



***Supplementary Document to Parliament Inquiry into the Handling
of Child Abuse by Religious and Other Organisations***

21st September 2012

Process:

- i) The number and dates of complaints that have been received;

Prior to 1995 the Local Churches managed incidents as they arose. The BUV Office has limited records of how many complaints were handled by local churches.

From 1995 to 2005

1 Lay Leader

From 2005

1 Youth Pastor 2005

1 Lay Leader 2010

1 Lay Leader 2011

1 Minister 2011

3 Historical Complaints also came to light in this time.

1 Minister – now deceased

1 Lay Leader

1 Lay Leader

- ii) The manner in which the complaints were or are treated or the processes, if any, put in place to deal with complaints including;

a) The date the process was put in place;

b) The level within your organisation that was/is responsible for the handling of complaints;

From 1995 to 2005

A Ministry Perspective on Child Abuse. Developed in June 1995. The BUV's Advisory Board together with the General Superintendent (now known as Director of Mission & Ministries) were responsible for handling complaints.

From 2005

- The ***Misconduct by Pastors – Complaint Procedures*** which detailed the process by which the Professional Standards Group together with the Professional Standards Worker processed complaints, was developed in 2005. In 2008 this was revised following feedback including from

victims and respondents, and became the ***Complaints Procedure for Allegations of Misconduct by Pastoral Leaders***

- Historical complaints were treated on an individual basis. The principles outlined in the Complaint Procedure document states:-

*The principle of justice to those who have been victimized underpins this document.
The church will stand in solidarity with those who have been victims.
Pg 6 Complaint Procedure for Allegations of Misconduct by Pastoral Leaders Revised May 2008*

- c) Any instructions issued within your organisation regarding reporting of complaints;

There are a number detailed in the complaints documents.

- d) Whether there was any follow up in your organisation on receipt of a complaint, regarding the possibility of similar conduct the subject of a complaint in respect of others;

No as per the investigation process.

- e) Was there any change in the process if the person the subject of the complaint had previously been the subject of another complaint;

No change to the process, this information formed part of the investigation.

- f) Any instruction or documentation setting out the protocols for dealing with complaints. If so, please provide the Committee with copies of such documents.

Complaints Procedure for Allegations of Misconduct by Pastoral Leaders

- iii) Whether the manner in which the complaints were treated or the processes of dealing with them has changed, and if so, the details of those changes including;
 - a) The date that changes to the process were introduced;
 - b) The level within your organisation that is responsible for the handling of complaints;
 - c) Any instructions issued within your organisation regarding reporting of complaints;
 - d) Whether there is any follow up in your organisation on receipt of a complaints, regarding the possibility of similar conduct the subject of the complaint in respond of others;
 - e) Was there any change in the process if the person the subject of the complaint had previously been the subject of another complaint;
 - f) Any instruction or documentation setting out the protocols for dealing with complaints. If so, please provide the Committee with copies of such documents;
- iv) If the manner in which the complaints were treated or processed has changed, the number and dates of complaints received since those changes were implemented;

Questions iii) and iv) are covered above in answer to questions ii).

- v) If the manner in which complaints were treated or processed has changed, whether those who made previous complaints were informed of those changes or their complaint reconsidered in accordance with those changes;

No

- vi) Whether complaints amounting to criminal conduct were or are referred to police and if so;

a) The number and dates of the complaints that were referred to police;

1 Youth Pastor 2005

1 Youth Leader 2010

1 Youth Leader 2011

1 Minister 2011

b) Any process, instructions or recommendations within your organisation made to facilitate police inquiries on receipt of a complaint. Please provide the Committee with copies of any relevant documents.

c) What process is in place in your organisation if a complaint is rejected.

A complaint of Child Sexual Abuse would not be rejected. All complaints are taken seriously and investigated in some form. As a principle the BUV will stand in solidarity with those who have been victims.

Compensation/Support:

- i) Whether the person making the complaint (a complainant) has received financial compensation from your organisation;

Not aware of any.

- ii) The number of complainants who have received financial compensation from your organisation;

Not aware of any.

- iii) Whether any financial compensation received by a complainant is the subject of a confidentiality agreement. If so, please provide the Committee with the form of confidentiality agreement;

Not aware of any.

- iv) Were there any instances where a person's conduct was the subject of more than one confidentiality agreement. If so, the number and dates of occasions that this occurred;

No.

- v) When, if at all, was insurance taken out by your organisation to cover liability arising from a complaint;

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- vi) Whether your organisation has set up its own process for claiming and determining compensation as a consequence of a complaint;

No.

- vii) If your organisation has set up a process for compensation, does that preclude a complainant applying for compensation elsewhere;

N/A

- viii) If your organisation has set up a process for compensation, is the process conducted by an external body, an external body appointed by your organisation or an internal body of your organisation;

N/A

- ix) What supports, if any, including counselling, was or is a complainant offered once a complaint is made.

An Advisor is appointed for the victim. The Professional Standards Worker and Advisor ensure that the victim and their family have access to Pastoral Care as they require. Victims are encouraged to access a Counselor, either one they know or one that BUV recommends. All Counselors are independent of BUV. BUV will cover the cost for initial and sometimes long term sessions as required.

Consequences of complaint:

- i) What procedures are adopted in respect of the person the subject of a complaint;

BUV has a policy that a Minister who is responsible for criminal child sexual abuse will have their accreditation as a Baptist Minister removed and will no longer be able to minister as a Baptist Minister. This is outlined in the BUV Code of Ethics document:-

The document titled "Complaint Procedure for Allegations of Misconduct by Pastoral Leaders" outlines the process undertaken when misconduct occurs. Some of the principles underpinning that process are compassion, accountability, natural justice, healing and where appropriate, restoration to ministry. However, in some circumstances restoration to ministry will not be possible. These circumstances include when the misconduct is adult to child sexual abuse, where the misconduct involves significant violence or significant predatory behaviour by the Pastoral Leader.

Pg 1 Code of Ethics Companion Guide Updated 2011

- ii) Whether your organisation or an external agency is responsible for any disciplinary action being taken against the person the subject of a complaint;

BUV has a policy that a Minister who is responsible for criminal child sexual abuse will have their accreditation as a Baptist Minister removed and will no longer be able to serve as a Baptist Minister.

- iii) Whether the details of a complaint and the person the subject of a complaint are recorded and available to others in the organisation or to the public.

Yes recorded and passed on as appropriate.

- iv) What procedures or processes if any are adopted to reduce the risk the person the subject of the complaint will re-offend.

If the person who is the subject of the complaint wants to attend a Baptist Church **An Australian Baptist Response to Persons of Concern – Individual Accountability & Safety Agreements** process is implemented.

- v) When were such procedures or processes to reduce the risk the person would re-offend put in place.

Since 2007 BUV through the Professional Standards Worker has provided Church Leaderships with a template of a Safety and Accountability Agreement to be used with known and alleged offenders who attend a Baptist Church. This agreement sets out a safety plan, which addresses the offender's offending history, and guidelines the offender agrees to abide by.

In 2011 a more formal process of managing alleged and proven offenders was developed. **An Australian Baptist Response to Persons of Concern – Individual Accountability & Safety Agreements** was rolled out across all Baptist Churches in Australia.

Review/Policy:

- i) Whether there are avenues for review/appeal of a decision made regarding a complaint;

Yes there is an Appeal process.

- ii) Whether any review/appeal is carried out by an external body, an external body appointed by your organisation or your organisation;

No the Appeal is not carried out by an external body.

- iii) What, if any accountability mechanisms apply to your organisation's policy/process and are they open to outside scrutiny or review.

None officially but external people eg. police, insurance, social workers, other denominations, victims have seen them and commented on them.
