violence, or there is a reasonable likelihood of a child being killed or abused or neglected by a person with whom the child resides	Child Protection Services - Department of Health and Human Services 1300 737 639 www.dhhs.tas.gov.au
VIC Registered medical practitioners, registered nurses, registered teachers, principals of government or non-government schools, and members of the police force	Child has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse and the child's parents have not protected, or are unlikely to protect, the child from harm of that type.	Child Protection and Family Services Metropolitan: Eastern 1300 360 391 Southern 1300 655 795 Northern & Western 1300 664 977 Rurual and Regional: Sth Western 1800 075 599 Eastern & Sth Eastern 1800 020 202 Western 1800 000551 Nth Eastern 1800 650 227 Nth Western 1800 675 598 After hours - 131278 www.dhs.vic.gov.au
VIC (cont) Any adult	Reasonable belief that a sexual offence has been committed in Victoria by an adult against a child (aged under 16)	Police - 000 www.police.vic.gov.au
WA Doctors; nurses and midwives; teachers; and police officers.	Belief on reasonable grounds that a child has been the subject of sexual abuse; or is the subject of ongoing sexual abuse	Department for Child Protection & Family Support Mandatory Reporters Line: 1800 708 704 General Public: Phone: (08) 9222 2555 Country free call: 1800 622258 After hours: Telephone: (08) 9223 1111 Country free call: 1800 199008 www.dcp.wa.gov.au

Reporting Concerns

(i) Mandatory reporting

The legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. All jurisdictions possess mandatory reporting requirements of some description. A mandatory reporter can be fined for failing to make a report (with the exception of reports made in accordance with NSW child protection legislation).

In all states and territories people are encouraged to report concerns of child abuse and neglect even where they are not mandatory reporters. The following table lists the descriptions of mandatory reporters for each state, what is covered under mandatory reporting, and the contact details for both mandatory reporters and the general public.
(Factors to consider in deciding to make a report of child abuse or neglect

What are 'reasonable grounds'?
Reasonable grounds refers to the need to have an objective basis to decide if a child may be at risk of harm. Reasonable grounds are when you are making a report in good faith, for the purpose of protecting the child and without malice or prejudice towards people being reported. For example a report made to 'get back' at a disliked neighbour would not be reasonable grounds.
Consider:
• First hand observations
• What you may have been told
• What you can reasonably infer based on your training and experience

What is 'risk of harm / significant harm'?
The terms 'risk of harm" and 'risk of significant harm' are pivotal to working within the legislation and hence it is important to have an understanding of its two components:
• What constitutes risk?
• What constitutes harm?
Risk refers to the relative likelihood of something occurring in the future. Reports of risk of harm should be more focused on concerns that are possible, likely or probably will occur.
Harm to a child or young person may be the impact of one or more of physical, psychological or sexual harm or neglect. The current and future impact of the harm needs to be considered.
Risk of significant harm is present if there are current concerns that a child or young person may suffer physical, sexual, psychological and/or emotional harm as a result of what is being done or not done by another person, often an adult responsible for their care.

What are 'current concerns'?
Current concerns may exist for a child or young person where maltreatment has not yet happened but there is a reasonable suspicion that, would the circumstances continue unchanged, that it is likely in the foreseeable future that the child or young person will experience abuse or neglect.
Current concerns means that at the time of making a report you are worried about:
• The safety, welfare or well-being of the child or young person
• Other children or young people who have contact with the alleged abuser
• The alleged person still having contact with other children or young people

What are the different categories of harm that will be considered?

Whilst legislation varies across states and territories, the following areas are universally considered: physical abuse, sexual abuse, psychological abuse, neglect. Some jurisdictions make particular mention of harm to children caused by family violence, behaviours indicative of grooming a child for sexual abuse, homelessness, potential harm to an unborn baby, neglect of necessary medical care and neglecting to provide access to education.

Reportable bodies in NSW (Additional layer of reporting in NSW):

NSW churches must notify the NSW Office of the Children's Guardian of the any disciplinary findings against children's workers (those working with 0-17yrs) where the finding related to sexual misconduct or serious physical violence.

The following information is an abridged version of the NSW Office of the Children's Guardian July 2013 "The New Working With Children Check: Information for reporting bodies: Reporting certain misconduct involving children - July 2013 fact sheet".

Under Schedule 1 of the Child Protection (Working With Children) Act 2012, the conduct that must be reported is:

(1) sexual misconduct committed against, with or in the presence of a child, including grooming of a child,

(2) any serious physical assault of a child.

Under the legislation, reporting bodies must investigate allegations of such conduct to make an informed finding as to whether or not the conduct occurred.

To determine whether or not the conduct meets the criteria, reporting bodies must consider the nature of the conduct itself and the context in which it occurred.

1. Sexual Misconduct:

The term 'sexual offence' encompasses all criminal offences involving a sexual element that are 'committed against, with or in the presence of a child'. Includes (but are not limited to) the following: indecent assault, sexual assault, aggravated sexual assault, sexual intercourse and attempted sexual intercourse, possession/dissemination/production of child pornography or child abuse material, using children to produce pornography, grooming or procuring children under the age of 16 years for unlawful sexual activity, deemed non-consensual sexual activity on the basis of special care relationships. All cases involving a sexual offence would also involve sexual misconduct.

The term 'sexual misconduct' includes conduct that does not necessarily equate to a criminal offence. There are three categories of sexual misconduct in addition to sexual offences: crossing professional boundaries, grooming behaviour and sexually explicit comments and other overtly sexual behaviour.

Crossing professional boundaries: Sexual misconduct includes behaviour that can reasonably be construed as involving an inappropriate and overly personal or intimate: relationship with, conduct towards or focus on; a child or young person, or a group of children or young persons.

Grooming behaviour: Grooming or procuring a child under the age of 16 years for unlawful sexual activity is a sexual offence. However, Schedule 1(2) of the Act also recognises grooming as a form of sexual misconduct. ... Behaviour should only be seen as 'grooming' where there is evidence of a pattern of conduct that is consistent with grooming the alleged victim for sexual activity, and that there is no other reasonable explanation for it.

The types of behaviours that may lead to such a conclusion include (but are not limited to):

• Persuading a child or group of children that they have a 'special' relationship, for example by:

- spending inappropriate special time with a child

- inappropriately giving gifts

- inappropriately showing special favours to them but not other children

- inappropriately allowing the child to overstep rules

- asking the child to keep this relationship to themselves

• Testing boundaries, for example by: undressing in front of a child, encouraging inappropriate physical contact (even where it is not overtly sexual), talking about sex &/or 'accidental' intimate touching

• Inappropriately extending a relationship outside of work (except where it may be appropriate - for example where there was a pre-existing friendship with the child's family or as part of normal social interactions in the community).

• Inappropriate personal communication (including emails, telephone calls, text messaging, social media and web forums) that explores sexual feelings or intimate personal feelings with a child.

• An adult requesting that a child keep any aspect of their relationship secret or using tactics to keep any aspect of the relationship secret, would generally increase the likelihood that grooming is occurring.

Sexually explicit comments and other overtly sexual behaviour: While it is not possible to provide a complete and definitive list of unacceptable sexual conduct involving children, the following types of behaviour give strong guidance:

- sexualised behaviour with or towards a child (including sexual exhibitionism)

- inappropriate conversations of a sexual nature

- comments that express a desire to act in a sexual manner

- unwarranted and inappropriate touching involving a child

- personal correspondence and communications (including emails, social media and web forums) with a child or young person in relation to the adult's romantic, intimate or sexual feelings for a child or young person

- exposure of children and young people to sexual behaviour of others including display of pornography

- watching children undress in circumstances where supervision is not required and it is clearly inappropriate

2. Serious physical assault of a child

An assault of a child includes any act by which a person intentionally inflicts unjustified use of physical force against a child. An assault can also occur if a person causes a child to reasonably fear that unjustified force will be used against them. Even if a person who inflicts, or causes the fear of, physical harm does not intend to inflict the harm or cause the fear, they may still have committed an assault if they acted recklessly (i.e. the person ought to have known that their actions would cause physical harm or the fear of such harm). Includes: hitting, pushing, shoving, throwing objects, or making threats to physically harm a child.

When reporting bodies are considering whether the physical force used was reasonable, a range of variables should be taken into account, having regard to the circumstances of the case. Variables that may be relevant include matters such as the age, maturity, health or other characteristics of the child or children involved, and professional codes of conduct or standards that the worker is required to follow.

Note: Only findings that a serious physical assault occurred are reportable to the Office of the Children's Guardian for consideration in Working With Children Check assessments.

Suggested Procedure on How to Report

When a child discloses abuse, or discloses that they are at risk, or when reasonable grounds have been established that a child has been or is at risk of harm, follow these steps:

1. Report to the Safe Church Concerns Team

Note: When a disclosure occurs or child/ren's immediate safety is at risk (sexual and physical abuse), go directly to the on-site activity leader, who will in turn phone the police and organise appropriate support for the child/ren immediately. In South Australia, individuals <u>must</u> report directly to CARL (Child Abuse Report Line) before reporting to the local Safe Church Concerns Team.

2. Complete applicable form eg. Safe Church Anecdotal Record (Chapter 8 of this Handbook) .
The Safe Church Concerns Team will also keep a local church log, upholding privacy principles.

3. The Safe Church Concerns Team will take the appropriate action

Including: - Contacting denominational safe ministry (Professional Standards / Ethics) person

- Completing any online reporting to Government Child Protection Agencies.

- Reporting (police, government agency) and/or completing workplace investigation etc.

4. Ongoing support

The church's role does not end here. This is only the beginning. It is now the role of the church to support the child and family as much as is practical and possible.

The Safe Church Concerns Team will need to consider initial support/guidance for the child/ young person, person alleged to have harmed, and family members; how to manage any potential conflicts or issues around ministries and services; appropriate follow up; and documentation.

Confidentiality - Who else can be told?

Do not tell anyone who does not have a need to know. In general only your designated Safe Church Concerns Team in your organisation (church), needs to know of your concerns. However for junior team members (under 18 years) or when the designated Safe Church Concerns Team is not on site at the time of the disclosure, or when the child's immediate safety is at risk, you may tell your team leader of the situation, who will take the report for you and follow it through with your designated Safe Church Concerns Team and if necessary call the police, e.g. sexual abuse.

The Safe Church Concerns Team will need to consider who needs to know and what they need to know. It is appropriate to seek advice on this matter, e.g. from your denomination, government child protection agency or Police. Ensure that anyone who is told of the matter are also informed to direct any questions or comments they hear through the church back to the Safe Church Concerns Team to minimise gossip.

Record keeping

Anecdotal records: anecdotal record is a short written account regarding a leader's concerns about a child or a disclosure made by a child.   Before making a report to a supervisor or a government agency, it is important to make an anecdotal record that led to your concerns (included in chapter 9).

Suspected Child Abuse Form: This provides the leader and the Safe Church Concerns Team with a more detailed reporting form. It may be that a leader has received a disclosure or that a Safe Church Concerns Team has received a number of anecdotal records about a child and now wishes to make a formal report (included in chapter 9). Note that in South Australia individuals must report directly to CARL (Child Abuse Report Line) before reporting to the local Safe Church Concerns Team.

It is important to keep records of your concerns for a number of reasons:
• It eliminates inaccuracies in information that may come from verbal transfer of information.
• It provides the basis for the information to be entered onto a report form that will be submitted to the appropriate denominational and or government agency.
• One anecdotal record kept and submitted to a supervisor on its own may not warrant a report to a government agency; however, when there is more than one record about the same child, then it provides a clearer picture of what may be occurring and warrant a report to a government agency.

Voluntary reporting
Anyone may make a report to their government child protection agency where there are reasonable grounds to suspect a child has been or is at risk of harm. However when these concerns arise out of your involvement within church we strongly recommend you follow the church process for reporting concerns.

 Reporting special cases
1. SCHOOL MINISTRY / CHAPLAINCY
Those engaging in school ministry programs should make sure they are familiar with the school's policy about reporting. Teachers forming a reasonable belief should inform the Principal, unless the Principal is the alleged abuser. Ensure that your Safe Church Concerns Team is also informed of the situation and requests from the Principal proof of the reporting (such as a reporting Reference Number). If the principal advises they are not making a report or does not provide a reference number your Safe Church Concerns Team may makes their own report.

2. PARA-CHURCH ORGANISATIONS
In cases where a para-church group is involved, such as a Girls' or Boys' Brigade, the para-church organisation needs to be informed if abuse occurs. After reporting the abuse to the local church's designated Safe Church Concerns Team, notify the divisional director or equivalent designated person in the organisation. In some cases it will be the para-church organisation that reports to the government child protection agency with you.

3. ALLEGATIONS AGAINST EMPLOYEES (PAID OR VOLUNTARY)
Where an allegation of sexual misconduct or physical violence are made against an church worker this will need to be appropriately investigated. The first step is for the Safe Church Concerns Team to consult with their denomination who will assist you in following the reporting process and offer further support. Depending on the circumstances and the location of your church you may need to undertake a workplace investigation and submit the findings.

RESPONDING TO DISCLOSURES BY A CHILD OR YOUNG PERSON
Remember that if a child or young person discloses their story to you, they have most likely chosen you because they trust you, and trust that you will assist them.
Whilst receiving a disclosure can be difficult for the worker, remember that the experience of the child or young person is where our attention should be focused.
There is a privilege in sharing people's stories, we need to be respectful.
DO
• Listen carefully to the child or young person
• Allow them to tell their story in their own way, using their own words (once you have enough wrap it up)
• Be open and non-judgemental to their account
• Support the child or young person in telling their experience
• Provide appropriate comfort
• Use a calm reassuring tone
• Tell them it is not their fault, it was right to tell
• It is not OK for adults to harm children - no matter what

- Assess whether you, or they will be at risk by informing them or their parent/s that you will be making a report
- If appropriate, explain that it is part of your job to inform people who may be able to assist when a child or young person has been harmed or is at risk of harm
- If appropriate, explain what will happen now
- Acknowledge any concerns the person might have about 'what will happen next' and 'what will happen to the perpetrator'

DON'T

- Express disbelief, shock or disapproval
- Probe for additional information they are unwilling to provide
- Ask leading questions (that is, questions that contain or suggest answers, or multiple-choice questions)
- Investigate the allegations
- Make the child or young person tell others
- Make promises not to tell anyone or that you can't keep
- Do not make negative comments or pass judgement about the alleged perpetrator – the child or young person is telling you because they want you to help in stopping the abuse occurring. The child may (and probably does) care about the person they are talking about.

(NSW Interagency Guidelines of Child Protection, 2006)

Making Judgements Regarding Abuse or Risk of Harm
To help you decide the likely degree of harm consider the following factors:

- The age, development, functioning and vulnerability of the child or young person
- The behaviour of a child or young person that suggests they may have been or are being harmed by another person
- History of previous harm within the family/class/group
- Behaviour by another person, that has had, or is having, a demonstrated negative impact on the healthy development, safety, welfare and wellbeing of the child or young person (e.g. drug and alcohol abuse, domestic violence or mental health issues)
- Contextual risk factors (For example, recent abuse or neglect of a sibling, or a parent recently experiencing significant problems in managing a child or young person's behaviour)
- Indications that a child or a young person's emotional, physical or psychological wellbeing is significantly affected as a result of abuse and neglect.
  In making judgments about risk of harm, reporters may give further consideration to other factors that can heighten the risk of harm such as poverty, social isolation or the presence of alcohol or other drug issues, mental health issues, addiction or disability. These factors may influence a judgment on both the level of risk and the degree of harm that may occur.
  (NSW Interagency Guidelines of Child Protection, 2006)

Utilise information from the government child protection agency

Refer to the table on pages 67-68 for the contact details and website for your state or territory.

Each website contains additional information that can assist in the decision making process, and provide options for ongoing support (such as advice or services to refer to).

For example the NSW online Mandatory Reporter Guide asks a series of yes/no questions to generate a recommendation that you should then proceed with.
The MRG can be found at www.keepthemsafe.nsw.gov.au

Staff at the child protection agency can also provide assistance on how to proceed with your concerns, as well as possible referral options that could be of assistance for the people involved.

Next steps

(i) Follow up on your report

The Safe Church Concerns Team should ring either their state/territory child protection agency the day after making a report or as soon as possible in order to determine the outcome of their report. They should advise that they made a report and would like to know if the case will be allocated. If it is allocated, a caseworker will commence an assessment. The Safe Church Concerns Team should work with the caseworker and advise them of any relevant church issues e.g. a youth leader alleged to have abused who runs a youth bible study who aren't aware of the allegations. Ask the caseworker what level of support you can provide to the people involved. If the report is not going to be allocated then the church needs to continue with its response without intervention or support from that government child protection agency.

When should I make another report about the same family/child?

The Safe Church Concerns Team should consider reporting the same child or family where there are new concerns or other significant information. Examples might include parents who were once willing to receive support withdrawing their involvement in support services, a further disclosure about another incident of abuse or neglect, the alleged abuser returning back home to live with the person they are alleged to have abused, an increase in signs and symptoms. Do not re-report the exact same incident in the hope that it might get the case allocated.

(ii) Debriefing

As a leader it can be very distressing to have someone disclose an incidence of abuse. As part of your self-care in this situation, it is important to debrief. If you are the person in the position of providing debriefing it is helpful to have an understanding of the area.

Debriefing is verbally and emotionally 'unloading' your thoughts and feelings about a particular situation you have had to deal with. It's main purpose is to assist the debriefer and so discussing their thoughts, feelings and experiences are generally more relevant than discussing the situation itself.

If you do not debrief after disclosure or witnessing abuse, it is possible that you will take the negative feelings 'on board', and this can cause stress, which is likely to impact your relationships with others, as well as your effectiveness in your ministry. Debriefing can help you make sense of difficult experiences. It can help you to recognise and understand your emotional, mental and bodily responses and in doing so provide some relief.

HOW DO YOU FACILITATE A DEBRIEFING SESSION?
- Set aside at least an hour (in case you need it) in a space with minimal interruptions
- Clarify boundaries
- Ask what the other person needs or might find helpful
- Allow the person coming to you to safely express their emotions
- Validate people's responses and experiences (where appropriate)
- Ask about how the person is managing (regarding their emotions, thoughts, or in other ways)
- Help the person to consider the situation from other perspectives
- Pray with the person
- Refer to outside counsellor where appropriate… build a referral list

Supporting the child and family

In a ministry situation it is highly likely that you will continue to have contact with the child or young person after a concerns have been raised regarding risk of harm. In the event of a disclosure of abuse it is important to recognise that the child or young person has disclosed to you because they trust you and feel safe with you.

As you continue to nurture and minister to the child or young person it may be useful to be mindful of the following:

- Address immediate safety and security needs
- Ask for guidance from your child protection agency or other relevant services about how best to meet the needs of the child or young person
- Create a calm environment
- Encourage appropriate relationships and practise social inclusivity
- Provide an ordered program
- Focus attention on the safe space
- Consider referrals to appropriate services
- Keep the family 'in the loop'

Concerns regarding abuse or neglect can significantly affect family members. Be prepared to support them as well.

- Validate and normalise the family's experiences and concerns
- Remember that family members often feel guilty despite not knowing or being able to do anything. Do not judge them or add to this. Be ready to point out all that they are doing for their family.
- Refer the family to appropriate services
- Continue to offer support and services

Promoting protective factors

Protective factors are positive attributes that can strengthen all families. Research has identified a number of protective factors that are associated with reduced incidence of child abuse and neglect. For vulnerable families experiencing multiple risk factors, protective factors such as having a strong parent-child attachment or good social support networks can increase the resilience of children and families. Churches are often well placed to promote and foster many of these protective factors and in doing so, reduce the likelihood and severity of harm to children.

Factors that have been found to assist children and families include:

Ecological level	Protective factors
Individual/child factors	▪ good health ▪ positive peer relationships ▪ strong, positive social networks ▪ hobbies/interests ▪ high self-esteem ▪ independence ▪ secure attachment with parent/s ▪ social skills ▪ positive disposition
Family/parental factors	▪ secure attachment with child ▪ positive parent-child relationship ▪ supportive family environment ▪ extended family networks ▪ high level of parental education ▪ parental resilience ▪ concrete support for parents ▪ sound parental coping skills ▪ awareness of stages in child development
Social/environmental factors	▪ strong, positive social networks ▪ stable housing ▪ employment ▪ family expectations of pro-social behaviour ▪ well-resourced schools available in neighbourhood ▪ access to health and social services

(Australian Institute of Family Studies, 2013)

Chapter 5
Misconduct and abuse in the church

In this chapter we will:

• Examine the context of misconduct and abuse within the church

• Gain an understanding of the church's past responses to misconduct and abuse

• Explore factors within churches that are connected with misconduct and abusiveness

• Consider principles of an appropriate response to abuse within a church context

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Responding justly and with mercy to allegations of ministry misconduct and/or abuse has never been more under the microscope than in our country at this time:

> "The Australian Royal Commission's original remit was to investigate an extraordinary situation, abuse in the Christian church. For abuse and the church to be linked in the public perception seems the ultimate irony.
>
> ... No Christian denomination and no church tradition can claim immunity from having abusive minsters and from protecting them. Abuse has been in our para-church organisations and within Christian homes. It has been committed by celibate priests and by married and single ministers." (Hickin, 2013, p.9)
>
> "An institution's failure to respond appropriately may exacerbate the trauma of the abuse itself. Trusted with the care of our children, too many institutions have betrayed our children and our community's trust, and then failed to respond with compassion or care." (Royal Commission into Institutional Responses to Child Sexual Abuse, 2014, p.27)

Australian Catholic Bishop Geoffrey Robinson, one of the leaders in the establishment of fair and just responses to allegations of abuse in his own church over the past 30 years writes in his book "Confronting Power and Sex in the Catholic Church: Reclaiming the Spirit of Jesus"

> "The time has come for the church to truly reclaim the Spirit of Jesus and defend the rights of the vulnerable, change our practices and where necessary the beliefs that have allowed abuse to occur in the church." (Robinson, 2007)

This chapter will explore the experiences of church processes over the past 20 years, the size and nature of the issue, and provide policy and procedures for responding appropriately to all allegations of ministry misconduct and/or abuse, as well as providing some help for responding to grievances and church conflict.

Abuse in the church
Context of power and complex relationships

> "Abuse is not only a problem in the churches, of course, but it is a special problem for the churches. Sexual abuse, which has been the focus of this book, is just one aspect, one dimension, one symptom of a much wider problem. Ministers are persons of power. In hierarchical churches this power can be almost absolute, with no structures of accountability present at all."
>
> "However even in non-hierarchical churches, the church minister or leader can and does attract considerable structural power. He is a man of God, preacher of God's word from the Scriptures. To question him, to challenge his authority, is to challenge God's own authority. He can make a claim to be the authoritative interpreter of God's will for his community, and once such a claim is made, who can stand in his way? Such a claim to absolute authority is perhaps unparalleled in the secular world apart from totalitarian regimes."

"When people have power, particularly when there is no real accountability, then abuse is almost inevitable."

"The situation is made more complex because the minister will often not feel himself to be very powerful personally. He may in fact feel powerless, alienated, and frustrated. Ministry Is rarely a rewarding career option. However this disparity between the actual (structural) power that the minister has and the powerlessness he feels can in fact be the seed-bed of abuse. In the frustration that he feels he may act out in irresponsible ways, unaware of the damage he does with the real structural power he possesses. Abusive ministers rarely see themselves as personally powerful people. The power of ministry becomes a compensation for what they lack personally." (Ormerod & Ormerod, 1995, pp. 102-103)

Church leaders are often in complex [and conflicted] positions when considering abuse allegations. Other organisations where abuse is likely to raised (such as in police, health services, schools, and other government and non-government organisations) usually have a professional or working based relationship with the alleged victim or the person alleged to have abused.

In churches the opposite is true. Leaders will usually have a personal relationship with the people involved (sometimes the alleged victim, the alleged person who abused, as well as both of their families). They may have shared meals with them, witnessed their children grow up, been on the mission field together, played sport together, etc. When you add in the secrecy of most abuse and the distress it causes many people to even consider, it highlights the importance of systems that ensure high levels of accountability.

Scope of abuse in churches

(1) The Catholic Church in the USA - John Jay Studies:

"Nature and Scope of Clergy Sexual Abuse in the Catholic Church USA from 1950 to 2002." Summary by Dr Monica Applewhite

The Nature and Scope study was completed in 2004 and is now published on the USCCB website.

HOW MANY PRIESTS SEXUALLY ABUSED MINORS FROM 1950 TO 2002?

In the 52 year period 4,392 priests abused minors. That is about 4% of all clergy who served in those years. Approximately 96% of clergy who served from 1950 to 2002 did not have an allegation of abuse against them. Of those priests who were accused or found to have abused, 56% were accused only once.

WAS MOST ABUSE CONCENTRATED IN ONE AREA?

No, the Nature and Scope study found that with the exception of a few dioceses that did not have any allegations from those years, the rates of abuse were similar throughout the country. Percentages ranged from 3% in some regions to 6% in others. It is safe to say this was a widespread problem and not the problem of a particular geographic region.

WHEN DID THE ABUSE OCCUR?

The highest rates of abusive events occurred during the 1970's and starting declining after 1980. The number of abusive events decreased even more sharply after 1985, which is also when an increasing number of reports began to be made.

WHEN DID CHURCH OFFICIALS BEGIN RECEIVING REPORTS OF SEXUAL ABUSE?

There are many reasons why a delay in reporting sexual abuse may occur. Victim age, fear, misunderstanding, feelings of shame and lack of opportunity are only a few of the reasons sexual abuse may go unreported for long periods of time. This was shown to be true in many of the Catholic Clergy abuse cases. As of 1959, Church officials knew of 53 cases nation-wide (.5 % of cases known today); in 1969, they knew of 190 cases nation-wide (1.8%); in 1979, 266 cases (2.6%). By 1985, when abuse events were decreasing dramatically, 810 cases had been reported throughout the country. Because they were relatively evenly distributed, each diocese or religious community may have been aware of one to four abuse allegations in the thirty-five years from 1950 to 1985.

WHEN WERE MOST REPORTS OF ABUSE MADE?

In total, the John Jay College found that 10,667 individuals reported having been abused from 1950 to 2002. Before 1990, 17% of cases known today had been reported to dioceses and religious communities. From 1990 to 2000, an additional 4022 cases were reported. From 2000 to 2002, 4533 additional reports came forward, which is about 45% of the cases that we know today.

(2) The Australian Story

We live in a country where it is estimated 1 in 5 children (boys and girls) will be sexually abused. It will take an average of 7-15 years for these girls to tell someone about this, and over 30 years for the men. It is also estimated that 1 in 20 males have sexually abused a child. Of these 1 in 20, only 1 in 50 are known to the authorities. Over and above these statistics of sexual abuse in our society (which account for less than 20% of all types of reported abuse), emotional abuse, physical abuse and neglect are being reported at epidemic level, with more than 317 526 reports in 2007-2008.

In 2010, one of the editors of this material was interviewed by the Adelaide Advertiser about the work of the NCCA- Safe Church Training Agreement, and when she heard that we were trying to assist churches with safety practices she was quite surprised and said, "We in the media really see all you ministers as predators".

In August 2012, in NSW for the first time the police have retrospectively charged a catholic priest, under Section 316 of the NSW Crimes Act, for the cover up of child sexual abuse of other priests in his diocese. (source ABC Newcastle website 12/08/2012) Furthermore, as we look more closely at this issue we see that cover-ups are not limited to any one denomination.

The Anglican Church Report into Child Sexual Abuse Cases 2009
    by Patrick Parkinson, Kim Oates and Amanda Jayakody

Looked at all concluded cases of child sexual abuse by clergy and church workers since 1990

- 191 cases concluded, reported from 17 of the 23 dioceses

- Since a peak in 2003 there has been an apparent decline in numbers

- 133 male and 2 female offenders, 58% of offenders were aged in their 20s-30s, 2/3 were priest (clergy) or candidates for the ministry

Of the offenders in volunteer roles (47 of 135 total), 38% were CEBs (boys club) (18/47), and 36% were youth leaders (17/47)

 Survivors: there were 122 boys and 43 girls.

- 77% of boys and 63% of girls were aged 10-15 at the time of the abuse.

Where: primarily the accused person's home, although for 20% of the cases against boys the abuse

took place at church premises & church camp.

The study looked at complaints made since 1990 but the reported offences when back as far as 1940 with a large majority being about the period from the early 1970s to the early 1983

 The length of time from alleged abuse and complaint ranged from less than a month to 63 years. The average for men was 25 years and for women was 18 years. 75% of complainants were male - mirror image to the pattern in the general population.

Seventh Day Adventist Safe Place Services - Overview of Investigation Cases 2000 – 2011 by David Robertson & Dallas O'Connor, Web Version 17.11.2011

All cases of sexual abuse by pastors and church workers since 2000

   - 160 cases (against children and adults)

Gender of survivors 80.6% female, 16.9% male (2.5% data missing)

- Age of survivors at time of abuse 65% children/youth 33.1 % adult (1.9% missing data)

- Role of the person subject of the allegation: 25% clergy, 18.8% elder, 9.4% deacon, 18.8% SDA schools, 6.9% youth leader

- Gender of the person subject of the allegation 94.4% male, 5.6% female

- Targets of clergy abuse 55% adult only, 17.5% both adult/child, 25% child only.

Royal Commission into Institutional Responses to Child Sexual Abuse - Interim Report 2014

By May 31 2014 the Royal Commission had held 1677 private sessions with people sharing their experiences of sexual abuse. Some of the findings from those sessions are listed in the following table (found in the Interim Report on pages 47-48):

Area	Data
Survivors	Two in three survivors were male and one in three were female. The current age of survivors averaged 55 years. Most were over 50 years old. Almost 70 per cent reported being eight years old or over, although some were unsure of their exact age, when the abuse started. On average, females were 9.5 years old and males were 10.3 years old when the abuse begun.
Institutions	Many survivors reported abuse in industrial schools, training schools, reformatories, orphanages and children's homes. Educational institutions were also commonly reported sites of abuse.
	Most of these were faith-based institutions, followed by government institutions. Of the faith-based institutions, 68 per cent were Catholic and 12 per cent were Anglican.
Perpetrators	Almost nine in 10 perpetrators were reportedly male. They were most likely to be members of the clergy or religious orders, followed by teachers and residential care workers.
	Foster carers and children older than the victim were also reported as perpetrators.
Abuse	Contact not involving penetration, such as touching genitals and prolonged kissing, was the most common type of abuse.
	Behaviours involving penetration, including vaginal, anal, oral and digital penetration were the next most commonly reported type of abuse.

Impact	Almost nine in 10 participants reported impacts on their health, including depression, anxiety, low self-esteem and a lack of trust in authority.
	Participants also commonly reported:
	• impacts on relationships, such as difficulties with trust and intimacy, and a lack of confidence with parenting
	• educational and economic impacts
	• feeling alienated from their peers and the community
Disclosure	Most survivors had previously disclosed their abuse. On average, it took them 22 years after the onset of abuse to do so.
	The most common barriers to disclosure were shame and embarrassment. Other common barriers were a fear of not being believed and having nobody to disclose to. Survivors most often disclosed to someone with authority within the institution, followed by parents and the police.
	Five per cent disclosed abuse for the first time at the private session.
Compensation	Most of those who sought compensation from the relevant institution (or in some cases from the relevant government) were successful. However, almost nine in 10 were dissatisfied with the outcome.

"Submissions and case studies have told us that a major risk for child sexual abuse is an institutional culture that:

• lacks awareness about the prevalence, nature and impact of child sexual abuse

• lacks knowledge about the ways in which abuse can occur in institutions, leading to a tendency to ignore or downplay warning signs such as grooming

• does not know how to respond when abuse is detected or disclosed

• does not foster a child-friendly culture that supports children disclosing abuse and suspicious behaviour

• does not recognise a potential disclosure

• places more value on its own reputation than the safety of children." (2014, p.141)

Ethical analysis: what's wrong with ministerial sexual abuse?

"Why is it wrong for a faith leader to be sexual with someone whom he/she serves or supervises? The essential harm is that of violating boundaries within the ministerial relationship and thus betraying a trust. The congregant or student may fear saying "no" to the minister for fear of jeopardizing the ministerial relationship and wanting to please the minister.

1. It is a violation of role.

The ministerial relationship presupposes certain role expectations: the minister is hired and expected to bring certain resources, talents, knowledge, and expertise to serve the best interests of the congregant, staff member, student. Sexualized behaviour is not part of the ministerial role. The minister has a fiduciary responsibility. (See Ezekiel 34)

The minister is in the role of a fiduciary, one who is entrusted with resources that belong to another. In the ministry context, the minister is entrusted with the spiritual well-being of congregants. The fiduciary has a duty to act in the best interest of the one that has given the trust even if such action is not necessarily in the personal interest of the minister. In the ministry context, this duty is an ethical obligation.

2. It is a misuse of authority and power.

The role of faith leader carries with it authority and power (resources) and the responsibility to use these resources to the benefit of those who call upon the minister for assistance. This role can be misused (intentionally or unintentionally) to initiate or pursue sexual/emotional boundary crossings with congregant, staff member, etc. Even if the congregant, staff member, etc. initiate the boundary violation, it is still the responsibility of the minister to maintain clear boundaries for the sake of everyone involved. (See 2 Samuel 11)

Examples of misuse of authority and power:
- Overcoming a congregant's will by using guilt or manipulation
- Using spiritual language to shame a congregant into compliance
- Exploiting a congregant's desire for the minister's attention or approval
- Making claims of special knowledge of God's mind and desires
- Shunning or withholding spiritual blessing in response to a lack of compliance
- Misinterpreting doctrine or sacred texts to distort meaning

3. It is taking advantage of vulnerability.

One is vulnerable to another person when one has less power / fewer resources than that person. Congregants, staff and students are by definition vulnerable to their minister. This does not mean that they are powerless, but it does compromise their moral agency. Due to multiple circumstances, they may be manipulated, deceived, and taken advantage of by a minister who seeks out those who are vulnerable. For a minister to exploit vulnerability in this way is to violate the mandate to protect the vulnerable from harm. This mandate derives from both Jewish and Christian traditions of hospitality.

4. It is an absence of meaningful consent.

Meaningful consent to sexual activity requires equality that makes real choice possible. Meaningful consent assumes the absence of any constraint, subtle coercion, or manipulation. The imbalance of power/resources in the ministerial relationship precludes this equality, even when the two persons see themselves as "consenting adults." If they are not peers, then there is no meaningful consent. Compare David and Bathsheba in 2 Samuel 11 to the relationship between lovers in the Song of Solomon.

It is these four aspects that determine that misconduct is a violation of boundaries and trust in a ministerial relationship and thus a source of harm to individuals. The harm extends to the congregation as well. Members are victims too. They have experienced "theft" and betrayal as individuals and as a congregation. As a faith community, they experience the shame of the fallen leader. Some leave and go to another congregation or stop going to services all together. There is collateral damage everywhere.

Finally, all of this severely compromises the mission of the faith community. As an institution, the church or synagogue loses credibility in the wider community. It becomes the object of disdain, and critics cry hypocrisy. If the faith community responds poorly or does not respond at all, then it often becomes the object of legal action that may result in financial losses that then further undermine the mission.

The brokenness is substantial; the wound is deep and cannot be healed lightly; the consequences are wide and stretch into the future. Fortunately, the teachings of our faith traditions offer us guidance to acknowledge the brokenness and make justice and healing." (Fortune, 2009, pp.49-50)

Are there ways of thinking about God and the church that lead to boundary violations (misconduct and abuse)?

Over the past two decades there has been much discussion around this question: is there a set of thoughts about God and the church that have actually fostered the abuse of particularly women and children in church contexts?

> "There is a great deal of confusion around some of the central Christian themes relating to abuse and abusers. An earnest desire not to go against Christian principals can get everyone (except the abusers!) into a bind which might make Christians and Christian officials ineffective at the very time when we need to be clear-sighted and decisive." (M. Hickin, The Cry: Understanding Church Abuse and Abusers, 2013, p37)

Some ideas that have been linked with this argument are:

1. Judgement and Forgiveness

"Christians can be genuinely and disastrously immature and confused about, who should be forgiven, why they should be forgiven, what they should be forgiven for, when they should be forgiven, who should do the forgiving. ...Christians can also misinterpret a reasonable demand for justice as 'judgment' or as retaliation" (ibid, p.38-39).

2. Flesh as evil

Poor teaching on sexuality e.g. sex or even the flesh as evil (Greek view), lust as a mortal sin.

3. Patriarchal system

A totally male hierarchical system "patriarchal" e.g. current use of "wives to submit" in new marriage vows. For some this has included the almost exclusive use of masculine names for God - Father - Son language.

Men hold a lot of power within Australian society and churches (particularly white heterosexual men). This power and its misuse can be recognised in many instances of abuse and ministry misconduct. The failure to recognise or understand this power imbalance is an important contextual factor in abuse and misconduct in churches.

4. Church bias against women

"Is there not proof of extensive and deep-seated bias against women in the tradition on this subject of sex? Can we read some of the sayings of the great Fathers of the church on the subject of women without a sense of shame and embarrassment at what they said? Has the Christian view of the world been overwhelmingly a masculine one?" (Robinson, pp193-194)

For example in Sexual Violence: The Sin revisited Marie Fortune retells the story of the Roman Catholic Saint Maria Goretti, "who was brutally attacked by a rapist at age twelve. Although she successfully prevented herself from being raped, her attacker stabbed her to death. As she died she forgave the murderer. The church's teaching derived from this event is conveyed in the tone and content of ... the homily Pope Pius XII at the canonization of St. Maria Goretti ...

> [who stated]... In 1907 she was stabbed to death, preferring to die rather than be raped. ...

The pope seems to regard rape as being led astray by attractive pleasures" (M Fortune, Sexual violence: The Sin Revisited, 2005, pp.23-25).

5. A focus on the doctrine of original sin as a starting point theologically,
     rather than God's love for all people & God's perfect creation:

"Another element in the Christian tradition which can operate so as to justify abuse is the doctrine of original sin. To most people, not familiar with theological subtlety, the doctrine of original sin simply means "we're all born bad", we are sinners from the moment of our birth (some would even say from the moment of conception).

How do you treat a child that you see as basically "bad" or at best "inclined towards sin"? It is most unlikely that you will simply accept the child's natural inclinations as good or at best simply neutral. Rather they are suspect, they need shaping, training, discipline and if they do not respond then they may need to be beaten out of the child, for the child's own good, of course."

"Of course the psychological evidence is that far from beating evil out of a child, evil is beaten into it by such treatment. The unequivocal evidence is that such abuse damages the child's self-esteem, its sense of dignity, and can lead to a life of perpetuating cycles of violence upon further helpless victims or turning its violence in upon itself, leading to self-hatred or, worse still, suicide.

But what if the doctrine of original sin is not saying that the child is "born bad", rather it becomes bad by the abusive, sinful actions of those around it? What if baptism of the child is a way of saying, "You don't need to beat the evil out of your child (an evil which is simply a projection of your own sinfulness), rather God declares this child just and pure through the waters of baptism"?" (Ormerod and Ormerod, 1995, pp.100-101)

6. That the church should deal with any problems internally

The notion that the church should handle its 'own affairs' has lead both directly and indirectly to the abuse and harm of many people. Misquoting scripture (e.g. 1 Cor 6) has been one way that churches have justified covering up misconduct and abuse. This has in turn condoned the behaviours of the person who hurt and abused and silenced the victim. See institutional protection model of response in section b. of this chapter below.

7. 'Unity' or coerced uniformity

"A shallow appeal to unity is a common ploy of abusive groups. It often works, however, because no one wants to be accused of bringing disunity in the church. We all long for unity in the body of Christ." (Blue, p.75). "Abusive leaders often appeal for unity in order to protect themselves from critical examination. A survivor of an abusive group put it this way: "I am tired. Tired of being bullied and seeing others bullied and persecuted all in the name of unity. I'm tired of representing an organization that has such frail faith in itself that it can tolerate no dissension in its ranks, not one bit of constructive criticism of the policies forced upon Christians by a dictatorial group of men."

Any call to unity must be examined critically. Is it true Christian unity or unchristian uniformity that is being called for? Real unity is mutual submission which is freely and voluntarily given moment by moment. It is never coerced." (Blue, p.76)

8. Legalism

"The term legalism covers any variation on the notion that if we do the proper Christian disciplines well enough and long enough, God will be pleased with us and will reward us." "We let ourselves be loaded down with works of the law in hopes that through them we may attain our goal. We so easily believe the lie that if we try harder and do more, maturity, holiness and blessedness will necessarily result." (Blue, p.45)

9. God is responsible / The devil made me do it

Perpetrators of abuse have used the argument of God's sovereignty as a reason to continue to abuse and to avoid taking steps to change. Eg. "God alone can change me and if I'm still abusing or having abusive thoughts then it's because God hasn't changed me yet."

On the flip side others have used the argument that their abusing occurred solely because of spiritual forces. Eg. "The devil made me do it" , "The abuse wasn't me, it was demonic forces."

In both cases this thinking removes the person from their free will and that they can make responsible choices. This thinking provides the person with a justification to continue to abuse, can increase future risk, and decrease the effectiveness of any treatment or support.

Signs of an abusive church

"1. Abusive leaders base their spiritual authority on their position or office rather than their service to the group. Their style of leadership is authoritarian.

2. Leaders in abusive churches often say one thing but do another. Their words and deed do not match.

3. They manipulate people by making them feel guilty for not measuring up spiritually. They lay heavy religious loads on people and make no effort to lift those loads. You know that you are in an abusive church if the loads just keep getting heavier.

4. Abusive leaders are preoccupied with looking good. They labor to keep up appearance. They stifle any criticism that puts them in a bad light.

5. They seek honorific titles and special privileges that elevate them above the group. They promote a class system with themselves at the top.

6. Their communication is not straight. Their speech becomes especially vague and confusing when they are defending themselves.

7. They major on minor issues to the neglect of the truly important ones. They are conscientious about religious details but neglect God's larger agendas."   (Blue, pp.134-135)

What is our agenda?

"Christians have a unique reason for hiding abuse and other misdemeanours committed within the church. We are naively trying to protect God! This is a powerfully charged inner compartment of belief within many Christians. We earnestly don't want to bring God into disrepute: loyalty to God is genuinely high on our agenda. So we minimise, mask or muzzle any behaviour which we think could bring discredit to God. Just as we might hide scandal and 'dirty linen' in our own families so we try to hide scandals in the church family" (Hickin, 2013, 53)

Common responses from church leaders and congregation

Minimisation

'All this talk about abuse and abusers in the church - isn't it a bit of an exaggeration? After all isn't just a few bad apples in what is otherwise a good and moral bunch?' These are the thoughts and sometimes the comments expressed by people in the both leadership and the congregation of churches.

Minimisation is one of the most common responses of the issues of misconduct and or abuse by church leaders, particularly in the case of sexual boundary violations between two adults.

All too often those who are on the edges of the allegation or are commenting on an allegation of abuse by leaders have been heard to say:
- "It was only an affair"
- "It takes two to tango"
- "We all know she/he had a crush on him"
- "He/she is not that vulnerable"
- "If it was that bad why didn't they leave or say something sooner?"
- "It was consensual"
- "Don't you think you've humiliated this poor person enough with your complaint?"
- "What was he/she supposed to do? They were practically throwing themselves on him/her."
- "He/she was over 16, that makes it legal."
- "We all know that they're a liar/has mental problems/has marriage problems/is jealous/drinks too much"

- "I don't care what they say – all I know is that he/she is a great preacher and a wonderful man/woman of God."
- "This allegation will destroy his/her career – do they realise that?"
- "We dealt with that years ago, can't everyone just move on?"

Another opinion commonly voiced by church ministers in relation to abuse by minister is:

"Yes, abuse goes on, but it's not really damaging." Yet not only is the initial abuse damaging, often leaving life-long scars, but also the process of recovery is itself traumatic, as victims seek to come to grips with what has happened to them. It is in this setting that they may experience what amounts to a second round of abuse from church officials. (Ormerod & Ormerod, 1995, p33)

All of these opinions fail to understand the 'burden' of leadership in the church and the gross betrayal of trust that occurs when a leader engages in sexualising a relationship with a congregation member, or abuses power in any manner, i.e. spiritually, emotionally, financially

The church taking the side of the perpetrator

When the events are natural disasters or "acts of God," those who bear witness sympathize readily with the victim. But when the traumatic events are of human design, those who bear witness are caught in the conflict between victim and perpetrator. It is morally impossible to remain neutral in this conflict. The bystander is forced to take sides.

It is very tempting to take the side of the perpetrator. All the perpetrator asks is that the bystander do nothing. He appeals to the universal desire to see, hear, and speak no evil. The victim, on the contrary, asks the bystander to share the burden of pain. The victim demands action, engagement, and remembering.

In order to escape accountability for his crimes, the perpetrator does everything in his power to promote forgetting. Secrecy and silence are the perpetrator's first line of defence. If secrecy fails, the perpetrator attacks the credibility of his victim. If he cannot silence her absolutely he tries to make sure that no one listens. To this end, he marshals an impressive array of arguments, from the most blatant denial to the most sophisticated and elegant rationalization. After every atrocity one can expect to hear the same predictable apologies: it never happened; the victim lies; the victim exaggerates; the victim brought it upon herself; and in any case it is time to forget the past and move on. The more powerful the perpetrator, the greater is his prerogative to name and define reality, and the more completely his arguments prevail.

The perpetrator's arguments prove irresistible when the bystander faces them in isolation. Without a supportive social environment, the bystander usually succumbs to the temptation to look the other way. This is true even when the victim is an idealized and valued member of society. Soldiers in every war, even those who have been regarded as heroes, complain bitterly that no one wants to know the real truth about war. When the victim is already devalued (a woman, a child), she may find that the most traumatic events of her life take place outside the realm of socially validated reality. Her experience becomes unspeakable.

(Judith Herman, Trauma and Recovery, 1992, pp7-8)

Church Processes... as experienced by survivors of abuse

Neil and Thea Ormerod provide a valuable insight into the inappropriate responses that churches often make after they learn of an allegation of abuse by one of their leaders.

"Analysing the churches' response to disclosures of sexual abuse by ministers is one thing. How survivors experience that response is another. Survivors are on the receiving end of the churches' response and so are best placed to give the churches feedback, if they are willing to listen. Again, from the perspective of the survivors, these are the types of responses that occur."

1. A preoccupation with false accusation

Among church authorities there is an almost obsessive concern with the possibility of false allegations. Indeed in the Catholic Church, there are even canonical sanctions that can be imposed against someone who makes a false allegation against a priest (though there are no corresponding sanctions against a priest who makes a false denial). This concern with false allegations can mislead authorities so that they believe the denials and minimizations of perpetrators, without engaging in proper investigations. Further it should be noted that concern for false allegations has not led the churches to develop proper independent investigative procedures. Rather it is used to deflect serious attention to the issue of sexual abuse.

Further, there is a tendency among church authorities to see accused ministers as vindicated if claims do not withstand the rigors of the courtroom. Yet such legal vindication does not prove that the claims are false.

Far more likely than the making of false allegations will be the silent suffering of the victims as they struggle with their past abuse. Studies in the USA show that only four per cent of those abused by therapists ever take action. Figures in church situations are likely to be comparable.

2. Protecting the church legally and financially

It is clear from their response that a major concern of church leaders is the need to protect the churches financially and legally. Often the first person a church leader will contact is a lawyer. It is clearly sending the wrong signals to survivors, turning them into legal adversaries. The following is an account of how two survivors experienced this type of approach:

We both wrote separately to the church official concerned. For a process that was to include pastoral care, we have been left feeling like "invisible women" and once again, our needs were negated.

We were subjected to a legal process. This entailed meeting a lawyer (chosen by the male church official) to reveal the facts of our story. Apart from giving details of the abuse, we were questioned extensively and inappropriately about our backgrounds, our education, or family dynamics, even our personalities.

3. Protecting the church from scandal

A key value in church handling of disclosures of sexual abuse is that of protecting the church from scandal. This often means that a shroud of secrecy falls over the abusive minister. He simply drops out of sight, in the past simply moved to another pastoral setting, with no explanation ever given for his disappearance. It was vainly hoped that a new environment would produce a change in behaviour.

Such actions invariably work for the perpetrator and against the survivor. For the perpetrator it creates an aura of sympathy on which he is able to play for his own advantage. Because no explanation is ever given, people imagine their own - sickness, the victim of arbitrary authority, the victim of unjust accusations and so on. Abusive ministers have shown themselves most capable of exploiting such an aura of sympathy. Because no public statement is ever made the survivors feel as if they have not been heard, that they are doubted or not taken seriously. This is part of the second round of abuse that many survivors experience.

While there is a place for confidentiality, uncritical confidentiality and secrecy may have greater negative consequences than an admission, particularly for survivors. The secrecy also compromises the integrity of the church as it fails to deal with evil in its ranks. Then from secrecy there is a short step to deception: self-deception and the deception of others. This is a phenomenon well known to survivors who make disclosures.

Again such actions are counter-productive. In their own way such actions are more scandalous for the churches, if and when they become public, than if they simply had the disclosures of sexual abuse alone to handle. The churches would be better served if they face such disclosures openly and frankly. In the long run this would be less damaging, both to the survivors, the perpetrators (in an ultimate sense) and the churches themselves.

 4. No actual policy - what do you want us to do?

A most frightening response from church leaders to a survivor is the question "What do you want us to do?" While it might seem like a sensitive and compassionate question, it is often far more indicative of a lack of clearly defined and reflective policy on the part of the church. By pushing the matter back into the hands of the survivor, church leaders make them responsible for something that is really the church's responsibility. Survivors have had thrown at them comments such as, "He might commit suicide!" Typically if survivors do not pursue their case by harassing the responsible authorities (and hence being labelled vindictive for their trouble), nothing much happens. (Ormerod & Ormerod, 1995, pp75-80)

Institutional Protection vs Justice Making

The greatest challenge for the denomination or local church when facing the misconduct of a leader is to decide what our agenda will be. FaithTrust Institute's Responding to clergy misconduct handbook pages 57-58 explores two opposing agendas. The 'institutional protection agenda' and the 'justice -making agenda'. The agenda that is in operation can be best seen in six areas; use of the bible, language being used, the role of the lawyers, policy, liturgy/rituals being used and where money is being spend.

The following diagram explains the two agendas:

INSTITUTIONAL PROTECTION	JUSTICE-MAKING
Use of the bible (e.g. Romans 2)	
"judge not'	"Hypocrisy"'
Use of language	
'an affair', 'takes two', 'indiscretion"	misconduct, violation or role, betrayal of trust
Lawyer's role	
protect the institution from victims	make justice for survivors (assistance packages)
Policy	
protect the institution from litigation	holding abusers accountable
Liturgy / Ritual	
to "heal the wound lightly"	name the sin, grieve, bring healing, make justice
Money	
defend the institution in civil litigation lawyers fees	restitution for survivors, preventing abuse

Justice making process

Contained in the next several pages are a range of recognised approaches to responding to people in churches who have been abused. Firstly, we have an excerpt from Neil and Thea Ormerod's book "When Ministers Sin: Sexual abuse and the churches" (1995):

Principles for authentic response

1. Preferential option for the poor

Scripture informs us of God's particular concern for victims of oppression, wounded, vulnerable or marginalized people. Jesus' identification with victims was so total he eventually met their fate. This is not to say that perpetrators are not victims themselves. In all likelihood they are. But in this sphere of their lives they must clearly be seen as perpetrators of great harm.

This preferential option for the poor has two dimensions. Firstly it implies that survivors of abuse should have the first call on the compassion and resources of the churches. Secondly survivors are in a position of "hermeneutic privilege"; that is to say their perspective on events should carry considerably more weight than that of their abusers.

2. Commitment to truth and integrity

This principle has various dimensions.

Commitment to this principle means breaking through denial. Church leaders are challenged to become educated about the issue, for example, about the effects of sexual abuse on victims, and to acknowledge publicly the seriousness and extent of the sexual abuse problem.

Commitment to truth and integrity also means a definition of sexual abuse, which is more inclusive than that which is contained in secular law in many places. Sexual abuse occurs when there is any eroticizing of a pastoral relationship, be it with a child or an adult, leading to damage in the less powerful person. The moral standards or the churches should surely be higher than the minimums enshrined in criminal law.

In addition, because of the profound and life-long damage that results from sexual abuse, there should be no "statute of limitations." Commonly the abuse is repressed for long periods, even decades, so survivors need to be free to move in their own time.

Commitment to truth and integrity means setting up thorough and independent investigative processes. It is unrealistic to think that fellow clergy will make truly objective judgements on, say, a panel of investigation. Moreover the findings and disciplinary determinations of an independent panel of investigations should not be open to modification by church leaders.

An independent professional investigator should assist the panel. It is not good enough for the responsible people to "ask around." And certainly it cannot be assumed that an accused clergyman is telling the truth when he gives his testimony.

A professional investigator can test the validity of specific claims and discover if there are other victims. Because of the frequency of one perpetrator abusing a number of people and the fact that only a minority of survivors come forward to complain, it is quite possible that a single complaint represents the "tip of the iceberg."

Also the investigation should proceed even if the complaint is withdrawn. Because complainants are often subject to pressure from family, friends or clergy, it is not unusual for complaints to be withdrawn before an investigation is completed.

3. Compassion for survivors

It is most important that complaints are received by someone who is able to show sensitivity and concern. A trained sexual assault counsellor, a woman, should be the first point of contact, someone

who can process the complaint and provide pastoral support and advocacy. The response at this point should be immediate, and care should be taken throughout to respond speedily to victims'/ survivors' letters or requests.

Free counselling through the church's counselling agency should be offered as an option, as well as full cover for the costs of private therapy. Costs of past therapy should be reimbursed.

Complainants need as much information as possible regarding the process of dealing with their disclosures. They need to know what grievance procedure will be followed, and to be kept informed of how the case is progressing. It is generally safe to assume complainants want to know. They should not have to ask for such information.

Often survivors come forward after many years of silence so they have a great need to be heard. They need acknowledgment for the pain they have suffered and respect for the way they hope their disclosures will be handled.

4. Needs of ministers said to have offended

In justice church authorities are concerned about the reputation of the minister involved, in case claims made against them prove to be unfounded. However the likelihood of false claims is far lower than the actual rates of abuse. Those who make claims realize how exposed they make themselves. It takes real courage for a survivor, usually already burdened with self-blame and shame, to make a disclosure of abuse, so the presumption should be that the situation deserves serious attention.

Nonetheless, the rights to natural justice of those accused must be respected. They have the right to be heard, the right to confidentiality, to be considered innocent until found guilty. They also need good pastoral care and the option of counselling support for the period in which they are removed from ministry and investigations are in progress.

If they are found to be perpetrators they will need specialist counselling to come to grips with their past. This involves challenging their habits of self-deception and confronting them with the consequences of their actions as well as supporting them in facing any abuse in their own childhood that predisposed them to becoming abusers.

5. Justice for survivors

Survivors are likely to need an advocate to represent their interests to any investigation panel. It is extraordinarily difficult for a person to act as his or her own advocate in matters that are so painful.

When the investigation comes to a conclusion as to the nature and extent of the violation, this should be acknowledged and an apology offered in writing. If a church finds itself with the case of a minister who has used his structural power for sexual purposes it must clearly name this as sexual abuse. Sexual assault should likewise be named as such.

Restitution is integral to justice and cannot truthfully be seen as the responsibility only of the perpetrator. As institutions, churches are responsible for providing adequate training and structures of accountability to prevent major abuses of power. Also, it is because churches endorse certain people as being worthy of trust that these people have the power to do harm.

An open-ended offer of restitution should be made in writing. The form of restitution should be chosen, to some extent, by the survivor. It could be a public apology. It could involve reimbursement of medical and legal expenses as well as compensation for pain and suffering.

It is important here to distinguish between the need to respect the wishes of survivors and the danger of making them responsible for the conduct of the case. Once the allegations have been substantiated, the church has the responsibility to make an authentic response without further burdening survivors.

Justice requires that the perpetrator should not be assisted in evading the truth of his actions. He should remain out of ministry while he is helped to come to the point of acknowledging the full reality of the harm he has done and accepting responsibility for his behaviour. Where this does not eventuate, if the violation of trust is very serious, justice requires that the perpetrator be taken out of ministry indefinitely. This is not to say he no longer belongs in the church. It is to say he has forfeited his entitlement to the privileged and trusted position of minister.

Finally, survivors' right to seek redress through the legal system should be acknowledged. Church authorities should cooperate fully with this process.

6. Restitution before forgiveness

Some churches are developing processes heavily influenced by the ideals of forgiveness and reconciliation. It must be understood that any pressure to forgive is detrimental to the healing process in the victim/survivor. Victims need to feel the full extent of their anger and pain before they can come to the point where they may be free to forgive. Even then it can only be hoped for as a gift.

Another problem with reconciliation as a goal is that it tends to ignore the fact that one party is less powerful socially and has been victimized. These are not matters for mediation between two equals where the goals are clearer communication and mutually agreeable outcomes. We would not consider instigating such a process between a thief and the thief's victim!

Almost invariably the perpetrator will deny or minimize the significance of his actions. Until he acknowledges fully the hurt he has caused and sincerely accepts responsibility for it, until reparation is offered, any expectation of forgiveness or reconciliation adds further to the injustice.

7. Healing the community

The local church community within which the events took place will include within it many secondary victims. Their trust has also been betrayed, causing shocked disbelief, feelings of betrayal and helplessness and crises of faith. There will be attempts to maintain normalcy at all costs. Some people will deal with their feelings by blaming the victim.

The community deserves a formal response from church authorities. This could include an apology and an opportunity to work through feelings with the assistance of someone with expertise.

8. Protecting the church

Structures need to be put in place that serves to protect the vulnerable from exploitation. Structures of accountability would also mean that believers in general are more able to be confident their ministers will act with integrity.

All clergy should sign a code of ethics that precludes sexualized contact with those in their care. This code should define behaviour that will lead to permanent removal from ministry. Lay people should be made aware of the code.

There needs to be careful screening of applicants for ministry, and training in the dynamics of pastoral relationships and their theological implications. Those already in ministry should be required to attend in-service training in these areas.

Clergy need to develop practices that will safeguard them and those they pastor. Supervision and peer support are crucial.

All clergy ought to be bound to pass on complaints or concerns they have about other ministers' behaviour. Failure to do so should lead to serious disciplinary action. Senior clergy ought to be bound to follow a comprehensive protocol when dealing with complaints.

Ali church members need to be aware of the possibilities of abuse in the same way that patients need to be aware of their rights to professional medical care. It is important that there be a widespread understanding that complaints will be received sympathetically and taken seriously. Protocol documents should be publicly available.

The culture of tolerance of sexual abuse needs to be openly challenged from the pulpit and through education. It is silence about the issue that enables this injustice to continue. Ministers in particular and men in general who act as though they are entitled to sexual favours from those placed in their care should no longer receive the protection society affords them (Ormerod & Ormerod, 1995, pp.85-90)

Important roles in the response process

"Responding to Clergy Misconduct: A Handbook" outlines a number of clear roles are outlined for a justice making response to a complaint of ministry misconduct (pp 73-77).

1. Pastor to Pastors: It is advised that this person does not oversee the response or advocate for the accused, but try to remain neutral. It is suggested that this person could be the "neutral party committed to the integrity of the process. Designate, but oversee staff and volunteers carrying out their responsibilities." It is also appropriate for this person to implement the outcome of the complaint including following through with any disciplinary proceedings or following through with a process of exoneration.

2. Response Team: This team is an advocate for the complainant (and not the church), and can also provide support and information to the local congregation about abuse in churches. They are not to aim to make the complaints go away or to prioritise the protection of the church's reputation or assets.

3. Investigation Team: This person or team has the role of acquiring the evidence (interviews, copies of emails, texts etc.) about the complaint. Ideally they should be placed outside of the church so as to minimise possible bias.

4. Adjudication Committee: This is a group of people authorised to hear the evidence as presented by the Investigation Team, to determine the validity of the complaint and to make recommendations about how to address the complaint. The committee should involve members who have the authority to remove the credentials of ordained leaders. It is important that no other role takes on the task of adjudication instead of or in addition to the Adjudication Committee.

5. Legal Counsel: It is important that the church or denomination provide an appropriate instructional framework to their legal counsel. Instructions to protect the church's assets or reputation do not ultimately achieve either.

The following instructions could be clearly communicated to your solicitor to ensure a just outcome:

- Your goal to protect the integrity of the ministerial relationship and to protect those who may be vulnerable
- Your commitment to a fair and just process
- Your theology and values to interrupt harm and confront injustice
- A commitment to support those who have been harmed by one of your leaders with justice and healing
- A commitment to call to repentance one among you who has caused harm" (Fortune, p.76)

6. Therapist: This person is to be used after the adjudication is complete and where the person who has violated ministerial boundaries acknowledges and takes responsibility for their misconduct. Initially an assessment from a therapist with the specialised training and experience could assist in determining whether or not therapy would be helpful. Their role is not to evaluate the accused to determine whether or not they are an abuser.

7. Insurance Agent: "Do not drop the complaint in the insurer's lap with the directive to "handle this." Be clear ahead of time about how you expect to work with the insurer. You have insurance so that you can afford to provide for the material needs of those who have been harmed by a faith leader." (Fortune, p.77)

Although these roles may be known by different names in your denominational context the 7 roles are important if the church is to truly have a justice seeking, not institutional protections response to allegations of misconduct and or abuse by leaders (clergy and lay).

Congregational recovery

Tim Dyer of John Mark Ministries trains groups of people in a model of congregational recovery, who can work with a congregation when a senior leader betrays the trust of the congregation through misconduct.

Tim Dyer makes the following comment about healthy congregational life:

- Create an aware culture, especially aware leaders.
- Create a safe relational environment.
- Clearly and collectively articulate boundaries to create an "arena of safety".
- Create clear pathways for any issues to be discussed and resolved.
- Establish external consultancy and reviews.

The theological constructs for responding to abuse in the church context

1) Justice Seeking

There is a responsibility within communities to protect the vulnerable and to uphold processes that make things just and right. This includes the use of authority and power in 'just community' formation - pastoring, teaching, shaping community, and sacramental ministry. Priority is given to protecting the powerless, vulnerable, oppressed and marginalised, children and young people, and those who have been victims of abuse. This also includes (and in some situations may exclude) offenders.

2) Grace Giving

We are called to accept and include all who acknowledge their need of God's mercy and forgiveness, are repentant and willing to grow. We are called to extend mercy and compassion to the abused that have come to the church for hope and healing, including those abused within the context of Christian communities, and those impacted by the abuse of others. Whilst still considering those harmed by abuse as well as the vulnerable, we also need to consider forgiveness, healing and integration for offenders.

3) Truth Telling

Honesty is foundational to personal transformation and communal trust. Honesty extends to openness and creating community, the social value of truth-telling, teaching truth about justice and grace in our communities, speaking truth about the nature of sexual abuse, the many situations of offenders and the diverse dimensions of safety.

We should also seek to be reacting a culture of awareness in relation to the risk posed by specific individuals; there may be a need to balance protection and privacy, transparency and confidentiality.

4) Peace Making

While Christians have widely differing perspectives and values, we are called to the challenging task of the construction of peaceable communities. Leadership at times of anxiety, Covenant commitments for Christians in times of conflict and anxiety. Processes and pathways that create trust Peace-making is hard work but it is close to the heart of God.

Chapter 6
Caring for survivors of abuse

In this chapter we will:

• Explore the impacts of abuse

• Consider what healing may involve

• Consider responses that can cause further harm

• Explore the place of anger and forgiveness in the healing journey

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The notion that churches should care for people who have been hurt is universally accepted. However, in reality, many who have been hurt experience the churches as unhelpful, and even as causing further harm. There are even more things to consider when people are hurt or abused by people in the church. How then do we ensure that we respond appropriately so as to demonstrate our concern, and more importantly, God's heart for those who are suffering? There can be no healing without justice. And justice requires courage."

(Fortune, 2009, p.62)

"Being a victim of abuse is a shattering experience. It undermines one's self-esteem, one's sense of one's own dignity. It creates a burden of guilt and shame, guilt at the internalised sense that somehow one is to blame, shame at the thought of what one has endured and what people would say if they knew. Often it shatters one's personal boundaries leaving one vulnerable to further abusive relationships. It is not uncommon to find people who are victims of multiple abuse. It disorients the victims leaving them unable to trust their own experiences, their own feelings. Their most basic trust in others has often been violated."

(Ormerod & Ormerod, 1995, p.34)

The Royal Commission into Institutional Responses to Child Sexual Abuse has had significant contact with survivors of abuse and highlights some of the key issues in the Interim Report.
"Survivors reported that when the abuse occurred, they feared that they would not be believed or would be seen as weak for letting the abuse happen. They worried that disclosure would hurt and distress others. As children, often they:
• did not understand that what was happening was sexual abuse
• were not spoken to in private or asked by a trusted, known and sensitive person
• were threatened
• may have had a complex relationship with the perpetrator.
Adult survivors also told us that current barriers include them:
• feeling shame, embarrassment, self-blame and self-doubt
• deciding that the abuse was not as serious as other forms of abuse happening to other children."
(2014, p.50)

Understanding the Impact of Misconduct and Abuse

Bishop Geoffrey Robinson, describes the experience of sexual abuse within a church context in terms of:

"A bulldozer gouging a road through the fragile ecosystem of love and meaning that a person has been painfully constructing ... [and] the destruction of a delicate and elaborate system of meaning. ... "the many loves that had given meaning in the past are destroyed. The forces that brought all the different facets of life into one whole are no longer capable of doing so." (2007, p217-218)

'STOLEN not lost'

For those who are survivors of abuse by clergy or other trusted helpers, there is often an attempt to articulate the experience in moral terms. Frequently, survivors use such phrases as "what I lost" to describe the consequences of the betrayal of trust they experience. In this they are reaching for a moral norm by which to establish the wrongness of their experience. Of course the flaw here is that this language of "loss" completely avoids agency or responsibility on the part of the perpetrator. The passive voice of loss ultimately reflects on the survivor and her/his carelessness in "losing" something valuable.

This is not surprising within a patriarchal context in which support for placing responsibility for an offense (betrayal of trust and violation of boundaries) on the person with power (parent, teacher, clergy) is unlikely, but it seriously distracts from a viable ethical norm that should focus on theft.

A child's future is stolen by sexual abuse. This does not mean that it cannot be recovered. However, if it weren't for the actions of an adult who took something that did not belong to him/her, this child would have a very different future ahead.

Sexual abuse or a sexual attack makes it clear that something has been taken away. Someone has taken another's power away. Someone has stolen another's bodily integrity. The power to decide, to choose, to determine, to consent, or to withhold consent in the most concrete bodily dimension all vanish in the face of a rapist or child molester.

The poem "Stolen, Not Lost" written in 1993 by Marian Lovelace, a survivor of childhood abuse by multiple Catholic priests, illustrates the distinction:

Stolen, Not Lost
I learned a valuable lesson today about responsibility.
I now know where to leave the shame and blame.
I am beginning to discover the truth-
Many of my precious gifts were stolen, not lost!

You stole my unquestioned belief in my Heavenly Father's love;
You stole the preciousness of solitude in God's presence.
You stole the joy of coming together to share Eucharist.
You stole my reverence for the deep meaning of a church family.
You stole my ability to be quiet and hear God's voice.

You stole my belief in the phrase "God answers prayers."
You stole the joy I felt in calling myself-"Christian."
You stole my ability to find comfort in going to confession.
You stole my innocence and twisted my trust in mankind.
You stole my hope for a better tomorrow and instilled doubt.
You stole my love of life and wanting to live.
You stole my belief in the basic goodness of people.
You stole a significant part of my childhood and adolescence.
You stole my desire to become a loving adult woman.
You stole my voice and my actions that screamed a loud "NO."
You stole my right to claim my justifiable anger at abuse.

You stole my right to easily risk council without suspicion.
You stole the inner peace I experienced entering God's house.

You stole my many treasures and the blame and guilt is yours'
Someday you will answer to God for your many thefts.
Someday justice will be based on the evilness of your actions.
Today I leave the responsibility at your feet, where it belongs.

Today I was given a profound gift and hope for tomorrow.
I was helped to see your behaviour in the truest light.
I choose not to be forever damaged by your multiple thefts.
I choose to fight to regain my stolen gifts, as that is my right.

I will grieve those stolen gifts that will always be blemished.
I will strive to be wiser and not cynical because of your thefts.
I will go forward strengthened in faith as I know the truth-
So many of my precious treasures were stolen, not lost!
(Responding to Clergy Misconduct: A Handbook, 2009, pp.12-13)

Long term effects of Child Sexual Abuse

The following text is taken from Patrick Parkinson's text, "Child Sexual Abuse and the Church" (2000).

There are few experiences of childhood that cause more serious harm than child sexual abuse. During the course of childhood and adolescence, children who have been sexually abused are likely to show numerous symptoms including nightmares, sadness, anxiety, poor self-esteem, and aggression. In the longer-term, child sexual abuse is associated with numerous symptoms that may require professional intervention including depression, anxiety disorders, eating disorders, drug and alcohol addiction, suicidal ideation, post-traumatic stress disorder and very poor self esteem. Other problems include sexualised behaviour, aggressive behaviour, and delinquency. A large number of people who go to therapists seeking help for emotional problems in adulthood reveal a history of sexual abuse (Parkinson, 2000, p.127).

Factors that influence outcomes: Generally there are a number of factors that tend to make the effects of the abuse more or less serious. One of the most significant factors is the closeness of the relationship between the victim and the perpetrator. Children who are abused by a father or stepfather tend to be particularly affected, and abuse by grandfathers also has very negative effects. The duration of the abuse is another key factor. While single incidents of abuse can be highly traumatic, generally the longer the duration of the abuse the more harmful it is to the child's wellbeing. Another factor is the severity of the abuse. Where there was intercourse, generally the effects are more severe than where less invasive forms of sex abuse occurred. The final important factor is the degree of force. The level of trauma tends to be greater where violence was involved (ibid, 129-130).

THE EFFECTS ON SELF-ESTEEM

Children who have been sexually abused often show a number of signs of low self-esteem, including self-hatred, suicidal depression and a sense of hopelessness. These effects can be seen particularly in the context of sexual abuse within the family where the perpetrator is a father or other caregiver. For young children to develop a healthy sense of self-esteem, they need to know they are loved and respected as individuals. Children learn self-worth from the fact that others close to them love them very much and feel they are worthwhile.

Incestuous sexual abuse may be particularly damaging but all sexual abuse can have serious effects on self-esteem whether the perpetrator is a caregiver or not. The feelings of worthlessness sometimes derive from what the perpetrator has said. For example, the perpetrator may tell the child that he is doing this to her because she is evil or 'deserves it', or because she is a 'whore". Sexually abused children sometimes receive the message that they are bad – not just naughty in the way that all children are sometimes naughty but bad in the sense that they are rotten to the core of their being. It is a very difficult thing for the victim of abuse to get the perpetrator's voice out of her head. What he says about her can reverberate in the mind for years as a voice of condemnation, and it cuts her down whenever she manages to assert a new confidence in herself as a lovable and decent person.

GUILT

Guilt is a common sequel of sexual abuse in childhood. So many victims feel guilty because they believe that they are in some way responsible for the abuse occurring. A sense of guilt keeps many children from telling about the abuse, and also holds them in cruel bondage in later life. The guilt may be because she accepted inducements from the perpetrator to keep the abuse a secret, or because she didn't say no to his touching, or because she allowed things to go so far before beginning to resist, by which time she felt compromised.

Children's feelings of guilt about their 'role' in allowing the abuse to occur can be profound. They may lead the child to feel utterly bad, and such feelings can become deeply entrenched aspects of his or her self-identity. Guilt is also a pervasive feature of the experience of sexual abuse victims for other reasons too. Children may feel responsible for the abuse because it is the only alternative to other feelings that are even more difficult to cope with. Guilt is the only alternative to facing up to the unreasonableness of evil.

Guilt is an easier burden to bear than a sense of helplessness. Rape victims and child sexual abuse victims alike have been known to feel guilty because they believe they should have done something more to stop it. Couldn't I have fought back? Wouldn't a swift kick in the right place have given me enough time to run? Why did I remain passive and just let him do it to me? Why did I pretend I was sleeping? These are irrational questions to an outside observer. Of course she could have done nothing when he was overpowering her, of course at her age she could not have stood up to him. And yet, for the victim, such feelings of guilt stubbornly withstand the voices of reason within or without. It is easier to accept responsibility for not using your resources to stave off the abuse than to accept that you were utterly powerless to stop it. For if you acknowledge that you were completely helpless to defend against attack once, at another time in your life you might be utterly powerless again. Feeling guilty for not stopping the abuse is a way of believing that it is possible to have some power and some measure of control even in the face of overwhelming adversity.

SHAME

Shame is another common aspect of the experience of sexual abuse victims. Shame can be healthy or unhealthy. Healthy shame reminds us of our human limitations. We feel healthy shame when we fall short of the kind of the person we know we ought to be and can be. Healthy shame reminds us of the call to be more Christlike in how we behave and interact with others. Unhealthy shame, or 'toxic shame', as one writer describes it. It does not call us on to be the kind of person we ought to be. It condemns us for who we are. It places us in an adversarial position with ourselves.

Toxic shame is a common effect of sexual abuse. Indeed, it is perhaps the ultimate consequence of many of the other effects. Because the person feels they are of no value, and feels guilty about the abuse, this translates into a deep sense of being ashamed of who they are. Some abuse victims feel that they are 'damaged goods', that no one could love them given what has happened to them.

Tamar felt toxic shame when Amnon raped her. It is recorded that after the rape, 'Tamar lived in her brother Absalom's house, a desolate woman' (2 Samuel 13:20). She felt that the only way she could cope with life after the rape was to hide away from public view even though she was a princess. Never again could she hold her head up high and walk through the streets with the dignity of being a child of the king. Shame does that to victims. It makes them want to hide themselves from view.

GRIEF

Another consequence of child sexual abuse for the victim sense of grief. Victims grieve over what is lost and can never be replaced. Victims grieve the loss of innocence, the loss of virginity or the absence of the kind of safe and secure upbringing that other friends have enjoyed. At its worst, sexual abuse may have blighted the person's entire childhood, and so the sense of loss can be profound.

This was the case for Jane, who was sexually abused for a number of years by her father. At the age of 13, when she was in a therapy session, she wrote a letter to her father, in which she spoke about her sense of grief. She felt that she had lost her father at the time the abuse began.

Another cause of grief and sadness derives from the sense of isolation in the abuse, and this can make the child feel quite different to the rest of the world. The child who is abused and keeps it a secret for a long time (as so many do) has two realities. There is her private reality, the reality of what she experiences at night when her father comes into the bedroom, or the reality of what happens every Wednesday when the uncle comes to babysit. This reality is shared only with the perpetrator, and he will make no mention of it in the company of others. Then there is the reality as perceived by those around her - her mother brothers, and sisters. This world knows nothing of the abuse, and therefore implicitly denies it. The child thus lives in another world from her close family a secret world that only the perpetrator knows about. It is easy for her to feel isolated, alone, alienated, and different. In adult years, the pain of loneliness may well be one of the aspects of the abuse the survivor most needs to grieve over (ibid, pp.131-138).

Spiritual harm - damage to faith

Bishop Geoffrey Robinson speaks about the significant impact of child sexual abuse: "In sexual abuse spiritual harm is the first to occur and the last to be healed, for damage to any one part damages the whole and the whole cannot be fully restored until each part has been restored. Spiritual healing means helping a person to be whole again and to find new world of meaning, a new set of satisfying answers to the basic questions of life" (Robinson, 2007, p219)

It is our experience that a person can be harmed spiritually not only when someone abuses them within a church context, but also when a church individual or body responds inappropriately to the initial abuse. Sometimes it is even harder for a person to come to grips with an inappropriate or abusive church response than the actual abuse itself.

How long?

Trying to place a time frame on a person's healing is impossible. Survivors talk about wanting their life to go back to how it was knowing that it will never be able to be achieved. Survivors speak of periods of their life where they may push the memories of the abuse deep into the recesses of their mind for years. Sometimes the effects still make themselves known however. For other survivors they can endure severe impacts many years later, that almost hit them by surprise. Survivors talk about never being able to forget, but some speak about reaching a place where it doesn't control or dominate them, where the abuse is "just a bad memory".

I have also been privileged to hear from survivors who have taken their abuse and its impacts and used them for good purposes. Survivors have shared of their strong commitment to ensuring that what happened to them never happens to others in their life. Survivors have spoken of their willingness to believe and support others when they have disclosed being abused. Survivors have become advocates and have battled the systems that maintain abusiveness. This is a credit to the survivors and their supports and doesn't negate or lessen the abusiveness of the perpetrator.

With regards to supporting people who have been abused it is important to recognise each person's individual journey. If there are concerns about how someone is managing or if more information is required then a professional assessment should be sought. Obviously this should only be undertaken with the involvement and consent of the adult survivor or in the case of a child, their parents.

Is there a connection between the details or nature of the abuse and its impacts?

There are a number of factors that have been shown to affect the impact of abuse, including severity, duration, the level of trust of the perpetrator, delayed disclosure and the reaction of others to the disclosure. (Bennet, Hughes and Luke 2000, Ullman 2007). These factors were all associated with greater Post Traumatic Stress Disorder symptoms. In a recent Australian study taking data over a forty year period, Cutajar, et al, (2011) showed significant increases of schizophrenia and other psychotic disorders in those who had been sexually assaulted as children compared with those who had not been sexually assaulted.

The Adverse Childhood Experiences study also highlighted far reaching impacts for people who suffer multiple traumatic experiences in childhood. "Persons who had experienced four or more categories of childhood exposure, compared to those who had experienced none, had 4- to 12-fold increased health risks for alcoholism, drug abuse, depression, and suicide attempt; a 2- to 4-fold increase in smoking, poor self-rated health, ≥50 sexual intercourse partners, and sexually transmitted disease; and a 1.4- to 1.6-fold increase in physical inactivity and severe obesity. The number of categories of adverse childhood exposures showed a graded relationship to the presence of adult diseases including ischaemic heart disease, cancer, chronic lung disease, skeletal fractures, and liver disease." (Felitti, et al, 1998, p245)

The research available provides a greater understanding at how pervasive abuse can be in a person's life. It is also important however, to note that in any individual situation there can be a wide range of impacts that we see and that we should not get prescriptive. For example it is not helpful for the victim/survivor to have their response to being abused questioned or criticised through off-handed comments or through drawing their attention to research suggesting that their symptoms should be

fewer than what they are exhibiting. So whilst there are trends about impact we must still never assume what those impacts will be for a particular individual.

Triggers and ongoing impacts

There is no time frame as to how long someone is impacted by abuse. It is reasonable to expect that people will experience triggers throughout their life that will have some further impact upon them. A trigger is anything that causes a memory or strong emotion associated with a past event to reoccur. Triggers can be varied in their nature - e.g. an article on the news about domestic violence, seeing someone in a particular uniform or outfit, the smell of a particular cologne/aftershave, being admitted to hospital, going into labour, realising that your children are the same age you were when you were abused, attending a mother's/father's day service at church. For some people triggers can seriously impact their lives and require professional support. For some people triggers will reinforce negative and unhelpful ideas that they are a victim, or that there's something wrong with them or that they don't deserve happiness or success.

Disclosures

Disclosures of misconduct and/or abuse from a victim in relation to a church leader or pastor are not common, and is it any wonder, for when they have occurred in the past, it has been the experience of many survivors that they are met with disbelief, and defensiveness of the one receiving the disclosure. In the Anglican church study 2009 it showed that the average length of time for a survivor of church worker abuse to disclose their abuse to the church was some 22 years, with a longer time for men, around 30 years.

How to help survivors

Marlene Hickin provides helpful warnings for those wanting to help people who have experienced harm.

"Well-meaning Christians can and do make the following or similar blunders:
- Imposing our own ideas and misconceptions
- Presuming to understand things outside our own experience
- Presuming to know how victims feel
- Presuming to know what damage the abuse has done
- Presuming to know what will be of help to the survivor
- Believing that God will give us all the understanding we need
- Disrespecting the person's autonomy
- Invading the person's space and dignity
- Wanting to hurry the healing process
- Trying to bring the victim and the abuser together in some reconciliation process. Victims should never be encouraged or challenged to have any contact whatever with the person who abused them." (Hickin, 2013, p.161)

Belief

For someone who has been harmed, the words "I believe you" are incredibly significant. We can show belief through not just our words, but also our tone of voice, our body language, and also our commitment to keeping the person informed and providing general follow up for them. Belief is also about believing the impact of the harm.

On occasion you may be presented with different accounts of an incident of alleged harm. It is important to remember that two people can experience the same situation differently, and that caution needs to be taken to ensure you don't invalidate the victim's real and lived experience in order to fit the account of the person who caused the harm.

A physical push from one person to another can be experienced as aggressive and hurtful from the

victim and/or witnesses or as a minor interaction that was part of a joke from the person doing the pushing or other witnesses. In such times you need to encourage people to understand how the victim may have experienced their actions, even if they weren't intended that way. It is not helpful to convince or encourage the victim and witnesses who believed the action was harmful to 'get over it' or to realise that it was 'just a joke'.

In the Christian walk we recognise that belief is a choice we make and that we believe in much that is unseen. However when it comes to abuse, people who are full of faith can become extremely doubting, especially of the validity of a victim's story. This doubting is also a choice, based on beliefs and attitudes that need to be addressed if they become an obstacle to caring for people who have been abused.

"In sexual abuse there is always spiritual harm, for the abuse always harms a person's sense of wholeness and connectedness, and hence the person's meaning and identity.

Because we long for perfect and infinite love, religious beliefs are an important part of making of meaning in the lives of those who accept them. Religious beliefs claim to answer the big questions of life and the answer they give I based on love: we come from love, we are going to love and love is the purpose and meaning of our existence on earth. Sexual abuse by a direct representative of that religious belief destroys the answers that the religious beliefs have given up to that point. The power that has been abused is a spiritual power that allows a person to enter deeply into the secret lives of others. The link between the minister and the god can be impossible to break and it can easily seem as though the very god is the abuse. ..

Within a church community it is impossible to separate the victim's relationships with the abuser, with God and with the community. The abuser will invariably be a person of power and will have a far stronger position in the community than the victim. This means that the abuser will be far more important to the meaning-making of the members of the community than the victim. Making meaning of life is a long and arduous process and people do not like to see it upset. All too frequently their non-verbal, and even verbal, message to the victim will be, 'We were content before you spoke out. You are a threat to our very system of meaning-making. Go away, leave this community and let us go back to our former certainties." (Robinson, 2007, pp.218-219).

Apology

What follows belief?

Apologising - a heart felt 'sorry'.

This must be no less than a full apology for what happened to them. Not a qualified, or muted apology which minimises or justifies the church's failure but rather a complete, I am so sorry that you were hurt.

Anecdotally, there seems to have been much confusion and even fear from church authorities or those receiving disclosures of abuse to apologise to victims when they disclose their abuse. Rather there has been a focus on the fact that this is ONLY an allegation, yet to be proven, and therefore there is resistance to leave an apology until after a full investigation of the matter is complete, (in case this is 'vexatious'). Unfortunately, this focus on false claims and on trying to prove it before belief and apology is found wanting in two maim areas, firstly intimate crime is hugely difficult to prove, and secondly there are very few false disclosures.

Marlene Hickin (2013, pp.186-187) comments:

> "Every time any Christian hears a disclosure from a victim of abuse the first thing to do is offer a heartfelt apology. If only we had managed to do this in the past, as soon as we were told of an incident, it would definitely have soothed some of the pain.
>> • I'm sorry that you where hurt.
>> • I'm sorry that you had that happen to you.
>> • I'm so sorry that you weren't believed when you reported it.

- I'm sorry that the church took no action.
- I'm so sorry that it all feels so ghastly for you.

Don't add anything at this early stage. Don't rationalise what happened. Don't try to explain it. Just explain how sorry you are and let them see your distress about what they have suffered."

Support

The next step will be to support the victim/survivor. This is not a simple or small task and may be an ongoing role for many years to come. Support needs to start with a robust church process which seeks justice, as outlined in chapter two, and it will also include fostering the survivor's own healing journey.

- First and foremost we need to remember to ask and not assume what support people would like, e.g. "What would be most helpful for you right now?", "Would it be helpful if we provided meals for you or is there something else we could do to help you?"

- Secondly we should give consideration to what we can offer. Remember that support can take many different forms. One person may really appreciate meals being prepared for them, whilst another may appreciate being driven and accompanied to appointments, whilst another might appreciate a text message letting them know you are praying for them. Remember all of the parts of a person's life. Sometimes support can take the form of providing space or alternatively of providing opportunities to stay busy.

- Thirdly we should carefully consider who is the best person or people to provide the support. Pay attention to gender, existing relationships, people's skills and experiences, people's personality and temperament, and people's positions within a church. Some people may not accept support offered by a male church leader (or may do so but feel uncomfortable throughout) but may gladly accept support from a female leader.

Counselling and other support services

Counselling and other support services may be helpful for some people (but should never be forced onto people). They can provide people with an opportunity to realise the change that they are seeking. Before commencing in regular counselling, the survivor may wish to consider the following: whether the timing is right for them to have counselling, if they have they energy to engage in counselling, and if there is something they want different in their life.

Counselling and support services can include individual, couple, family or group counselling, legal support, advocacy, material aid and case management services. They might be government or non-government, they might be centre-based or provide home visits, they might have waiting lists and criteria for prioritisation. They might take into account a person's gender, culture or spirituality. They might be free, require a referral from a GP in order to obtain a rebate, or have a sliding scale of fees. Some counsellors have experience and skills in dealing with people who have experienced violence and others do not. Some counsellors have professional qualifications and are current members of professional bodies. For people in need of support, negotiating these issues can sometimes be too hard. Obtaining some of this background information (with consent) can be a helpful way of supporting people and assisting them to engage with other services.

Sometimes churches have people within them that can provide counselling and support. Sometimes this presents as a good option for people but at other times it is not appropriate. This could be because the counsellor within your church does not have experience in the particular issue, or because their existing relationship would present a conflict with establishing a counselling relationship.

It is also important when supporting a survivor of abuse in terms of counselling that we recognise the place of trauma as a root cause of the presenting symptoms of the effects of abuse:

"For over a decade I hid in a psychiatric system where the root causes of my issues remained submerged. ... As the doctors and hospital staff tried to get to the bottom of my persistent symptoms, I was pushed into the medical frameworks of 'sickness' and the 'pathology' of psychiatric patients, and learned over time to fit those frameworks very well.

... The medical model for a hospital context, and the lack of resources necessary for professionals to find the traumatic roots of my presenting symptoms, meant I left the hospitals with a label of 'mentally ill' rather than 'traumatised"

... Some of the other euphemisms for my 'mental illness' which appeared in my medical notes included 'borderline personality disorder', 'narcissistic personality disorder', 'bipolar disorder', 'paranoia', and 'psychosis'. I now believe these labels served only to help medical staff feel like their were being effective in treating me."   (Monique Lisbon, Fragments of Home, 2008, 16-17)

Monique's experience is a reminder of the complex nature of the effects of child abuse. It is important not to oversimplify our help by sending a person to a counsellor believing this will fix the person. In a recent conversation with Monique she shared how in selecting her current counsellor, she interviewed more than a dozen counsellors before settling with one she was happy with.

If one type of counselling is not helping, then helping the survivor find a new or different style of counselling may be necessary.

Church-based Pastoral Care and/or Counselling Relationship

Be aware of the intricacies within a counselling/pastoral relationship.

There has been much research and discussion about the relationship between a counsellor/therapist and their client, and much of it can be applied to the relationship between a pastor and church member they are supporting. It remains an incredibly complex area and as such needs to be treated with respect. The counselling relationship is one that can bring great change and healing to a person but also great confusion and harm.

As someone providing either counselling or pastoral support it is important to establish clear boundaries; to be aware of how the person is regarding you; to notice how you are responding to this person (e.g. with irritation, eagerness to please or reassure, a desire to rescue); to consider past and present factors that may impact upon the counselling relationship (e.g. the lack of a father figure or alternatively an embedded childhood experience of rejection); to be aware of signs that could suggest you are emotionally entangled with a client (e.g. thinking or worrying about the person often, getting defensive when others speak negatively of the person, believing that no one else understands the person like you do); and to be receiving supervision where you can openly and safely raise the feelings, concerns and issues you have from counselling people.

Chapter 1 on Boundaries provides detailed information and questions to ask yourself around your ministry-based relationships.

Legal Advice and Support

Sometimes people want to seek legal advice on how to proceed with a matter. As church leaders this should never be discouraged. Furthermore it is vital that people receive legal advice that is completely independent of the institution they have concerns with. Even a well intentioned gesture of offering free legal advice by in-house church solicitors can have the result of people feeling pressured, tricked or betrayed. A community legal centre for those with limited resources may be a better option to reduce any conflict of interests and to help people have peace of mind.

Long term support and impacts

There is no set time frame and no uniform pathway of recovery for someone who has survived abuse. A failure to understand this and to empathise with the person harmed can result in us pushing our agenda for people to 'get over it" and 'move on', with their lives.

The place of Anger

One of the most challenging, but at the same time understandable behaviours of a person on a healing journey is 'anger'. It is challenging because it is not nice to be yelled at or to be the brunt of someone's anger, it is also challenging because when a survivor begins to get really angry others may be the target of their anger and this can become pastorally difficult. However it could be said that anger is essential, if the person is to process what has been stolen from them in the abuse and move towards healing.

Many victims, "have believed that they had no right to be angry and certainly no right to express it. A vital part of their healing is that they discover their God-given right to be real with their feelings and to express what has often been bottled up within them for years. In turn many come to see that their God is also angry on their behalf"   (McClelland, 109).

"Anger can be a profitable ingredient [in the healing process] ... No attempt should be made by Christians to negate it. Healthy anger can be a positive source of energy in healing a person or a situation. It's perfectly possible to be angry without the anger being in any way sinful. That's why the Bible actually instructs us to be angry. Be angry but don't sin. One day the victims might choose to let their anger go - and to forgive the person who has harmed them - but those choices will be up to them. No pressure should be applied by us about this but letting go of anger and of the need to retaliate can have real value in making us feeling better. It seems to release us to move on.

In fact victims of abuse need to be assured from the start that their anger is justified and that it could be valuable in the short-term" (Hickin,175).

Another aspect the survivor may have to deal with is anger with God.

"This is not a universal experience for survivors. Some have been able to find God's comfort in their suffering, and blame men rather than God for their pain. Sarah (chapter 2), who was molested for years by her father, wrote:

As a teenager I feel that the abuse I suffered was 'my trouble' and that everyone had troubles - that Jesus was separate from them and helped me with them, but never was the cause of them. I saw God in his character as totally wonderful - absolutely no relationship to my abusive father.

Yet, even Sarah had to struggle with issues of faith in later years. On the one hand she recognises the hand of God in carrying her through. She is particularly thankful for the church members who gave her emotional support when she was a teenager, not realising how much she needed it. On the other hand, she has had the questions which so many other victims ask - if Jesus was in some way 'there' , and he was not powerless to prevent the abuse, why didn't he do so? She continues today to hold the reality and truth about God in tension with her pain and suffering.

BEING HONEST WITH GOD

In dealing with a history of child sexual abuse, and in finding healing, the survivor needs time to grieve, to acknowledge her emotions and to allow herself to feel them without trying to block them out. Just as it is important to allow other emotions surrounding the abuse to surface, such as shame, fear and anger, people must be able to express their feelings about God, as a way of beginning to work them through.

This is not an easy thing for pastors and Christian friends to cope with. It is hard to hear someone you know and love, who is a committed Christian, express rage against God, or even to doubt that he exists. It is tempting to rush in with Bible verses, or to admonish the person gently for their sin in

doubting God, even perhaps to call them to repentance. But this is likely to be of little use.

The survivors' problems with God are not merely at the cognitive level. It is not a problem about doctrine. It is at the dimension of the heart that the Holy Spirit must do a gentle work of healing, helping the abuse survivor to work through the feelings of sadness, loss and abandonment by God which can be so deep and difficult to cope with.

Because the struggle of faith is a battle of the heart, as well perhaps, as a struggle to regain meaning, it is important that the abuse survivor is encouraged to allow his or her feelings of anger against God to be given expression. The greater danger for the survivor of abuse is that those emotions will remain repressed. If they remain hidden because the survivor does not have a supportive environment in which they can surface, then they will continue to affect the believer's life and faith in subconscious ways, and the process of healing be hindered.

Particularly damaging to the abuse survivor can be the triumphalism that characterises so many evangelical and charismatic churches in particular. The encouragement to believe, to forgive, to triumph and to claim the victory of the Lord can sound hollow in the ears of the sexual abuse victim.

(Parkinson, 168-169)

The time for forgiveness

"Forgiveness is one of the most difficult problems that Christians have to deal with in coming to terms with childhood sexual abuse. Again and again, Christian abuse victims are urged to forgive the offender. For many victims, that causes real conflict, since they feel they are not yet in a position to forgive. It is something too difficult to ask of them at that stage in their journey toward healing" (Parkinson, p177)

i. Forgiving - a command from the Lord

[3]So watch yourselves. "If your brother or sister sins against you, rebuke them; and if they repent, forgive them. [4]Even if they sin against you seven times in a day and seven times come back to you saying 'I repent,' you must forgive them." (Luke 17:3-4, NIV)

Jesus says, "[14]For if you forgive other people when they sin against you, your heavenly Father will also forgive you. [15]But if you do not forgive others their sins, your Father will not forgive your sins."

(Matthew 6:14-15, NIV)

However, "Are there things that are unforgivable? What do we do when we are confronted with unforgivable acts?" And, what is the place of repentance or restitution from the person who harmed? What happens if that repentance and restitution is inadequate or lacking altogether?

ii. Understanding Forgiveness

One of the hurdles to overcome in terms of forgiveness it to properly understand what is occurring in the process of forgiveness.

Stages of forgiveness

Too often victims have been told that they have a Christian duty to forgive their offender. Apart from the fact that this is an obvious attempt to get victims to resolve the problems caused by offenders, there are other difficulties with this idea, reflecting more general attitudes within the church.

When people suffer an offence of this magnitude, they almost invariably seem to find that they don't even know what forgiveness means in their situation. I have found that this sense of confusion concerning the very meaning of forgiveness is almost universal among victims of sexual abuse.

The reason for this confusion is that there is a common mistaken belief that forgiveness is a feeling, that is, that people have forgiven when they feel good towards the offender, and they have not forgiven when they feel bad or angry towards the offender. In fact, however, people

have no direct control over their feelings. If victims think of the abuse, they will feel angry and there is nothing that can be done to prevent this anger. To think of the abuse and not feel angry is simply not an option.

When memory of sexual abuse comes to mind, the anger that is spontaneously felt is in fact positively good and contributes to a sense of meaning because it is part of the loving of oneself. The anger is a defensive reaction, an affirmation of oneself and one's own dignity, an instinctive statement that what happened was wrong, that I (the victim) am worth more than that.

First Stage: The origin of words can tell us much about their meaning. There are two stages of forgiveness and the first is expressed by the Greek word in the gospels which is usually translated as 'to forgive', but which has the more basic meaning of 'to leave behind, to let be'. In relation to sexual abuse, this does not mean to 'forgive and forget', for it is actually quite essential to true forgiveness that the offense NOT be forgotten. So it does not mean to deny the abuse or the debt it created. It does not mean to forego attempts to have just debts paid. It does not mean to prevent the memory from rising to the conscious mind whenever this happens naturally. It means to come to a point where one is prepared to begin to leave the matter behind, to let it be, that is, to do nothing to deliberately arouse the memories and the angry feelings they evoke.

If people have no direct control over their feelings, they can gradually acquire a greater or lesser control over their thoughts and actions. Thus a victim can eventually choose not to feel angry by choosing not to think about the abuse. At first this will be impossible, but with the passage of a long period of time it can become more and more possible, and how much the abuse is thought about is a choice that a victim must gradually make.

Timing is of the greatest importance. Some people have spoke of never having made a decision to 'leave behind, to let be', but of them waking up one day to find that they have in fact done so at some undetermined moment in the past. They can also find that in between rage and hatred on the one hand and forgiveness on the other there exists an arid grey area and that they can exist in this arid grey area for a very long time.

Second Stage: There is then a second stage to forgiveness that does turn towards the offender. It is easier if the offender has taken responsibility for the offence and acknowledged the harm done, but it is possible even if the offender is unrepentant.

In this second stage of forgiveness the question that a victim must ask is , 'Do I want only punishment for the offender or do I also want to see change and growth?' Victims have forgiven when they are able to answer that, even though they may still see punishment as necessary and desirable, they also want growth and change in the offender. The offender has changed the relationship between the offender and the victim forever, and the victim needs to accept that the former relationship can never be regained. So it is a new relationship that must be created, even if the two of them never meet or communicate. And the victim must eventually choose whether the new relationship is to be based solely on a desire for further punishment or also on a desire for change and growth.

If the Greek word in the gospels translated as 'to forgive' means 'to leave behind, to let be', in a number of Western languages the word 'to forgive' is made up of two words 'give' and 'for'. And it is a remarkable fact that, when victims reach the stage of wanting growth and change in the offender, many, even most, seem to want in some manner to give of themselves to help bring about this growth, and their 'giving for' becomes their 'forgiving'.

(Robinson, 220-225)

The process of 'letting go' and 'giving for' is further informed as we understand forgiving as memory and forgiveness as accusatory. These two concepts unpacked by Philip Tolliday in a lecture at the ecumenical Safe as Churches IV, 2009, are paraphrased here:

"Forgive but not forget" - forgiveness is to remember and choose to not let that memory rule you life That forgive is actually to remember the incident and choose forgiveness.

Forgiveness is accusatory - that to forgive is a proactive and powerful placing of the ownership of wrong doing in the hands of the offender. That is, to say I forgive you is actually saying that you have wronged me and I accuse you of wrongdoing. I accuse you, forgive you and leave the response in your hands. Forgiveness is not being a door mat but rather placing responsibility where it belongs, in the offenders hands.

Forgiveness is not excusing - a third important concept which informs what is means to forgive is the notion that forgiveness does not mean excusing the behaviour of the offender:

   "It can be easy to excuse someone their sins of sexual abuse - he didn't know what he was doing, he was under pressure, he was not attending to his own needs, he was over-working, he was just doing what a man does. Often when we do this we can even think of ourselves as being good Christians - we must forgive one another, not seven times, but seventy-seven times, just as Jesus taught us
   (cf. Matthew 18:21). Yet to make excuses for abusers is not the same as to forgive them. Often to excuse them is to allow them to continue an abusive relationship that keeps the victim a victim, with no conversion in the abuser.

   Excuses minimize the damage which has been done to the abused person, dismissing their suffering by making it less important than the suffering which will occur within the abuser if he is confronted with the full reality of his actions. Asking survivors to excuse or minimize the damage that has been done to them is saying to them again that their suffering is not important, that they are not important. Survivors are explicitly told, " I feel so sorry for the man, poor man!"; "what about his career?"; "but he's a good minister"; or "I can sympathize with both sides." The latter sounds eminently reasonable, but is in fact inappropriate if the injustice is not being adequately confronted.

   So forgiveness is not just excusing, denying or minimizing the action of the abusive person. True forgiveness means placing before the sinner the full reality of what they have done, and in the face of this full reality offering forgiveness. This is one of the lessons of the death and resurrection of Jesus. In the passion of Jesus God reveals to us the full reality, the full ugliness, of human sinfulness. In the crucifixion of Jesus we see our willingness to sacrifice an innocent person in order to maintain a sinful status quo. It is only in knowing this reality that we can speak of the divine forgiveness. Anything less than this does not take sin as seriously as it needs to be taken. Anything less is a denial of the dignity of the victim.

(Ormerod & Ormerod, 41-42)

Supporting others impacted by the abuse

". . . those who bear witness are caught in the conflict between victim and perpetrator....

It is morally impossible to remain neutral in this conflict. The bystander is forced to take sides…

…It is very tempting to take the side of the perpetrator.

All the perpetrator asks is that the bystander do nothing."

"The victim, on the contrary, asks the bystander to share the burden of pain.

The victim demands action, engagement and remembering. . . .

– Judith Herman in Trauma and Recovery (1992, p.7)

When one person is abused there are typically many people who are impacted by the abuse, these might be referred to as secondary victims, or the bystanders. They may exhibit trauma symptoms, anger, confusion, betrayal, denial, guilt and self-blame and even loss of faith.

Friends and family of the person who was abused need to be considered, as do people involved in the process of identifying and responding to the abuse. Another group that can be often overlooked is the family of the person who abused. They can experience a range of emotions from disbelief, anger, and guilt and shame due to their association with the person who abused.

In congregations where a senior leader or minister has engaged in sexual misconduct or abuse the there are those who will be impacted by this for decades into the future, some people will make vows never to trust another minister again. It is not uncommon for people to still be traumatised by the betrayal of trust from a minster 20 years after the event.

When supporting secondary victims, normalise their feelings and responses, pray with them, support them through their range of difficult thoughts and emotions.

Only provide advice within your professional capacity e.g. be careful to not step into the role of a counsellor if that is not your role and if you are not trained. Refer on as appropriate. As mentioned in chapter 5, teams have been trained using Tim Dyer's model of congregational recovery outlined in that chapter.

Marie Fortune is keen to point out that our role is to help those affected by the abuse as "bystanders' to the actual abuse (secondary victims, i.e. families and congregations). Marie comments that it is important to remember the spiritual, emotional and practical resources that the congregation can offer to all of those affected. It can be useful to re-frame secondary victims as people within the body with the potential to care one another through times of great need.

Fortune suggests that we equip bystanders with appropriate: information (What is happening?), education (What is this problem?), support (How are we affected?) and action (What can we do?)

Vicarious Trauma

Each person has a unique response to receiving a disclosure, witnessing abuse, responding to serious allegations of misconduct, or being involved in other ways with the issues involving the safety and wellbeing of people in church. The stories and experiences we come across will shape you. It may give you a new found appreciation for your own family or for the incredible resilience of certain individuals, or it may produce an unhealthy level of cynicism or anxiety around others that debilitates you and your ministry. Being negatively impacted by other people's stories and experiences of trauma is referred to as vicarious trauma.

It is important to:

a) recognise that this area of ministry has an impact on people

b) understand that leaders need self awareness regarding their reactions to trauma, coupled with a willingness to care for themselves

c) realise that in some instances a leader's ability to minister effectively can be compromised through vicarious trauma, and that this is exacerbated by exposure to poor or abusive responses at a church and systems level, high workloads, working in isolation without adequate supervision or peer support, and holding certain expectations of themselves and others.

POSSIBLE TRAUMA FROM EXPOSURE TO DEALING WITH ABUSE
Some people may have strong reactions that have an invasive impact upon their ministry or other parts of their life. These reactions may happen soon after the incident they were involved in or a long period of time later. Either way it is important to seek additional counselling support. Some of the impacts include:
- Hypervigilance – in relation to the alleged victim of abuse and/or all children and young people involved in ministry
- Sleep and appetite disturbances
- Flashbacks to receiving the disclosure – "seeing yourself" in the space where the disclosure occurred, hearing the information repeatedly
- Other intrusive thoughts - e.g. constantly thinking about the family involved to the point of it effecting your daily functioning
- Overwhelming sense of powerlessness to being able to protect the children and young people in ministry
- Overwhelming sense of guilt that the leader was not able to protect the child or young person prior to abuse occurring
- Mistrusting of ability to discern that abuse may be occurring
- Questioning of core beliefs
- Significant mood change (e.g. noticeable by others or even yourself)
- Difficulty in "switching off" from ministry role
- Constant questioning of ministry ability
- Flashbacks to own experiences in the past either previously or currently acknowledged or unacknowledged
- Anger and frustration that extends from one case/situation to all similar situations
- Cynicism that immobilises you and your team from appropriate ministry responses
- Overwhelming desire to avoid certain situations, locations, people
- Profound distrust of others
(Adapted from Creating Safe Ministries - Anglican Diocese of Canberra Goulburn 2009)
Self care strategies can assist to offset the negative impacts of this area of ministry.
See page chapter 1 of this Handbook for details on self care.

Chapter 7
Safe Ministry with Known Sexual Offenders

In this chapter we will:

• Provide an overview of sexual abusing

• Consider factors that influence a person's choice to abuse

• Gain familiarity with a processes for safe ministry with persons of concern

"How could someone sexually abuse a child? Why would they want to? ... Those who sexually abuse children come from all walks of life and socio-economic backgrounds. Many years ago there would be experts who used to talk about the 'profile' of a sex offender against children. It is now accepted that no such profiles are reliable" (Parkinson, 2003 p.31).

This fact that there is no one type of offender combined with the very public condemnation of all sexual offenders and high levels of fear in parents and other congregations members about sexual offenders, highlight the very real difficulties faced as churches undertake ministering to a known past sexual offender.

This is not a simple matter given that "sexual abuse is bulldozer gouging a road through the fragile ecosystem of love and meaning that a person has been painfully constructing" (Robinson, 2007 p.218).

It is not simply the issues of forgiveness and a person's right to privacy that need to be considered, but also the needs of past victims of sexual abuse, the needs of vulnerable persons such as children, the needs of other family members as well as the needs of parents.

The definition of a 'persons of concern' is:

  • a person who has pleaded guilty to, has been convicted of, or has admitted to having committed, a sexual criminal offence; or

  • a person who has been disciplined as a member of the clergy or a church worker within the Church because of sexual misconduct, or who has been refused ordination, employment or appointment in the Church because of an adverse risk assessment arising from sexual misconduct; or

  • a person who has been disciplined by another organisation for sexual misconduct; or

  • a person who is currently charged with a sexual criminal offence; or

  • a member of the clergy or a church worker against whom allegations of sexual misconduct are currently being dealt with under Church disciplinary procedures; or

  • a person who is receiving, or has received, treatment for disordered sexual behaviour; or

  • a person who is considered to be a risk to the safety of children and/or vulnerable adults because of an adverse risk assessment relating to sexual misconduct.

(The Anglican Church of Australia – Professional Standards Commission: "Guidelines for parish safety where there is a risk of sexual abuse by a person of concern", 2010)

There is also another group of persons who exhibit concerning behaviour through relational "boundary straying" or constant wandering across other people's boundaries.

Victim or offender?

The following story is from Heather McLelland's book, "The Almond Tree: Child Sexual Abuse and the Church" (pp.83-87).

My story does not sound like abuse at all. If it was sexual abuse, I wonder which of us was the abuser and which the victim?

Some people would call my experience "normal childhood experimentation". Yet I know that because of that experience I became a potential child molester. It came to dominate my thought life and to affect my relationships. And so I am writing down my truth. It may help you. It may help people understand another aspect of abuse.

I was fourteen years old. It was late Spring, November 6th or thereabouts - Guy Fawkes Day. A big mob of kids and families had got together to let off crackers in the evening: the usual penny bangers, spinning jennies and of course a rocket or two. We were on a big oval and after the crackers a few of us boys stayed, mucking around. The adults had all gone. We started piggy back fights. I can't remember much about it except that it was fun. I was the horse. My rider and I were undefeated. I must have been one of the biggest kids there and Tony was small and wiry, hanging onto me tightly with his legs and downing our opponents with his hands.

I hadn't known Tony much before that night. He was two years younger and didn't belong to my circle of friends.

But at that moment Tony was really hyped up. I wasn't accustomed to anyone being so excited and sort of emotional. It seemed that in his mind I became an instant hero. His enthusiasm filled me with a warm, happy feeling. He leaned over my shoulder and told me how strong I was. Then, in the growing darkness, we wandered off on our own. He was still on my back laughing and tickling me. As we wandered on it became obvious to me that he was trying to reach my crutch with his tickles. In fact he may have said, "I'm gonna scrag you" but I kept his hands away easily enough and we were both enjoying ourselves.

As we wandered towards our homes, we started up a big hill. I was out of breath, both from laughing and piggy backing Tony and from struggling to avoid his hands. I saw a way out by collapsing off the path in the grass. But my asking for a rest had the opposite effect on him. "Great" he said, "I'll really be able to get you now!" and he dived on top of me.

I was really alarmed. This was crossing boundaries that no-one had ever crossed with me before. I was also highly embarrassed. My penis had begun to harden and I had no idea why it had chosen this moment to do that! I held him off desperately and whispered in shame, "Stop Tony you're giving me a horn (erection)". I really thought that would shock him into stopping. Instead it had the opposite effect. He squealed with delight. "Good, let me make it bigger!" This time he did touch me. Amazingly it wasn't the end of the earth. In fact, I liked it. I know I was shaky and could hardly believe what was happening but at that point, I stopped resisting. I know I whispered again, "All right, if you let me touch yours too". He agreed.

I remember that conversation as clearly as if it was today. I've replayed it so often in my mind. I don't remember much of what followed. It only continued for five or ten minutes at the most. What I do know is that I was stirred up now. I had had no idea there were such powerful urges within me.

It was Tony who called a halt saying we d better get home. I wanted to keep going and I now realise I was vaguely confused. Hadn't he started it? Didn't he want something special between us? Anyway we stopped and went our separate ways. But for me there was a sort of bond.

I said nothing to anyone. What had happened seemed like a dream. But about a week later, as I was leaving school, I felt a kid make a flying leap and land on my back. My heart lurched. I didn't need to look to know who it was. "Take me for a piggy back ride" he murmured in my ear. I immediately took off towards the bush. I was unsure. I'd gone too far before but what signals was he giving out now? I

remember my heart really beating. I finally plucked up courage to ask, "Are you feeling …. sexy?" Tony's reply was a delighted, "Yes" so we found a private hole in the bushes.

This time we both exposed ourselves and we played with each other. Tony asked lots of questions about my sexual exploits. "Had I done it with a girl? Had my penis ever squirted the stuff that made babies?" My answers were all negative. In fact, I didn't even know my penis was supposed to squirt stuff out. In turn, I asked him questions and he talked about his exploits with his sisters, girl cousins and other boys including his younger brother. Again our time together finished as abruptly as before. I hurt him he said and "there were things he needed to do".

About a week later Tony again initiated a similar situation. Again, I think, I became too urgent and maybe powerful. Again he had to leave although I think I really pressed him to stay.

There was one other incident that I don't feel like writing down but it helps to build the picture of what was happening to me We were in the changing rooms after sport. Tony had had a shower and was walking past the area where I was changing. I was overwhelmed with sexual urges. I tried to take his towel off or to put my hand underneath. He turned on me. "No, not here. Don't!" He ran out. Again I felt confused. Didn't he want to play this game with me? But worse. For the first time I felt dirty unclean and guilty. I also felt stupid and like a clumsy bully.

That year ended. After the Christmas holidays, I saw little of Tony though there was a tacit understanding of the special secret between us. One day I saw Tony's younger brother, now in High School. He was standing on the edge of the pool and on impulse I pushed him in. He turned around and yelled at the top of his voice, "Wow … sexy!" I felt dirty and ashamed but also betrayed as Tony had obviously told his brother about me.

For the rest of my school years I seemed to be split in two. Outwardly I was an average student, doing fairly well academically, enjoying sport, extra curricular activities and family life. I related pretty well to teachers and fellow students and I was given responsibility etc. But there was an inward, confused part of me as well. It didn't dominate or threaten to take over but it was there all the time.

I would have periods when I would dream and fantasize about Tony. I remember pouring over his photo in the school magazine. My heart would jump happily when I saw him (was this love?). And at nights sometimes I'd make plans to sneak out of my house, get into his and crawl into bed with him. I imagined his delight at waking to find me there, staying a few hours, then successfully getting back to my own house and bed in good time. I never carried these schemes out.

I also discovered then that I was drawn to younger boys especially those who were new or unsure of themselves in some way. I wanted them to like me and to look to me for help. I think I was attracted to appealing, innocent boys in First Form. (was it really "pretty boys"?), This was confusing. I told myself I wanted to help these boys, that it was natural and worthwhile but it had a surreptitious air to it. It wasn't normal for school boys of such divergent ages to do a lot together. Subconsciously I believe I was responding this way because of what had happened with Tony.

From another angle, these relationships were helpful and happy. I discovered that if I tried too hard, kids didn't appreciate it, but if I was not dependent on their liking me, good friendships emerged. There was never any sexual connotation to these relationships. At the time my reasoning wasn't as developed as this, but intuitive.

Alan, my best friend and of my own age, was the only person I talked to about Tony. He had been in the school sick bay one day when a younger boy Dennis, talked to him about some similar sexual experience. Alan was shocked and when I suggested it wasn't perhaps so bad and told him a little about Tony. Alan couldn't cope with it and I shut up quickly.

Because of the information Alan had shared about Dennis, I started to fantasize about him, seeing him as open to similar sorts of experiences as I'd had with Tony. Fortunately I was unable to carry these fantasise into action. I believe now I was protected.

As I continued through High School I began to have more to do with girls. I partnered some at dances bur never had a girlfriend as such. I heard about homosexuality and fought the thought that I might become a homosexual. In my mind, the thought of having sex with a man revolted me. However, the thought of the type of sex I had had with Tony, a boy in pre-puberty or puberty, seemed beautiful.

After leaving school, two things happened that set my life on a different path altogether. First I became a Christian. I discovered that God was personal and real and that He loved me. I also discovered that He was forgiving. I confessed to Him (just God) about Tony and I knew He had forgiven me although I was still confused as to why what I'd done was wrong.

God gave my life a direction and purpose it had never previously had and I felt totally fulfilled. Interestingly, I still enjoyed the company of young boys and seemed to strike a chord with them.

So I made two decisions. I decided that any such interactions in the future must be for the good of the boy. Secondly I decided I should take time to relate in a healthy way with all kids, both girls and boys.

The second thing that happened to me during these years was that I met a girl and fell in love with her. I loved to look at her picture too and my heart jumped when I saw her in person. After a while we held hands and kissed. But this time the relationship was full and complete. We talked about everything and seemed to fit together perfectly. Our sexual attraction was just one part of a whole relationship. I came to realise that this was the relationship God had made me for and the right way for me to be sexually fulfilled. What had happened with Tony was purely physical arousal which romanticised itself in my mind.

While I told my wife about Tony before our marriage it made no difference to her attitude to me and she didn't seem to understand or to want to probe into it.

I would like to say that from this point on, my life was of the "happy ever after" variety.

However, over the years, a number of times I have been aware of great danger. I remember walking through King's Cross once and seeing photos of young boys arrayed in a window. The thought that they may be prostitutes set my mind working. Another time it was a film portraying the seduction of a young boy by his babysitter, which I left on for far too long. It churned me up and the fantasies began to worry me. Pornography is something I need to avoid totally. My most frightening experience was when I was staying in a cheap hotel on a work trip. It was hot and my door was wide open for fresh air. I was lying on the bed in shorts when a young teenager came into the room and propositioned me. I got rid of him quickly but in my mind found myself saying, "Why not?" That really threw me.

These dangers did not arise because of any problems in my marriage. My love for my wife was real and strong and our sexual relationship was robust and happy.

I came to realise that, because of my experience with Tony a sort of bonding had taken place which had taken a deep hold on me. I asked God to cut me free from these bonds. I asked Him to take away any unhealthy desires.

After many resolves and a lot of toing and froing, I also talked more deeply with my wife about my struggles. I had glossed over the issues before but this time I was totally honest. I asked her forgiveness. She was in shock and disbelief, However she continued to show me acceptance which was an incredible relief. She encouraged me to go and see a counsellor.

As I shared openly and honestly I came to understand more about the dynamics of child abuse and adolescent sexuality. I can no longer persuade myself that such sex as I had with Tony is "beautiful". I am beginning to see Tony as a kid who had already been abused and who was hungry for genuine relationship. Because he'd been sexualised so young he only knew one way of relating. Did I abuse him further? Certainly the danger was there with others?

As I have learned about abuse, I believe I now understand the pain and shame inflicted on a victim

and, more graphically, the pathetic attempts of the abuser to find something which will bring fulfilment, bound only to end in failure.

I believe God has answered my prayers. Temptation and fantasies seem to no longer worry me. If they ever do, I know how to nip them in the bud.' I know also I have other human beings who will hold me accountable.

When I started writing this story, at the request of my counsellor, I felt it was trivial and irrelevant. However I can now see its place in the total picture. It has certainly helped me to write it and be completely honest. It gives me cause yet again to thank God and my wife for loving me as I am. I hope it may help others with similar struggles.

COMMENT

Definitions of Sexual Abuse always talk about the abuser as older or bigger and thus more powerful. This story forces us to consider the power of certain sorts of knowledge which already abused children can use to ensnare naive children even older than themselves. The honesty of this writer makes plain to us how easily a child's or adolescent's mind and sexuality can be side-tracked from its normal path of development. This writer's healing process is also very educational. He has discovered that the bottom line in defining what is erotic and what is healthy affection is to ask the question, "Is this helpful or harmful to the child or adolescent?" Any behaviour which is harmful must be eradicated.

(McLelland, unpublished pp. 83-87)

What we know about offenders

i. High level of community feeling based on myths

"Sexual offenders are unwelcome in virtually every community. The mere thought that such a person might possibly move to one's community inflames negative public sentiment beyond seemingly every other contemporary social issue. … As a society, we are slowly but surely banning known sexual offenders from our midst. We are forcing sexual offenders into lives of secrecy." (Circles of Support and Accountability gathering Report Calgary, Alberta, January 14-17, 2008).

ii.10 Myths (A Situational Perspective on Child Sexual Abuse)

Key Note address NSW Ombudsman Symposium

by Richard Wortley (2009), School of Criminology and Criminal Justice Griffith University Brisbane (NB: Statistics were taken from talking to offenders in gaol in Queensland.)

Myth 1: The myth of 'stranger danger'; i.e. most child sex offenders target children who are unknown to them and are located in public places.

Relationship: 56.5% lived with child; 36.9% knew child; 6.5% stranger

Location: 69% at home ; 7% public toilet

Myth 2: Most child sex offenders belong to a deviant subculture that involves high levels of networking amongst its members

Before arrest: 8% talked to other offenders; 4% member of paedophile group

While in prison: 4% provided with information about accessing children

5% provided with information about clubs

Myth 3: Most child sex offenders are homosexual

Stated sexual orientation: 76% female only; 8% male only; 13% both

Choice of victim: 72% female; 28% male. NB homosexual offenders tend to have more victims

Myth 4: Most child sex offenders begin to offend sexually at an early age

Mean age of first contact 32.4 years

Most juvenile offenders do not progress to adult sexual offending. However, early onset is associated with higher recidivism

Myth 5: Most child sex offenders have many victims and will invariably reoffend

Number of convictions 77% first sex offence

Number of victims 55% one victim; 3%>10 victims

Recidivism 13% sex offence after 5 years release; 37% for any offence (Hanson & Bussiere, 1998)

Re-conviction for a sex offence 19.3% after 32 years (Soothill et al 2000)

Myth 6: Most child sex offenders specialise in sex crimes

Prior convictions: 57% non sex offences; 23% sex offences

Four times more likely first offence was non-sexual (82% versus 18%);

5% serial specialists

Myth 7: Sexual attraction to children is rare and confined to a small group of deviant individuals

Sexual attraction to children is not a requirement for child sexual abuse and hence this myth is somewhat irrelevant. Many people who sexually abuse children aren't solely sexually attracted to children but may hold a range of sexual interests both deviant and non-deviant. Child sexual abuse is perpetrated by a wide group of people including those who for all intents and purposes appear to be 'happily married and with children'.

17% of males admitted having molested a child (Finkelhor & Lewis, 1990)

NOTE: There is also attraction to children by non-paedophiles, as in attraction to children whilst children themselves. Child marriage is common historically and in many contemporary cultures.

Myth 8: Most child sex offenders have associated diagnosable sexual disorders

Low incidence of paraphilia: 5.4% exhibitionism, 9% frotteurism, 5% voyeurism

4.2% public masturbation , 1.2% sexual masochism

Treatment for other problems: 23% for depression, 18% drug and alcohol, 13% anger problems

Myth 9: Most child sex offenders view child pornography: most people who view child pornography sexually abuse children

Use of pornography by offenders: 75% used general pornography, 10% used child pornography, 4% collected pictures. Current estimates on treatment/convicted samples 17 -40%. Post internet massive increase in casual viewing (one site received 1 million hits in a month)

Myth 10: Reoffending by child sex offenders can be reliably predicted by mental health professionals.

Tendency of clinicians to over predict, assume high base rate and often play it safe. Actuarial assessment is more accurate but still many errors for the most risky i.e. of the 12% of offenders (identified on the Static-99, Hanson & Bussiere 1998) deemed highest risk of reoffending, 39% were reconvicted after 5 years; 45% reconvicted after 10 years, 52% reconvicted after 15 years.

iii. Types of sexual offenders

Not all paedophiles- the definition of a paedophile - sexual attraction to pre-pubescent children

Hebephilic behaviour - sexual attraction to pubescent children (teenagers)

3 types of offenders

- Richard Wortley School of Criminology and Criminal Justice Griffith University Brisbane

1. Committed Offenders, i.e. 23% were serial sex offenders

    Sexual preference for children

    Manipulate environment to create opportunities

2. Opportunistic, i.e. 41% first time sex offenders/versatile criminal history

    Sexually ambivalent/generalised poor self control

     Exploit opportunities

3. Reactive, i.e. 36% first time for any offence

    No strong attraction to children/conventional

    Respond to situational stressors and/or stimulation

NOTE: Predators (those who groom children) would be considered the "committed" type.

3 types of offenders - Dr Monica Applewhite

Type I. Preferential – committed, manipulate the environment, many victims.

Type II. Situational – same as Wortley's second 2 groups – given the right environment will offend.

Type III. Indiscriminant – sadistic (smaller group of violent offenders)

iv. The sexual violence continuum

It is important to understand that not all sexual abuse is illegal and therefore it is important to understand the difference between sexual offending and abusive thinking.

It is helpful to see sexual violence as a continuum. The offender may not be at high risk of re-offending, however may hold many beliefs and have many thoughts that are on the sexual violence continuum. From ... non-contact: sexual looks - sexual comments/ jokes aimed at a person - verbal harassment - harassment sexually - obscene phone calls - peeping - exposure - right through to ... contact: - frottage - unwanted sexual touching - sexual assault - aggravated sexual assault - rape - rape/murder.

Some of these activities are legal, others are illegal. Offenders may act out the whole continuum. Although some of these may not be experienced as distressful, most women have experienced some act that falls with in this continuum. The common denominator is a lack of respect for women.

(v) Sexual abuse doesn't 'just happen'

David Finkelhor's 4 preconditions of offending:

INTERNAL HURDLES

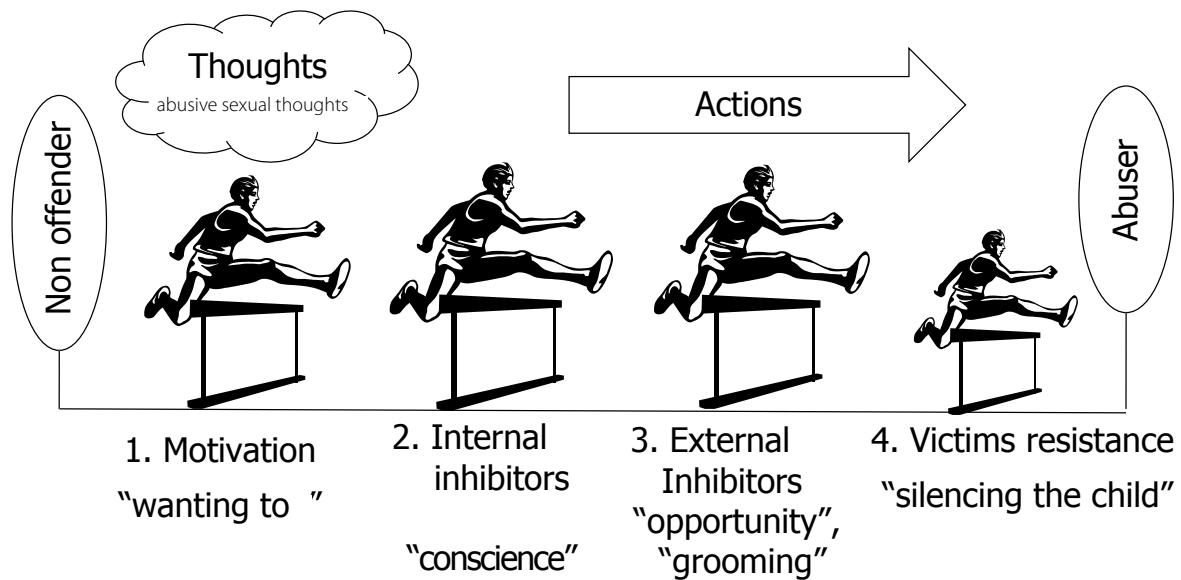   1 Motivation - wanting to offend.

    2 Conscience - internal barrier - need for internal distortion /deviance etc.

EXTERNAL HURDLES

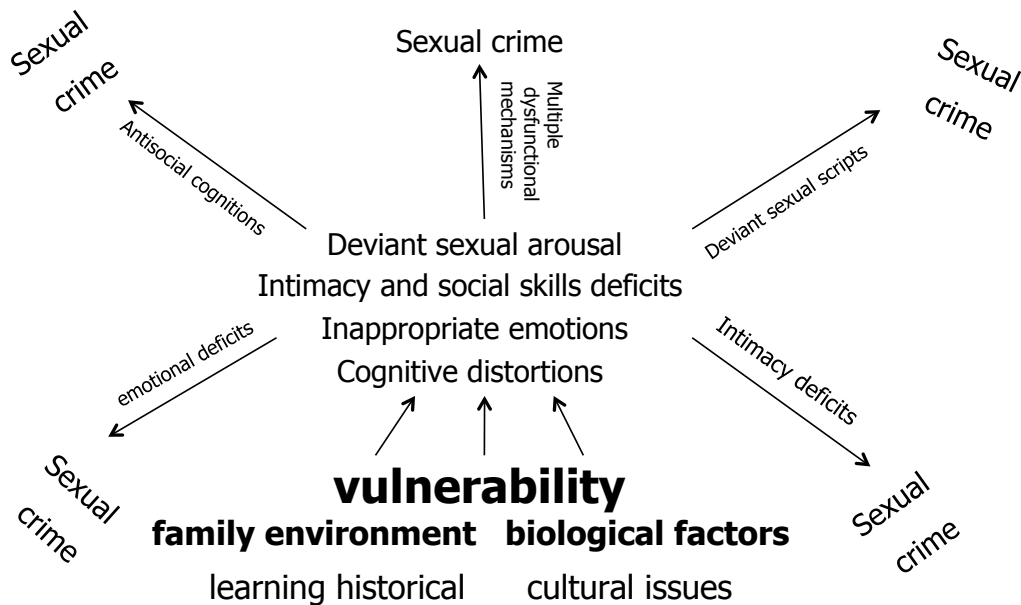3 Environment e.g. the family, church, societal expectations, laws etc.

4 The victim, the smallest hurdle is the grooming of the victim, as they are the most powerless in the situation.

(Finkelhor, 1984)

Common clusters of internal issues

(Dr Sophie Reeves)

vii. Inability to cope: fear of emotional explosion - Dr Katie Seidler

Many offenders have a complete inability to cope. They find emotions very intense: stress, disappointment, rejection, boredom, sexual arousal all cause them to feel like they are going to emotionally explode.

Instead of responding to these emotional risks in healthy ways they are faced with the Problem of Immediate Gratification (PIG). The track in their head is screaming " I am not coping and I need to feel better. I will explode if I do not do something about the way I feel. I will self sooth". Unfortunately this often means acting in self-destructive ways, e.g. looking at sexual images and masturbating, or hitting a person, or telling somebody off, getting drunk, self harming etc.

We need to help these men to understand and address what is happening behind their behaviour. For a lot of offenders the function behind the behaviour is not obvious. Many have poor or distorted relationship skills, emotional coping strategies and a poor self esteem and will behave in inappropriate ways and the reason for this will not make sense to you. (Dr Katie Seidler)

viii. Do women abuse?

Typologies of adult and adolescent female sexual offenders – Dr Monica Applewhite

To date there is no clearly defined, empirically validated typology for female sexual offenders. However, the literature on female offending is beginning to show slow progress toward defining categories of the diverse population of women and adolescent girls who sexually abuse. Preliminary research has supported the proposal of at least three types of adult female offender and three types of adolescent female offender.

> Adult Female Offenders
> * Predisposed
> * Teacher/Lover
> * Co-offender

Similarities and Differences between Female and Male Sexual Offenders - Dr Monica Applewhite.

According to the Bureau of Justice Statics USA, about 10,000 women are arrested every year for violent sexual offenses in the United States. Women represent 7% of adults who are arrested for sexual offenses each year; adolescent girls represent 27% of juveniles arrested for sexual offenses. How are these female sexual offenders similar to male offenders and how do they differ?

Similarities: relationship difficulties, poor coping skills, cognitive distortions and immaturity & victim empathy deficits

Differences

More traumatic abuse histories among female offenders. Severe childhood trauma represents a more significant risk factor in females than it does in males. Although intuitively appealing, the clear connection between childhood abuse and future sexual offending has never really been solidified in the research on male sexual offenders. Women who sexually offend have been found to have suffered severe sexual abuse and extreme physical abuse. Moreover, the childhoods of many female offenders contain additional elements of trauma such as family violence, multiple and irregular caregivers and substance abuse by family members.

More deprivation in childhood. Women who sexually offend versus men who sexually offend and versus women who are involved in other types of crimes appear to have been raised in circumstances of physical and emotional deprivation. Physical neglect, poor living conditions, lack of food and lack of medical care are more common among women who sexually offend.

More likely to abuse younger children. Although there are females who target adolescents of both genders, women and adolescent girls are more likely to abuse younger children than male offenders. Early research suggests females are more likely target children under 8 years old than male offenders.

Conclusion

Until recently, sexual offending by women and adolescent girls has been largely overlooked and minimized in the professional literature and in everyday life.

Research into the dynamics of female sexual abuse has just begun. What we have learned to this point is that the research on male sexual offenders will take us only so far.

Specific research and practice of treating female sexual offenders and their victims is needed if we are to prevent and respond properly to this unique form of abuse.

ix. Will they do it again?

Karl Hansen (Ph.D. Corrections Research Public Safety Canada) is often asked by the authorities: Will the person re-offend? His response: This is not a simple question.

Consider the following presentation by National Associations of Sentencing Commissions, 2006, in Philadelphia by Karl Hanson: average Recidivism Rates Hanson & Bussière (1998) taken from 61 studies with a 4-5 years follow-up average recidivism rate for sexual offence - 13.4% (n = 23,393) and 36.3% for any form of offence (n =19,374).

In 2003 the US Bureau of Justice Statistics Langan et al, 2003 recidivism of sex offenders released in 1994 (15 States, n = 9,691 three year follow-up; re-arrest for sex crime), 5.3% (517 of 9,691 for sexual offenders), 1.3% (3,328 of 262,420 for other offenders)

In 2005 Hanson & Morton-Bourgon complied 73 studies, 5-6 years follow-up; 14.3% sexual (n =19,267; 73 studies); 36.2% any (n = 12,708; 56 studies)

In a study in to Sexual Recidivism in a Sample of 4724 offenders after 5 years was 14%, after 10 years 20% and after 15 years was 24%.

But not all re-offences are reported, so what is the estimated rate?

Follow up	Observed	Estimated
5yrs	10-15%	30-40%
10yrs	15-25%	30-45%
20yrs	30-40%	40-55%

Established Predictors of Sexual Recidivism:

• The current research has highlighted these predictors of sexual recidivism (Hanson and Bussiere, 1998; Helmus, et al, 2012):

  • Sexual Deviancy, i.e. deviant sexual interests (e.g. paedophilia) & sexual preoccupations

  • Antisocial Lifestyle, i.e. a history of rule violation

  • Lifestyle instability – poor relational and coping skills and lack of care and support networks

x. Conclusions

• Most sexual offenders are never re-convicted for a new sexual offense

• Not all sexual offenders are equally likely to re-offend

• A number of risk assessment tools are available that have demonstrated moderate to large accuracy

• Offenders who attend treatment are less likely to re-offend than offenders who do not attend treatment.

x. Over-management vs evidence based interventions

With people who are considered at lower risk of re-offending there is a risk that if they are over-managed that it can actually increase their risk. Where management overly focuses on sexual thoughts and behaviours it can over stimulate. A one-size fits all approach to all people who have sexually offended is not helpful and may in itself contribute to problems.

The Risk-Needs-Responsivity framework for treatment programs (Andrews & Bonta, 2010) focuses on reducing risk of recidivism through promoting three key principles. Firstly the treatment intensity should be matched to the offender's risk level; secondly treatment should focus on factors directly related to that person's offending; and thirdly the treatment should be responsive to the offender's learning styles and needs.

Another recognised approach for treating people who have sexually abused is the Good Lives Model (first developed by Tony Ward in the early 2000's). This approach explores the link between enhancing offenders' wellbeing and their likelihood of abusing reducing. Treatment involved assisting offenders in having their needs met in positive, pro-social ways. (The needs considered are life, knowledge, excellence in play, excellence in work, excellence in agency, inner peace, relatedness, community, spirituality, pleasure, creativity. (Ward, 2010))

xi. What helps reduce re-offending

Need for personal responsibility

Every person has a choice. If a sex offender sexually abuses a child in a dark room, they may offer the excuse, 'I just snapped'. We need to ask the offender, 'would you have just snapped if it was in the day time, in public and the child was standing with a policeman?' The answer would be "No". Personal choice still plays the integral part within a broader environmental and situational context.

Part of respecting others is to take responsibility for ones' own actions over and towards others. Past offenders must not minimise their past actions but rather take full responsibility for them and make changes in their thinking and actions. Part of respecting all victims it to ensure that no further offensive behaviour (legal or illegal) occurs. This respecting of others will mean accepting that their past actions have lifelong consequences around the nature of their ministry.

Power of social relationships

What people do in private and what they acknowledge in public are two different things. That is, there is a process of socialisation that we are all subject to (clinicians and clients alike), through which we develop, often stereotypical beliefs, about what is normal and abnormal. Our history with these issues are couched in the Middle Ages and the social embarrassment and awkwardness associated with sexual issues, from which we really did not achieve any liberation until the sexual revolution in the last 40 years. Therefore, as a community, we are still fairly young and inexperienced in dealing with sexual issues comfortably and openly. For example, think how comfortable you would be in asking someone about their sexual thoughts, feelings and behaviours (Dr Katie Seidler).

This is the rational behind the Circles of Support and Accountability (COSA) Program; that sexual offenders are safer when they are "known" by groups of people.

Learning to respect personhood

Respect: As loved creations made in the image of a our heavenly father, and made new again in and through the perfect life, death, resurrection and ascension of Jesus and gift of the Holy Spirit we will respect each other as brothers and sisters in Christ (1 Tim 5:1). Respect each other in action and deed, allowing the options of individuals to be expressed and explored. We will use words that build each other up and encourage (Ephesians 4:29).

Non-judgemental accountability –acceptance and change: all people need the support and social accountability. As relational beings we need to love each other by exhorting in love, rebuking gently, and celebrating victories over temptations with each other, "be patient, bearing with one another in love." (Ephesians 4:2, 2 Tim 4:2, Titus 2:15). The group around the person who has abused is not a courtroom, "Do not judge, and you will not be judged. Do not condemn, and you will not be condemned (Luke 6:37).

Safe choices, appropriate expressions of sexuality

It is important for the person who has abused to learn how to have a framework for sex that is based on intimacy. Healthy sexuality is an expression of intimacy where relationship security allows for us to belong to another person. Inappropriate sexuality is when it is non-intimate. For the participant they have in the past acted in sexual ways that have harmed others and themselves. For whatever reasons the participant has acted in unsafe expressions of sexuality, the focus now must be on readdressing their actions and hopefully thoughts to healthy and safe sexual expressions

(Dr Katie Seidler).

Personal Risk Management

It is important for someone who has abused to understand their risk factors. These are the things that were present and connected with their choices to abuse. Risk factors can be internal such as particular thoughts, beliefs and feelings; and external such as particular locations and situations. In seeking to live a healthy, abuse-free life a person who has abused should be able to articulate their current risk factors and have plans to manage each risk appropriately.

Strategies for Managing Risks

Behavioural: Identify what actions help redirect action away from the risk to a healthy response, e.g. contacting someone who knows of your abuse, phoning a friend, going for a walk, reading the Bible, listening to some calming music.

Cognitive: use positive self talk such as an encouraging Bible verse, or a positive self statement; tell yourself the consequences of giving into the Problem of Immediate Gratification (PIG), e.g. "I will go back to gaol if I do this", "I will not be allowed to church", "what would my past victim/s think".

Preventative Structures: The program, church, exercise, employment, healthy relationships. The power of social accountability. Humans long for social acceptance, the power of a group holding the participant accountable to healthy sexuality is powerful. (Dr Katie Seidler)

xii. The issue of repentance and restitution

When it becomes known that a person has engaged in ministry misconduct a range of views typically surface about repentance from church leaders, congregations and family members. When we consider the more fully the impact on all involved, we can understand why there can be a range of views that can change within each individual over time. For some there is 'solution' of encouraging the abuser to apologise, the victim to forgive and then to forget and 'move on'. For others the actions of the person who harmed are deemed unforgivable, and nothing the person does will be considered repentant.

For the abuser, repentance is not merely a matter of confession, apology or the intention not to repeat the offence. To repent means to turn around, to change one's behaviour and/or one's life so that one will never repeat the offence.

What are true signs of repentance by the perpetrator?

The abuser takes steps necessary for justice-making to make amends for the abuse, including restitution, acknowledgement and a genuine apology.

The abuser identifies the beliefs and attitudes that lie behind his/her abusive behaviour, and rejects those beliefs and attitudes.

Restitution needs to recognise the harm caused to the victim's relationships with others including with God, their family, their church and their community. Restitution requires the person who has abused to set the record straight on misinformation about his/her misconduct, and to ensure that any blame placed on the victim is correctly attributed back to him/her. A situation where the person who has abused apologises but does nothing to correct the stories that are spreading around the church is not true restitution. The person who has been harmed should not be responsible for having to convince others of the abuse they suffered.

xiii. Re-entry into ministry?

 "The question of a possible new assignment to ministry after a sexual offence must be considered here, for one of the major complaints concerning the past was that offenders were simply moved to another place where they abused other minors. Forgiveness and a new assignment to ministry, however, are two quite different things, to be judged by quite different criteria. Forgiveness is given on the basis of a person's repentance for past wrong, while the question of a new assignment must be based on the future good of the whole community, especially of potential victims. Every human being knows that it is entirely possible to be genuinely sorry for a past sin without being able to give any guarantee that the sin will not be committed again. A person can be forgiven by God and the community for past wrong, even repeatedly, but not given a new assignment because of the danger this would pose to innocent potential victims. A superior who refuses a new assignment is not, for that reason alone, unforgiving or lacking in compassion.

I quoted earlier that parable of the prodigal son. The son was forgiven, but that did not mean that he would receive a new inheritance." (Robinson, pp.225-226)

In many denominations, if the misconduct is that of a sexual nature, the known offenders insurance exclusion is likely to have been triggered. Regardless of this, the question of whether or how someone who has abused could engage with a church and/or be involved in ministry is complex and needs to be handled with great care. It is vital that local churches do not manage these issues alone but rather engage in expert professional assistance. A starting place is to speak with the manager at the denominational level who covers standards and abuse issues. In section c a process is provided as a guide for handling cases of serious ministry misconduct.

SMR's Safe Ministry with Persons of Concerns

It is important that your church has a procedure for appropriately managing persons of concern. Included here below is a sample policy and procedure that can be used as a guide.
SMR recommends seeking legal and risk management advice before attempting to implement such a procedure in indiviudal cases. Please contact your denomination to ensure that your process aligns with denominaitonal guidelines.

Procedure for Managing Persons of Concern

Explanation of the Insurance position

Currently Insurance Policies that covers many Protestant Churches in Australia include an exclusion clause which states that the insurer will not cover any compensation claims, damages or legal costs associated with any claims in respect of injury sustained by a third person (i.e. a victim).

For example some polcies state:

Part 1 - the injury arises either directly or indirectly from sexual abuse; and the perpetrator of the sexual abuse was a representative, member, employee or service provider of the insured

Part 2 - and the insured knew or ought reasonably to have known that the perpetrator of the sexual abuse had previously: committed sexual abuse; and/or been convicted of sexual abuse; and/or whilst being a representative, member, employee or service provider of the insured, been the subject of a prior complaint in respect of sexual abuse, which has not been appropriately investigated. (from p 103)

For the purpose of this Exception: "Sexual Abuse" includes any assault or abuse of a sexual nature, any type of molestation, indecent exposure, sexual harassment or intimidation, whether such act is the subject of criminal investigation or not. Injury' includes any physical, mental or psychological injury.

The practical outworking of the insurance exclusion clause means that any person who confesses or discloses that they have committed past sexual offense and wishes to attend a church where children are also on site will not be covered for legal costs or damages if they were to re-offend in the church context and legal suit was filed against the office holders of the church.

Liability would depend on governance structure. In autonomous church systems, such as unincorporated churches, this liability lies personally with the senior leaders in the church (i.e. secretary, pastor/s /core leaders). Incorporation may offer protection from leaders being liable, as there have been no cases at law it is unkown who would be liable in this case.

Safe Ministry Resources is committed to resourcing churches who face the situation where a person of concern has been worshipping and been involved, or wishes to worship and be involved, in your church. This needs to be carefully undertaken and where possible in cooperation with denominational protocols.

Safe Ministry Resources recommends a model that includes individual psychological assessment of the known offender and then the implementation of an individual safety agreement and an accountability group.

Individual Safety Agreements

Individual safety and accountability plans are aimed at helping churches provide appropriate, meaningful worship opportunities to persons of concern whilst keeping vulnerable people safe.

• The individualistic nature of the agreement is based on the knowledge that no two past offenders have the same offending history, or the same level of risk of re-offending. It acknowledges where a high risk of reoffending is identified, it will not be possible to have the person of concern attend services or programs of the church were children or other identified vulnerable persons are present.

• The agreement plan asks the past abuser to take responsibility for their actions: past, present and future. This includes the participant being willing to accept that their offending was not an "oops" moment, or something that they "couldn't help", but rather was their free choice that has life-long consequences. Included in the consequences is the need for accountability in relation to the management of their personal static and dynamic risks factors around re-offending thinking and actions.

• A safety agreement aims to ensure that all reasonable measures have been put in place to ensure safe and appropriate ministry occurs with persons of concern.

• The agreement is based on four principles: personal responsibility of the person of concern to manage his/her own risks, transparency of the participant, accountability, and the person's right to privacy.

Accountability group

The concept of an accountability group is an adaptation of the Circles of Support and Accountability program originating in Canada.

The main difference between the Canadian model and this one is the fact that the COSA program is designed for those who are consider high risk and very high risk of reoffending, this is designed to provide ministry all levels of past offenders and designs individual plans taking into consideration the static and dynamic risk factors in the participant's life. The COSA program also offers 24/7 style support for high risk offenders, this is church focused, i.e. support 100% of the time the person is at church, but then helps the participant manage their own risks in the community at large. Given that many of the men in the ISA will be low risk of reoffending it is not helpful to over manage them, it may actually backfire.

Outline of the Process
  1. Identification of a known offender
  2. Decision meetings
    - Person of Concern has the process explained to him/her and agrees to it.
    - Senior leaders discuss the contents of an Interim Safety Agreement & the process herein (meeting 90min).
    - Church leadership approve an Interim Agreement and next steps.
    - Offer the Person of Concern the Interim Safety Agreement, whist risk assessment occurs.
  3. Assessment phase
  a. Assessment of individual risk
    - Risk assessment of the Person of Concern - ascertained by existing reports or a forensic assessment process- seeks to assess the level of risk of re-offence by the Person of Concern, and to provide information for the Individual Safety Agreement.
  b. Local church risk assessment – readiness checklist
    - This is an assessment of the readiness of the local church to manage a Person of Concern (Form 3 attached), to be completed by the Safe Church Concerns Team.
  4. Individual Safety Agreement
    - SMR and Safe Church Concerns Team write the Individual Safety Agreement. Includes training of the accountability and support group.
    - Church senior leadership to approve the Individual Safety Agreement.
  5. Annual review of the Individual Safety Agreement.

NOTE: This process does not negate the Insurance Exclusion but rather is an attempt to manage WHS risks with offering safe ministry to a known sexual offender who is low -medium risk towards re-offending.

CHAPTER 8

SAMPLE IMPLEMENTATION FORMS

SMR Implementation forms and processes are 'OK to copy' for implementation of Safe Ministry (Safe Church) Strategy.

SMR acknowledges that many denominational groups who are SMR clients, such as NSW & ACT Baptists, ACC National, and Anglican dioceses, have their own customised policy and procedural documents for implementation.

We also recognise that in some cases jurisdictional constraints mean that whilst processes may exist for recognised ministers or credentialed persons, the responsibility for processes for responding to concerns against non-credentialed leaders and lay people (volunteers and employees) may mean the local church board of management may need sample implementation forms.

The forms and processes herein are not legal advice, rather, they are ideas and procedures based on good practice advice for Safe Ministry and have been written with due regard to Australian state legislation.

Denominational policy and procedures must be followed at all times and SMR recommends that you seek independent legal advice when responding to individual incidents.

TABLE OF CONTENTS

Getting started a checklist

1. Local Church governance group - appoint implementation people
   • Senior church leadership to appoint WHS Team & Safe Church Concerns Team.
   • Plan dates for implementation meetings.

2. Local church governance group -adopt Safe Ministry policy & procedures
   • Church adopt the policy as a local congregation.
   • Provide the whole church with a copy of this of policy.

3. Ensure all leaders have attended a Safe Church workshop
   • All leaders must have done this in their first year of ministry, refresher every 3 years.

4. Appoint a Safe Church Contact Team
   • Church leadership appoint and communicate who the team is with whole church.

5. All leaders ensure they follow the reporting abuse and misconduct process.

6. All ministries to complete the Approval for Ministry Process (annually).

7. Screen and recruit leaders using the approved procedure.

8. Health & Safety Team communicate a procedure for handling complaints/disputes.

9. Health & Safety Team communicate WHS policy & procedure.

10. Ensure all ministry leaders understand policy & procedures for incidents - at a ministry level.

11. Health & Safety Team ensure that people from each ministry have a basic first aid certificate. Health & Safety Team ensure that an up-to-date first aid kit is on-hand.

12. Health & Safety Team ensure a copy of your food safety guide displayed in a visible place in the kitchen.

13. Program /event leaders use checklists and procedures in the SMR Handbook

Safe Ministry Policy 2015

We affirm that all people have the right to be emotionally and physically safe, respected, and have their views and opinions valued at all times. We also live in a country that legislates for people's safety.
God calls his body to minister to vulnerable people. God identified classes of vulnerable people who were to be protected and given special care and treatment in society because of their powerlessness (Ex 22:21-22, Deut 10:17-19, Jer 22:2-4, James 1:27).

Our policy has been developed to help us live out our Biblical mandate and our responsibilities under Australian legislation.

OUR POLICY AIMS TO:

- minimise the risk of abuse, ministry misconduct and the misuse of positional power.
- ensure that all cases of suspected abuse and ministry misconduct are handled thoroughly.
- ensure that leaders and programs are safe.
- ensure that all people are respected and valued.

WE COMMIT TO

a) safe recruitment of leaders (paid and volunteer).
- We will screen all prospective leaders in our ministries, before they are appointed. (ie. relevant working with children's check/vulnerable people/police check).
- We will have a minimum church attendance policy for all prospective volunteer leaders.

b) adequate training of leaders.
- We require that all leaders attend a Safe ministry workshop within their first year of ministry and attend a refresher workshop every 3 years.
- We require all leaders to attend additional ministry-specific training as required.

c) continued supervision of leaders.
- We commit to ongoing leadership training, supervision and support for leaders.
- All leaders will agree to follow our Leader's Code of Conduct.

d) responding to allegations of risk of harm (abuse) and serious ministry misconduct.
- All leaders will report disclosures or suspicions of child abuse, accord to our church procedures.
- Where a leader has an allegation of ministry misconduct made against them we will provide support to alleged victims and perpetrators and seek appropriate denominational help for a just and fair resolution.

e) safe environments in our ministry programs.
- We will serve participants as servants of Christ, commit to the good news of Jesus and lead in spiritually non-abusive ways.
- We will afford participants a say in the programs and the activities in which they participate by; fostering and valuing their ideas, and encouraging participation.
- We will obtain appropriate information relating to the program participants, including children's health and family situation, to ensure that we are able to care for their physical and emotional needs.
- All leaders to will discharge their duty of care through the use of forms, checklists and templates for establishment and maintenance of safe environments in our church.
- A Health and Safety Team will be appointed to establish and maintain: WHS, fire safety, building safety, first aid, food safety, safe transport, incident and emergency procedures, and implement the ministry approval process.

DEFINITIONS

Child: a person who is under the age of 18 years.
Safe Environment: discharges duty of care by taking steps to keep all those in our care safe, including e.g. spiritual, physical, sexual, emotional abuse (including bullying) or neglect.
The Safe church concerns team: responsible for receiving and responding to complaint and concerns of misconduct, grievances and abuse issues, for arranging appropriate pastoral care and following in these matters.

Health &Safety Team: is responsible for the oversight of the implementation of the WHS & Safe Ministry Policy and supporting documentation and processes in local churches/ organisations.
Approval for Ministry: a process of written accountability, whereby the senior church leaders approve a programs /event to take place in the church/organisation's name.
Team Leaders/Ministry Coordinators: Oversee a program or a group of programs and or events in the church, for example the children and youth leaders. This is a role that should be undertaken by a senior church leader

e.g. priest/pastors, elders, deacons as is it contains significant positional power.
Safe Leader: has been through a recruitment process, understands responsibilities, is supervised via Code of conduct and is an accountable team player.
Safe Ministry Program: all risks have been assessed and events thought through and planned. These programs have had

The Safe ministry policy applies to all church workers (staff members and volunteer workers) associated with the ministry in our church.

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... a safe place for everyone

spiritually – physically – emotionally

- **Respect** each other
- **Care** for each other's safety
- **Report** concerns about people's safety

If you have concerns about abuse &/or misconduct at church call **1800 070 511**

LOCAL CHURCH CONTACTS

Safer Churches Contact

Health and Safety Team (for hazards and site safety)

LOCAL CHURCH SAFE MINISTRY CONTACT PERSON/TEAM

ABOUT

These are the local contact people to whom congregation members can bring Safer Churches type concerns.

The contact person/team is:

- the contact point for local churches in relation to Safe Churches type concerns, i.e. child protection and concerns about adults in relation to misconduct and/or abuse.

- the local church contact point for the denominational Safer Churches matters.

- a resource for assisting with the implementation of relevant processes in responding to complaints, including police / government reporting and denominational procedures.

They must act in accordance with State and Federal legislation and also with denominational reporting requirements.

The size of the team will depend upon the size of the local church. For most churches a team of 2-4 people with appropriate experience and or skills will be suitable. In the case of smaller churches, for example under 60 people this role may be one designated to a single person. In a very large church, each campus may need to have a Safer Ministry Contact Team.

Other possible roles for the Local Church Safer Churches Contact Person/Team may include:

- promote awareness of and adherence to Policy and Procedures

- assist in the church's recruitment process

- maintain a local database of church workers who have attended a Safer Ministry awareness workshop

LOCAL CHURCH HEALTH & SAFETY TEAM

Purpose of the Health and Safety Team:

About the Health and Safety Team

These are the local contact people to whom congregation members can bring their Health and Safety concerns, e.g. about hazards on site.

The team will address, legal WHS denominational procedural, risk management and insurance issues that arise out of reports of concerns.

The size of the team will depend upon the size of the local church.

For most churches, a team of 2-4 people with appropriate experience and or skills will be suitable. In the case of a smaller churches, for example under 60 people this role may be one designated to a single person. In a very large church, each campus will need Health and Safety officers.

Once appointed the names of the people on the Health and Safety Team should be communicated widely and regularly to the whole local church, for example via email , in newsletters, and on a poster on the wall in the church building.

Selection

Each person should be appropriately screened, inducted and supervised in this role.

All people who take on this role must complete an Safe Ministry Awareness Workshop.

Health and Safety Team Roles

- Write and implement WHS policies, including privacy policy and evacuations procedures

- Keep WHS on the agenda at the Local Church Board team meetings.

- Notify incidents such as serious events and dangerous incidents within a prescribed period to the Health & Safety Team.

- Address health and safety concerns within one month of the concern being communicated to the Health & Safety Team.

- Use incident report documentation provided by the National Executive to report serious incidents.

- Ensure all workers know and follow the church's abuse reporting and grievance procedures.

- Have the Health & Safety Team undertake a safe environment audit of the church centre at least twice a year.

Safer Churches audit your church

One of the important steps in implementation of Safer Churches (Safe Ministry) strategy is to be clear as a leadership about who you are as a church.

This section provides an opportunity for the church senior leadership group e.g. board of management, you put on paper information that may be known by most, but often not written down, i.e. the size and structure of your church, and existing policy and procedures you have written in the areas of WHS, child protection, church safety, whether they have been implemented or are sitting in a dusty folder somewhere, and then compare these to the ACC Safer Churches Guidelines 2015.

It may be helpful to have a Safe Church sub-committee working on this process and then bring it to the board for input.

Size & structure

Church name: _____

Governing board

Name of the group: _____

Size: _____

Maximum length of time a person can be on the board:_____

Make up, i.e. clergy/laity: _____

Roles and responsibilities: _____

_____

_____

_____

_____

Other councils/sub-committees (size, make up, role, add additional pages if necessary):

_____

_____

_____

Workers (paid staff & volunteer)

Number of pastoral staff (paid & volunteer): _____

Names and roles of the pastors: _____

_____

Number of ministry coordinators (i.e. portfolio/department/ area pastors): _____

Names and roles of ministry coordinators: _____

_____

_____

_____

Number of paid workers in all ministry areas (pastors and lay): _____

Total number of volunteers in ministry teams: _____

Other helpers (volunteer): _____

Congregation & services

Total number of congregations/services: _____

Number of people attending all church events and services: _____

List the times of services and whether there is any special focus for that church service, e.g. outreach, families, youth etc.

_____

Number of people who attend other services/programs which are attached to the church but not included as church services, eg. food banks, children's foundations, schools

List the programs and when they run:

Ministry map

Outline the ministries (programs/events) of your church.

(This page is OK to COPY if need more sheets to complete the task).

Ministry name: _____

    Purpose (why it exists): _____

    At whom is it aimed (i.e. who attends)? _____

    How many attend? _____

    The size of team who run the ministry: _____

    How is this ministry approved by the governing body? _____

Ministry name: _____

    Purpose (why it exists): _____

    At whom is it aimed (i.e. who attends)? _____

    How many attend? _____

    The size of team who run the ministry: _____

    How is this ministry approved by the governing body? _____

Ministry name: _____

    Purpose (why it exists): _____

    At whom is it aimed (i.e. who attends)? _____

    How many attend? _____

    The size of team who run the ministry: _____

    How is this ministry approved by the governing body? _____

Ministry name: _____

    Purpose (why it exists): _____

    At whom is it aimed (i.e. who attends)? _____

    How many attend? _____

    The size of team who run the ministry: _____

    How is this ministry approved by the governing body? _____

Existing policies & procedures

Overview of policies and procedures (not only WHS and children).

Gather all the policy and procedures into one place.

These will become the focus of the Health & Safety Team as it looks at the whole church approach to implementation.

Write a description of each e.g. name & number of policies or procedures, length of each, and a comment on the state of implementation for each. Also state whether this is a policy (statement of what we commit to – are going to do) or a procedure (how to implement the policy) or a mixture of body policy and procedures.

The audit tools in this section are to be used once Section 2 has been completed.

These are OK to COPY and will provide an accurate picture of the task ahead, in terms of implementing a strategy.

Whole church policy and procedure audit (circle Yes or No for each)

1. Has the church adopted an overarching Safe Ministry (Safe Church) Policy? .... YES / NO

2. Has the church communicated the Safe Ministry (Safe Church) Policy to the congregation?................. YES / NO

3. Do all leaders have an understanding of the Safe Ministry (Safe Church) Policy? .... YES / NO

4. Are the procedures in the Safe Ministry (Safe Church) Policy are followed by leaders? .... YES / NO

5. Is it a requirement of your church that all leaders attend a Safe Ministry type workshop? .... YES / NO

6. Is it a requirement that your leaders attend team meetings a set number of times per year? .... YES / NO

7. Do you have an appointed Safe Ministry Concerns Person? .... YES / NO

8. Do you have a Church Safety Team to oversee the Safe Ministry Strategy? ....YES / NO

9. Do you have a procedure for recruiting, screening, appointing & inducting paid workers? .... YES / NO

10. Have all your paid workers been recruited according to your procedure?... YES / NO

11. Do you have a procedure for screening, appointing & inducting volunteer workers?............................. YES / NO

12. Have all current leaders been screened, appointed & inducted according to the procedure?......... YES / NO

13. Do all church workers have a clear understanding of positional power
    and appropriate boundaries for representing your church? .... YES / NO

14. Do you have a code of conduct for all church workers (paid and volunteer)? .... YES / NO

15. Have all ministry leaders agreed to abide by a code of conduct? .... YES / NO

16. Do you have a process for the supervision of ministry team leaders/coordinators? .... YES / NO

17. Do you have a grievance procedure that your leaders are required to follow? .... YES / NO

18. Do you have a clear procedure for handling complaints against leaders? .... YES / NO

19. Do all your workers know and follow your reporting of Safe Ministry concerns process? .... YES / NO

20. Do all your workers (paid and volunteer) have annual ministry reviews?.. YES / NO

21. Do all leaders know what to do in the case of a disclosure of illegal activity? .... YES / NO

22. Does your church a have process for Safe Ministry of known sexual offenders in the congregation? YES/ NO

23. Do all leaders understand their rights to a safe workplace, as workers, under WHS legislation? .... YES / NO

24. Is there a documented procedure for accessing assistance in the case of emergency?.......................... YES / NO

25. Are there church wide Workplace Health & Safety Procedures (WH&S)?... YES / NO

26. Are there ministry specific Workplace Health and Safety Procedures (WH&S)?............................. ... YES / NO

27. Do you have a privacy procedure, including the collection of personal information? .... YES / NO

28. Are there church wide incident response procedures (critical & other)?.. YES / NO

29. Is there an process for approval for ministry? .... YES / NO

30. Does the Safety Team work with individual ministries on reducing individual program risk? .... YES / NO

Ministry Program - Safer churches audit

This page is *OK to Copy*

Name of ministry: _____

Name of program/event leader: _____

1. Have the team received appropriate training in the policy? .... YES / NO

2. Is the Child Protection Policy followed by all leaders?.. YES / NO

3. Does the team know who to report to if they have a Safer Churches concern? .... YES / NO

4. Do the team know the names of the Health & Safety Team? ....YES / NO

5. Have all current leaders been appointed according to procedure?..YES / NO

6. Do all leaders have a copy of the code of conduct applicable to their role?.. YES / NO

7. Have all volunteers signed the Volunteer Church worker declaration? .... YES / NO

8. Does the ministry have a conflict resolution procedure that your leaders are required to follow?   YES / NO

9. Do the team members know the procedure for handling complaints against leaders? .... YES / NO

10. Is there a documented procedure for accessing assistance in the case of emergency?.................. YES / NO

11. Is the team aware of the church wide Workplace Health and Safety Procedures? .... YES / NO

12. Has the team assessed and done what you can to treat the risks in relation to the individual
    program risks associated with the program? .... YES / NO

Appointment

Thorough screening and selection of all church workers is vital. By being thorough, churches are ensuring that those attending programs are being ministered to by people who are suited to the ministry role.

Appointment procedures for paid employees should also include thorough screening and induction. These procedures should be part of your denomination's or local church's written employment process.

PRE-RECRUITMENT
IDENTIFY THE ROLE AND LENGTH OF TIME THE ROLE IS TO BE FILLED

All appointments should be to clearly defined roles, having clear expectations (see page 29) and defined start and end dates for the position.

- Rostered helpers: (ad hoc helpers on a roster) help once a month or less; not a part of the regular ministry team; must not be given responsibility for or left alone with a group of children or other vulnerable people.
- Team members: appointed by the church to be in a ministry team; must be 18 years of age or older if caring for minors; accountable to their team leader.
- Junior team members: (under 18) take on valuable roles under adult supervision.
- Ministry coordinator /Team leaders: have responsibility for a ministry team or teams for a particular program or event. Responsible ensuring their ministry area/s operate according to the policies and guidelines.
- Senior leadership: Local Church Board, governance committee, church council, Wardens, Pastors, Rectors, who are ultimately responsibility to approve and oversee ministry leaders and events/programs.

FORM RECRUITMENT TEAMS

It is good practice for this team to include representatives of both genders. In most cases the team needs no more than 2-3 people. Include the team leader / ministry coordinator.

MINIMUM ATTENDANCE REQUIREMENT

Where it is possible, have a minimum qualifying period under which any prospective volunteer must be an adherent e.g. attendance at the church for a minimum of 6 months.

SUGGESTED RECRUITMENT PROCESS

1. SAFE MINISTRY SCREENING
   a) Safe Ministry Declaration
   All volunteer and paid workers over 18 years should complete this check. Under 18y junior leaders to complete with parental co-sign.
   It answers important pastoral, legal and insurance questions about the people who represent your church as workers. These are an important tool for ensuring safety and that senior leadership have fulfilled legal due diligence with relation to recruitment.
   b) Working With Children Type Checks e.g. if volunteering (working) with minors under 18yrs in most states, as well as a Working with Vulnerable People Check in the ACT.
   c) Relevant Police Checks e.g. aged care, new paid employees. WWCCs do not cover all criminal history.
   d) Referee Checks Minimum of 2 referees (phone contact)
   e) Endorsement The senior church leadership bear the ultimate responsibility for recruitment of safe leaders.

2. POSITION INTERVIEW
   Once the applicant has been endorsed /cleared to volunteer for your church, a position interview should be undertaken to explore whether the applicant is suited for the role.

3. INDUCTION
   Ensure all leaders have received appropriate information/induction training to enable them to successfully share in the ministry. This induction process should include prayer for the leader and communication that this person is an endorsed leader.

4. MINISTRY REVIEW

   This process should be made clear to workers at the time of appointment, as part of the induction process. This could be done at the end of each year, ready for a new year of ministry next year. This provides an opportunity for leaders to say they will or will not be available next year/time, which is important for the health of committed teams.

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VOLUNTEER CHURCH WORKERS DECLARATION

Thank you for your desire to volunteer at [insert church name] church. This application and declaration is part of our church's commitment to ensuring our duty of care to all people, and also to fulfil our insurance obligations and health and safety requirements.

PERSONAL DETAILS

Surname: _____   First and Middle Names: _____

Any Former Names:_____

Male   Female (Please circle)   Date of Birth: _____ / _____ / _____   Email: _____

Address: _____

Mobile Phone: _____   Home Phone: _____

CRIMINAL HISTORY CHECK AND/OR WORKING WITH CHILDREN CHECK

I hereby consent to an Australian Federal Police Check if one is considered necessary for my role.

My state based working with children check (or similar) details, where required are as follows:

State of Issue: _____   Reference Number: _____   Expiry Date: _____ / _____ / _____

CONSENT TO HOLD INFORMATION

I consent to the information contained in this application including the subsequent pages to be kept by our church. I understand that this information will be kept in a confidential file and used only for screening and disciplinary purposes.

Referee check – if you have been at the church for less than 3 years:

Please nominate a character reference. Name: _____ Contact Number: _____

Name of my previous church, pastor & contact (if applicable): _____

DECLARATION

1. I understand that the church operates in an environment of legal and ethical restrictions, and I will fully cooperate with the church in abiding by these. I assure the church, in considering me for a volunteer role that:
   • I have no health impediment that will put me or any other person at risk in the fulfilment of my designated role
   • Other than those matters disclosed to the church I know of no past behaviour that renders me unfit to serve as a volunteer or which detracts from the obligation of the church to operate as a place of safety to a minor or any other person (including but not limited to any past allegations of, convictions or admitted sexual misconduct/sexual abuse).
2. I understand that if I am unclear as to any of the statements in this document, I will seek clarification from a team leader or church leader before signing.
3. I have provided this application and the information contained in it, and in any documents accompanying it in good faith and declare they are true and correct to the best of my knowledge and belief.
4. I understand that any material misstatement in or omission from this questionnaire may render me unfit to hold a particular role in the church.
5. I have received a copy of the relevant Code of Conduct and I agree to uphold it.
6. I understand that when considering my application, my church may refer to church policies, guidelines and position papers.
7. I will respect the decision of my church as to where I volunteer my services within the church, and whether my services are required, from time to time.
8. I understand that a team leader will be available to me to discuss my service.

Applicant's signature: _____   Date: _____ / _____ / _____
(if under the age of 18, please have the form co-signed by your parent/guardian)

Parent/Guardian Name: _____   Signature: _____

Endorsement of church leadership for this person to volunteer: Signature: _____   Date: _____ / _____ / ____

Leadership Role interview

This form is a suggested starting point for interviewing a potential ministry program team member. Before starting the interview, inform the applicant that their answers may be disclosed to appropriate leaders in the church. Be sure to pray together during this interview.

a. Can you describe more fully the reasons you desire to be involved with this ministry?

b. Can you describe a positive experience in your past ministry?

c. Can you describe a negative experience in your past ministry?

d. Do you consider yourself a positive role model? Why/not?

e. Is there any other information relating to your suitability for this ministry?

f. Add in ministry specific questions:

Read through the Code of Conduct together.

TEAM COMMITMENT

In becoming a leader I agree to adhere to the Code of Conduct and to attend team meetings and in-service training.

I am willing to make a commitment to team leadership.

I commit to this team for _____months at the end of which I will renew my commitment to the team or alternatively give my team leader notice that I wish not to continue in this role.

Name and signature of applicant:

Names and signatures of the interviewers:

Date of interview:

This form is OK to Copy

Ministry review

Leadership/Employee Interview

YEAR: _____

PROGRAM LEADER:_____

PROGRAM NAME:_____

a. Use some or all of the following questions to help guide your ministry review interview.

b. In what ways has God been moving through the program?

c. What did we do well as a team?

d. How did the program participants grow in their relationship with God?

e. How can our team better share ministry next year/time?

Is there any information relating to your suitability to continue in this ministry role that we should know about?

☐ Yes (please list)   ☐ No

_____

Have there been any incidents that you were involved in, either directly or indirectly, which were of a child protection nature or have you ever, to your knowledge, been accused of sexual misconduct or abuse?
If yes, could you describe that incident, including your experience ?

TEAM COMMITMENT
I am willing to make a commitment to team leadership. In becoming a leader I agree to adhere to the team leadership conduct covenant and to attend team meetings and in-service training.
I commit to this team for ____months at the end of which I will renew my commitment to the team or alternatively give my team leader notice that I wish not to continue in this role.

Signature of applicant:

Names and signatures of the interviewers:

Date:

This form is OK to Copy

Training procedure

The concepts covered in Safe Ministry workshops include risk management, due diligence, duty of care, understanding abuse, responding to concerns of abuse, and policy and procedures for the safe recruitment and supervision of leaders, Safe Ministry programs and responding to incidents. Although many people have had educational experiences in some or all of these areas in other settings, such as their workplace, very few have explored how these concepts relate to ministry.
As such, it is important that all pastors, ministry coordinators, team leaders and those volunteering with vulnerable people are given the opportunity to explore all these topics in a ministry setting.

Further, in many states of Australia now, the WHS legislation covers volunteer workers, and as such local congregations as employers need to ensure that their workers are given adequate training, particularly in the the area of procedures relating to misconduct and abuse.

The Safe Ministry Workshop is designed to provide leaders with an opportunity to unpack and understand the rationale behind the policy and procedures, through various tasks or 'exercises'.

There are also a number of team reflection tasks, specifically designed for use in team meetings after the training workshop. We encourage team leaders to spend time after the workshop working through these tasks with their teams.

It is recommended that every volunteer leader (team members) working with 0-18 year olds, and team leaders /ministry coordinator (church councillors /diaconates /elderships) and pastors of all ministries, attend a Safe Ministry Awareness Workshop within their first year of ministry, and refresher course every 3 years.

We recognise that a workshop alone does not ensure Safe Ministry, but that this will be achieved through the implementation of the policy and procedures explored at the workshop.

Code of Conduct 2015

This Leaders' Code of Conduct outlines ministry appropriate boundaries, rather than assuming that people know the boundaries. It applies to all church leaders/workers - both volunteer and paid.

As the leaders of this church we acknowledge that everyone who attends our churches needs to be confident that they will be cared for, nurtured and encouraged as they grow and at the same time, protected from spiritual, physical, & emotional harm.

Therefore we commit to the following ministry standards:

a. We minister out of a relationship with God by:
- joining regularly in the life and ministry of the Church.
- studying the Scriptures in private and in groups.
- praying regularly in private and in fellowship with and for the people and ministry of the Church.
- giving of our time and finances to the work of the Church, as an expression of your gratitude to God.

b. We serve others in the context of healthy relationships by:
- loving and caring for our families; paying attention to the effect of ministry on them.
- treating others with respect; teach and exercise authority respectfully.
- upholding confidentiality; do not disclose to anyone (including spouse), any confidential information without the consent of the person providing the information. (There is an exception where there is a legal obligation or a duty of care issue.)
- being a team player; cooperating with other ministry leaders, there will be areas that overlap and someone else may have the advice that you need.
- using words that build up; do not ridicule or embarrass people.
- avoiding ongoing counselling of people with whom we have pastoral (ministry) relationships.
- making alternative arrangements for pastoral ministry for any person with whom develop an appropriate romantic relationship.

c. As Christian Leaders we will:
- be accountable to our team, watch out for each other and protect each other's integrity, e.g. never alone with one child or vulnerable adult.
- act in the best interests of those we serve.
- treat every program participant equally, 'no favourites'.

- communicate with integrity, including accountable and wise use of electronic communication, commit to following our team guidelines for electronic communication.
- acknowledge when we are out of our depth, do not possess the required skill set in difficult pastoral situations, such as helping a victim of abuse, or a person who needs professional counselling, and seek help from a supervisor or denominational leader.
- not take property belonging to others, including intellectual property (copyright)
- not knowingly making false, misleading deceptive, or defamatory statements.
- not engage in bullying, emotional abuse, harassment, physical abuse, sexual abuse, sexual misconduct. sexual grooming or spiritual abuse of any person, including your own family.
- not act violently or intentionally provoke violence when engaged in civil disobedience.
- be responsible in our use of addictive substances and services (e.g. prescriptions/ alcohol).
- not use any prohibited substance.
- act with sexual purity. Sexuality is a gift from God. We will express our sexuality in healthy and God directed ways. All romantic and/or sexual interactions will be meaningfully consensual.
- act with financial integrity, including having accountable and transparent systems in place for in financial matters.
- not seek personal advantage or financial gain from your position, other than in wages, recognised allowances and deductions.
- disclose to the church leadership if we are or have been investigated for any criminal offences or have any knowledge of serious criminal activity.

When the code is breached

i) Minor: Everyone is capable of sin but can repent and be forgiven (1 John 1:8-9). It stands to reason then, that the code can be breached. When this happens in an area that is not a breach of civil or criminal law, simply cease the conduct. If this is difficult, the person should see their team leader or supervisor about receiving help (eg. counselling). In some cases it may be necessary to step a person aside from their duties whilst this takes place. It is crucial to deal with such matters confidentially and sensitively.

ii) Unknown: Not all leaders will understand 'unacceptable' behaviours. Even after explaining the code some may be unaware they are exhibiting unacceptable behaviours. Leaders need to be open to correction and humble enough to modify behaviours so as to not discredit the gospel. As above, stepping a person aside from their duties may be necessary.

iii) Constant: There are breaches that are not a breach of civil or criminal law, but still unacceptable behaviour in a ministry context. Where a leader has been made aware of their behaviour and yet refuses to change:
   a) the ministry coordinator meets with the person for behaviour review meetings.
      Communicate required behaviour change (no more than 3 meetings).
   b) If behaviour continues, a small group of church leaders are to arrange a meeting to address the behaviour.
      Stepping aside is appropriate at this point.
   c) If the behaviour/s continues beyond this meeting, then respectfully, and upholding confidentiality, the person will be stood down for a set period. They will be offered help in changing their behaviour via counselling if they are willing.
      NB. Written notes of all meetings to be carefully taken and a copy given to all parties.

iv) Breaches of the law or allegations of abuse: Allegations of abuse or serious misconduct are to be referred to the appropriate government authorities, in line with your denominational processes.

Child Protection concerns response procedure

This section are OK to COPY for implementation purposes.

It is recommended that before reading the following Sample Process documents or overview documents, the Safety Team reads the Safe Ministry Manual 2015, which discuss fair and just responses to ministry misconduct.

The Safe Church Concerns reporting procedure from page 21 of the Manual highlights child protection concerns, however, the same procedure is to be used when reporting concerns about adults (see the Manual pages 10-13).

PROCEDURE

When a child discloses abuse, or discloses that they are at risk, or when reasonable grounds have been established, follow these steps:

1. Report to your Safe Ministry Concerns Team
Note: When a disclosure occurs or child/ren's immediate safety is at risk (sexual and physical abuse), go directly to the on-site activity leader, who will in turn phone the police and organise appropriate support for the child/ren immediately.

2. Complete applicable form e.g. Safe Church Anecdotal Record or Risk of Significant Harm Form
The Safe Ministry Concerns Team will also keep a local church log, upholding privacy principles.

3. The Safe Ministry Concerns Team will take the appropriate action
Including: - Contacting denominational safe ministry (Professional Standards / Ethics) person
            - Completing any reporting to Government Child Protection Agencies
            - Additional reporting (police, government agency such as an ombudsman) and/or
              completing workplace investigation .

4. Ongoing support
The church's role does not end here. This is only the beginning. It is now the role of the church to support the child and family as much as is practical and possible.

REPORTING CONCERNS OF SUSPECTED CHILD ABUSE - SPECIAL CASES

1. School ministry/chaplaincy

Those engaging in state/church school ministry programs should make sure they are familiar with the policy of the school about reporting. Teachers forming a reasonable belief should inform the Principal, unless the Principal is the alleged abuser. Ensure that your Safe Ministry Concerns Team is also informed of the situation. The Safe Ministry Concerns Team will then phone the School principal and ask for proof of action taken, e.g. report number. If the principal advises they are not making a report, or does not provide a reference number, your Safe Ministry Concerns Team may make his/her own report.

2. Allegations of misconduct or abuse against employees (paid or voluntary)

When an allegation of harm is made against an employee or volunteer or where a leader exhibits behaviours that might be deemed abusive or as 'ministry misconduct', the first step is to inform your denominational Safe Ministry Liaison / Professional Standards Officer. They will assist you in following the reporting process and offer further support.

NSW: Note: This will include reporting certain misconduct involving children to the NSW Office of the Children's Guardian & in some circumstances to the NSW Ombudsman.

As part of the Child Protection (Working With Children) Act 2012 reporting bodies have a legal obligation to report findings of sexual misconduct and serious physical assaulting involving children by a child-related worker. Churches in NSW are reporting bodies. See the NSW Office of the Children's Guardian website for more information www.kidsguardian.nsw.gov.au.

Safe Church concerns anecdotal record

The completed form should be given to the team leader, who will pass the information onto the Safe Church Concerns Team.

Name of team leader: _____

Name of leader filling in this form: _____

Contact details: _____

Name of the person about whom you have a concern: _____

Contact details (if known): _____

Age of person about whom you have a concern: _____

Reporter's relationship to the person about whom you are concerned: _____

Describe your concerns, what was observed or what was said. _____

It is important to provide as much information as possible, basing your information on facts and observations, without making assumptions or jumping to conclusions or making "value" judgments. If as disclosure has been made, a verbatim (word for word) must be written of the disclosure to the best of the reporter's ability, as soon after the disclosure as is practical.

Time and date of the incident or recording

Date: _____ Time: _____

Signature: _____

This confidential record is to be kept in a accordance with privacy legislation

This form is OK to Copy

Process for resolving misunderstandings and conflicts
(Conflict resolution Process)

A. SCOPE

The process is to be followed when there is a misunderstanding and/or conflict situation between two or more members[1] of our church.

In this process document misunderstanding and/or conflict situations are termed a 'grievance' between parties.

A grievance includes but is not limited to the following categories:

a. A disagreement (including a conflict) between two or more people where at least one person is a member of the church congregation

b. A perceived offence has been caused by a member of the church congregation

c. A perception by one person that they have been bullied by a member of the church congregation

d. Dissatisfaction with the manner in which a church worker (paid or volunteer) has fulfilled their ministry role

B: OUR COMMITMENT

Our commitment is to provide a protocol for church leaders to address grievances within the church, in a godly, loving, compassionate and procedurally fair manner.

This protocol is not applicable where there is a serious breach of a relevant Code of Conduct. The *SMR Process for responding to allegations of serious misconduct* is recommended in such cases.

In cases where crimes are alleged, the police and/or appropriate authorities will be notified.

In implementing this protocol we apply the overarching principles of:

- Seeking to glorify God in our responses to each other

- Striving to serve each other even in the midst of our disunity

- Seeking to grow Christ-like in our reactions to each other

- Extending grace to each other

- Focussing on restoration of relationships

- Seeking help where needed, to address grievances

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[1] A member of church congregation is a person who regularly attends (at least once a month) a ministry of the church (e.g. Sunday services, mid week Bible study, Friday night youth group)

C. A PATHWAYS APPROACH

The nature of misunderstandings, conflicts (grievances) means that it is necessary to respond sensitively and with care for all parties involved.

In many conflict situations the assistance of a neutral third party is essential, to help each party understand the key issues and ways forward. The processes must serve people, not the other way around.

The church commits to a case-by-case approach to the resolution of substantive issues and where possible, appropriate restoration of relationships between all parties.

The pathway employed will depend upon:

    a.   the nature of the grievance

    b.   the positions/roles of the parties involved

    c.   the skills and/or capacity of the local church leader to address the situation

PATHWAYS OUTLINED

1. Personal Approach

This approach may be useful for addressing personal disagreements and perceived offenses. This is useful where there are not perceived significant power imbalances.

In the first instance where a grievance arises between one person and another leader/s or other church person/s, and they feel able to address their concern, they are to go to the other person and express their concern with a view to resolving their differences.

Peace making principles of glorifying God, serving each other and growing in Christ-likeness should be the focus in the attempts to resolve matters with the personal approach.

It may also be wise for the person who is initiating the personal approach to do some preparation in terms of seeking counsel from a wise an unbiased senior leader or external person, or engaging in some conflict coaching, before approaching the other party/ies.

2. Locally-Assisted Approach

This approach may be useful for personal grievances where personal approach has not been successful in restoring the relationship, or where perceived bullying behaviours have taken place, or where there is dissatisfaction with the performance of a worker.

This approach is to be assisted by a suitably skilled elder, or Ministry Coordinator who may fulfil this role with the permission of the church senior leadership group e.g. board.

NOTE: the person should not have a direct supervision role over any party. All conflicts of interest are to be declared and managed.

2a. Where a person feels for any reason they require help in resolving the grievance, they may speak privately to a church leader who is not a stakeholder in the grievance, to request assistance in addressing their grievance.

In general the church leader to address grievances will be the church's Senior Minister and/or Senior leadership group (board).

2b. Where the church leader feels comfortable in assisting those impacted and where all parties involved in the grievance are willing to work towards restoring relationships, the church leader is to:

   i. Meet with each party separately to ensure that all parties are given a chance to tell their story in private, work through the underlying concerns in moving towards resolution.

   ii. Clearly communicate the process to be used to each party during resolution meetings.

   iii. Hold meeting/s with all the parties to work through the issues and determine the course of action and desired outcome.

   iv. Follow up. Ensure that the solutions are implemented.

   v. Monitor the situation. Over time check in with the parties to ensure they are going well with the past situation.

2c. At any stage throughout the process, the church leader may contact the denomination for assistance or resourcing.

- If the situation becomes untenable, the church leader is to contact the Ministry Standards Manager, or an external conflict resolution person.

3. Externally Assisted Approach (External Conflict resolution person)

Where the grievance has:

- escalated beyond the ability or capacity of church leader to resolve the substantive and/or relational issues, or

- where the local church or any party involved wants independent help in moving towards addressing the grievance, or

- the grievance involves allegations of bullying or

- concerns about workplace performance where the church worker is a paid person,

   then, the church should contact a suitably qualified conflict resolution person to implement an external assisted approach, e.g. a state denominational office.

In the event of an independent church without a denomination or where the denomination office is unable to assist e.g. due to resourcing or structural considerations, an external conflict resolution consultant should be engaged.

3a. Assessment of the grievance

Upon receiving a request to assist with addressing a grievance, the external conflict resolution person will complete a fact finding exercise and make an initial assessment of the situation.

3b. Pathway Recommendation Report

The external consultant will write a report to the local church leadership group (board).
This report will include an outline of key issues (material and relational) and recommend a resolution pathway to follow.

3c. Decision on pathway towards resolution

Taking into account the report, and any other advice or submissions made by key stakeholders, the local church leadership group (board) shall determine the resolution pathway that will be employed in this situation.

3d. Pathway employed

    3d(i) Where the decision is made for any of conflict coaching, reconciliation, negotiation, or conciliation (mediation), the external consultant and relevant representatives of the senior church leadership will work with the parties on this pathway to bring about agreed solutions.

    3d(ii) Where the decision is made for arbitration, then the relevant denomination representatives, along with relevant local senior church leadership will work with the stakeholders to work on an arbitrated solution to the substantive issues.

    3d(iii) Where the decision is made to implement a workplace bullying process, the Workcover process for addressing bullying shall be followed, an external consultant (Association or other) shall be engaged to carry out the investigation.

    3d(iv) Where the decision is made to implement a workplace performance process, an accountable and transparent processes shall be followed.

3e. Implementation of solutions

Once all parties are in agreement, as far as is possible regarding solutions, then the relevant office holder shall communicate with all parties the implementation plan. Resources shall be given to implementation of the solution, both fiscal and human.

3f. On-going monitoring of the situation

The church representative will in negotiation with the parties, make health checks on the situation to ensure that the solutions that have been employed are working.

Acknowledgement:

Adapted from the Protocol for Addressing Grievances
Anglican Diocese of Canberra & Goulburn - January 2015

PROCESS FOR RESPONDING TO ALLEGATIONS OF SERIOUS MISCONDUCT &/or ABUSE

Section 1 – Rationale & principles for the process

This process is designed for addressing allegations of serious misconduct, inside a community of faith. It can be used by workers (volunteer or paid) and also members of the church where findings are necessary for implementation of risk management and/or disciplinary actions.

Serious misconduct is defined by allegations that if proven of have been more likely to have occurred than not (on the balance of probabilities), would lead to dismissal from a role or removal from a position (volunteer or paid). Finding or more probably than not may also lead to restrictions on the person's attendance or involvement in the church.

Serious misconduct includes, but not be limited to, all allegations of abuse behaviours including; child abuse and neglect, sexual harassment and abuse, bullying behaviours, and including allegations of domestic and family violence.

It is recommended that this process be used in connection with clearly defined expectations for behaviour for workers (volunteers and paid staff), such as a code of conduct.

This process is not designed for use where there are allegations of minor misconduct or at times of conflict or misunderstandings between parties.

For instances of conflicts between parties a process focussed on restoring relationships, such as the SMR process for resolving misunderstanding and conflicts, is recommended.

For times where a worker (volunteer or paid) or a church member is alleged to have engaged in minor or unknown conduct or a minor breach of a relevant code of conduct the matter should be dealt with pastorally by the appropriate local church leader with a view to re-correcting behaviours.

This process aims at working through information relating to allegations of serious misconduct, for findings to ensure all parities are offered natural justice.

This process is also recommended for compliance with legal and insurance requirements such as but not limited to:

- The church's insurance exclusion, which requires an appropriate investigation into complaints in relation to sexual abuse. Where "sexual abuse" includes any assault or abuse of a sexual nature, any type of molestation, indecent exposure, sexual harassment or intimidation, whether such act is the subject of criminal investigation or not. Injury includes any physical, mental or psychological injury.

- The Workplace Health and Safety Act classes churches as places of business and all volunteers as worker (in all states apart from Victoria and Western Australia), and workers and visitors must be afforded a duty of care, and safe emotional and physical environments. Under this legislation all persons must comply with all reasonable requests from the Person/s conducting a business or undertaking.

- Government agencies such as in NSW the Ombudsman's reportable employee conduct scheme and Office of the Children's Guardian require employers to investigate allegations against children's workers of certain types of abuse.

The principles of natural justice shall be applied throughout:

Case manager/s, the case response group and all church officer holders shall:

1. Act fairly, in good faith, without bias and in a dispassionate manner;

2. Provide each party the opportunity of adequately stating their case and correcting or contradicting any relevant statement prejudicial to the person's case;

3. Not receive information except as part of its information gathering and of assessment of the allegation;

4. Ensure that a person called upon to answer an allegation shall be given in writing the particulars of the allegation being made;

5. Ensure that each party has the opportunity to respond to further statements.

The matter is to be managed:

Without undue delay: Acting as quickly as possible shall be a genuine recognition of the seriousness of the allegation. Care should be taken to avoid delays.

With clear communication: All parties should be fully and speedily informed regarding decisions made, the reasons for the decisions and what processes are being used at all stages, particularly where there is any delay.

In a Non-bias manner: Disputed allegations will be investigated by persons who have no relationship (biological or other) to any party.

Considering Conflict of interest: Disputed allegations will be investigated by persons who have no stake in benefiting from any particular outcome of the case.

So that evidence based decisions are made: Decisions made are to be fact based. All disputed facts will be independently investigated. All outcomes will be based on the findings of the investigation. The burden of proof shall be on the balance of probabilities, e.g. was the conduct more likely to have occurred than not.

Privacy: Every effort must be made to protect the privacy of all parties. Findings are only to be released with the permission of the PSOA/s and/or the persons brining complaints. When the case manager/s report to relevant office holders, he/she will focus on the needs of: the complainant and any family; the PSOA and any family; the congregation.

Section 2 - Procedure

1. Receipt of allegation (information relating to serious misconduct)

1.1 An allegation may come in any form: phone call, email, mail, or in conversation.

If the person who receives the allegation is not the relevant office holder, e.g. Safer Churches person, it will be forwarded to the relevant office holder as soon as practical.

An allegation may also be made in relation to 'information' about alleged misconduct.

A senior church leader can make an allegation on behalf of a third party where a finding is deemed necessary for risk management purposes.

In relation to sexual harassment and/or abuse the complaint may be historical (whenever or wherever occurring) or current (wherever occurring), so long as the person subject of the allegation is still attending the church (denominationally) undertaking the process.

1.2. Triage of the allegation (classification & clarification)

The relevant local church or denominational officer holder (such as a State Based Safer Churches officer) should at this time triage the matter satisfactorily; including providing details of the process to the person bringing forward the allegation (provide documentation), discuss legal ramifications, and ensure the matter is an allegation of 'serious misconduct' against a person currently under the jurisdiction of the local church or denomination.

1.3 Insurance reporting

On reception of the formal complaint the case manager will consult with appropriate office holders as to whether this is a matter over which the insurer should be notified or whether at this stage more formalisation is required before reporting.

2. Criminal matters and mandatory reporting

2.1. Where the allegation is clearly of a criminal nature person receiving the allegation (Safer Churches Officer) will report to relevant State and/or Federal Government agencies and/or police. Criminal matters are defined in the criminal codes and include but are not limited to; child abuse and or neglect, acts of indecency, sexual assault, fraud, drug dealing.

2.3 At this stage a risk assessment must be undertaken by the relevant office holder/s, as to whether it is appropriate during the police investigation to ask the person subject to the alleged serious misconduct (Person Subject to Allegation – PSOA), to step aside from their active duties and/or church attendance.

3. Formalisation of allegation

3.1 Appointment of Case Response Group (CRG)

If the matter, after triage, is not deemed by the head of agency and relevant church office holders to be a police and/or government agency matter (child protection), or when the police/criminal justice process has concluded, the head of agency with relevant church office holders will appoint a Case Response Group (CRG). This Case Response Group (CRG) of 1-3 persons are to make binding decisions in relation to the process from this point forwards. The CRG will look different depending upon the nature of the allegation and the level of leadership being accused. The CRG will report to the head of agency (i.e. senior pastor and/or church board) for determination.

3.2 The CRG will appoint from their group a case manager or where it is deemed necessary for natural justice an external case manager.

3.3 The CRG will offer pastoral support persons to all persons bringing allegations. It will be suggested that the pastoral support person is not a relative.

3.4 The CRG will at this time discuss implementation of or amendments to any risk management actions which need to be or may be already in place, dependant upon the nature of the allegations. These risk management actions are to consider the safety of all parties.

3.5 The appointed case manager will formalise the allegation.

This will include:

- That all witnesses have the procedure explained. This will include providing a copy of this Process document.

- Writing up, as a set of alleged serious breaches of the relevant code of conduct, or allegations of types of serious misconduct where a code does not apply. This document will include all relevant witness statements being signed and attached to the allegation documentation.

- The allegation document will also include a covering letter explaining the process, and any risk.

If during the formalisation process it becomes clear that the matter is of a child protection or criminal nature, STEP 2 (above) is to be implemented.

4. Process pathway decision by CRG

4.1 The CRG will consider the formalised allegation material and made process decision:

If the CRG in its discretion consider that the complaint is frivolous, vexatious or that further action is not necessary, the appropriate office holders may decide to dismiss the complaint.

If the matter is deemed by the CRG to not be a serious matter but rather a misunderstanding/conflict or involves minor misconduct an alternative process may be recommended, such as the SMR process for resolving misunderstanding and conflicts.

If the matter is deemed to be of a serious nature and if there is enough substance in the allegations to be tested on the balance of probabilities the Case Manager will be asked to continue with the investigation.

5. Person Subject of allegation/s (PSOA) notified.

5.1 Where the matter is workplace related the PSOA they will be contacted by the head of agency or appointee (Board member/Senior Pastor/State Based Safer Churches Officer/Case Manger), notifying the person that allegation/s of serious misconduct have been received and will need to be investigated. The PSOA will be informed that the allegations are to be delivered in a notification meeting (on a set date and time) by the Case Manager.

5.2 Pastoral support will be offered to the PSOA. The pastoral support person will be asked to attend all face to face meetings.

5.3 The Case Manager will hold a recorded notification meeting.

At the meeting:

- the case manager will explain the process to the PSOA (including providing documentation).
- provide the PSOA with an explanation of any risk management actions to be put in place, e.g. Interim Safety Measures in the case of sexually related matters. Where the allegations require the PSOA to step aside from duties, this will be explained. Note: At this stage these are allegations only and stepping aside is not to be seen as an expression of guilt, but rather a risk management step for all parties.
- The allegation documentation will be given to the PSOA, these will not be read out in the meeting.
- The PSOA will sign a "Process acknowledgement form".
- A copy of the recording will be forwarded to the PSOA in a timely manner.

Note: where distance does not allow for a face-to-face meeting to occur the documents will delivered by mail, and the "Process acknowledgement form" returned as soon as practical (can be done via email).

6. Response of PSOA & further investigation

6.1 The PSOA will have 14 days to write a response to the specific allegations.

6.2 The CRG will discuss the response (can be electronically) and decide on an appropriate next step of the process based on the response and alert all parties (incl relevant officer holders).

Step 6a – Undisputed.

6.a.1 If the PSOA does not deny the allegation/s or significantly dispute the allegations the matter can move to resolution outcomes stage immediately - i.e. removal from position, apology to person/s making complaint/s, conciliation, consideration of the appropriate discipline of the PSOA, reporting to Office for the Children's Guardian (NSW) of findings of the matter. Note: The employer is to make this determination.

Step 6b – Disputed - Assessment of facts based on the balance of probability

6.b.1 If the PSOA disputes the allegations significantly (denies the substance of the allegation/s), the

matter will be considered by the CRG in terms of whether the matter should be at this point tested by them on the balance of probability or whether the matter should be referred to an external investigator for further assessment of facts on the balance of probability.

The decision to appoint an external investigator will take into consideration:

- The type of allegations (nature and seriousness)
- The outcomes for the PSOA if the allegations were to be found more likely to have occurred.
- The ability to test the allegations, i.e. credible witnesses, other corroborating facts.

6.b.2 The CRG will appoint an appropriately qualified external investigator to make an assessment of the facts and to then provide a Case report to the CRG.

6.b.3 The Case Manager will provide the investigator with all the documents to date.

6.b.4. The investigator shall arrange interviews (phone or face to face) with the all relevant parties, record these interviews and produce where deemed necessary transcripts of these interviews.

6.b.5. Under no circumstances shall there be any attempt to intimidate any party.

6.b.6. No interview with a child will take place if there is a risk that this will interfere with the proper process of civil or criminal law. No interview shall be conducted with a child without the express written authority of, in the presence of the parent or guardian and only then by a person recognised as skilled practitioner in interviewing children.

6.b.7. Special care shall also be taken in interviewing persons with an intellectual or psychiatric disability, and any such interview shall be conducted only by an appropriately qualified and experienced person.

6.b.8. A PSOA may be invited to admit to the alleged serious misconduct, but is not bound to do so.

6.b.9. A PSOA has the right to obtain independent legal advice at their own expense.

6.b.10. The PSOA should have a support person present during any interviews.

6.b.11. A written Case report shall be given to the CRG. The investigator shall present the evidence, examine the areas of dispute and provide conclusions to the CRG as to whether the alleged behaviour is more likely to have occurred than not, based on the balance of probabilities. The investigator must provide evidence based reasons for their conclusions. If they are unable to reach a determination based on the balance of probabilities, they may make risk management suggestions to the CRG.

7. Making findings CRG

7.1. The Case Manager in undisputed matters will provide a case report to the CRG with the PSOA's response.

7.2. In disputed matters the Investigator will provide a case report to the CRG (see S.6).

7.3. The CRG will consider the Case report and make a preliminary finding as to whether the PSOA has, on the balance of probabilities, engaged in the alleged behaviours.

7.4. If the CRG preliminary determination is that the PSOA may have engaged in misconduct, it will request the PSOA provide a written response (within 14 days) for further consideration before making a final decision.

7.5. Having received the PSOA's written response, and taking any further investigative measures necessary, the CRG will make their final decisions.

7.6. The witnesses in the matter are entitled to know about the final decision of the CGR promptly.

7.7. The PSOA will be provided with the final decision in writing promptly.

8. Determination of outcomes

The CRG will provide their findings to the head of agency for determination in the matter. The head of agency will take into consideration the findings of the CRG and then make determinations in relation to outcomes of the PSOA and any parties impacted by the determination, including any survivors of abuse, and other secondarily impacted persons.

Step 8a - Outcomes for PSOA

8a.1. Where the CRG finds that PSOA has not engaged in the alleged conduct, or that there is not enough evidence to make a finding, there is to be a full apology to the PSOA.

The written report shall be kept on file by the appropriate office holders but it must be kept in strict confidence. Where appropriate and if the PSOA cooperates with the relevant office holder establish self protective structures so as to avoid further accusations.

8a.2. Where the CRG finds that although the allegations were not proved on the balance of probabilities but that the PSOA acted in ways that were misconstrued or places him/herself in a position of high risk, then recommendations will be made to the PSOA as to how he/she can avoid future allegations.

8a.3. Where the CRG finds that the PSOA engaged in the alleged behaviour, it will consider possible action that might be taken in response to the breach. Actions which might be taken include; discipline, suspension, these will be implemented by the head of agency.

8a.4. The outcomes in relation to the PSOA will also be given to and explained to the complainant/s.

Step 8b – Outcomes relating to the person/s bringing allegations

8b.1 In the event that the CRG are satisfied of the truth of the complaint, and/or where there is significant emotional damage to the complainant, the appropriate office holders shall respond to the needs of the victim in such ways as are demanded by justice and compassion.

9. Right of Appeal

Where the PSOA is a paid employee (or in NSW a person working with children), the PSOA can lodge an appeal, providing reasons in writing, to the head of agency. The appeal will be a paper review of the process by a suitably qualified person. The decision of the head of agency will be final.

OK To COPY

Elder abuse - Policy & Procedure (sample)

As the body of Christ, we have a duty of care towards older people who attend our churches and ministries. We are all committed to ensuring that we provide a safe place and where people can feel free to raise any concerns they may have about the abuse or possible abuse of older people, and to have those concerns dealt with appropriately.

1. OUR RESPONSIBILITIES

- To assess the needs of the older person, and the older person's carer if applicable, with a focus on immediate and longer term safety, and to identify concerns where older people are at risk of or have experienced abuse

- Assist in the immediate and/or long term treatment of the physical and/or psychological impact of the abuse on the older person and their carer, if applicable

- To provide information to the older person who is at risk or who has experienced abuse, and carer where appropriate

- To refer the older person to specialist services where appropriate

- To respect the patient/client's wishes whilst taking into account competence and overall safety

2. THE ABUSE OF OLDER PEOPLE

Definition:

> "The abuse of older people occurs when there is any act occurring within a relationship where there is an implication of trust, which results in harm to an older person. Abuse can include physical, sexual, financial, psychological and social abuse and/or neglect".
> (endorsed at the Healthy Ageing Taskforce, 2000.)

Abuse of older people can occur in any setting, and awareness of the possibility of abuse is essential in order to ensure that their rights are upheld and their safety is maintained.

Perpetrators of abuse may be family members, carers, others visitors, volunteers or staff involved in their care.

Types and indicators

a. Physical abuse

Physical abuse is a non-accidental act which results in physical pain or injury, and which may include physical coercion and physical restraint. Signs of physical abuse include: bruises, lacerations, abrasions, welts, rashes, broken/healing bones, burns, weight loss, facial swelling or missing teeth, pain or restricted movements, cringing or acting fearful, agitation, drowsiness, unexplained hair loss, noticeable decline in physical well being, unexplained accidents or injuries, conflicting stories between older person and carers or family members about the cause of injuries.

b. Psychological/emotional abuse

Psychological or emotional abuse is language or actions designed to intimidate another person and is usually characterised by a pattern of behaviour repeated over time, intended to maintain a 'hold of fear' over them. Forms of psychological abuse include; intimidation, humiliation and harassment – e.g. threats, calling an older person names, treating them like a child, shouting at them, withholding of affection, refusing access to family members or close friends, depriving an older person of sleep, inappropriate, removal of an older person's decision-making powers.

Signs of psychological/emotional abuse include: Loss of interest in self or environment, passivity, helplessness, withdrawal, apathy, insomnia, fearfulness, reluctance to talk openly, huddling or nervousness around a particular person, paranoid, behaviour or confusion not associated with illness.

c. Sexual abuse (assault)

Sexual abuse or assault is the general term used for a broad range of unwanted sexual behaviour, whether through physical force, emotional intimidation or any type of coercion. Sexual abuse is a crime. Sexual abuse is mainly about power and control over another person, rather than sexual gratification or pleasure.

Sexual activity with an adult who is incapacitated by a mental or physical condition (such as dementia) that impairs his or her ability to grant informed consent, is also defined as sexual abuse.

Sexual abuse can be overt and obvious (rape, penetration, oral-genital contact) or more subtle (inappropriate comments or interest in the older person's body). It can also include practices such as the inappropriate, and possibly painful, administration of enemas or genital cleansing.

Signs of sexual abuse include: unexplained sexually transmitted disease or infections, bruising in genital areas, inner thighs or around the breasts, unexplained vaginal or anal bleeding, increased anxiety and/or other emotional changes, fear of certain people or places.

d. Neglect

Neglect is the failure of a carer to provide the necessities of life to a person for whom they are caring. Neglect can include when an older person is abandoned or not provided with adequate food, clothing, personal items, medical or dental care. Inappropriate use of medication (overuse, underuse or misuse), not providing adequate hygiene and personal care, and not allowing other people to provide adequate care are also forms of neglect. Neglect can be intentional or unintentional.

Unintentional neglect occurs when a carer does not have the skills or knowledge to care for a dependent person, although this is a situation that is unlikely to occur in the residential care setting. The carer may not be aware of the types of support that are available, or they may be ill themselves and unable to provide care.

Intentional neglect occurs where the carer has the capacity to provide adequate care but makes choices not to. Signs of neglect include: poor hygiene or personal care, unkempt appearance, lack of personal items, absence of health aids, inappropriate or lack of clothing, weight loss, secretiveness or agitation.

e. Social abuse

Social abuse involves preventing a person from having contact with friends or family or access to social activities. Forms of social abuse include discouraging or stopping an older person from seeing other people, including family or friends, and preventing them from joining in activities or other significant events.

Signs of social abuse include: sadness and grief because of people not visiting, anxiety after visits by a particular person, withdrawal, lack of interaction with others, low self esteem, sadness, appearing ashamed, passivity (not wanting to participate) and listlessness.

f. Financial abuse

Financial abuse involves the illegal or improper use or mismanagement of a person's money, property or resources. Stealing, fraud, forgery, embezzlement, forced changes to a will, inappropriate removal of an older person's decision making powers and misuse of power of attorney are all forms of financial abuse or exploitation. Signs of financial abuse include: unwillingness by carer to provide or purchase items for an older person, withholding of funds from older person, lacks money for items needed or to pay for outings, loss of jewellery or personal belongings, removal of cash from a wallet or handbag, money missing from bank accounts, unprecedented transfer of funds, older person is fearful and anxious when discussing finances, frequently changes her/his mind about their power of attorney & management of a competent older person's finances by another person when not asked to do so.

You must report to your Safe Church Concerns Team if you have concerns that an older person is being abused. (They in turn will speak with the Manager of Ministry Standards and ensure that any further reporting and care requirements are met.)

3. WHEN TO REPORT AN ABUSIVE SITUATION

- Indicators or signs of abuse or neglect have been observed
- You observe someone behaving towards an older person in a way that makes you feel uncomfortable
- An older person tells you that they are being abused by another person
- A person tells you that they are abusing an older person
- A patient/client, staff member or visitor tells you that they believe an older person is being abused
- You observe an action or inaction that may be considered abusive

Suspicions that abuse has occurred may be aroused by physical signs and symptoms or by the behaviour of the older person. It is important for leaders to be aware of any sudden or unusual changes in the behaviour patterns of their participants or congregation members. If someone shows one or more of the possible signs of abuse, it does not automatically mean she or he is being abused. Consider the context. Concerns that require reporting may arise from a single event or a pattern or series of events.

4. HOW TO RESPOND TO AN ABUSIVE SITUATION

Responding to the abuse of an older person is complex and requires the consideration of multiple factors. In any situation it is important to consider:

- Acknowledgement (of the abusive situation and of the older person's wishes)
- Support (for the older person and their carers and family)
- Safety (for the older person, carers and family, yourself and other leaders)

Procedures :

Where there are concerns for immediate safety:

- Remain calm
- Consider whether you can safely take immediate action to stop the abuse occurring, without endangering the patient/client, yourself or other people
- Call for assistance (team leader, ministry co-ordinator, Safe Church Concerns Team) or if alone get to a safe location and contact police and Team Leader

- Treat the area (home or otherwise) as a crime scene until advice is given otherwise:
  - o Do not remove any articles or items from the area.
  - o Ensure the older person does not wash or shower.
  - o Do not allow others to enter into the area.

- If the abuse is of a sexual nature, seek immediate advice from the Sexual Assault Service.

- Do not attempt to ask extra questions about the abuse or to investigate in any way. That is not your role.

- Reassure and comfort the person.

- Call for an ambulance if required.

- Seek to ensure that there is no risk of exposure to or contact with the alleged perpetrator (i.e. the person who is alleged to have carried out the abuse) by the older person.

- Place the interests of the alleged victim first.

- Complete an incident form.

- Record your observations or discussions with (or concerning) the older person that might indicate that abuse has occurred.

- Report to your team leader any additional changes or concerns that you think of or observe later.

Where there are not concerns for immediate safety:

- Remain calm.

- Report to, or get someone else to contact, your leader or co-ordinator.

- Arrange appropriate referrals (e.g. hospital social worker, counselling, taking into account patient/ client consent).

- Call for security or the police if necessary.

- Reassure and comfort the person.

- Request medical assessment or an ambulance if required.

- Place the interests of the older person first.

- Record your observations or discussions with (or concerning) the patient/client that might indicate that abuse has occurred.

- Report to your team leader any additional changes or concerns that you think of or observe later.

When dealing with a disclosure:

- Acknowledge what the person has said.

- Reassure the older person.

- Let them know that you will try to help them.

- Do not ask a lot of questions.

- Be careful to ensure that your response does not blame the person being abused (e.g.. Asking "what did you do to make your _____ angry?")

- Do not dismiss what a person with dementia tells you as merely 'dementia talk'.

If the older person is competent to make their own decisions:

- Raise your concerns with the person and discuss their wishes. (Remember that an older person who is capable of making an informed decision has the right to make his or her own choices, including the right to refuse assistance.)

- Determine if confidentiality may need to be overridden due to safety issues for the person or others or where a criminal act may have occurred.

- Inform the older person of her/his right to an independent advocate of their choice.

- Where appropriate ensure that the older person is aware of her/his rights to make a complaint and ensure that they are aware of how to do so.

- Seek guidance from the older person about notifying family or friends as support.

If the older person is not competent or you are unsure of their competency:

- Seek a medical assessment of the patient/client's competency if this is in doubt. Remember there is an assumption of mental capacity unless there is evidence of incapacity.

If the person is not competent:

- Ensure appropriate supports are in place (e.g. hospital social work, other referrals).

- Notify the person's family and any appointed substitute decision maker (unless they are the alleged perpetrator).

- If medical treatment is needed seek consent from their 'person responsible'.

- If the person has no family or substitute decision maker (or there are concerns about them as they are suspected of the abuse) contact the Guardianship Tribunal for advice about substitute decision-making.

- If the abuse is of a sexual nature, seek guidance from the local sexual assault service.

Dealing with the perpetrator (alleged/confirmed):

Due to the complex nature of this form of abuse situations will arise where leaders will be required to work with a person who is suspected or confirmed to have abused an older person. In these situations:

- Consult with your Safe Church Concerns Team

- Consider safety of your older person, self and team members

- Consider the larger context within which the abuse has taken place including the older person's views of the person doing the abusing, and their living arrangements.

Written by Patrick Smith 2010.

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Program Approval

Safe programs are transparent and accountable in relation to both procedures and relationships. A safe program ensures that both the physical and emotional environment are safe. Consideration is given to the participants' ages and cultural backgrounds. Safe programs are prepared for the fact that some activities or situations present more inherent risks than others.

The local church senior leadership is ultimately responsible for any activities that take place in the name of the church. For this reason the local church senior leadership should approve programs and activities prior to their commencement. There are a number of considerations to be mindful of when establishing a ministry event or program. These considerations might be recorded for accountability purposes in an approval for ministry process.

The Approval for Ministry form is designed to assist in the implementation of this process.

Name of Program: _____

Where the program/event takes place: _____

Time of program:_____

Ministry Coordinators: _____

Program leader/s Name: _____ Contact Ph: _____

Times available to the team: _____

Name: _____ Contact Ph: _____

Times available to the team: _____

Program First Aid person: _____

Complete (and attach were appropriate) the following:

☐ Team list (team is large enough to safely run the program)

☐ Team have been trained appropriately (eg Safer Churches training)

☐ Team have been recruited & forms filed at church

☐ Housekeeping Risk Assessment Checklist completed

☐ The individual program risks have been assessed and negated or minimised (Attach safety plans for individual program risks)

☐ Participant information gathered

☐ All notes for permission prepared and/or collected (as necessary)

☐ Program attached (as appropriate)

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Workplace Health and Safety (with extracts from the NSW ACT)

Every activity has its hazards and its risks. Some are avoidable while others are not. It is important to identify, assess and then eliminate or reduce these individual event or program risks. Consider the use of an activity risk assessment form to help assess and manage the individual risks in your program. Again, consider not only the physical but also the emotional and spiritual environment. We also recommend that you consult your insurance broker or insurance department for more information on assessing and managing program risks.

All employers have a general duty at common law to implement and maintain a "safe system of work" for both their employees and others.

In relation to the employer's employees, this duty is often expressed as being a duty to take reasonable care to avoid exposing the employees to "reasonably foreseeable" risks of injury.

In assessing whether or not an employer has breached its duty of care to an employee, a court will generally consider a number of factors, including whether:

- the employer was aware of the risk of injury and, if not, would a reasonably prudent employer have been aware of such a risk

- the employer took all reasonable steps to avoid or reduce the risk

- the injury would have been prevented or minimised had the reasonable steps been taken.

The question of what is "reasonable" is ultimately determined by reference to community standards and expectations. Given the demanding statutory WHS obligations in each State and Territory, the standard is typically high.

The duty is simply to take reasonable care for their safety. Accordingly, at common law, the risk of injury must be real and not simply fanciful. Further, for an employer to be found liable, the employer must have failed to take reasonable steps.

In the church context in all States and Territories except Victoria and Western Australia, the WHS legislation applies. Victoria and WA operate on State based legislation.

WHS Legislation places particular responsibilities on Officers and Directors

Failure to comply with the Act and/or Regulations renders persons in management positions, i.e. those Persons Conducting the Business or Undertaking (PCBU), including Pastors, open to prosecution with penalties, which can include fines, imprisonment or both.

Pastors should familiarise themselves with the Legislation in their particular State or Territory (including staying abreast of any amendments to the applicable legislation) and ensure that pastors and employees, Committees of Management and other church leaders are aware of their responsibilities to maintain healthy and safe environments for pastors, employees and visitors.

Work Health and Safety Act 2011 (extracts)

Note: not all States have come in line with the National Harmonised WHS legislation and some States have modified or passed regulations to run in tandem with the act.

Division 2—Object
- The main object of this Act is to provide for a balanced and nationally consistent framework to secure the health and safety of workers and workplaces by:
- protecting workers and other persons against harm to their health, safety and welfare through the elimination or minimisation of risks arising from work; and
- providing for fair and effective workplace representation, consultation, co-operation and issue resolution in relation to Work Health and Safety; and

- encouraging unions and employer organisations to take a constructive role in promoting improvements in work health and safety practices, and assisting persons conducting businesses or undertakings and workers to achieve a healthier and safer working environment; and
- promoting the provision of advice, information, education and training in relation to Work Health and Safety; and
- securing compliance with this Act through effective and appropriate compliance and enforcement measures; and
- ensuring appropriate scrutiny and review of actions taken by persons exercising powers and performing functions under this Act; and
- providing a framework for continuous improvement and progressively higher standards of work health and safety; and
- maintaining and strengthening the national harmonisation of laws relating to Work Health and Safety and to facilitate a consistent national approach to Work Health and Safety in this jurisdiction.
- In furthering subsection (1)(a), regard must be had to the principle that workers and other persons should be given the highest level of protection against harm to their health, safety and welfare from hazards and risks arising from work as is reasonably practicable.

Section 5 Meaning of person conducting a business or undertaking

For the purposes of this Act, a person conducts a business or undertaking: whether the person conducts the business or undertaking alone or with others; and whether or not the business or undertaking is conducted for profit or gain.

Section 7 Meaning of worker

A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as: an employee; or a contractor or subcontractor; or an employee of a contractor or subcontractor; or an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or an outworker; or an apprentice or trainee; or a student gaining work experience; *or a volunteer*; or a person of a prescribed class.

Section 17 Management of risks

A duty imposed on a person to ensure health and safety requires the person: to eliminate risks to health and safety, so far as is reasonably practicable; and if it is not reasonably practicable to eliminate risks to health and safety, to minimise those risks so far as is reasonably practicable.

Section 18 What is reasonably practicable in ensuring health and safety

In this Act, reasonably practicable, in relation to a duty to ensure health and safety, means that which is, or was at a particular time, reasonably able to be done in relation to ensuring health and safety, taking into account and weighing up all relevant matters including:
- the likelihood of the hazard or the risk concerned occurring; and
- the degree of harm that might result from the hazard or the risk; and
- what the person concerned knows, or ought reasonably to know, about:
- the hazard or the risk; and

(ii) ways of eliminating or minimising the risk; and the availability and suitability of ways to eliminate or minimise the risk; and after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk.

Section 19 Primary duty of care

A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of:
- workers engaged, or caused to be engaged by the person; and
- workers whose activities in carrying out work are influenced or directed by the person;
- while the workers are at work in the business or undertaking.
- A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the

conduct of the business or undertaking.

Without limiting subsections (1) and (2), a person conducting a business or undertaking must ensure, so far as is reasonably practicable:

- the provision and maintenance of a work environment without risks to health and safety;
- the provision and maintenance of safe plant and structures; and
- the provision and maintenance of safe systems of work; and
- the safe use, handling and storage of plant, structures and substances; and
- the provision of adequate facilities for the welfare at work of workers in carrying out work for the business or undertaking, including ensuring access to those facilities; and
- the provision of any information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; and
- that the health of workers and the conditions at the workplace are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the business or undertaking.

Other responsibilities for workers

In addition to the general duty of care, an employer is vicariously liable for injuries, loss or damage caused by the negligence of a, provided the act was performed "in the course of the employment" or was "reasonably incidental to the course of the employment". An act will generally be in the course of employment if it is authorised by the employer irrespective of whether the employee performs the act in a negligent or unlawful way.

At common law, where an employer is vicariously liable to pay damages as a result of the negligence of a worker, the employer may be able to recover these damages from the negligent worker.

An employer who fails to perform its legal duty, or is vicariously liable for the conduct of a negligent employee, is liable to pay damages for a resultant loss or damage, including any injury or disease suffered by the injured employee. These damages are primarily assessed with a view to compensating the injured employee for his or her loss. In each state and territory, an employer's common law liability must be read in conjunction with the relevant workers compensation legislation.

Responsibility to all people on site

Employers also owe a common law duty of care to persons other than their employees in relation to anything arising out of their business or "undertaking". As noted below, employers will be vicariously liable for the actions of their employees.

An example of an employer's common law duty arises where the employer is an occupier of premises. As such, employers will be liable to the world at large under the common law concept of "occupier's liability". Since 1987, occupier's liability is no longer dependent upon the relationship between the occupier and the injured person. For example, under old principles, the duty of care owed to a trespasser was less than the duty owed to an invitee. Under modern principles, occupier's liability is not dependent on this relationship and liability will be determined by ordinary negligence principles of foreseeability.

Workplace Rehabilitation Procedure

Employees who sustain a work related injury are entitled to assistance in the workplace.

To ensure workplace rehabilitation is effective, it is expected that all employees will be supportive of and committed to the rehabilitation program.

To facilitate this process, rehabilitation will commence as soon as practicable after the injury, with the approval of the injured worker's treating doctor.

Suitable duties are provided as an integral part of this process. The goal, through an individualised rehabilitation plan, is to return the injured worker to their normal duties.

A team approach to rehabilitation will be used, with co-operation, consultation and confidentiality being key requirements for all persons involved.

To ensure ongoing effectiveness, this procedure will be regularly reviewed and improved.

Health & Safety responsible positions

For each workplace there are a number of positions of responsibility in relation to WHS operations. These are not full time positions and should be sourced by trusted, responsible employees. Each local church must have a Safety Team, who, depending on the number of employees, may have the following roles: WHS Officer, Chief Warden, first aid officer. Again, check your state requirements on the relevant WorkCover websites.

Responsibilities of workers at a workplace

Each state and territory legislation has guidelines for employee responsibilities. In general terms here are some good practice guidelines. If in doubt please use your State or Territory WHS website for more information about employee responsibilities. To comply with the instructions given for the Workplace Health and Safety at the workplace by the employer at the workplace and, if the workplace is a construction workplace, the principal contractor for Workplace Health and Safety at the workplace.

- For a worker – to use personal protective equipment if the equipment is provided by the worker's employer and the worker is properly instructed in its use;
- Not to wilfully or recklessly interfere with or misuse anything provided for the Workplace Health and Safety at the workplace.
- Not wilfully place at risk the Workplace Health and Safety of any person at the workplace;
- Not to wilfully injure him or herself.

Make sure you:

- Follow methods of work you have been trained in;
- Let your employer or Workplace Health and Safety representative know of any symptoms such as pain and discomfort that you think is caused by your work;
- Make suggestions to your employer about how tasks could be arranged to break up repetitive work.

Responsibility of others

Visitors to workplaces must obey health and safety directions applied at the workplace.

Principal contractors should; ensure the orderly conduct of all work at the construction workplace to the extent necessary:- to ensure Workplace Health and Safety at the workplace; and to assist the discharge of Workplace Health and Safety obligations of an employer or self-employed person.

To ensure that persons at the workplace are not exposed to risks from:-something that has been provided for the general use of persons at the workplace for which no other person owes a Workplace Health and Safety obligation; or a hazard at the workplace for which no other person owes a Workplace Health and Safety obligation, to ensure that workplace activities at the workplace are safe and without risk of injury or illness to members of the public at or near the workplace; to provide safeguards and take safety measures prescribed under a regulation made for principal contractors.

Sample Workplace Health and Safety Policy

The <insert your church name> recognises its moral and legal responsibility to provide a safe and healthy work environment for everyone.

All people at church will endeavour to do nothing to place themselves or others at risk of emotional or physical injury or illness.

The church senior leadership (board of management) will endeavour to:

- Provide a safe workplace including a safe site and ministry programs

- Ensure compliance with legislative requirements and standards

- Provide workers (volunteers & paid) and contractors with information, instruction, training and supervision for their safety

- Provide support that will assist workers in maintaining their psychological and physical health

- To implement Work Health and Safety policies and procedures

- Actively promote and be involved in the implementation of those policies and procedures

Church workers (volutneer and paid) are responsible for:

- Following all health and safety policies and procedures

- Reporting all hazards identified to the Health and Safety team

- Complying with reasonable instructions

- Not behaving in a wilful or reckless manner

The church is committed to encouraging consultation and cooperation between pastors, church administrators, employees and voluntary workers. It will involve all parties in workplace changes likely to affect their safety, health and welfare.

Approved:

Name/role: …………………………………………………..

Date: ………/…………/………

Acknowledgment

Adapted from the Australian Baptist Insurance Services policy

Health & Safety information

Note - the Manual provides a series of guidelines for Emotional and Physical safety, in addition to these guidelines consider:

Recommended Manual Handling Procedure

Manual Handling means any activity requiring force by a person to lift, lower, push, pull, carry or otherwise move, hold or restrain any object. Everyone's manual handling capacity is different and depends on their individual ability to handle a load.

Risk Assessment: To reduce manual handling injuries, employees should be encouraged to: assess the size, shape and weight of the load to be moved; whether gloves or protective equipment will influence handling; determine where it is to be placed; how far it will be moved; and decide how it will be handled.

Consider the following strategies, if lifting is required: decide on the best position, clear path and try to face in the direction you will be moving; get a secure grip on the object being handled: the grip helps make manual handling safe; wherever possible, a comfortable power grip with the whole hand should be used rather than a hook or precision grip with fingers only; and make sure you have a firm footing so you don't slip while lifting. Pull the load in close to the body: for lifting in particular, it is important to have the centre of gravity of the load close to the body to prevent excessive stress on the back and to use the strongest muscles of the arms to hold the load; it is important to minimise the effects of acceleration by lifting smoothly, slowly and without jerking; and keep your spine in its natural alignment (maintain normal curves) and avoid twisting whilst lifting. Manual Lifting: lift the object by straightening your legs, not your back, keeping the load close throughout the lift.

- Seek guidance on manual handling from Workcover authorities in your state
- It is advisable that all leaders are to be briefed in safe lifting techniques annually

Working at Heights procedures

Control measures protecting a person from the risk of falling from a height should be in place before any work at height of 2.4m or above commences.

Several control measures to protect persons from the risk of falling from a height when carrying out work at that height are listed in order of preference: erecting a physical barrier; providing personal fall protection; a measure to "catch" a person after the person has fallen.

Footwear, which minimises the risk of slipping, should be worn when working where there is a risk of falls from heights. Consideration should be given to the surface being worked on. Safety helmets worn by persons should be fitted and attached to the person's head so that it remains in place should a person be arrested in a fall.

When using ladders ensure that they are in good working order and used for the purpose for which they were designed, check safety labels on the ladder from the manufacturer for correct usage.

Hazardous Substance Management

The Safety Team is responsible for:

- Consulting with managers, supervisors, and employees on hazardous substances and the level of compliance with policies, procedures and work practices etc.;
- Ensuring that hazardous substance management is included in the hazard workplace inspections;
- Conducting ongoing training and educational sessions;
- Compiling and maintaining a hazardous substance register; and
- Ensuring risk assessments are conducted on hazardous substances.

Material Safety Data Sheets (MSDS): The supplier of a substance must provide a copy of the current MSDS when first supplying the substance to the organisation and/or when requested. Every hazardous substance has an MSDS. MSDS's are to be read and understood by the workers and reasonable steps are taken to ensure the MSDS is not changed other than by the manufacturer or importer.

The information below will assist you in understanding a little more about material safety data sheets.

- •What are they? Sheets containing important safety, first aid and other information on any chemical sold, under a trade or chemical name.
- •Where do I get them? From the manufacturer of the product who is obliged by law to provide them.
- •When should I get them? Now. All hazardous goods used in the workplace must be accompanied by an MSDS.
- •How do I get them? Telephone or fax the supplier who will post you one or fax it to you.
- •How will I know I've got the right document? If the document covers the areas listed below you have procured an MSDS.
- •Product Identification: Name of Product, description, supplier's name and telephone number.
- •Composition: Chemical name, ingredients and impurities.
- •Emergency Information: Fire, spill, over exposure.
- •First Aid: Inhalation, ingestion etc.
- •Storage: How to handle, special containers, incompatible substances, transport.
- •Physical Data: Boiling point, melting point, etc.

Hazardous Substance register: When compiling a hazardous substance register a survey should be conducted on all substances in the workplace. Once all substances are identified, the MSDS's are to be obtained; a copy of all MSDS's should be located with the Hazardous Substance register; and the register is to be made available to all staff.

Labelling: In the event of de-canting a substance into smaller containers, the supervisor is to ensure a label is affixed to a hazardous substances container. The label is to be in English and state the substance's product name, risk and safety phrases (e.g. Keep away from heat).

If the hazardous substance is transferred from one container into a second container, the container must be labelled stating: the substance's product name; substance's risk and safety phrases; and relevant warning signs/information.

Unlabelled Substances: All substances should be labelled. If containers are not labelled and the contents are not known, mark the container – "Caution do not use: unknown substance". Store container away from other substances, and if not identified, contact the local Waste Management Branch of the Department of Environment for appropriate disposal procedures.

Storage: The supervisor is to ensure that the storage of hazardous substance is in accordance with the MSDS. If appropriate storage facilities are not available, the substance should not be purchased unless the material can be store at an alternative approved storage site. Correct signage should also be displayed where hazardous substances are stored.

Handling: Supervisors are to ensure that: the requirements set out in the MSDS are followed; decanting is to be conducted using the method in the appropriate MSDS; Personal Protective Equipment (PPE) is provided where it is not practicable to prevent or reduce exposure by other ways; other control measures such as ventilation equipment that is implemented, is maintained as required; regular monitoring is conducted where it is required; and prohibited substances are not used in the workplace.

Disposal: Surveys/inspections should be conducted at all workplaces to identify the hazardous substances used and stored at the workplace, and to identify the products no longer required which should be disposed of; the relevant MSDS of each hazardous substance identified for

disposal should be reviewed to establish the appropriate disposal method.

Containers of hazardous substances should not be washed out in areas where there is a possibility of waste solution entering a storm water drain or natural watercourse.

Transporting Hazardous Substances: Supervisors are to ensure that hazardous substances are transported correctly when they are required within workplace according to the MSDS.

Employees are to: Follow the procedure for hazardous substances; read the MSDS of a hazardous substance before using any of the substance; use the appropriate PPE when handling substances; and report any concerns they may have with any hazardous substances.

Electric Safety (General procedures)

Employers have an obligation to ensure electrical work is performed safely. Electrical work must only be undertaken by licensed electrical workers. They must follow the guidelines of their industry to ensure all those onsite are safe.

Ensure that all electrical equipment is properly safety tagged and in good working order, via a safety audit.

Inspect tools and equipment regularly. Ensure they are maintained in good order.

Ensure the insulation of insulated tools and insulated covers are maintained in good order and suitable for the work situation. Work from a safe position that would require a deliberate movement to contact directly energised conductors or parts.

Always warn others of known hazards. If possible rectify the problem immediately, e.g. turn off mains power. Contact an electrician to arrange for it to be fixed and take appropriate action to ensure safety in the meantime.

Working in the Sun Procedure

Virtually all people in Australia are at risk of skin cancer. However, fair-skinned people, particularly those who freckle or who never tan or tan poorly, are more at risk.

Providing shade or scheduling outdoor work to hours other than the middle of the day is the simplest solution. Where this is not practicable, steps to ensure minimum effects are gained from working in the sun e.g. wear the most appropriate clothing to complete your task, wear a wide brim hat, wear eye-protection, application of sunscreen lotion (SPF30+ or greater), and constantly drink water to ensure the body is kept adequately hydrated during the day.

Handling and Disposal of Sharps Procedure (General)

The term "sharps" means pointed or cutting implements that are capable of inflicting a penetrating injury.

Steps involved with the safe handling and disposal of sharps once located: protective gloves should always be worn; use a set of tongs or similar item to pick up the sharp; dispose sharp into a puncture resistant sharps container; check for any more sharps in the vicinity; place puncture resistant sharps container in the nearest collection wheelie bins, or other authorized disposal facilities as available from time to time. Wheelie bins are collected by waste removal contractors and disposed of safely.

Sharps should never be: bent; broken; or re-sheathed, as these are unsafe practices and are common causes of sharps injuries.

Noise & visual management Procedure

It is important that safe visual and auditory care is provided for leaders and those attending programs as part of the church.

Noise is unwanted sound which may cause damage to hearing. The amount of damage caused by noise depends on the total amount of exposure received over time. Measurement of Noise Exposure is expressed as: the noise exposure for a workday in Daily Noise Dose (DND); the "loudest noise", is called a peak level. Exposure to a noise level of 85dB(A) over an 8-hour period amounts to a DND of 1. Long-term exposure to a DND of less than 1 does not result in permanent hearing loss.

• Auditory care: consideration is to be given to auditory comfort when setting volume levels of audio equipment; volume of audio equipment during church events should be kept at less than 85 decibels (Additional information on impact of noise may be found at www.hearing.com.au).

• Visual Care: effective lighting is to be used during all church events; faulty lights are not to be used during church events; faulty light globes and fittings are to be brought to the notice of the Church Safety Team and are to be replaced as soon as practicable.

Use of church buildings

To assist with the management of your organization, it is important to remember that there can also be risks associated with the design, maintenance and safety of indoor and outdoor environment.

Areas that you may wish to address includes: poor lighting, unsafe watercourses, lakes, boundary fences and gates; the positioning of shrubbery and toilet blocks; and the late collection of children in poorly/unlit car parks.

Building Access: The Church will check that the building is safe and easily accessible, e.g. easy to open wide doors; clear and visible signage; reduced hazards, or if hazards remain they are highlighted. Use the Housekeeping Checklist to help assess your buildings annually.

Issuing Keys to Buildings: The Church Business Manager/Administrator will be responsible for maintaining a register of all persons to whom a key/security code has been issued. These records are to be held in the Church Office and be available to insurance company and/or police in event of request from those parties following any break-ins etc.

Hiring Church Property: Before hiring out Church property the following process is to be followed:

Ensure any property or equipment to be hired is well maintained and free of known defects (e.g. flooring in good condition, power-points, cables and electrical equipment in good repair.)

Make sure that you understand the purpose for which the property is being hired. Do not hire the property to groups that do not meet the Church's standards. Do not hire the property for a purpose that could substantially increase the risk of damage to the property, or result in injury to other people accessing the building.

It is the hirers responsibility for cleaning, behaviour and any damage they may cause, that they are responsible for any of their own property they may bring on to the Church's property. Ask for written evidence of Public Liability insurance and keep a copy of it on file (Certificate of currency from the hirer's insurer).

Where possible a Church employee or member should be responsible for opening and closing the area hired.

Notify the Church's insurer of any claim submitted or potential claims, which arise from the hiring of the property.

Food Preparation & Storage Practices

RECEIVING FOOD

Keeping food safe starts from the moment that the food arrives:

• Check that your food suppliers are supplying safe food.

• Ensure that perishable food arrives in a refrigerated food vehicle, and check the temperature of deliveries when they arrive. Then transfer to the correct type of storage.

• Dry goods, dry ingredients or canned foods should be in good condition, without torn packaging or heavily dented cans.

PREPARING FOOD

• Use separate utensils, including cutting boards and knives, for raw food and cooked food. If this is not possible, thoroughly wash and sanitise equipment before using it.

• Wash all fruit and vegetables in clean water before using them.

• Don't use food from damaged packaging.

• Don't let raw food come into contact with cooked food to avoid cross contamination.

HANDLING FOOD

• Cooked, or ready-to-eat food shouldn't be handled with bare hands. Use tongs, spatulas, spoons, or disposable gloves.

• Raw food to be cooked can be handled with bare hands.

• Change disposable gloves every hour and/or when they tear and/or when you change tasks.

COOKING AND HEATING

• Thaw frozen food before cooking in microwave or at the bottom of the refrigerator.

• Never put thawed food back in the freezer.

• Cook thawed food immediately after thawing.

• Cook all foods completely, especially red meat, fish and chicken.

• Reheating: bring to the boil and simmer for a minimum of 5 minutes before serving (or microwave using manufacturer's guidelines).

STORING FOOD

Temperature: meat, dairy or fish (not already processed by heat) are high-risk foods. Store at the correct temperature, frozen (hard) at -15ºC or cooler or refrigerated at 5ºC or cooler.

Time: Don't keep food in storage for too long. Record dates, 'first in - first out' rule. Food should be out of refrigeration for a maximum of four hours.

DISPLAYING FOOD

• Wrap or cover all food on display. Tag or label food trays, not the food.

• Refrigerated displays must be 5ºC or cooler and hot displays 60ºC or hotter.

• Don't use hot display equipment to reheat food.

TRANSPORTING FOOD

• Keep cold by using insulated containers such as an Esky™ with ice or cold blocks.

• Food which is to be served hot should be transported cold and heated at the event.

Information Form

Church name: _____ **Program name:** _____

GENERAL INFORMATION

Participant's name: _____ **Date of birth:** _____

Parents' or guardians' names: _____

Home phone no: _____ **Mobile:** _____ **Email:** _____

MEDICAL INFORMATION

Medical conditions: _____

Please list any medical conditions or allergies, and any medication or special care they require.

DIETARY RESTRICTIONS: Is your child on a restricted diet? ☐ Yes ☐ No

If yes, please indicate foods or beverages your child should not consume:

IN CASE OF EMERGENCY - CONTACT NUMBERS

Name: _____ **Relationship to child:** _____

Phone: (h) _____ **(w)** _____ **(m)** _____

ALTERNATIVE EMERGENCY CONTACT

Name: _____ **Relationship to child:** _____

Phone: (h) _____ **(w)** _____ **(m)** _____

☐ I authorise the leader in charge of the above mentioned group to arrange for my child to receive such first aid and medical treatment as a trained first aid person may deem necessary.

☐ I authorise the use of calling an ambulance by a qualified medical practitioner if in his/her judgment it is necessary.

☐ I accept responsibility for payment of all expenses associated with such treatment.

Please read the follow statement and tick the boxes from which you wish to **preclude** *your children:*

☐ I **DO NOT** give permission for my child to participate in activities outside of the normal meeting complex except where they are within reasonable walking distance.

☐ I **DO NOT** give permission for my child to be transported in private cars arranged by the leaders of the above named group.

☐ I **DO NOT** permit photos taken of my child to be displayed on notice boards in the church.

☐ I **DO NOT** permit photos taken of my child to be displayed in church publications, e.g. website, newsletters, brochures, etc.

Transport authority: If I am unable to collect my child at the finishing time they may be transported home from the program with the following people:

Signature of parent/guardian: _____ **Name:** _____ **Date:** _____

Site safety checklist

This page is OK to Copy for each ministry.

1. FLOORS, AISLES, STAIRS ETC
   a. Are all aisles clear?
   b. Are all floors, aisles, stairs and landings free of slip, trip and fall hazards?
   c. Are stairs free of worn or broken treads?
   d. Are all handrails in good repair?
   e. Are non-skid strips on stairs in good repair?

2. ELECTRICAL POWER
   a. Are all electrical plugs, sockets and switches in good working order?
   b. Are all appliances free of frayed or otherwise defective leads (checked and tagged)?
   c. Do appliances have access to a power socket free of double adapters?
   d. Are all lights adequate and operational?
   e. Are residual current devices installed and maintained?

3. EMERGENCY RESPONSE
   a. Is the church evacuation procedure clearly displayed?
   b. Are fire extinguishers appropriate to materials used in their vicinity?
   c. Are fire extinguishers readily available and properly mounted?
   d. Are fire extinguishers properly maintained and inspected?
   e. Are exits and exit signs adequately illuminated?
   f. Are all exits and fire doors in good repair?
   g. Are all exits unobstructed both internally and externally?
   h. Are all incidents recorded on the Incident report form?

4. STORAGE
   a. Are all items being stored clear of traffic areas?
   b. Where items are stacked for storage, are the stacks stable with a good solid base?
   c. Are storage areas kept clear of rubbish and unwanted material?
   d. Where it is necessary to store flammable items, are they stored correctly?

5. FIRST AID
   a Are all first aid kits clearly identified?
   b. Are the first aid kits properly stocked and maintained and operational?
   c. Are the names of qualified first aiders clearly displayed?

6. CAR PARKS & OUTDOOR AREAS
   a. Are car parks and outdoor areas kept clean and free of rubbish?
   b. Do car parks and outdoor areas have even surfaces; i.e. no holes?
   c. Are car parks and outdoor areas free of grease and oil patches?
   d. In car parks, are vehicle traffic ways clearly marked and lit?
   e. Are car parks free of dense shrubbery obstructing vision?
   f. Does the program use a sign in/sign out sheet (or roll)?
   g. Outside play fence (minimum height 1.5metres) with a child-proof self-closing gate?
   h. Is the playing space (outside and inside) appropriate for the number of children?
   i. Are there any dangers, gully traps, unprotected steps?
   j. Are there appropriate surfaces for the program activities, e.g. impact absorbing under play-equipment, paved areas?
   k. Is there a sand pit and is it well-drained; does it have safe surrounds and shade?
   l. Do you have appropriate shade provided in outside play areas?
   m. Do you have access to a telephone in case of an emergency?
   n. Are there appropriate toilet facilities available for children?

Risk management guide

Our Commitment
- We will serve participants as servants of Christ, commit to the good news of Jesus and lead in spiritually non-abusive ways.
- We will afford participants a say in the programs and the activities in which they participate by; fostering and valuing their ideas, and encouraging participation.
- We will obtain appropriate information relating to the program participants, including children's health and family situation, to ensure that we are able to care for their physical and emotional needs.
- All leaders to will discharge their duty of care through the use of forms, checklists and templates for establishment and maintenance of safe environments in our church.
- A Safety team will be appointed to establish and maintain: WHS, fire safety, building safety, first aid, food safety, safe transport, incident and emergency procedures.
- Ministry Coordinators are to complete a written ministry approval process annually.

Team leaders should work with the Health & Safety Team to ensure that all individual programs risks have been considered and risk management steps implemented.

Use this information and the tables as a guide to assist in preparing your Approval for Ministry.

Where deciding upon activities for your ministry it may be useful to ask yourself the following:
- Could this be classified as a high risk activity?
- Is there a high likelihood for damage or trauma (physical, emotional and/or spiritual)?
- Does the benefit of this activity outweigh the possible risks that may be involved?
- Can the activity be changed to reduce the possible risks?
- Are there critical incident and emergency procedures in place if required?
- Does the ministry or church have suitably trained and qualified people to address critical incidents or emergencies?
- Would the activities be covered by your insurance?

What is Risk?

Risk is the exposure to the possibility of such things as economic or financial loss or gain, physical damage, injury or delay, as a consequence of pursuing or not pursuing a particular course of action. The concept of risk includes the; perception that something could happen, likelihood of it occurring and consequence if it does occur.

These risks might include: workplace/Church health and safety (include hazards), financial and administrative, property, delivery of services, public liability, litigation &/or public relations.

What is Risk Management?

Risk management is the process of managing your church's exposure to potential liabilities. It does this by identifying risks in order to prevent them or reduce them, and by providing funds to meet any liability if it occurs.

It can be a useful exercise to do a risk assessment for your ministry/program at least annually. This does not replace a Hazard Identification. The Risk Assessment looks at what might happen, whereas Hazard Identification looks at what is present at the venue at a specific time.

Considers five key areas:
- How likely is this risk?
- What is the consequence should it occur?
- What is the overall level of risk?
- What does this level of risk require to be managed appropriately?
- How adequately are we managing this risk?

Descriptions and Ratings

Likelihood, i.e. what are the chances the risk situation will occur during your ministry/program?

Very likely   - Occurs routinely and can be expected to occur
Likely   - Occurs often and a good chance to happen
Moderate   - Should occur at sometime
Unlikely   - Could possibly occur at some time
Very unlikely   - Could possibly occur but would be in exceptional circumstances

Consequence, i.e. What harm could result if the situation occurred?

Insignificant - No likely injuries to person, no property damage, no financial loss, no effect on reputation, no disruption to the ministry/program, aims/goals still achieved

Minor   - First Aid treatment for person, minor property damage, small financial loss, little impact on reputation, little disruption, most aims/goals achieved

Moderate   - Medical treatment to self or others, significant property damage, intervention by outside agency needed, significant financial loss, some damage to reputation, moderate disruption to ministry/program, some of the aims/goals achieved

Major   - Extensive injuries or permanent impairment likely, major property damage, significant outside intervention, major financial loss, significant damage to reputation, major disruption to ministry/program, most of the aims/goals not achieved

Intolerable - Permanent impairment or death, property damage irretrievable, permanent intervention required (organisational leadership), financial cost leading to closure, irretrievable damage to reputation, ministry/program unable to be continued, none of the aims/goals achieved

Level of Risk (matrix)

Likelihood / Consequence	VERY UNLIKELY	UNLIKELY	MODERATE	LIKELY	VERY LIKELY
INTOLERABLE	Significant	High	High	High	High
MAJOR	Significant	Significant	High	High	High
MODERATE	Medium	Medium	Significant	Significant	High
MINOR	Low	Low	Medium	Significant	Significant
INSIGNIFICANT	Low	Low	Low	Medium	Significant

Responses to the level of Risk Key

Risk rating   Description of how to respond (manage the risk)

LOW RISK   - Regular monitoring – risk management strategies (Hierarchy of Control Measures) used likely to be sufficient to manage the risk

MEDIUM RISK   - Adapt usual risk management strategies, and monitor progress

SIGNIFICANT RISK - Identify management plan for specific risks, continuous monitoring by leaders

HIGH RISK   - Considerable attention will be needed to manage unique needs of the risk situation

ACTIVITY RISK ASSESSMENT TEMPLATE

Description of activity	

	1	2	3	4	5
To what degree is there potential for physical or emotional harm to the participants and/or leaders? (1 – low, 5 – high)	1	2	3	4	5
To what degree is there potential to create personal discomfort for participants or leaders?	1	2	3	4	5
To what degree is there potential for the activity to become emotionally or physically out of control?	1	2	3	4	5
To what degree are the leaders confident that they know what the possible outcomes of activity might be?	1	2	3	4	5
To what degree is there potential that the leader may lose control of the activity, resulting in one or more people [or the leader] being subject to trauma from others?	1	2	3	4	5

Overall level of risk for this activity	High	Medium	Low

Does the benefit of this activity outweigh the possible risks that may be involved for the participants, leader or church?	Yes	No
Can the activity be modified to reduce the possible risks?	Yes	No
Are there critical incident and emergency procedures in place if required?	Yes	No
Does the ministry have suitably trained people to address critical incidents or emergencies?	Yes	No
Has this activity been approved by the church?	Yes	No

What strategies or changes can be implemented to reduce the level of risk in this activity?	

CRITICAL INCIDENT RESPONSE PLAN OVERVIEW

WHAT IS A CRITICAL INCIDENT?

A Critical Incident is an event or set of circumstances that have the potential to result in physical or psychological outcomes ranging from mild trauma to a fatality for one or more people.

It is important to note that a person does not have to be directly involved in the trauma (eg. injury) to be impacted by a critical incident. For example, a critical incident may occur at a youth camp when a young person is notified that their parent has died in an accident. It could be deemed that other young people and leaders at the camp will be psychologically impacted by the announcement of the death and their observation of the response of the young person whose parent has died.

Another example may include a natural disaster, involving widespread death, injury and destruction. The young people involved in a youth group may not have any connection to people who have died or been injured, however, they could be impacted and need support to process what has taken place.

In both of these situations, a *Critical Incident Response Plan* may be warranted to manage the response to this situation.

WHAT IS A CRITICAL INCIDENT RESPONSE PLAN?

A Critical Incident Response Plan is a systematic approach to planning and implementing an immediate and long-term response to a critical incident. It has 3 main stages.

1. Preparedness
2. Response
3. Recovery

Within the *Preparedness* stage, those responsible for ministry programs are responsible for ensuring that people are allocated to specific roles to be exercised during the *Response* stage. It is also important that clear descriptions are allocated to each of those roles and those fulfilling the roles are adequately briefed on their responsibilities. It is not necessary for a separate person to fulfil each role. However, when allocating roles it is advisable to be mindful that in the *Response* stage some actions need to take place simultaneously.

GETTING STARTED...

1. Meet with your ministry team to consider possible critical incidents that may occur during your ministry program either on-site or off-site.

2. Complete the *Preparedness* stage by allocating roles and briefing people on roles and responsibilities. It may be necessary to provide training on roles to adequately equip those fulfilling each specific role.

3. If a critical incident occurs, implement the *Response* stage.

4. After the incident, implement the recovery stage, being mindful that this stage may take longer for different people, depending upon how they have been impacted by the critical incident.

CRITICAL INCIDENT RESPONSE PLAN		
Dimension of Plan	**Role**	**Role Description**
Preparedness	Select people to fulfil the following roles: (*Please note: Some people are likely to have one or more of the roles*)	
	Critical Incident Response Manager	This person is responsible for managing/overseeing the response. They will hold the authority in the situation and direct all others in response. They are responsible for ensuring safe and orderly emergency evacuation and safety measures used during the "Response" period. They are also responsible for liaising with senior church leadership during the "Response" and "Recovery" periods.
	Media Liaison	This person is the only person who has authority to liaise with the media during or after the specific critical incident, excepting in cases where the senior church leadership also chooses to make a media statement. Please note: In fulfilling this role, the Media Liaison person is not to seek out media contact, but respond to unsolicited media attention following guidelines as set down by the Diocese. The person fulfilling this role is also to be approved by Rector/ most senior person in the church.
	Parental/Family Liaison	This person is responsible for notifying the parents or family of any person injured during a critical incident.
	Emergency Services Liaison	This person is responsible for contacting emergency services (*ambulance, fire brigade, police, SES, etc.*) if required.
	Pastoral Support (*immediate & on-going*)	This person is responsible for co-ordinating and providing pastoral support to leaders and people who have been impacted by the critical incident, during the "Response" and "Recovery" periods.
	Supervision of people not involved in critical incident	This person is responsible for ensuring that adequate supervision is provided for all people not immediately involved in the critical incident, during the "Response" period. This person is also responsible for ensuring that all people are not exposed to media attention during the "Response" period.
	Emergency First Aid Officer	This person is responsible for administering emergency first aid, *prior to arrival of emergency medical treatment*, to any person or leader impacted by a critical incident.
	Complete a Risk Assessment & Risk Action Plan for each activity	

Dimension of Plan	Steps	Details
Response	1	Attend to any injured people or leaders
		Supervise/ensure safety of uninjured people
	2	Administer emergency first aid to injured people or leaders
		Notify emergency services as required (*ambulance, fire brigade, police, SES, etc*) and senior church leadership
		Notify the contact person of any injured person or leader
	3	Complete Incident Report Form
	4	Provide pastoral support to all people impacted by the critical incident

Dimension of Plan	Role	Role Description
Recovery	Critical Incident Response Manager	Complete an evaluation of how the critical incident was handled with suggestions for improvement (*eg. How it could be better handled if it occurred in the future, or how to minimise the likelihood of it happening again*) Debrief with senior church leadership & pastoral support person on processes followed and outcomes of Critical Incident Response.
	Pastoral Support	In consultation with parents, family and leaders, develop and implement a debriefing and pastoral support plan for people and leaders impacted by the critical incident.
	Senior Church Leadership	In consultation with Critical Incident Response Manager, prepare a letter to all families of those who were impacted by the critical incident, providing information on a "need to know" basis. In consultation with Critical Incident Response Manager, prepare and submit a briefing paper to the Bishop. Liaise with insurance and legal bodies to ensure compliance in responding to critical incident has been met.
	Bishop's Office	Prepare a media statement regarding the incident to be used if required.

Sample Accident/Incident Report FORM

(Source: Baptist Insurance SERVICES)

Accident/Incident Report
Details of Person(s) involved in Incident Name_____ Address_____ Gender_____ Telephone No_____ Date of Birth _____ Student/Teacher/Contractor/Staff Member/Private Camper/_____(fill in blank if other)
Incident Report documented by: _____ **Date Reported** _____
Details of Incident Time of Incident _____Date of Incident _____ Location of Incident _____ Area/Activity that incident occurred _____ Description of Incident (include drawings/photographs) _____ Which body parts were affected by the incident? Provide Details_____
Witness Statements Name/Address/Telephone no. of witness – Statement _____ _____ _____ _____
Other factors pertinent to the incident? _____ **Weather conditions at the time of the incident?** _____ **Equipment checked and found suitable? Broken or damaged equipment retained** _____ **PPE checked and found suitable?** _____ **What instruction and training was given in relation to the activity?** _____
What was the Root cause of the incident? _____ _____ _____ _____
Corrective Action instigated both immediate and ongoing in relation to the incident _____ _____ _____ _____ _____

Was First Aid given and who was it given by? Provide details refer to First Aid Report

_____
_____
_____
_____

Was medical attention sought as a result of the incident? (provide details if known)

_____
_____
_____
_____

Was there any damage to equipment and or buildings/property due to the incident?
Has Maintenance/Safety Representatives been informed to ensure site is made safe and repairs conducted if applicable?

_____
_____

Has the issue been escalated (where required)?_____
Is the incident a 'Serious Event' notifiable to WorkSafe?_____
 Notified by Phone/facsimile/email? Date

_____
_____
_____

Guidelines in Relation to use of this form
Site specific comments

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Other Details

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