

THE DIOCESE OF BUNBURY

POLICY: FAMILY VIOLENCE AND DOMESTIC ABUSE

Approved by Bishop-in-Council: 29 August 2019

Preamble

Family violence and domestic abuse in all its forms is contrary to Christian beliefs and is a violation of basic human rights, and must not be tolerated

All forms of family violence and domestic abuse are unacceptable and there is never any justification for violence in any shape or form.

People have the right to live in dignity, free from fear and harm in their own home or family or domestic environment.

We recognise the Church is one institution in a network of many where it must be responsible for recognising and referring on cases of abuse to the Police or other relevant statutory authority.

We acknowledge there is growing awareness in society of the extent of family violence and domestic abuse as a crime and recognising it is no longer a private matter to be kept in the family or community.

The Diocese of Bunbury is committed to raising awareness about domestic abuse and family violence and its impact on individuals, children, the worshipping and wider community. The Diocese will work to ensure victim safety and perpetrator accountability. (See Appendix 1)

Definitions

Violence is any act that causes or could cause physical, sexual or psychological harm or suffering including threats of harm or coercion in public or private life. Violence is not only and not always physical. It includes psychological, financial and economic, emotional and sexual violence and abuse and a wide range of controlling, coercive and intimidating behaviours.

Gender based violence is violence specifically directed against a woman because she is a woman; or, that affects women disproportionately.

Domestic violence refers to acts of violence occurring in domestic settings between two people who are, or were, in an intimate relationship. It includes physical, sexual, emotional, psychological and financial or economic abuse.

Family violence is a broader term than domestic abuse and violence as it refers not only to violence between intimate partners but also to violence between family members. This includes, for example, elder abuse and adolescent violence against parents. Family violence includes violent or threatening behavior, or any other form of behavior that coerces or controls a family member or causes that family member to be fearful. In indigenous communities, family violence is often the preferred term as it encapsulates the broader issue of violence within extended families, kinship networks and community relationships, as well as intergenerational issues.

In Australia, violence against women is called many different things, including domestic violence, domestic abuse, family violence, intimate partner violence, sexual harassment and sexual assault.

Policy

The Diocese of Bunbury is absolutely opposed to all behaviours, beliefs, attitudes or words that promote or encourage family violence and domestic abuse. This Diocese actively supports and encourages raising awareness, providing training and education, mentoring, coaching and supporting the church community to adopt this approach. This Diocese will respond actively to ensure the safety of those involved following a disclosure or where such behavior is evidenced, and work to prevent any further victimization or suffering by those affected, in the wider response by the parish community.

This Diocese seeks to ensure churches are places of safety where such activities, behaviours and beliefs about family violence and domestic abuse are rejected; where allegations are taken seriously and those who suffer are believed, respected and alleged abusers are challenged.

This Diocese aims to inform, direct and equip church workers and volunteers to be skilled and trained to respond appropriately with care and support.

The Diocese aims to inform and support those who are survivors of Family Violence and Domestic Abuse with appropriate care, support and information.

Policy Aim

This Policy aims to raise awareness of the issues of Family Violence and Domestic Abuse. It provides a practical guide on how it will respond to disclosures about family violence and domestic abuse. It supports the work of the Anglican Church of Australia in its commitment to addressing and responding effectively to such behavior within the diocese across the parish communities.

This policy applies to all clergy, church workers, parishioners and volunteers.

The Diocese encourages church workers dealing with these issues on behalf of the church to speak with professional supervisors for support or to seek out other therapeutic options. For further information on this aspect of the Policy, please contact the Diocesan Office on 08 9721 2100 or go to the website: www.bunburyanglican.org.au

Practical Support

The Diocese supports all its parishes and communities, and all those employed by the Diocese to seek assistance and support from the parish and the Diocese if leave is required due to circumstances involving family violence and domestic abuse.

Family Violence Leave for Employees and Clergy

Up to 10 working days paid family violence leave is available each year to manage violence in family circumstances. An employee or clergy person may take annual leave or unpaid leave when they have used all their family violence leave. If more is offered than this amount, all leave taking must be agreed and recorded in writing. This will assist in determining for the future whether more needs to be made available or changes made to the current policy.

If an employee or clergy person does not use their family violence leave within 12 months, they cannot carry it over to the next year. If an employee stops working for the Diocese and parish, the Diocese does not have to pay them for the family violence leave they have not taken.

The Diocese will pay employees or clergy persons who take family violence leave. It will pay their relevant daily pay, or average daily pay for each day of leave they take on a day they usually work – an ‘otherwise working day’.

The Diocese and parish can ask for proof an employee or clergy person is affected by family violence. The Diocese does not have to pay the employee until this proof is received, unless the employee has a reasonable reason, such as having to leave home quickly and has not had time to provide the evidence.

Getting proof may not be simple, given the nature of domestic and family violence. Examples of proof may include:

- A letter or email about what’s going on and how it affects the employee from a support organisation – for example, a domestic violence support service
- A report from a doctor or nurse
- A report from a school
- A declaration – a letter of evidence witnessed by an authorised person like a justice of the peace
- Any court or police documents about the domestic violence.

The Diocese’s response and the parish’s response when asking the employee for proof depends on whether the employee or clergy person is taking family violence leave or asking for short-term flexible working arrangements.

In the first instance, the individual should speak to the Warden who is a member of the Oversight Committee to seek support and assistance. This will be advised to the Payroll office in the Diocese to ensure the appropriate leave is noted confidentially and the supporting documentation is included.

If a clergy person is alleged to be the perpetrator, the appropriate processes will be applied to keep the family safe while the clergy person is stood aside and the allegation is reported, investigated and other arrangements made to keep all involved safe.

Procedures

1. Responding to those who have suffered abuse and violence:

- a. Disclosing is a big step and is risky for those involved
- b. Be compassionate, displaying a genuine attitude that is pastoral, gentle, non-judgmental, non-blaming, respectful and reassuring
- c. Meet in a safe environment

- d. Confirm the information is private and confidential unless there are safety concerns for the individual and for any other vulnerable people and children
- e. Be aware of any cultural sensitivities
- f. Be aware of emotional distress or fear
- g. Listen deeply and acknowledge what you have heard
- h. Affirm the importance of the step taken to disclose
- i. Reassure them that their response to the violence and abuse they are experiencing, is ok
- j. Reassure them the violence and abuse is not their fault, there is no excuse for the violence and abuse and the responsibility lies with the person doing the abuse
- k. Violence and abuse is a crime
- l. All individuals have a right to be safe and live free from violence and abuse
- m. Ask what assistance they need
- n. If the alleged abuser is a clergy person, a paid church worker or authorised church worker, the Director of Professional Standards must be informed, as well as the Diocesan Secretary as part of the Safe Church processes.
- o. If the alleged abuser is a clergy person or paid employee or an authorised lay volunteer, the person may be stood aside to ensure the safety of all is maintained for the duration of any investigation and while the provision of support is put in place for all concerned.

2. When responding do NOT:

- a. Take photos of the person who has been abused or their children
- b. Interview or question any of the children involved
- c. Encourage the person abused to forgive or return to the family home
- d. Facilitate mediation between the parties

3. Responding to alleged or known abusers

The Church and Diocese has a very important role in challenging inappropriate behavior. This can lead to increased risks for the person who has been abused and the person challenged or known to have committed the abuse. The responses must be done very carefully and must not put the person who has been abused at increased risk. This means the following should be considered:

Church Workers must NOT:

- a. Meet with the alleged or known abuser alone
- b. Undertake any investigation into the allegations – this must be reported to the correct authorities to investigate
- c. Provide a character witness or be involved in any process which may seem as if the Church supports their position
- d. Allow the alleged abuser to use religious or cultural excuses for their behavior
- e. Pursue counselling or mediation with the individuals if there is awareness there is violence in the relationship
- f. Encourage the person abused to forgive the alleged abuser and or take them back into the home

Church Workers should:

- a. Be aware of the danger the alleged abuser may pose and the need to ensure the safety of all who may meet with them
- b. Be aware the alleged abuser may be polite, seductive, intimidating, in denial or turn threatening and violent
- c. Provide the appropriate level of pastoral support as part of a Team within the Safe Church guidelines and in consultation with members of the Team, not acting in isolation or making decisions alone
- d. If appropriate in the immediate context, encourage the alleged abuser to accept accountability for their actions and seek help to address their behavior
- e. Advise the Director of Professional Standards immediately along with other appropriate authorities including the police and the Priest in Charge.
- f. Understand any alleged or known perpetrator may be subject to a Worshipping Agreement to ensure the safety of those attending the parish and this will be followed up with the Priest-in-Charge and the Diocese.

Summary

The Anglican Church of Australia and the Anglican Diocese of Bunbury are committed to ensuring this Policy on Family Violence and Domestic Abuse in the Anglican Church is implemented, supported and updated as necessary.

The Diocese of Bunbury is actively committed to working with General Synod to support this work on ending family violence and domestic abuse; and to promote the safety and wellbeing of individuals affected by this criminal and unacceptable behaviour.

The Diocese is also committed to teaching the Church's theological response for expressing God's love as stated in this Policy and in our responses to each other in the face of such grievous and unacceptable behaviour, beliefs, language and culture.

Contact Information

WA Police – emergency 000 (for anyone in immediate danger of harm)

WA Police Operations Centre 131 444

Crisis Care 08 9223 1111

1800Respect or 1800 737 732 (national counselling helpline, information and support 24/7)

Women's Domestic Violence Helpline 1800 007 339

Men's Domestic Violence Helpline 1800 000 599

Legal Aid Information Line 1300 650 579

South West Community Legal Centre (08) 9791 3206 or 1800 999 727

Domestic Violence Advocacy and Support Centre 08 9328 1200

Domestic Violence Children's Counselling Service 08 9328 1888

Kids Helpline 1800 551 800

Multicultural Women's Advocacy Service 08 9328 1200

Women's Information Service 1800 199 174

Yorgum Aboriginal Counselling Service 08 9218 9477

Derbarl Yirrigan Health Service 08 9421 3888

Djinda Services 08 9489 6391

Warratah Support Centre (SARC) 08 9791 2884

Comprehensive information may be found by copying the following:

<https://www.dcp.wa.gov.au/CrisisAndEmergency/FDV/Documents/FDV%20Referral%20Guide%20April%202013.pdf>

Appendix 1: Victim Safety and Perpetrator Accountability

1. There is a primary duty of care to the person who has been abused and is suffering from the violence and to focus on their immediate safety and wellbeing needs
2. Those who have suffered family violence and domestic abuse are supported, empowered and encouraged to seek professional care from the relevant authorities in WA.
3. People have a right to privacy and confidentiality within the limits of the law and where safety is not compromised
4. Those who choose to remain or return to a violent environment are provided with pastoral care and support and not criticized or abandoned
5. Those who are suffering the abuse and violence are not made to leave the church community
6. We respond to alleged or known abusers of domestic abuse and family violence primarily as a Safe Church issue and in the wider context of good pastoral care and make sure the vulnerable individuals and children are the primary focus of our care
7. The abuser is asked to take responsibility for their behavior while no blame or responsibility for the violence is attributed to the person who has been abused. The abuser is to be encouraged to take responsibility for their actions and seek appropriate assistance and intervention to take responsibility for and address their abusive attitudes and behavior
8. Any clergy and church workers who perpetrate family violence and domestic abuse where this has been determined, will be subject to the appropriate disciplinary process as outlined in the Professional Standards Statute 2004 where relevant, together with appropriate reporting to the relevant authorities and disciplinary processes outlined in Faithfulness in Service and The Licensing Statute 2017.

Appendix 2: Indicators of Domestic Abuse and Family Violence

The level of violence in domestic abuse increases generally over time and becomes more damaging and severe and occurs more frequently. Early detection and intervention can lessen the risk of more severe harm and even homicide of the person being abused and the impact on any children within the family or domestic situation.

There are many indicators of abuse, and the more there are the greater the risk of homicide.

A referral to the WA Police Service with or without the permission of the person who has been abused should only be made when there are immediate concerns for the person's immediate safety or the safety of others including children and young people. These circumstances include:

- a) Where the person has received life threatening injuries
- b) Injuries have increased in frequency and severity over time
- c) The person is pregnant or has recently given birth
- d) Has recently separated from or is considering separating from an abusive partner

Please Note: Separation is a time of extreme danger. Separation includes the person who has been abused leaving the abuser or the abuser being removed from the home against their will as a result of a violence restraining order (VRO) or police charges.

In addition, the circumstances for the alleged or known abuser where the risk of danger to the person being abused is likely to increase, include being made aware the abuser:

- a. Has access to weapons, particularly firearms and other lethal weapons
- b. Has used a weapon in a recent event
- c. Has previously tried to harm or kill the person being abused
- d. Has previously threatened to harm or kill
- e. Has previously harmed or threatened to harm or kill children or other family members
- f. Has harmed or killed pets or other animals or threatened to do so
- g. Has previously threatened or attempted suicide
- h. Has sexually assaulted the person being abused
- i. Misuses drugs and or alcohol
- j. Has or is stalking the person being abused
- k. Uses obsessive, jealous, controlling behaviours towards the person being abused

- l. Is unemployed
- m. Has previously had a VRO taken out against them
- n. Has previously or is currently in breach of a VRO
- o. Has financial difficulties
- p. Has depression or other mental health illnesses

Please Note: The presence of a mental illness needs to be considered, particularly in relation to other risk factors, including paranoia and a belief the person being abused is an enemy.

Physical Signs and Symptoms

There may be indicators that highlight the possibility abuse and violence is taking place. These include:

- a. Injuries to the head, face, neck, chest, breast, abdomen or genitals
- b. Unexplained physical injuries or musculoskeletal complaints
- c. Multiple and bilateral soft tissue injuries especially contusions and abrasions
- d. Lacerations, bruises, stab wounds, burns, human bites, fractures (particularly of the nose and eye orbits) and spiral wrist fractures
- e. Bruises of various ages and multiple injuries such as bruises, burns and scars in different stages of healing
- f. Signs of hair being pulled out
- g. Sexual assault
- h. Lethargy, malaise and fatigue
- i. Ruptured eardrums
- j. A history of gynaecological problems, miscarriages, chronic pelvic pain
- k. Headaches, migraines, dizziness
- l. Insomnia
- m. Chest pain, palpitations hyperventilation
- n. Gastrointestinal disorders and eating disorders

Pregnancy

Women are at increased risk of domestic abuse and violence commencing or increasing during pregnancy. Women who are abused during pregnancy are at greater risk during this time. Risk factors include:

- a. Minimal or late attendance for antenatal care
- b. Unintended or unwanted pregnancy
- c. Injuries or vaginal bleeding during pregnancy
- d. Miscarriage or other pregnancy complications
- e. Low birth weight of infant
- f. Seeking a termination of the pregnancy

Psychological and emotional indicators

Recurring domestic abuse can lead to other illnesses and emotional problems that may not immediately seem related to domestic abuse and violence. These include:

- a. Increased psychological arousal
- b. Intrusive thoughts and flashbacks
- c. Sleeping difficulties and nightmares
- d. Difficulty concentrating
- e. Hyper-arousal and hyper vigilance
- f. Disassociation
- g. Repeated visits to a health service or GP for stress related symptoms
- h. Emotional distress such as anxiety, indecisiveness, confusion, hostility, panic attacks
- i. Depression
- j. Self-harming behaviours
- k. Suicidal thoughts and or attempts
- l. Drug and alcohol abuse including dependence on tranquillisers and alcohol

Presentation and history

- a. The person being abused is hesitant or evasive when describing injuries
- b. Minimizes the injuries and pain
- c. Distress is disproportionate to the injury which may be minimized – ‘I walked into a door’
- d. Uncomfortable or anxious in the presence of their partner
- e. Makes excuses for the abuser’s violent behavior

- f. Withdraws from touch and affection
- g. Substantial delay before seeking medical treatment
- h. Multiple presentations at health service for vague symptoms
- i. Partner or family member presents with the person who has been abused and insists on staying with the individual and speaks on their behalf
- j. Record of suspicion of previous abuses
- k. Misuses drugs and or alcohol including prescribed drugs
- l. Insecure housing
- m. Financial problems

While these risk factors are listed, it is not a comprehensive list.