

Safe Places... Safe People



Submission to the Inquiry Into the
Handling of Child Abuse by
Religious and Other Organisations:

Victorian Conference of the Seventh-day Adventist Church

21 September 2012



SafePlaceServices

21 September 2012

Family and Community Development Committee
Parliament House
Spring Street
EAST MELBOURNE VIC 3002

Email to: fcfdc@parliament.vic.gov

Dear Executive Officer of the Family and Community Development Committee

Re: Inquiry Into The Handling Of Child Abuse By Religious And Other Organisations

The Seventh-day Adventist Church in Victoria wishes to congratulate the Victorian Parliament on their decision to implement a *Parliamentary Inquiry Into the Handling of Child Abuse by Religious and Other Organisations*.

As a Church organisation we welcome this opportunity to review our Policies, Processes and Protocols and are pleased to submit our response in relation to the Inquiry's Terms of Reference.

The Victorian Conference of the Seventh-day Adventist Church places a high value on the care and protection of children, young people and vulnerable persons. The Church considers that the Bible highlights a 'Spiritual Imperative' to provide for the safety of children, youth and vulnerable persons. These individuals are perceived to be precious gifts from God entrusted to the care of parents, family, community of faith and society-at-large. The Church believes that children possess enormous potential for making positive contributions to the Church and to society. Attention to their care, protection and development is therefore extremely important and an honourable and humbling privilege.

Please do not hesitate to contact Susan Mercer, our Safe Places Coordinator, for any further enquiries into this submission at smercerc@adventist.org.au or 03)92647704.

Yours sincerely



Pr. Wayne Stanley
President
Victorian Conference of the Seventh-day Adventist Church

TABLE OF CONTENTS

SECTION 1: INTRODUCTION **5**

1.1 SDA CHRISTIAN FAITH PERSPECTIVE	5
1.2 SPIRITUAL IMPERATIVE TO PROTECT CHILDREN AND VULNERABLE PEOPLE	5
1.3 CONNECTION TO 'SISTERHOOD OF CHURCHES'	7
1.4 ENTITIES WITHIN VICTORIA	9
1.5 HISTORICAL BACKGROUND TO THE DEVELOPMENT OF <i>SAFE PLACE SERVICES</i>	9

SECTION 2: CURRENT POLICIES AND CODE OF CONDUCT **22**

2.1 POLICIES	22
2.2 CODE OF CONDUCT	22

SECTION 3: PROCESSES AND PRACTICES **24**

3.1 COLLABORATION WITH ASSOCIATED ENTITIES WITHIN THE VICTORIAN CONFERENCE	24
3.2 APPOINTMENT OF A LOCAL CHURCH SAFE PLACE COORDINATOR	24
3.3 SCREENING OF VOLUNTEERS AND WORKING WITH CHILDREN CHECK (WWCC)	24
3.4 VOLUNTEER DATA & APPLICATION FORM	25
3.5 PROVISION OF SAFE PLACES TRAINING	26
3.6 ADHERENCE TO THE TWO PERSON RULE	26
3.8 OBSERVANCE OF APPROPRIATE SUPERVISION RATIOS	27
3.9 UPHOLDING OF SIGN IN/OUT PROCEDURES	27
3.10 EXECUTION OF 'ARENAS OF SAFETY' AND SHARED RESPONSIBILITY WITHIN ACTIVITIES OF THE LOCAL CHURCH	27
3.11 IMPLEMENTATION OF APPROPRIATE RESPONSE TO SUSPECTED OR ALLEGED INSTANCES OF CRIMINAL CHILD ABUSE	28
3.12 DISCHARGE OF APPROPRIATE RESPONSE TO PROVEN INSTANCES OF CRIMINAL CHILD ABUSE	28
3.13 COLLABORATION ACROSS EXTERNAL ENTITIES	29
3.14 PROVISION OF APPROPRIATE RESPONSE AND ONGOING SUPPORT TO CHURCHES IN CRISIS	29
3.15 COMMITMENT TO THE PROVISION OF RESOURCES	32

SECTION 4: PROTOCOLS AND PROCEDURES **33**

4.1 MANDATORY REPORTING	33
4.2 LIAISON AND REFERRAL	34

**SECTION 5: ANSWERS TO QUESTIONS 11-17 AS OUTLINED IN THE
SUBMISSION GUIDELINE: INQUIRY INTO THE HANDLING OF CHILD ABUSE BY
RELIGIOUS AND OTHER ORGANISATIONS** **35**

5.1 QUESTION 11. RESPONSES TO REPORTS OF CHILD ABUSE WITHIN RELIGIOUS AND OTHER ORGANISATIONS	35
5.2 QUESTION 12. INVESTIGATING REPORTS OF CHILD ABUSE	43
5.3 QUESTION 13. LAW AND LEGAL PROCESSES	45
5.4 QUESTION 14. RESPONDING TO OFFENDERS AND ALLEGED OFFENDERS	53
5.5 QUESTION 15. DATA, PRIVACY AND PUBLIC INTEREST	56
5.6 QUESTION 16. PREVENTION	58
5.7 QUESTION 17. RELATIONSHIPS WITH EXTERNAL BODIES AND ORGANISATIONS	62

SECTION 6: CONCLUSION **65**



SECTION 1: INTRODUCTION

1.1 SDA Christian Faith Perspective

Seventh-day Adventists are followers of Jesus Christ who believe that all people are created by God and are therefore of great worth. Adventists have a holistic understanding of our being and believe that the mental, spiritual, physical and relational aspects of our lives are intimately connected. Through our churches and other institutions, Adventists seek to build communities where people are free to grow and develop in their relationship with Jesus and others in a healthy and safe environment.

As part of our holistic approach to our faith and health, Adventists practice a weekly rest day on the seventh-day of the week. Adventists also live with the hope that Jesus will return in the future. Prior to His return we believe that we have a responsibility to contribute to making the world a better place. Adventists take seriously the words of Jesus, *“Let the little children come to me, and do not hinder them, for the kingdom of God belongs to such as these.”* Mark 10:14.

The Seventh-day Adventist Church is pleased to provide this report as part of its commitment to being a safe community. **Safe Places...Safe People**

1.2 Spiritual Imperative to Protect Children and Vulnerable People Statement on the Nurture and Protection of Children¹

Seventh-day Adventists place a high value on children. In the light of the Bible they are seen as precious gifts from God entrusted to the care of parents, family, community of faith and society-at-large. Children possess enormous potential for

¹ <http://adventist.org/beliefs/statements/children.html> (2010)
<http://adventist.org/beliefs/statements/main-stat51.html> (2000)
<http://adventist.org/beliefs/statements/main-stat41.html> (1997)

making positive contributions to the Church and to society. Attention to their care, protection and development is extremely important.

The Seventh-day Adventist Church reaffirms and extends its longstanding efforts to nurture and safeguard children and youth from persons, known and unknown, whose actions perpetrate any form of abuse and violence against them and/or sexually exploit them. Jesus modelled the kind of respect, nurture, and protection children should be able to expect from adults entrusted with their care. Some of His strongest words of reproof were directed toward those who would harm them. Because of the trusting nature and dependence of children upon older and wiser adults and the life-changing consequences when this trust is breached, children require vigilant protection.

Redemptive Correction

The Seventh-day Adventist Church places a priority on church-based parent education that helps parents develop the skills necessary for a redemptive approach to correction. Many children experience harsh punishment in the name of a biblical approach to discipline. Correction characterized by severe, punitive, dictatorial control often leads to resentment and rebellion. Such harsh discipline is also associated with heightened risk for physical and psychological harm to children as well as increased likelihood the youth will resort to coercion and violence in resolving their differences with others. By contrast, examples from Scripture as well as a large body of research confirm the effectiveness of more gentle forms of discipline that allow children to learn through reasoning and experiencing the consequences of their choices. Such milder measures have been demonstrated to increase the likelihood children will make life-affirming choices and espouse parental values as they mature.

Making Church a Safe Place for Children

The Church also takes seriously its responsibility to minimize the risk for child sexual abuse and violence against children in the congregational setting. First and foremost, church leaders and members must themselves live by a strict code of ethics that precludes even the appearance of evil as regards the exploitation of minors for the gratification of adult desires. Other practical measures toward making church a safe place for children include attention to the safety of the church facility and its surroundings and the careful supervision and monitoring of children and their environment during all church-related activities. Education regarding what constitutes appropriate and inappropriate interaction between adults and children, the warning signs of abuse and violence, and the specific steps to be followed should inappropriate behaviour be reported or suspected are vitally important. Pastors and church leaders who are visible and approachable play an important role in prevention as well as in responding well to the needs of children whose safety may have been jeopardized. Regular updates are needed regarding their moral and legal responsibility to report child abuse to appropriate civil

authorities. The designation of trained personnel and specific protocols at wider levels of Church organization will help to ensure appropriate action and follow-through when abuse is reported within the church setting.

Because of the complex nature of the problem of child sexual abuse and violence against children, intervention and treatment of perpetrators requires resources beyond the scope of ministry provided by the local church. However, the presence of a known perpetrator in a congregation calls for the highest levels of vigilance. While perpetrators should be held fully responsible for their own behaviour, the supervision of persons with a history of inappropriate behaviour is necessary to ensure that such persons maintain appropriate distance and refrain from all contact with children during church-related activities. Provision for alternative opportunities for perpetrators to grow spiritually in settings where children are not present greatly enhances child protection.

Fostering Emotional and Spiritual Healing

Children who have been personally victimized or who have witnessed disturbing events need the care of adults who treat them with sensitivity and understanding. Practical support that helps children and families maintain stability in the midst of turmoil empowers victims and their families and promotes healing. The Church's commitment to breaking the silence frequently associated with child sexual abuse and violence, its efforts toward advocacy and justice for all victims, and deliberate action to safeguard children from all forms of abuse and violence will contribute much toward the emotional and spiritual recovery of all concerned. The Church regards the nurture and protection of children as a sacred trust.²

1.2 Connection to 'Sisterhood of Churches'

With a little over 10,000 members, the Victorian Conference is an organisational unit of the worldwide Seventh-day Adventist Church. The North Fitzroy Church, originally known as the Melbourne Church, was organised on 10th January 1886. It was the first Seventh-day Adventist Church established in Australia and the first in the Southern Hemisphere.³

The Seventh-day Adventist Church uses a representative form of church governance. This means members of Local Churches elect representative bodies

² This statement was approved and voted by the Executive Committee of the General Conference of Seventh-day Adventists on June 23, 2010, and released at the General Conference Session in Atlanta, Georgia, June 24-July 3, 2010. It has been informed by the principles expressed in the following biblical passages: Lev. 18:6; 2 Sam. 13:1-11; 1 Kings 17:17-23; Ps. 9: 9, 12, 16-18; 11:5-7; 22:24; 34:18; 127:3-5; 128:3-4; Prov. 31:8-9; Is. 1:16-17; Jer. 22:3; Matt. 18:1-6; 21:9, 15-16; Mark 9:37; 10:13-16; Eph. 6:4; Col. 3:21; 1Tim. 5:8; Heb. 13:3.) See also "Seventh-day Adventists Speak Up For Ending Violence Against Women and Girls" <http://www.adventist.org/beliefs/statements/violence.html>

³ <http://northfitzroy-adventist-org-au.adventistconnect.org/history-of-the-north-fitzroy-seventh-day-adventist-church>

and officers to carry out the day-to-day work of the church. The four levels of governance in ascending order are:

1. Local Church
2. Conference, Mission or Field
3. Union Conference or Union Mission
4. General Conference

Each level is formed and elected democratically and operates various institutions, such as:

- Education
- Health care
- Publishing
- Media (radio, print, television, web and satellite)
- Aid and development
- Family relations

1. Local Church

The Local Church is a body of individual believers. For example Nunawading is a Local Church in Melbourne.

2. Conference, Mission or Field

The Conference, Mission or Field is a body of churches in a particular state, province or territory. Nunawading Seventh-day Adventist Church is part of the Victorian Conference.

If the body of churches is self-supporting, it is a Conference. If not, it is designated as a 'Mission' or 'Field'.

3. Union Conference of Union Mission

The Union Conference or Union Mission is a body of Conferences or Missions or fields within a larger territory. The Victorian Conference is part of the Australian Union Conference (**AUC**).

4. General Conference

The General Conference (**GC**) is the worldwide headquarters of the church. It has 13 Divisions, each consisting of a body of Union Conferences or Union Missions. Each Division has its own administrative responsibility. The Australian Union Conference is part of the South Pacific Division (**SPD**) of the General Conference.

The Church also operates a variety of educational, health-care, publishing and other institutions within these four levels. All levels of the Church, including these institutions, have representation at the General Conference.

1.3 Entities within Victoria

The Victorian Conference of the Seventh-day Adventist Church is active in providing a range of services to the youngest and the most vulnerable including schools and aged care.⁴

The Victorian Conference of the Seventh-day Adventist Church through Seventh-day Adventist Schools (Victoria) Ltd. owns and operates seven schools within Victoria. These are registered through the Victorian Registration and Qualifications Authority and are compliant with all legislative requirements. All teachers are registered with the Victorian Institute of Teaching (VIT)⁵ and are bound by the VIT Code of Conduct⁶ including mandatory reporting of abuse of children. All new teachers to Victoria are given training regarding all aspects of the VIT Code of Conduct and refresher courses take place regularly within school settings.

1.4 Historical Background to the Development of Safe Place Services

Over the past decade, the Seventh-day Adventist Church has introduced a range of policies and guidelines to deal with sexual abuse and it is now entering a new era where leadership and membership are approaching this issue with a greater sense of awareness, candour, compassion and resolve to minimize its frequency.

Original Aims for Safe Place Services (Previously called Adventist Support)

The original Aims for Safe Place Services, established in 2000, was to provide a central point-of-contact across all levels of the Church organization for:

1. Information and advice regarding sexual abuse and harassment.
2. Complaints alleging sexual harassment (of adults) and sexual abuse (of children) by Church workers (employees and volunteers) to be submitted and investigated.
3. Training and resourcing of both employees and laity.
4. Support for victims of sexual harassment and abuse ensuring that the Church responded in a responsible manner.
5. Review of the Church's handling of matters, as necessary, including providing advice and recommendations on improvements to systems and processes.

Original Objectives

1. To keep existing Church departments and administrative positions independent and at arm's-length from the Church's organizational response.

⁴ <http://vic.adventist.org.au/>

⁵ <http://www.vit.vic.edu.au/Pages/default.aspx>

⁶ <http://www.vit.vic.edu.au/conduct/victorian-teaching-profession-code-of-conduct/Pages/default.aspx>

Rationale:

- To avoid the appearance that the Church's response is 'self-serving'
 - To maintain objectivity of recommendations and advice
 - To meet the expectations of the public and victim's groups for such Units to be separated from Church leaders
2. To have the Church's organizational response overseen by a Management Committee of employed staff as well as people with professional qualifications and experience in the fields of sexual abuse and assault.
 3. To establish a new dedicated service to operationalize these aims and objectives.

A Summary of Precursors to Adventist Support

1. The *Adventist Family Study* (Strahan, 1995), and *Valuegenesis* study (Hughes, 1993) of Adventist youth, both found rates of abuse within the Adventist Church that were similar to prevalence rates reported in other Australian-based studies.
2. In 1998 the *Sydney Adventist Hospital Christian Centre for Bioethics* convened a conference on *Sexual Abuse within the Church* attended by Church leaders, employers and laity within the denomination across Australia and New Zealand. A keynote speaker was Ray Wyre, a specialist in paedophilia from the United Kingdom who had made submissions to the *Royal Commission into the NSW Police Force* (see Justice Wood, 1997, volume 5, *The Paedophile Inquiry*).
3. After the Bioethics conference, an *Abuse and Harassment Committee* was established to propose a model for the Church's response to these sensitive issues. Adventist Support commenced operation in 2000 and changed its name to *Safe Place Services* (SPS) in 2007. A *Domestic Violence Taskforce* was also established which operated from 1999 until 2010 when it became part of the *Family Ministry* portfolio of the Church's departments.

Summary of Key Events

- 2000** *Adventist Support* commences
- 2003** December, NSW Supreme Court Review of Investigative Process
- 2004** Policies and procedures reviewed
- 2005** Appointment of external firm to conduct investigations
- 2006** *Safe Place Services & Safe Place Committee* model proposed for Local Conferences
- 2008** Platform of policies reviewed
- 2009** Targeting of investigations to employee and appointed volunteers
- 2010** Targeting of investigations to child-related cases

Key Developments (1990 to 2000)

Prior to 1990, there were a series of constructive, if limited, responses to the issue of child abuse in the church. These events or important 'tipping points' moved the Seventh-day Adventist Church in Australia towards a more definitive course of action on this issue.

- **1990 - Statement on Family Violence / Child Sexual Abuse**— prepared by the *Family Ministry Advisory* and adopted by SPD and released in the *Record*⁷. (GC adapted)
- **1991 - Series of 3 Brochures** on the topic of Child Sexual Abuse was produced and distributed by the Trans Tasman Union Conference (TTUC, now known as the Australian Union Conference -AUC).
- **Late 1991 – A Conference on Child Sexual Abuse** was held in Sydney and organized by women lay leaders. (Featuring Helen Last from Centre Against Sexual Assault (CASA) in Melbourne).
- **A Report of this Conference appeared in the *Record* in early 1992.** The article drew attention to issues reported at the Conference, that “family violence and abuse were as prevalent in the Christian community as in the wider community”. It further reported that perpetrators of abuse were commonly Christian men, including Church Leaders and Ministers.

One Letter to the Editor claimed that this assertion was not true of the Adventist Church and that no such evidence existed. This article and that letter in particular, precipitated a reaction from church members that was unparalleled, in the experience of the editor, both in quantity, diversity and passion of response. – e.g. “I’m the statistic you’re looking for.”

Valuegenesis Research⁸

The Valuegenesis research study commissioned by the Adventist Church was first conducted between 1992-1994.

Valuegenesis I (1992)

- The first study targeted High School Students (12-18 years) in Australia but the study did not include reference to violent or abusive behaviours.

Valuegenesis II (1994).

- When it came time to do the second study targeting young Adventist adults (18–25 years) questions on abuse were included.

⁷ <http://record.net.au/> The RECORD is the official news magazine for the Seventh-day Adventist Church. It is used to communicate to all church members in the South Pacific Division.

⁸ Craig, B and Strahan, B (1996) *Responding to Abuse in Religious Families. The Adventist Experience*. Paper presented at the Australian Institute of Family Studies Research Conference, Brisbane, November, 1996.

Game, A B (1996) *Valuegenesis Tertiary Students Study*.

Strahan, B with Craig, B (1995) *Marriage, Family and Religion*. Adventist Institute of Family Relations: Sydney, Australia.

Craig, B & Strahan, B (1996) *Responding to Abuse in Religious Families. The Adventist Experience*.

Valuegenesis II Outcomes

- Little apparent difference between the rates of abuse in the Adventist community and the community at large.
- Nearly 30% of the sample reported having experienced abuse of some kind (38.1% of women and 18.3% of men).
- 28.8% of women and 5.1% males reported having experienced sexual abuse
- 15% of victims reported that the abuse had occurred almost every day
- Participants reported that over 50% of the perpetrators of abuse had attended church, with nearly 20% of perpetrators being involved in church leadership

This research did much to fracture the denial about the existence and prevalence of abuse and violence within the Seventh-day Adventist Church community and was a significant 'tipping point' and catalyst for future prevention, early intervention and education in these areas.

Valuegenesis III has been conducted and preliminary findings are being collated for distribution and discussion.

Understanding and Dealing with Family Violence – Family Ministries Resource

Following on from the *Valuegenesis* studies, the *South Pacific Division Family Ministries Department* produced a 30-page resource for pastors, entitled ***Understanding and Dealing with Family Violence***. This document discussed Domestic Violence and Child Sexual Abuse, and it was intended that it be released in conjunction with a workshop for pastors to help them in responding to abuse and violence issues within the Church.

Too Close to Home

Trans Tasman Union Conference (TTUC) (now AUC) produced a 34-minute video addressing the issues of sexual abuse in a clear, dramatic fashion for distribution amongst the local churches. This video was also used by many other Christian denominations.

1998 – Conference on Sexual Abuse within the Church

This significant conference was organized by Tom Ludowici from the *Christian Centre for Bioethics*. Employees and laity from all levels of the Church in Australia and New Zealand attended.

Issues were presented in a very graphic form by Ray Wyre, a specialist in paedophilia based in the United Kingdom, and by Helen Last, from Melbourne, well-known for her work in advocacy for victims of abuse in churches.

Major themes that emerged from this Conference which became influential in moulding and shaping the Australian Seventh-day Adventist Church's thinking and approaches were:

1. That there was a need to develop an '*aware culture*' within the Church that understood abuse, abusers and victims of abuse.
2. That concomitantly, there was need for '*Arenas of Safety*'. The Church, as an aware culture, needed to be a safe environment in which members, employees and volunteers understood clearly identified '*Boundaries*'. The Church also needed to name and address all transgressions of these boundaries.
3. There was a need to recognize that there existed a '*reluctance to disclose abuse*', or to act on behalf of those who disclosed.
4. The Church must be proactive in educating its constituents and employees in issues of abuse and harassment, and in establishing procedures and policies that help contribute to safety for all who may encounter the many facets of the Church.
5. The Church also needed to call on its spiritual heritage to be truly pastoral in confronting the issues, standing up for the abused and those wrongly accused, and offering a ministry of healing and reconciliation.

Conference on Sexual Abuse - July 1999

This Conference was convened by a committee of employees and non-employees of the Seventh-day Adventist Church in Perth, Western Australia. Invitations and advertising for the conference targeted Church employees and the wider Christian community.

Presenters at this Conference came from a variety of organizations and provided an excellent resource to those who attended.

At the time of the Conference awareness and concern about child sexual abuse within the Church was growing, but there was as yet no official strategy or initiative proposed to deal with it.

It can be noted that transforming Church culture is not something that has happened very easily or quickly – yet, it has been affected intentionally and has mostly occurred slowly over time.

The 'Tipping Point'

A further catalyst for change occurred following the conviction of a Seventh-day Adventist Church Elder in Western Australia for. The conviction received wide media

coverage, and drove home the reality of child abuse (and the possibility of child abuse) within the Church community.

There was a genuine fear and concern that a failure to do something to protect victims and the Church could ultimately result in more adverse events in the future.

Abuse and Harassment Committee established

As a direct response to this conversation conviction and in following the *Conference on Sexual Abuse within the Church*, the SPD established a taskforce to explore what strategies needed to be put in place to respond to victims of abuse by church workers.

The ***Abuse and Harassment Committee*** was commissioned at the mid- year meeting of the SPD Executive. This committee's task was to:

1. Formulate procedures and guidelines for dealing with complaints of Sexual Abuse and Misconduct against employed and voluntary church workers;
2. Develop preventative strategies that would help to create an awareness in the church of appropriate 'sexual boundaries', as well as provide a 'safe place' for those who work and worship in it.

The ***Abuse and Harassment Committee*** conferred widely with many other (12) organisations and denominations to learn what they were doing to respond to Sexual Abuse within the Christian community.

The results of this collaborative response were issued in a 70 page document entitled:

"Procedures for Dealing with Complaints About Sexual Abuse and Misconduct in Church Relationships Involving Denominational Employees and Voluntary Church Workers".

The document proposed a **structured approach** with an emphasis on **pastoral care** and included a section on Sexual Abuse as a **theological issue** and challenged the Church to deal redemptively with both the victim and the perpetrator, responding to them with understanding, compassion and justice.

The Development of Adventist Support

The suggested process in this document for dealing with Sexual Abuse within the Seventh-day Adventist Church had three basic components:

1. **An Anonymous Telephone "Hotline" Service** to maintain confidentiality for victims

2. **A Complaints Process which included the Professional Standards Committee (PSC)** to provide understanding and justice for complainants and perpetrators.
3. **An Office** - to provide management and support for the services offered, which commenced in February 2000.

The 1800 Telephone Support Line commenced on 1 **February 2000** and was operated 24/7 by a roster of trained volunteer counsellors who were the first point of contact for those who telephoned. These counsellors received and processed complaints, and provided a pastoral response for victims and complainants.

The Professional Standards Committee (PSC) also commenced operations in February 2000 with careful selection of personnel, (at least 50% were female; there was no Church administrator or institutional CEO; four Adventist professional volunteers, and two Non-Adventist professionals, plus three voluntary consultants with specialties in law, performance assessment and clinical practice).

The PSC **investigated complaints** and **made recommendations** they considered to be appropriate and compassionate to the relevant employing body.

In dealing with complaints, the Committee quickly realized there was no simple 'one size fits all' approach and that complex situations frequently defied an easy application of standard procedures. This was particularly axiomatic when statutory bodies and legal processes were involved.

The Establishment of the Office of Pastoral Support was a significant step for the Seventh-day Adventist Church in Australia and New Zealand.

This Office endeavoured to recognise and address issues of sexual abuse and misconduct by:

- Providing an alternative to other established legal processes - without ignoring or replacing those processes
- Operating and maintaining the Telephone Hotline Service
- Appointing, training and supervising 'Contact Persons' and 'Pastoral Carers'
- Arranging for appropriate Pastoral Support to be given to alleged victims and alleged offenders
- Arranging regular case meetings and maintaining administrative processes

- Helping to raise awareness and a sense of responsibility about sexual abuse and misconduct among the Local Churches and Church institutions.
- Providing educational and training resources to members, employees, congregations, schools, and administrators that featured:
 - a) **Workshops on ‘personal boundaries’** for Ministers & Ministerial students
 - b) **Workshops** in writing **Child Protection Policies** for Local Churches and Schools
 - c) **In-service training in child protection** for School Staff.

A Management Committee was also established to oversee the total operation of the program.

All Conferences in Australia and New Zealand were visited. Meetings were convened with Administrators and Employees to orientate them all to the new procedures for dealing with complaints about sexual abuse and misconduct.

It was also envisaged at the time, that **each Conference** would be invited to establish a Standing Committee to deal with the issue of Child Sexual Abuse in their ‘local field’ and that their primary focus would be to work with the *Office of Pastoral Support* in providing education and the development of ‘Child Protection Policies’ for Local Churches and Schools. (These committees are now referred to as **Conference Safe Place Service Committees**)

The name of the *Office of Pastoral Support* was soon changed to *Adventist Support*, because of perception that this service was providing Pastoral Support to Ministers who were alleged perpetrators.

By mid-2000 it was evident that a large number of complaints were putting excessively high demands on what was essentially a voluntary service.

So, an ‘external consultant’ was engaged to provide a review of the service with particular reference to some inadequacies and shortcomings that had emerged. The most notable outcomes of this review were:

- Appointment of a **Full-time Investigative Co-ordinator** to manage cases from pre-investigation to completion, as well as liaise with statutory authorities and the various parties involved.
- Appointment of a **Full-time Director** for *Adventist Support* (from part-time)

As **Adventist Support** progressed it continued to find that there were many layers of competing needs that often made it difficult to bring cases to resolution including:

- Victims generally made complaints not for compensation but primarily with the desire to prevent abuse happening to others, or with a desire for justice, or both.
- Persons subject to allegations tended to vigorously defend themselves and seek vindication from those who held authority and power in the church.
- Tensions frequently existed between the perceived needs of victims and the needs of the Local Church and also between the person who was the subject of the allegation and church administrators.
- Church administrators acted as guardians of the Church's resources and often endeavoured to mediate the constraints and parameters imposed by legal advisors and/or Church insurers.

Transitions & Changes in Structure and Approach 2003 December, NSW Supreme Court Judgement

In 2004-2005, the findings in an action against the PSC in the Supreme Court of NSW necessitated a review of the Church's Policy and Procedures.

This review resulted in a new policy and procedures document entitled ***Creating A Safe Place***.

The revision of the policy and procedures document resulted in a more rigorous and legally acceptable process for dealing with allegations of Sexual Abuse that ensured the process of 'natural justice'.

In summary, the 'New Structure' that emerged in ***Creating a Safe Place*** consisted of:

- **A three member *Committee for Sexual Ethics (CSE)*** to replace the PSC. The chairperson of the CSE had extensive legal expertise and experience. The Committee operated as an **adjudicative body** that was distinct from the 'investigative' and 'support processes'.
- **An Investigative Co-ordinator** whose role included:
 - Triaging calls on the free telephone line;
 - Engaging and co-ordinating investigations conducted by independent investigators who employed a high standard of data collection;
 - Facilitating the passage of the reports of investigators to the CSE.
- ***Adventist Support*** - as a provider of support, consultation, risk assessment, education and training.
- **A Safe Place Committee model** proposed for Local Conferences

(N.B. The name of **Adventist Support** was changed to **Safe Place Services (SPS)** in December 2006 to reflect its emphasis on making the Church a 'Safe Place' for all who worship and belong there)

The policy included the role of the *Conference Safe Place Committee*, the *Local Church Safe Place Committee/Officer* and a 'two tier system' of safety management and enquiry into complaints of alleged abuse or misconduct against children or young persons that required:

- Any known allegation of Child Sexual Abuse to be reported to the relevant authorities.
- Any processes undertaken by the Church must not conflict with enquiries or activities of Statutory Authorities, for example, Police investigations.
- Any processes undertaken by the Church to adhere to the principles of 'natural justice'.

When complaints or allegations were formally made against a church attendee, a *Risk Assessment* or *Complaint Response* was to be facilitated by SPS. A report by an independent assessor was to be sent to the *Local Conference Safe Place Committee* for recommendations to the Local Church.

When complaints or allegations were made against a Church employee an investigation was to be facilitated by *Safe Place Services*, who were to engage the services of an independent investigator. The report from the investigation was to be sent to the *Committee for Sexual Ethics*. This committee was to send recommendations to the employing body for appropriate action.

In what was a potentially divisive domain, personal relationships between the many parties involved in any claim or dispute easily clouded objectivity and negatively impacted the desired outcomes of justice and healing. So, in an attempt to clarify the expectations and responsibilities of various entities under this new Policy, **Memoranda of Understanding** were entered into by the various entities of the Church and *Safe Place Services*.

2008 Platform of Policies Reviewed

This review led to the current three complementary tiers of *Safe Church* Policies: Local Church, Victorian Conference and AUC.⁹

2009 Targeting of investigations to 'employee and appointed volunteers'

2010 Targeting of investigations to 'child-related' cases

⁹ <http://safeplaceservices.org.au/resources>

In late 2011, SPS compiled data on all formal investigations from the year 2000 – 2011. It was noted that the number of investigations increased each year from 2000 – 2003 and that from 2004 onwards, the number of investigations has remained stable.¹⁰

Lessons from the Journey

- Networking with other Christian groups and ‘best practice’ leaders is vital to any healthy church community.
- Understanding of ‘natural justice’ implications has grown as has its implications for Church processes.
- Church personnel who respond to situations are not immune from complaints of ‘bias’ either positively or negatively, therefore, it is advantageous if Administration is kept at arms-length from highly emotive decisions and issues.
- The issues faced by the Church, (in terms of the nature of complaints and allegations) are not unique to it. Rather, they are indicative of what other Christian groups and religious organizations also have to deal with as well.
- The stressors that cases place upon the Church, (in terms of finances, staffing, and personal relationships) are also felt by other Christian and community organizations.

2010 Survey of Conference-Level Administrators and Departmental Staff

This survey extended across both Australia and New Zealand and gained 68 responses. Overwhelmingly, respondents in the survey agreed that:

1. Perpetrators can deliberately target the Seventh-day Adventist Church for child-victims (82%)
2. Adventist congregations are not thought to be safer for children than groups in the community like sports clubs or child care centres (86%)
3. Being a ‘believer’ does not make a person automatically ‘safer’ in terms of their potential to abuse (85%).

With the introduction of these refined initiatives and structures, *Safe Place Services* and the Seventh-day Adventist Church are hopefully entering a new era when both its leadership and its adherents are more able to identify and approach issues of sexual abuse with the necessary awareness, candour, compassion and resolve to minimize its frequency and function in a manner that is consistent with an ethical, Christian community.

¹⁰ <http://safeplaceservices.org.au/resources/sps-reports>

Recent Resources

Safe Church Training Manual:

- This manual is based on an Inter-denominational Template- *Safe Churches Training Agreement* (SCTA)¹¹
- It is used by over 40 Christian groups and denominations
- It is based on a *Training Agreement* between partner organizations
- The design includes four Modules for Church Boards
- It includes a process to accredit 'facilitators' to present training
- It is Safe Place Services' plan to introduce webinars within this training process including:
Participate, Receive a code, Respond to a short on-line quiz and the Printing of a Certificate

Analysis of SPS Data from formal investigations completed 2000 – 2011 (Please note the accompanying limitations of this report¹²)

- 160 cases have been investigated in the period 2000 – 2011
- The number of cases investigated each year has declined since 2003
- The most frequently investigated people subject of allegations are clergy (Pastors, Ministers & Interns), followed by Local Church Elders then School Staff
- The most reported setting of abuse is the Local Church environments (76.3%)
- Most reported targets of abuse are female (80.6%), compared to males (16.9%) [Note: missing data 2.5%]
- Most reported targets of abuse are children (65%), compared to adults (33.1%) [Note: missing data 1.9%].
- Clergy are reported to target children in 45.5% of cases [Note: children 'only' in 25% of cases and 'adults and children' in 17.5% of cases].
- Most reported people subject of allegations are male (94.4%)
- Findings on allegations are as follows: sustained (54.4%); not sustained (12.5%); and false (1.3%); with other outcomes making up the remainder (31.8% e.g. pending, missing, nil findings).
- Of 72 cases referred for Police involvement, charges were laid in 25 instances with Court convictions in 68% of those cases. In addition to cases where charges were laid, five applications for Intervention Orders were successful.

¹¹ <http://www.ncca.org.au/departments/safe-church-network/scta>

¹² This overview is prepared to give feedback to key stakeholders, interested parties and individuals on the activities and outcomes of investigations by *Safe Place Services*. The data will be updated on an annual basis as part of the commitment by *Safe Place Services* to transparency and accountability about investigative activities and outcomes, and to contribute to awareness of issues that the Church as an organization is responding to through *Safe Place Services*. The data should be used cautiously if making generalizations about Abuse or Misconduct in the Church's settings, as it simply reflects the allegations which have come forward for investigation by *Adventist Support / Safe Place Services*. This overview does not report on the training, risk advice, informal allegation responses, and support activities of *Safe Place Services*.

Implications & Potential Issues Related to this Report

1. Children and adult females are 'at risk' in cases reported to SPS, thus Local Churches should 'safeguard' intentionally.
2. People in positions of relative 'power' (e.g. Clergy, then Local Church Elders etc.) have been most frequently reported to *Safe Place Services*, compared to other denominational employees and other categories of Local Church volunteers.
3. The mix of female/male targets of 'Alleged Abuse' is not typical of the experience of other denominational 'Investigative Units' such as in the Anglican and Catholic faith contexts, where approximately 75% of alleged victims who come forward are male (see e.g. Parkinson et al. 2009).¹³
4. Males may be reluctant to come forward to report abuse in a 'conservative' Protestant culture that promotes heterosexual marriage.
5. Local Churches should be aware of the reality of abuse, of anyone, within their community of faith.
6. It is difficult for people to seek help or disclose abuse in an atmosphere that promotes 'happy family' or 'abuse would not happen here.'
7. Males are the most frequently reported people subject of allegations, signalling that gendered violence based on patriarchy, male role, and entitlement may be an issue for further research and consideration within the Church.
8. Reporting situations to Police might be more effective than is commonly perceived and is strongly recommended by Safe Place Services.

¹³ Parkinson, P., Oates, K. & Jayakody, A. (2009, May). Report: Child Sexual Abuse in the Anglican Church. Retrieved from <http://www.adelaide.anglican.com.au/reports.htm>

SECTION 2:CURRENT POLICIES AND CODE OF CONDUCT

2.1 Policies

All Local Churches are strongly advised to adopt and subsequently adhere to the *Local Church Child Safe Policy*. This policy is an element of the three current complementary tiers of *Safe Church Policies*: Local Church¹⁴, Victorian Conference¹⁵ and Australian Union Conference (AUC)¹⁶. These policies are available to all persons and can be accessed and downloaded from the AUC Safe Place Services website¹⁷.

2.2 Code of Conduct¹⁸

The Church Unions across Australia and New Zealand, along with each Conference-Region, require that all staff and volunteers who work with children and young people in the Church and its environments adhere to a **Code of Conduct**.

The Code of Conduct makes it clear what **practices** (actions) are supported and what practices are NOT condoned. It contains a list of behaviours that are encouraged and expected of all adults who interact with children and young people whilst on Church property and on Church-sponsored activities. Everyone in the church is requested to follow the Code in all their interactions with children and youth.

The Code of Conduct is not exhaustive, and does not foresee every set of circumstances that may arise across the variety of Church events and activities. The Code of Conduct is reviewed regularly.

¹⁴ <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf>

¹⁵ <http://safeplaceservices.org.au/resources/national-conference-region-policies/local-conference-safe-place-policy.pdf>

¹⁶ <http://safeplaceservices.org.au/resources/national-conference-region-policies/creating-a-safe-place-policy.pdf>

¹⁷ <http://safeplaceservices.org.au/resources>

¹⁸ <http://safeplaceservices.org.au/resources/local-church-policy>

¹⁸ <http://safeplaceservices.org.au/safeguarding-churches/code-of-conduct>

The Code of Conduct is viewed as an educative guide to the **principles** that help inform what is considered to be appropriate conduct with children and young people.

The Code of Conduct values the social, relational, and interpersonal safety and wellbeing of children and young people. The Code of Conduct also **values** the role of leaders and mentors in the lives of children and young people by promoting transparent, accountable relationships that promote trust and confidence in the Church and its programs.

All volunteers and staff in the Church and its environments across Australia and New Zealand are required to adhere to the Code of Conduct as outlined in the Local Church Child Safe Policy.

Volunteers and staff can submit an *On-line Pledge*¹⁹ to adhere to this Code.

PLEASE NOTE: MORE DETAILED COMMENTS REGARDING THE POLICIES AND CODE OF CONDUCT MAY BE FOUND IN SECTION 5 OF THIS DOCUMENT

¹⁹ <http://safeplaceservices.org.au/safeguarding-churches/online-pledge-children-staff>

SECTION 3: PROCESSES AND PRACTICES

3.1 Collaboration with Associated Entities within the Victorian Conference

While each entity of the Church have their own decision-making processes, collaboration with Safe Places is integral to their operations. These entities include:

1. *Seventh-day Adventist Schools (Victoria) Ltd.*
2. ADVENTCARE
3. Adventist Development and Relief Agency (ADRA)
4. Local Church Ministries relating to children and vulnerable people including, Sabbath School, Personal Ministries, Women's Ministries and Youth Ministries.²⁰

3.2 Appointment of a Local Church Safe Place Coordinator

Local Churches appoint a *Safe Place Coordinator*²¹, or a team, to assist the local Church Board to comply with the *Child-Safe Policy, Code of Conduct*, and screening requirements.

3.3 Screening of Volunteers and Working with Children Check (WWCC)²²

All Local Churches across Australia and New Zealand strive to fulfil their obligations relating to legally-required Criminal History Record Checks that apply in local region (State, Territory, or Country). To this end, all Local Churches in Victoria are required to screen all volunteers working with children under 18 years of age in accordance

²⁰ <http://vic.adventist.org.au/>

²¹ <http://safeplaceservices.org.au/resources/local-church-policy>

²² <http://safeplaceservices.org.au/resources/local-church-policy>

with the *Working with Children Act* (Vic) 2005 for Working with Children Checks (**WWCC**)

Recent changes to the *South Pacific Division Membership Database* aim to facilitate ongoing auditing of the WWCC. Every record on the *Membership Database*, whether pertaining to a Member or Non-Member, has the ability to store WWCC details.

The *WWCC Stats Report* is a simple statistical record which provides church administration with comparative totals of WWCC issued and any negative notices received. Reports can also be generated to give account for the status of a list of members who require a WWCC to perform a task within the local church. This list may include a range of church leaders such as Elders; Youth Pastoral Workers (YPW's); Deacons and Deaconesses; Children's Ministries Leaders;²³ Sabbath School Teachers and Youth Ministries Leaders²⁴ (e.g. Pathfinder Counsellors, Storm Co participants and Adventurer's Leaders).

In addition, the AUC Safe Place Services operates a **National Safe Place Register** of people within the Church and its environments who have:

- (a) a conviction for a violent or sexually-related offense;
- (b) a sustained finding against them of a Sexual Abuse or Sexual Misconduct nature, against an adult or child; or
- (c) have been involved in a Church-based investigation.

The Register also contains a *Safety Agreement Log*; a *List of links to Court transcripts; Judgements and Sentencing Remarks*; links to Professional-member Registration bodies and Tribunals to cases involving a person within the Church and or a Church-entity. These documents are already in the 'public domain'.

3.4 Volunteer Data & Application Form²⁵

All persons 18-years of age and over, who work in child-related roles within the Local Church complete the volunteer data and declaration sections of this form (these can be completed online or downloaded).

Applicants and Appointees being appointed to (or considered for) child related roles for the first time in the local Church complete the additional sections on page two. The final appointment of volunteers to work with children is always subject to compliance with applicable Criminal History Record Checks/Working with Children Checks as required by relevant legislation. In accord with the Church's Privacy

²³ <http://vickids.adventist.org.au/>

²⁴ <http://www.vicyouth.com/ministries>

²⁵ <http://safeplaceservices.org.au/resources/local-church-policy/volunteer-data-application-form.pdf>

Policy, personal information on this form is kept secure and used only for the Church's purposes and it not shared with outside organisations.

3.5 Provision of Safe Places Training

Training is provided to all leaders paralleling their level of leadership and involvement with an identified program. Examples of such training include: Training for all Australian and New Zealand Conference Leaders -*Learning from the Past, Shaping the Future: Transforming Church Culture*, held on 27-29 March, 2011.

Ongoing:

1. *Safe Church Training* is facilitated by *National Council of Churches Australia/Safe Church Training Agreement (NCCA/SCTA)*²⁶ – for all *Local Church Safe Place Coordinators*, Local Church Boards and child/youth leaders and coordinators, using the *Safe Church Training Manual*.²⁷
2. *Boundaries & Refresher Boundaries* training is facilitated by *Safe Place Services* – for all Church Employees including Pastors, Bible workers, Youth Pastoral Workers and Victorian Conference Office Staff
3. *Local Church Safe Places Training* is facilitated by the *Victorian Conference Safe Places Coordinator* for all Adventist Development Relief Agency (ADRA) Crisis Relief Coordinators, Pathfinder District Leaders, Adventurer Leaders, Storm Co Leaders
4. *Protective Behaviours* is facilitated by the *Victorian Conference Safe Places Coordinator* for all leaders of programs run for children under 18 years of age
5. *Safe As Churches*²⁸ Leadership Training is aimed at raising awareness and understanding in all affiliated churches of issues relating to Safe Ministry and the prevention of abuse, including emerging issues.

3.6 Adherence to the Two Person Rule²⁹

The *Local Church Child Safe Policy 2011* outlines and encourages the Local Church to endeavour to maintain safe environments in all programs and activities for children and young people. This is facilitated by requiring that at least two adults with current WWCC's, or as identified as exempt within the WWCC Legislation,³⁰ be present when working with children. (For example, persons with Victorian Institute of

²⁶ <http://www.ncca.org.au/departments/safe-church-network/scta/how-we-work/97-about>

²⁷ <http://safeplaceservices.org.au/resources/booklets-and-articles/sps-safe-church-training-manual.pdf>

²⁸ <http://www.ncca.org.au/departments/safe-church-network/safe-as-churches/604-sac5>

²⁹ <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf> See Section 5.1

³⁰ <http://www.justice.vic.gov.au/workingwithchildren/home/about+the+check/who+needs+a+check/exemptions/exemptions>

Teaching Registration, Police Registration or a person who is the parent/caregiver of a child within that group).

3.7 Maintenance of Clear Observation and Monitoring³¹

The *Local Church Child Safe Policy 2011* highlights the need for ensuring that all children's activities are conducted in easily monitored places that are open to external view. This means that children's activity rooms will have windows or doors that allow for easy external visibility and activities are not undertaken in confined or concealed areas.

3.8 Observance of Appropriate Supervision Ratios³²

Adequate levels of supervision are provided for all children's activities, with a higher ratio of volunteers for younger and/or special-needs children.

3.9 Upholding of Sign In/Out Procedures

Direction is given to all children's leaders that anyone younger than Primary School age ought to be signed in and out of Sabbath School classes by a parent/guardian. Children above this age are requested to sign themselves in and out of Sabbath School, Adventurers, Pathfinders and similar activities. This is to ensure that the Local Church:

- Is maintaining an adequate level of care and responsibility
- Has safeguards that protect this very vulnerable age group of children
- Encourages parents in monitoring the safe keeping and whereabouts of their children when on church grounds

3.10 Execution of 'Arenas of Safety' and Shared Responsibility within activities of the Local Church

Children cannot keep themselves safe. It is the responsibility of adults to ensure this takes place. Therefore, a shared responsibility and adherence to 'Arenas of Safety' ascribed within the Local Church Child Safe and Camp Policies be maintained across all Church related activities, including:

1. Adventurers
2. Sabbath School
3. Pathfinders

³¹ <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf> See Section 5.1

³² <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf> See Section 5.1

4. Storm Co
5. CAMPS (Elmore, HOWQUA)

3.11 Implementation of Appropriate Response to Suspected or Alleged Instances of Criminal Child Abuse³³

Mandatory Reporting

The Church requires **all** concerns of suspected or alleged instances of child abuse to be reported to the Local Police and/or the Department of Human Services. This is believed to be in the ‘best interests’ of the child.

Safety Agreements³⁴

A *Safety Agreement* is a list of safeguards that an applicant and the Victorian Conference sign as a condition of the person’s attendance at a specified Local Church. The Local Church must appoint monitors and endorse a *Safety Agreement* for it to commence. The Victorian Conference also seeks Local Church input into the safeguards that form the *Safety Agreement*.

A *Safety Agreement* might also be used in situations such as:

1. A person is awaiting or undergoing a trial or other investigation process to determine the validity of an allegation of sexually-related conduct against a child.
2. A person persistently breaches the Local Church’s *Code of Conduct*.

3.12 Discharge of Appropriate Response to Proven Instances of Criminal Child Abuse

A *Safety Agreement* is used in various situations where criminal child abuse has been proven, including if:

1. A person is convicted for a sexual, violent, or pornographic offence against a child or young person.
2. A person is found to have breached a Code of Conduct in a sexual manner against a child, by a relevant Tribunal, Commission, or Registration body.
3. An allegation of Child Sexual Abuse is found to be sustained—on the balance or probabilities—by the Church’s internal investigation (coordinated by *Australian Union Conference Safe Place Services*).

³³ <http://safeplaceservices.org.au/resources/local-church-brochures/responding-to-kids-at-risk.pdf>

³⁴ <http://safeplaceservices.org.au/resources/local-church-brochures/safety-agreements.pdf>

A *Safety Agreement* is used to manage situations of real or potential risk. It makes it clear what steps the Church and applicant are taking to keep the Church safe for everyone.

3.13 Collaboration across External Entities

As part of the 'sisterhood of churches', the Victorian Conference seeks to support all related National and International Seventh-day Adventist, Government and Non-government programs advocating for the care and protection of children.

These include:

1. *END IT NOW*, a Seventh-day Adventist General Conference initiative to help prevent Family Violence.³⁵
2. *Women's Ministries Abuse Prevention Day*,³⁶ an annual Seventh-day Adventist calendar event to help raise awareness of abuse. It also plans to provide an opportunity for Local Churches to address this issue and to educate church members and leadership. Importantly, the event additionally highlights the need to demonstrate care and protection to victims and their families.
3. *National Child Protection Week*, National Association of Prevention of Child Abuse & Neglect (NAPCAN)³⁷
4. *White Balloon Day*, a *Bravehearts*³⁸ signature event held annually during National Child Protection Week to raise awareness concerning child sexual assault and to help empower survivors to break their silence.

3.14 Provision of Appropriate Response and Ongoing Support to Churches in Crisis

Introduction

Work has begun towards a general response to Local Churches following allegations of sexual abuse/misconduct against a congregational leader. In these instances the congregation need to be assured of Conference leadership, support and an intervention model that adheres to statutory requirements and is based on best practice. The Conference, utilizing its Safe Places Committee or Safe Places

³⁵ *END IT NOW* & Annual Women's Ministries Abuse Prevention Day (Worldwide) <http://www.enditnow.org/about-end-it-now>
<http://www.enditnow.org/assets/2245http://adventistwomensministries.org/index.php?id=125>

³⁶ <http://adventistwomensministries.org/index.php?id=125>

³⁷ <http://www.napcan.org.au/campaigns>

³⁸ <http://www.whiteballoonday.com.au/>

appointee can help fulfil this expectation by providing a *Crisis Ministry Team* for an appropriate period that would enable a congregation to:

- Receive informed guidance and support
- Acknowledge and begin to process the typical responses of shock, denial, emotional reactions, personal and corporate disarray
- Resist attaching to the Pastor/Pastoral Carer any inappropriate blame and shame associated with the allegation
- Function at a reasonable level as they individually and corporately move towards understanding, acceptance, healing and renewal
- Commence the transition to health and growth as the experience is integrated into the mission and ministry of the church
- Background

When allegations of sexual abuse/misconduct against leadership in local churches have been made, the responses by leadership have in the past generally been inadequate, too late or misunderstood resulting in outcomes such as:

- Confusion, grief, anger, mistrust, or disillusionment
- Complainants/victims/family members/leaders being blamed and disempowered
- The Person Subject of Allegation (PSOA) manipulating leadership and/or the congregation
- Pastors becoming enmeshed in congregational dysfunction as they endeavour to provide pastoral care to all
- Unrelated conflicts emerging that foster resentment, division and the loss of congregational members
- Underlying, unresolved issues continuing to contribute to dysfunction and disempowerment of church activities and initiatives in mission and community
- An inefficient outlay of Conference and Safe Place Services resources

Proposal

A *Specialised Ministry Support Team* would work with the Conference Safe Places Committee or appointee to:

- Be available to congregations/local church leadership when allegations of abuse or misconduct are made against a ministerial or lay leader
- Resource and work constructively with a *Local Leadership Ministry Team*
- Relieve the church Pastor (in the case of a lay leader) of those aspects of crisis management that are most likely to leave him associated with pain, hurt, shame and blame
- Withdraw at an appropriate, agreed upon time so that the Pastor can resume a full leadership role as the congregation moves into recovery and church health

Local Church Crisis Management Plan for When a Church Leader is Involved in Sexual Misconduct

Initial Steps

Conference Administrators meet with the Local Church leadership to:

- Provide appropriate level of information concerning allegations/known facts of sexual misconduct by Local Church Leader
- Outline the Conference response to these allegations
- Hear the leadership response and explore the implications for the Local Church

Issues to Consider

- Impacts on the local leadership and congregation
- Support for local leadership, their needs and concerns
- Contingency plans and longer term plans
- Confidentiality

Overview

Crisis Management - four to six weeks

- Release a brief statement to the congregation
- Ensure counselling and support for the alleged victim/s, accused church leader and their partners/close families, vulnerable persons in the Local Church
- Provide opportunities for Local Church leadership debrief and support

- Appoint a small, church based recovery leadership that has representation from both genders
- Plan and conduct congregational and small group debrief opportunities

Recovery – four to sixteen months

- Continued counselling and pastoral care
- Congregational meetings
- Seminars and workshops on related activities

Continued Recovery and Moving On

- Issues to process: “*What was our spiritual journey before all this happened?*”, “*How did we get into this situation?*” “*Where is God in all this?*” etc.
- Principles, procedures and policies to guide the future
- Preventative education for church leaders and the congregation
- Plan and enact a healing and closure service

3.15 Commitment to the Provision of Resources³⁹

1. *Keeping Your Church a Safe Place*⁴⁰ (2006 and currently under revision). This is a guide for Pastors and Ministry Leaders.
2. *Sexual Abuse: A “How to Help” Guide for Victims, Parents of Victims and Congregations*⁴¹ (2012).
3. *Safe Church Training Manual*⁴². This manual is used in conjunction with the Safe Church Training Agreement (SCTA)⁴³ which aims to reduce the instances of abuse and duty of care and/or safety failures by providing procedures for Holistic Safe Church Ministry.
4. *Translated Safe Place Services Documents*. The Seventh-day Adventist Church in Australia and New Zealand has launched a translation of local church 'Safe Place' materials in Spanish⁴⁴ and Mandarin⁴⁵. Future translations are being negotiated to include French, Sudanese and Karen Burmese.
5. *Australian Union Conference Safe Place Services website*⁴⁶
6. *Victorian Conference Safe Places website*

³⁹ <http://safeplaceservices.org.au/resources/booklets-and-articles>

⁴⁰ <http://safeplaceservices.org.au/resources/booklets-and-articles/keeping-churches-safe.pdf>

⁴¹ <http://safeplaceservices.org.au/resources/booklets-and-articles/sexual-abuse-a-how-to-help-guide.pdf>

⁴² <http://safeplaceservices.org.au/resources/booklets-and-articles/sps-safe-church-training-manual.pdf>

⁴³ <http://www.ncca.org.au/departments/safe-church-network/scta/how-we-work/97-about>

⁴⁴ <http://safeplaceservices.org.au/news-events/new-zealand/all-regions/spanish-safe-place-materials>

⁴⁵ <http://safeplaceservices.org.au/resources/chinese-language>

⁴⁶ <http://safeplaceservices.org.au/>

SECTION 4: PROTOCOLS AND PROCEDURES

4.1 Mandatory Reporting

The Local Church is committed to maintaining active measures to prevent child abuse and sexual misconduct. When these incidents occur within the Local Church or are alleged to have occurred, the Local Church is committed to the allegations being investigated and any real and potential risk being managed on impartial, objective professional advice and recommendations.

In response to an allegation (and either before, during, or after an investigation), the Local Church will undertake the following (as applicable) and in accordance with the *Local Church Child Safe Policy*⁴⁷:

- Refer all allegations of Child Abuse or Sexual Misconduct toward a child, to the *Department of Human Services* and the Police.
- Advise all of the above allegations to the *Victorian Conference Safe Places Coordinator* who in turn will seek advice from the *Australian Union Conference Safe Place Services*.
- Implement recommendations made to it by the Police, *Department of Human Services*, or *Victorian Conference Safe Places Coordinator* or from the *Australian Union Conference Safe Place Services*.

Local Churches are requested to follow these processes to discharge their Duty of Care in order to:

- Manage real and potential risk to various parties
- Support an investigation process to take place in an unhampered way

⁴⁷ <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf>

- Implement outcomes that emerge as a result of an investigation
- Provide support to all parties involved in the allegation, to the best of its ability, including the complainant(s) and the person subject of allegation (PSOA).

4.2 Liaison and Referral

The *Victorian Conference of the Seventh-day Adventist Church* and the *Australian Union Conference Safe Place Services* offer a range of support services to victims, complainants and their families including telephone support during and after an official church-conducted investigation.

The *Victorian Conference of the Seventh-day Adventist Church* also refers victims and complainants to a wide range of appropriate victim support, crisis, and counselling services relating to crimes including Child Sexual Abuse and Assault. These include *CHILD FIRST*⁴⁸, *Child and Adolescent Mental Health Services*,⁴⁹ *Centre Against Sexual Assault*⁵⁰ and *Victoria Legal Aid*⁵¹.

PLEASE NOTE: MORE DETAILED COMMENTS REGARDING THE PROTOCOLS AND PROCEDURES MAY BE FOUND IN SECTION 5 OF THIS DOCUMENT

⁴⁸ <http://www.dhs.vic.gov.au/for-service-providers/children,-youth-and-families/family-and-parenting-support/how-to-make-a-referral-to-child-first>

⁴⁹ <http://www.health.vic.gov.au/mentalhealth/services/child/>

⁵⁰ <http://www.casa.org.au/>

⁵¹ <http://www.legalaid.vic.gov.au/>

SECTION 5: ANSWERS TO QUESTIONS 11-17 AS OUTLINED IN THE SUBMISSION GUIDELINE: INQUIRY INTO THE HANDLING OF CHILD ABUSE BY RELIGIOUS AND OTHER ORGANISATIONS

5.1 QUESTION 11. RESPONSES TO REPORTS OF CHILD ABUSE WITHIN RELIGIOUS AND OTHER ORGANISATIONS

Current Policies, Protocols and Frameworks

11.1 What policies, protocols, frameworks and/or charters are currently in place in to address child abuse within those organisations?

The current policies are hierarchical in nature and therefore endeavour to cover all levels of the church organisation- General Conference, Australian Union Conference, Local (Victorian Conference) and Local Church.

The Australian context is governed by the following Statements, Policies, Protocols, Frameworks and Code of Conduct:

- a) General Conference of the Seventh-day Adventist Church, Statement on the Nurture and Protection of Children⁵²
- b) *AUC and NZPUC Creating A Safe Place Policy* (2012)⁵³
- c) *AUC and NZPUC Framework for Investigations* (2011)⁵⁴
- d) *Safe Place Adjudication Committee Terms of Reference* (2011)⁵⁵
- e) *Australian and New Zealand Local Conference Safe Place Policy* (2009.04)⁵⁶
- f) *Local Church Child-Safe Policy* (2011)⁵⁷
- g) *Code of Conduct* (see brochure of this name 2012)⁵⁸
- h) *Assessment of 'Applicant Risk' for Safety Agreements: Guidelines for Conference Safe Place Committees* (2009 - Please note that by their very nature this document is not available for general publication or circulation).

⁵² <http://adventist.org/beliefs/statements/children.html>

⁵³ <http://safeplaceservices.org.au/resources/national-conference-region-policies/creating-a-safe-place-policy.pdf>

⁵⁴ <http://safeplaceservices.org.au/resources/national-conference-region-policies/framework-for-investigations.pdf>

⁵⁵ <http://safeplaceservices.org.au/resources/national-conference-region-policies>

⁵⁶ <http://safeplaceservices.org.au/resources/national-conference-region-policies/local-conference-safe-place-policy.pdf>

⁵⁷ <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf>

⁵⁸ <http://safeplaceservices.org.au/resources/local-church-brochures>

11.2 What is the nature of the policy?

The purpose of *Local Church Child Safe Policy*⁵⁹ is to establish and guide the work of the Local Church in establishing and maintaining child-safe environments for children and young people.

Antithetically, the causes and effects of criminal abuse within the worldwide Seventh-day Adventist Church are abhorrent to each church and their members in the *Victorian Conference of the Seventh-day Adventist Church* organisation. It therefore strives to underscore the organisational and individual responsibility to:

- Advocate for the values and principles of Spirituality; Confidentiality; Respect; Empathy; Excellence; Education; Integrity; Natural Justice; Transparency and Professionalism
- Uphold and safeguard a 'victim-focussed' stance
- Preserve its commitment to respectfully facilitating the reporting of abuse, responding to disclosures and providing appropriate referrals and support
- Minimise the cause and effect of abuse through appropriate adherence to the law, polices and the provision of training, education and supervision of processes and practices
- Uphold mandatory reporting both to the Police and the Department of Human Services by all employees and members of the Church pertaining to all forms of abuse
- Outline and maintain clear boundaries up to and including Safety Agreements or exclusion from attendance to those who have perpetrated the offences
- Strategically plan for the maintenance, audit and review relating to the adequacy of all levels and improvement to policies, procedures and practices pertaining to the prevention, early intervention, postvention and ongoing protection from abuse.
- Disapprove strongly of all criminal abuse of children, or the facilitating of such offences by others, including unlawful physical assaults, sexual abuse offences, such as rape or indecent assault under the *Crimes Act (Vic)1958*, and any acts of criminal neglect that may give rise to child protection intervention under the *Children, Youth and Families Act (Vic) 2005*.
- Enact censure on any demeaning or degrading behaviour including verbal and emotional abuse, bullying or harassment
- Ensure that all parameters of the *Working with Children Act 2005* and its vetting procedures are acculturated and enhanced through all church entities
- Operationalize internal processes and practices to discourage non-reporting of criminal abuse to the police or other state authorities.

This policy applies to all members, officers, volunteers and attendees of the Local Church and its Church-sponsored activities.

⁵⁹ <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf>

11.2.1 Is it proactive/reactive?

The Victorian Conference of the Seventh-day Adventist Church has determined to continue in its proactive endeavours to support the Policies and Guidelines, the Processes and Practices and importantly the Protocols and Procedures that have been designed to reduce the incidence of child abuse within the Church. These proactive measures include:

1. Design of a comprehensive education program for Church members relating to the characteristics of Child Abuse and how this can be prevented in a Church setting.
2. Delivery and acculturation of specific education for members who work with children, including the use of protective behaviours
3. Supply of literature and resources to support child abuse prevention.
4. Approval of Policies, Protocols and Procedures in several languages to cater for a diverse Church population.
5. Intentional record keeping in 'Resource Kit' format (such as sign in/out sheets, risk assessments for excursions, supervision ratios etc.) for people who work with children.

The Victorian Conference has confirmed the importance of the measures that have been put in place by various organisations in Victoria in response to concerns about such abuse, as well as following the Church's directives from within the General Conference, National Union, State Conference and Local Church levels of the Church organisation for the potential for such abuse to occur.

The Victorian Conference supports and participates in the ongoing research both external to and within its own jurisdiction, into the causes and effects of criminal abuse within the Church. This is done in the belief that this research will benefit all involved in how to maintain 'best practice' in this arena. Of particular interest is how reported abuse is perceived and handled for all those involved, the alleged victim, the alleged perpetrator and the families of both, as well as the local church community and the organisation at large.

Finally, by utilising its Ongoing Risk Assessment⁶⁰ of alleged or known offenders, the Church is aiming to reduce the two dimensions of risk: likelihood of occurrence and possible consequence.

11.2.2 Is it publicly available (if so, how)?

All Policies and Guidelines, Processes and Practices and Protocols and Procedures are readily available on the website for the utilisation of the church as an organisation, individual members and also to the general public for their interest.⁶¹

⁶⁰ Appendix A of <http://safeplaceservices.org.au/resources/national-conference-region-policies/framework-for-investigations.pdf>

⁶¹ <http://safeplaceservices.org.au/>

Safe Place Services documents are currently available in Spanish and Mandarin translations. Progress is currently being made towards having all of the information available in a wider range of Local Church community languages including French, Sudanese and Karen Burmese.

11.2.3 Is it time limited?

All policies are regularly reviewed to maintain currency with the changes to legislation and 'best practice'.

11.3 Who is responsible for the policy? Is the policy internal or external to the governing bodies of the religious or other organisation?

All leaders and members are encouraged at every level of the organisation to engage in ownership of all policies. Each Leader can expect to receive Safe Places Training including how to:

- Maintain their own professional boundaries
- Appropriately receive a disclosure
- Support the reporting of the disclosure
- Provide pastoral support to the alleged victims
- Supervise/exclude known perpetrators

The Victorian Conference currently has a full time appointment for a *Safe Places Coordinator (SPC)*, whose role is to:

- Report to the Victorian Conference Safe Places Committee (VCSPC)
- Oversee adherence to all levels of policy and practice
- Assist with the adoption of the *Local Church Child Safe Policy* by each Local Church
- Support the acculturation of the appointment of a *Local Church Safe Place Coordinator /Committee*
- Supervise the auditing of Working with Children Checks (WWCC);
- Maintain support for victims
- Present the advice and determination of Risk Assessments/ Safety Agreements with known offenders
- Provide *Safe Places* education and training for all leaders
- Liaise with police/Department of Human Services/Child First and other appropriate organisations in the care and protection of children and vulnerable persons.
- Educate Victorian Conference Local Churches regarding a range of Safe Places policies, processes and protocols.

A parallel process has been initiated within the Local Church (the *Local Church Safe Place Coordinator*)⁶² to enhance and support this Conference SPC role and the dissemination and assimilation of all policies processes and protocols.

<http://safeplaceservices.org.au/resources>

⁶² [Safe Place Coordinator - Job Position http://safeplaceservices.org.au/resources/local-church-policy](http://safeplaceservices.org.au/resources/local-church-policy)

11.4 How are alleged and proven offenders dealt with?

All persons are encouraged to report their abuse/concern in the first instance to the Police and Department of Human Services.

Sensitive information regarding proven offenders may be received from a range of avenues including anecdotal, court documents, and from alleged/known victim's impact statements. Alleged victims and their family and friends may also submit their complaints and concerns regarding a known or alleged offender on the AUC Safe Place Services website in a secure (encrypted) yet user-friendly manner.

The Union Conferences across Australia and New Zealand, and their Conference-regions, support people coming forward with complaints and allegations of sexual abuse (of children) and sexual misconduct (between adults) about Church workers (employees or volunteers) within the Church and its environments.

Management of allegations about Sexual Abuse of children/young people are responded to by *Safe Place Services*, via Risk Assessments and Investigations. Allegations about Sexual Misconduct by a Church Worker against an adult are responded to by the relevant Conference region of the Employing or Appointing Church Authority within the Church. Conference regions retain the decision-making power to authorise investigations in adult to adult matters involving an employee or volunteer in their region.⁶³

Procedures within these processes include the following:

- a) Receipt of Allegations/information of known convictions⁶⁴
- b) Referral to Police/DHS or appropriate agency
- c) Investigations and Risk Assessments⁶⁵
- d) Safety Agreements⁶⁶
- e) Screening⁶⁷ via requests for completion of Volunteer Data/Application Forms⁶⁸ for all child-related leadership/supervision of children under eighteen years of age
- f) Referee checks⁶⁹ of volunteers and employees
- g) Audit of Working with Children Check (WWCC) on the National Membership Database⁷⁰
- h) Pastoral support for all concerned (e.g. alleged/known victims, alleged /known offenders and their families)
- i) Deliberation by the appropriate entity (i.e. the *Safe Place Adjudication Committee*,⁷¹ or the *Victorian Conference Administration Committee*, relating to Employees and the *Victorian Conference Safe Places Committee*, relating

⁶³ See Sections 4.1 and 4.2

<http://safeplaceservices.org.au/resources/national-conference-region-policies/framework-for-investigations.pdf>

⁶⁴ <http://safeplaceservices.org.au/allegations>

⁶⁵ <http://safeplaceservices.org.au/allegations/investigations-risk-assessments>

⁶⁶ <http://safeplaceservices.org.au/resources/local-church-brochures/safety-agreements.pdf>

⁶⁷ <http://safeplaceservices.org.au/resources/local-church-brochures/screening-volunteers.pdf>

⁶⁸ <http://safeplaceservices.org.au/resources/local-church-policy/volunteer-data-application-form.pdf>

⁶⁹ <http://safeplaceservices.org.au/resources/local-church-policy/referee-checks.pdf>

⁷⁰ <http://safeplaceservices.org.au/resources/local-church-policy/working-with-children-checks-wwcc.pdf>

⁷¹ <http://safeplaceservices.org.au/resources/national-conference-region-policies>

to volunteers within the church), up to and including dismissal and exclusion from attendance respectively.

- j) Provision of education and training in the maintenance of Boundaries within the sacred relationship between a Pastor/Lay Worker/Teacher/Volunteer and their congregant/student. Particular attention is given to the amelioration of clergy abuse and misuse of spiritual power to groom and abuse a victim.⁷²

Accountability mechanisms

11.5 What accountability mechanisms apply to the organisation's policy? Is it open to outside scrutiny or review?

Accountability and scrutiny is affected and maintained through varying internal mechanisms, decision-making bodies and compliance within the *Policies, Process and Protocols* including:

- a) The *Local Church Board*
- b) The *Victorian Conference Safe Places Committee*
- c) The *AUC Safe Place Adjudication Committee*
- d) The appointment of an External Investigation

It is the role of the externally-appointed investigator to:

⁷³

- a) Identify and address cultural issues and special needs of relevant parties.
- b) Identify people who can supply direct evidence or information.
- c) Identify sources of physical evidence.
- d) Ensure that all parties involved are informed of the requirement of confidentiality, especially during the course of the investigation.
- e) Ensure that all interviews are adequately recorded, including details of the questions and responses and that these records are signed and dated by all those who participate. This may involve audio or video recording of interviews which are transcribed.
- f) Review the initial assessment of risk in consultation with the Complaints and Investigation Coordinator, so that strategies to manage real and potential risk can be considered and implemented.
- g) Document any other allegations that emerge during the investigation.
- h) Document all advice and discussions in relation to the investigation and place a copy on file, including copies of emails.
- i) When all the relevant information has been obtained, put the allegations to the Person Subject Of Allegation (PSOA), giving the PSOA an opportunity to respond. The PSOA will usually receive a detailed, written account of the allegations prior to interview so that they can consider their response in an informed manner.

11.6 Is there an appeal process or dispute resolution process for victims or offenders?

⁷² <http://safeplaceservices.org.au/allegations/clergy-abuse>

⁷³ See Section 4.5

<http://safeplaceservices.org.au/resources/national-conference-region-policies/framework-for-investigations.pdf>

There is a 'grievance process' regarding the decision pertaining to a PSOA of an allegation and the *Victorian Conference Safe Places Committee* processes. Similarly there is a 'right of review' by the PSOA of the decisions and processes of the *AUC Safe Place Adjudication Committee* and the Administrative Committee of the Victorian Conference.⁷⁴

Supports for victims

11.7 What supports are available to victims and other family members or significant others?

Support is facilitated for all parties as and when appropriate, from the lodging of a complaint, and during any subsequent investigative and decision-making processes related to the complaint.⁷⁵ This support may include:

- a) Telephone support
- b) Seven (7) sessions of paid counselling with a qualified counsellor of the person's choice.
- c) Information to assist with accessing victim support services
- d) Assistance to access Government or Community-based services.

The privacy of all parties will be upheld with the proviso that it may be necessary to share information in order to:

- a) Progress the investigation.
- b) Notify a relevant Church Body, Church Authority or committee.
- c) Meet an insurance request, legal or Police request, or subpoena.
- d) Manage risk.
- e) A case-code is used to notify the Conference/Entity President, General Secretary, and Chief Financial Officer of projected costs when an investigation is undertaken.

Safe Place Services may offer an apology to victims where abuse is established. This is within the healing emphasis of *Safe Place Services* and is neither an admission of liability nor an endorsement of a particular set of facts.⁷⁶

11.8 Can victims seek independent support?

It is current practice to encourage victims to seek advice, forms of redress and alternative sources of support independent of the Church. The investigation pathway outlined in the document *AUC and NZPUC Framework for Investigations (2011)*⁷⁷ is part of the healing response of the Church that is intended to: take complaints seriously; offer a sense of justice or vindication to victims; hold Church Workers (employees) and volunteers accountable; protect people subject of allegation from false claims; and manage real and potential risk to all parties.

⁷⁴ See Sections 4.1 and 4.2

⁷⁵ <http://safeplaceservices.org.au/resources/national-conference-region-policies/framework-for-investigations.pdf>

⁷⁶ <http://safeplaceservices.org.au/resources/national-conference-region-policies/framework-for-investigations.pdf>

⁷⁷ <http://safeplaceservices.org.au/resources/national-conference-region-policies/framework-for-investigations.pdf>

11.9 What is the role of counsellors in religious and other organisations?

The Seventh-day Adventist Church in Victoria does not currently provide for any officially employed counsellors.

In order to encourage genuine complainants to receive appropriate counselling support while avoiding unnecessary disengagement from the Church community, the referral process shall:

- a) Make an offer of care and support to all parties involved.
- b) Adhere to principles of natural justice.
- c) Be offered in an impartial, independent and objective manner.
- d) Take care to avoid contamination of evidence where possible.

Referrals are made and outsourced work is given to those organisations that with the requisite expertise that will be acceptable to those being referred.

Compensation and reparation

11.10 Do systems for addressing abuse within the organisation allow for monetary or other forms of compensation?

As part of the church's wish to affect a healing response and assist in providing forms of redress relating to the effects of abuse and misuse of power, the church is committed to facilitating the delivery of appropriate support for victims/survivors of sexual abuse and assault.

Where the Victim Support Agency (Victoria) does not cover the cost of counselling in a particular case, Safe Place Services will assist parties involved in a church conducted investigation to find suitable and appropriately qualified counsellors of the person's choice. In some cases, a subsidy to cover the cost of a limited number of sessions is available (this is capped at 7 sessions to begin with, but may be expanded in certain situations).

Safe Place Services also provides telephone support to complainants and victims during and after an official church-conducted investigation. This support is offered by a team of trained volunteers.

The Conference and Local Church pastoral and ministry teams are correspondingly available to give encouragement and to support victims/survivors wherever possible.

11.11 How is the compensation system/ procedure run? Is it independent from the operations of the organisation? Is it overseen by a panel?

Although there is no current independent panel, persons are free to approach the church themselves regarding their support needs. This can be facilitated by approaching the Local Church Board; the Victorian Conference Administration; the Victorian Conference Safe Places Coordinator and Committee or the Australian Union Conference Safe Place Services.

11.12 Does the acceptance of one form of compensation prevent victims pursuing other forms of compensation?

As each case is inherently unique, support and redress is afforded with some discretion on a case-by-case basis.

5.2 QUESTION 12. INVESTIGATING REPORTS OF CHILD ABUSE

12.1 What processes for internal investigation exist in religious and other organisations?

Any internal investigation is prefaced by a preliminary assessment for the need for a policy-driven and respectfully mandated referral to Police and or the Department of Human Services.

Subsequent to any legal outcome, the following sources may be called upon by the Victorian Conference Administration or the Victorian Conference Safe Places Committee to provide information that might be relevant to an internal investigation and assessment of risk:

- a) Psychologists, Psychiatrists, or Social Workers.
- b) Legal opinion or advice.
- c) Statutory child-protection, Police, sexual assault or health services.
- d) Externally appointed risk assessors or investigators.
- e) AUC Safe Place Services
- f) Insurers.
- g) Media advisors.
- h) Other child abuse, sexual assault or sexual harassment professionals or organisations.

It is understood that Risk Assessment is ongoing and dynamic, and involves information, input and review from a number of sources. It is expected that progression of an internal investigation will therefore involve principles of risk assessment pertaining to an exploratory process that endeavours to establish the likelihood of alleged events and behaviours having occurred on the “balance of probabilities”. Due to the level of the burden of proof test rising with the seriousness of the allegation, there may be times when the investigative process cannot establish the validity of an allegation. Risk management strategies may be required in situations where an allegation has not been sustained.

An assessment of risk considers two major variables: the likelihood of an incident occurring and the consequences that may result from that incident if it should occur. Likelihood and Consequences are considered on a spectrum that enables a situation to be assessed as ‘Low,’ ‘Medium’ or ‘High’ risk. Where risk exists, strategies will be formulated that are commensurate with the level of assessed risk. These may include exclusion from attendance, recommendations for sanction or disfellowship, Safety Agreements and ongoing monitoring.

12.2 Have allegations of child abuse been reported to police when the organisation is made aware of them?

All employees and volunteers are mandated to report to the Police and or the Department of Human Services regarding any allegations or information surrounding suspicions or knowledge of all forms of abuse.

In line with this mandate, the Local Church is committed to following the principles of the policy by establishing a safe environment for children by:

- a) Screening all volunteers who work with children.
- b) Adopting a Code of Conduct for all adults and volunteers who interact with children and young people to abide by.
- c) Providing adequate planning and supervision of children's programs and activities.
- d) Offering on-going training opportunities for volunteers and leaders in child-safe practices.
- e) Reporting incidents of suspected and disclosed child abuse and neglect to: Statutory authorities including Police and government Child Protection Services; and to *The Conference Safe Places Coordinator* or *Safe Place Services*.
- f) Supporting the investigation of complaints and allegations in a timely manner (through Police, Safe Place Services or other available processes).
- g) Introducing safeguards (as recommended by the Conference Safe Place Committee/Coordinator or Safe Place Services) where a situation of risk has or may be identified such as before, during or after an investigation.

12.3 What processes are in place for reporting cases of alleged child abuse to the police?

The Local Church is committed to responding to children and young people believed to be at risk of or subject to harm, abuse or neglect.

The Local Church requires all duly appointed leaders, office-holders and volunteers who work with children or in child-related areas, to take actions (either directly or via a superior) such as:

- a) Notify the Department of Human Services if a child is suspected of being at risk of, or the victim of, harm, abuse or neglect.
- b) Report all disclosures from children and young people alleging harm, abuse, or neglect to both Department of Human Services and local Police.
- c) Report all suspicions of committing child sexual abuse, or disclosures or allegations of such, about a Church worker (employees) or volunteer, to Safe Place Services on 1800 220 468 or via <http://safeplaceservices.org.au/>
- d) Encourage adults who disclose historical abuse (that occurred when they were a child), to report the alleged abuse to Police or a counsellor.⁷⁸

12.4 In what circumstances, if any, would the alleged abuse not be reported?

Every effort is made to report all allegations of abuse, assault and neglect. However, it is worth highlighting that these issues are often laden with moral and ethical

⁷⁸ See Section 3 <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf>

quandaries and a 'one size fits all approach' does not translate into what may be 'best practice'.

The church recognises that there may be times that the pain and consequences for the victim to go to the police may frequently lead to the victim's reluctance to report the abuse. At these times there may also be a concomitant constraint upon the church to abide by the wishes of the victim. For example, if the 'child' is now an adult and expressly states that they do not want the alleged abuse reported, and the person alleged to have committed the abuse was deceased, perhaps it may not be reported, as an investigation would (in all likelihood) be unable to be progressed.

5.3 QUESTION 13. LAW AND LEGAL PROCESSES

Religious laws and practice

13.1 In what ways are religious laws and procedures used to address abuse within the organisation?

The Seventh-day Adventist Church has a very high respect for religious freedom. However, it also believes that all rights – including religious freedom – have limits. The Church's view is that those limits must only apply in the most exceptional of circumstances. Preventing the abuse of a child, is believed, to be precisely the kind of circumstance that justifies imposing carefully crafted, narrowly tailored limits on religious practices or customs that act, inadvertently or deliberately, to facilitate that abuse.

The provision of the following documents and online processes has all played a valuable role in establishing the 'tools' for Local Churches to attempt to address all forms of abuse within its entities:

1. *Local Church Child Safe Policy*⁷⁹;
2. *Code of Conduct*⁸⁰;
3. *Mandatory Reporting Requirement*⁸¹
4. *Investigations and Risk Assessments*⁸²;
5. *Safety Agreements*⁸³;
6. *Volunteer Data/Application Forms*⁸⁴;
7. *Online Complaint Lodgement*⁸⁵
8. *Online Pledge*⁸⁶
9. *Online Incident Reporting*⁸⁷
10. *Online Reporting of a Person Of Interest*⁸⁸
11. The *Local Church Child Safe Policy* has had a particular preventative focus with its inherent adherence to mandatory reporting and screening of all

⁷⁹ <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf>

⁸⁰ <http://safeplaceservices.org.au/resources/local-church-brochures/code-of-conduct.pdf>

⁸¹ <http://safeplaceservices.org.au/people-support/mandatory-reporting>

⁸² <http://safeplaceservices.org.au/allegations/investigations-risk-assessments>

⁸³ <http://safeplaceservices.org.au/resources/local-church-brochures/safety-agreements.pdf>

⁸⁴ <http://safeplaceservices.org.au/resources/local-church-policy/volunteer-data-application-form.pdf>

⁸⁵ <http://safeplaceservices.org.au/allegations/submit-a-complaint>

⁸⁶ <http://safeplaceservices.org.au/safeguarding-churches/online-pledge-children-staff>

⁸⁷ <http://safeplaceservices.org.au/safeguarding-churches/report-an-incident>

⁸⁸ <http://safeplaceservices.org.au/allegations/report-a-person-of-interest>

employees and volunteers. *The Code of Conduct* has outlined the guidelines for appropriate behaviours. The accentuation of the *Victorian Conference's* focus to provide *Safe Places...Safe People* through the usage of Investigations and Risk Assessments, Safety Agreements and the easily accessible online forms has been a pivotal turning point for the Church in becoming more 'victim-centric'.

The Biblical imperative to provide for the care and protection of children and vulnerable people is designated in the *General Conference Statement on the Nature and Protection of Children*⁸⁹. The *Church* takes its responsibility seriously to endeavour to minimize the risk for all forms of Child Sexual Abuse and violence against children in the congregational setting. First and foremost, church leaders and members must themselves adhere to the standard of behaviour outlined in the Church's *Fundamental Beliefs*^{90 91} and *Seventh-day Adventist Church Manual*,⁹² which precludes conduct that has the appearance of 'evil' such as the exploitation of minors for the gratification of adult desires.

Other practical measures toward making church a *Safe Place* for children include attention to the safety of the church facility and its surroundings and the careful supervision and monitoring of children and their environment during all church-related activities.

Education regarding what constitutes appropriate and inappropriate interaction between adults and children, the warning signs of abuse and violence, and the specific steps to be followed should inappropriate behaviour be reported or suspected, are also vitally important.

Pastors and church leaders who are visible and approachable play an important role in prevention as well as in responding well to the needs of children whose safety may have been jeopardized. Regular education is provided regarding their moral and legal responsibility to report child abuse to appropriate civil authorities.

Because of the complex nature of the problem of child sexual abuse and violence against children, intervention and treatment of perpetrators requires resources beyond the scope of ministry provided by the Local Church. However, the presence of a known perpetrator in a congregation calls for the highest levels of vigilance. While perpetrators should be held fully responsible for their own behaviour, the supervision of persons with a history of inappropriate behaviour is necessary to ensure that such persons maintain appropriate distance and refrain from all contact with children during church-related activities. Provision for alternative opportunities for perpetrators to grow spiritually in settings where children are not present greatly enhances child protection. In cases where the Risk Assessment is at a high level, the person subject of allegation or a known offender **will be** excluded from the congregation.

⁸⁹ <http://adventist.org/beliefs/statements/children.html>

⁹⁰ <http://vic.adventist.org.au/about-us>

⁹¹ <http://www.adventist.org/beliefs/index.html>

⁹² <http://www.adventist.org/beliefs/church-manual/>

13.2 Have internal systems of investigation discouraged reporting of criminal acts to the police?

The *Local Church Child Safe Policy* underscores the shared accountability that all employees, volunteers and church members have to execute their mandatory reporting responsibilities to the Police and Department of Human Services. In some cases, these processes have given victims the confidence to go forward in pursuing criminal or civil action.

It is also made clear to complainants that the church process is not an alternative to Courts (Civil) or Police (Criminal Investigation). Whilst the burden of proof is different and the evidence considered broader than in a Court, some of the issues that can impede a Police prosecution can also impede a Church investigation. It is to be noted that any investigative solution is about a burden of evidence being available, and for the church to impose sanctions on an individual, it needs evidentiary grounds.

13.3 Have internal systems of redress discouraged or prevented civil legal action being taken by victims?

The processes of the Church are intentionally designed to support the victim. In addition, every effort is made to support employees, volunteers and church members who wish to seek or request the right of review and by extension the right of redress through civil legal action.

13.4 Under what circumstances is it appropriate for religious organisations to apply internal sanctions to offenders, such as expulsion or laicisation [defrocking]?

It is recognised that Pastors and identified leaders within the church are conferred these roles with knowledge of the significance of their positions and as a result, they can be subjected to a stricter set of cultural mores and obligations.

All efforts are taken to ensure that Pastors and Leaders are screened through the Working with Children Checks and National and International Police Clearances (where applicable). They are also mandated to participate in *Boundaries Training* upon orientation and then for a *Refresher Boundaries Training* every two to three years afterwards, so that positive acculturation is maintained regarding 'fitness for ministry and leadership'.

A breach of boundaries and therefore a discontinuity of 'fitness for ministry' with regards to responsibilities according to the Church's *Fundamental Beliefs*⁹³⁹⁴ and *Seventh-day Adventist Church Manual*⁹⁵ may include:

- a) A criminal act
- b) Adultery
- c) Child sexual assault or abuse
- d) Adult assault or abuse

⁹³ <http://vic.adventist.org.au/about-us>

⁹⁴ <http://www.adventist.org/beliefs/index.html>

⁹⁵ <http://www.adventist.org/beliefs/church-manual/>

A continuum of sanctions can be applied to an equally varied continuum of offending behaviours. These may include:

- a) An Internal Investigation regarding unsatisfactory employment
- b) Request to attend an external Risk and or Psychological Assessment
- c) Transfer where appropriate
- d) Request to attend an internal Boundaries Training Refresher Course
- e) Request to attend an external training program/counselling sessions
- f) Annulling of ordination⁹⁶
- g) Exclusion from paid or volunteer employment
- h) Disfellowship from church membership
- i) In the cases of proven criminal abuse of children, a Pastor would be dismissed and their ordination annulled.

13.5 Have the legal structures used by religious bodies to manage their affairs and their assets acted to discourage or prevent civil legal action being taken by victims against offenders?

Levels of organization within the Seventh-day Adventist Church are incorporated as are some institutional entities. This does not discourage litigation. Instead, it may clarify who or which body should respond to such claim if action is sought.

Mandatory Reporting

13.6 Should mandatory reporting of cases of alleged criminal abuse be extended to ministers of religion?

Mandatory Reporting is inbuilt within the Local Church via their *Local Church Child Safe Policy*⁹⁷. This policy requires that all duly appointed leaders, office-holders and volunteers who work with children or in child-related areas, are to take actions (either directly or via a superior) to:

- a) Notify the relevant Department of Human Services if a child is suspected of being at risk of, or the victim of, harm, abuse or neglect.
- a) Report all disclosures from children and young people alleging harm, abuse, or neglect to both Department of Human Services and local Police.

Further these leaders are expected to:

- b) Report all suspicions of committing child sexual abuse, or disclosures or allegations of such, about a Church worker (employees) or volunteer, to Safe Place Services on 1800 220 468 or via www.safeplaceservice.org.au or the *Victorian Conference Safe Places Coordinator*
- c) Encourage adults who disclose historical abuse (that occurred when they were a child), to report the alleged abuse to Police or a counsellor.

⁹⁶ <http://www.adventist.org/beliefs/church-manual/> p35

⁹⁷ <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf>

Finally, all church leaders and employees, including all Pastors, are required to report criminal abuse. This requirement to report is part of the conditions of employment for working within the Seventh-day Adventist Church in Victoria.

13.7 To what extent should the reporting of suspicions of abuse be circumscribed by laws, customs and ethical codes of religions? (For example, should the sacrament of the Catholic confessional remain sacrosanct in these circumstances?)

It is the strong view of the Seventh-day Adventist Church that reporting of suspicions should not be left up to the autonomy of such codes, as these codes are only part of maintaining 'Safe Places for Safe People'. It is therefore the practice of the Church in Victoria to report all suspicions of Child Abuse.

The Local Church will endeavour to create a safe environment for children and young people by:

- a) Promoting a *Code of Conduct*⁹⁸ for all people to abide by in all interaction with children and vulnerable people.
- b) Holding all people accountable to the Code of Conduct, and other reasonable expectations of behaviour in relation to children.

Further, the Local Church endeavours to maintain transparency, avoid blurring of boundaries and protectively cater for the potential for the misuse of confidentiality in maintaining safe environments in all programs by:

- a) Providing adequate levels of supervision for all children's activities, with a higher ratio of volunteers for younger and/or special-needs children.
- b) Requiring that at least two adults be present when working with children.
- c) Ensuring that children's activities are conducted in easily monitored places that are open to external view. This means that children's activity rooms will have windows or doors that allow for easy external visibility and activities are not undertaken in confined or concealed areas.
- d) Responding to bullying and other inappropriate behaviour between children.
- e) Requiring children's workers to adhere to standards of conduct regarding appropriate communication (including via electronic means) and interaction with children.
- f) Ensuring that adults in their interactions with children avoid favouritism of a particular child or children.
- g) Prohibiting workers from using physical discipline on minors.

The Local Church will also strive to plan and conduct safe programs and activities with children by:

- a) Gaining prior approval of the Church Board/Business Meeting for all children's activities, if the activity will be conducted off-site or involve an overnight stay.
- b) Ensuring the Church Board/Business Meeting keeps a log, or other suitable record, of all children's activities that they approve.

⁹⁸ <http://safeplaceservices.org.au/resources/local-church-brochures/code-of-conduct.pdf>

- c) Ensuring that venues and equipment are safe for children's use.
- d) Obtaining parental consents and permission, where required, for particular activities.
- e) Transporting children with due care.

13.8 What consequences may flow from the extension of mandatory reporting to ministers of religion?

Mandatory reporting within the Victorian Conference has already increased the reporting of abuse and subsequently has further raised awareness of the need for all Local Churches to be alert to any signs of abuse.

The Victorian Conference of the Seventh-day Adventist Church is committed to following the policies in order to maintain active measures to prevent child abuse and sexual misconduct. If incidents occur within the Local Church or are alleged to have occurred, the Victorian Conference is steadfast in pursuing investigation into the allegations and any real and potential risk being managed on impartial, objective professional advice and recommendations.

The Victorian Conference indemnifies the Local Church and its members for any liability that may arise in terms of negligence, breach of privacy or defamation, if they have acted in accordance with the policy and/or were following recommendations made by *Safe Place Services*, the *Union Safe Place Adjudication Committee* or the *Conference Safe Place Committee*.

Mandatory Reporting is presented as being of benefit to the greater community and people are encouraged to be candid in their reporting of abuse and assault both for themselves and others.

Working With Children Checks

13.9 What procedures do religious and other organisations have in place to ensure the suitability of employing people in the organisation who work with children?

It is required that all leaders and supervisors of children or vulnerable persons must have a current 'Working with Children Check' (WWCC).

In addition to this screening⁹⁹, the following Qualifying Periods apply to newly-appointed volunteers:

- a) 12-months if the person is new to the congregation from the general community or from another faith-based group
- b) 6-months if the person is transferring from another Adventist church.

These qualifying periods are intended to deter predators who might seek easy access to groom potential victims. The qualifying period also allows people new to the local Church to learn the unique mission and vision of the Local Church for its

⁹⁹ <http://safeplaceservices.org.au/resources/local-church-brochures/screening-volunteers.pdf>

programs with children and young people, and to get to know people before taking on a role or responsibility.

It is currently the practice that Pastors must obtain a WWCC and National Police Clearance before negotiating their pastoral role/appointments.

There is also provision for an ongoing audit of WWCC via the *South Pacific Division Membership Database*.

13.10 Are these in addition to those required to be undertaken by state law?

Yes.

13.11 How is the Working with Children Act 2005 applied in the context of ministers of religion?

All Ministers are required to obtain and maintain the following:

- a) A current Employment Working With Children Check (WWCC)
- b) National Police Clearance.
- c) Australian Citizenship – by being a permanent Australian resident or having an appropriate visa to work in Australia
- d) The Possession of a current Victorian Driver's Licence

Potential New Laws

13.12 Are new laws required to more effectively address the institutional abuse of children?

The Victorian Conference of the Seventh-day Adventist Church wishes to protect and uphold the sanctity of children. Therefore it believes the current legal structure is working well. When current law is combined with significantly higher awareness of the issues in general society, and the threat of civil litigation, society may be perceived to have finally taken the steps necessary to protect children as its most vulnerable persons.

The greatest task now appears to be the necessity to intercept those with a proclivity towards child abuse, before it happens. The state may be the only entity in our society that has the resources necessary to do the research required to identify new means of intervening and assisting those with predatory tendencies, before they act. Effective preventative measures could save untold misery.

13.13 Should officials in religious and other organisations be held criminally responsible for the actions of offenders of child abuse in their employ or for whom they have responsibility? Under what circumstances should this apply?

If a Church Administrator/Pastor/Leader:

- 1) Acts to cover up Child Abuse,

- 2) Employs, appoints or permits the continuation of a known offender in a position of 'trust' and authority over children or will have the likely opportunity to have time alone with children, or
 - 3) Acts with wanton disregard for the safety of children,
- Then it would follow that the Administrator may be criminal liable.

It is imperative therefore that all Administrators understand and abide by the *Principles and Legislative Requirements* contained with the Policy¹⁰⁰. For example, the Church's Leaders must be seen to be transparent in executing their *Duty of Care* to ensure the safety and wellbeing of those who participate in its activities and services. They must also be aware of the *Vicarious Liability* that the Church may be determined to have for the conduct of those who act on its behalf (e.g. volunteers, appointed church officers and employees).

A Reasonable Standard of Care must be taken in providing any church sponsored activity. This would also entail *Reasonable Foresight* when planning children's activities, to identify any reasonably foreseen danger/risk and take reasonable steps to prevent or avert such risk.

Negligence may be found to exist if it is established that the Church had a duty of care, that the said duty of care was breached, and a specific tangible loss was suffered as a result.

The Church *has a responsibility to maintain Confidentiality and Privacy* under the Privacy Act (1998)¹⁰¹ and therefore has an obligation to protect personal information that it collects. However, privacy and confidentiality concerns should never impede the need to: protect children; notify of real or potential risk; and manage people believed to pose a real or potential risk to a child/ren's safety or wellbeing.

There are several *Acts* that are able to provide Leaders with definitions of child abuse, neglect, & sexually related offences; child-protection processes and notification requirements; age of consent; and criminal history checking processes for employees and volunteers; registration of sexual offenders; evidence; victims of crime; equal opportunity; workplace relations and privacy.

All of these Acts highlight the tenets that the Criminal culpability for the actions of offenders of child abuse should rest with the offenders. Negligence in screening, appointment, and supervision of appointees to positions may be a separate matter and there are civil remedies for these. The Church strives to avoid unintended consequences in this realm by:

1. Thoughtfully applying all existing laws
2. Raising the consciousness of persons at every level of responsibility
3. Ensuring that systems are in place to reasonably prevent harm (and therefore any vicarious liability)
4. Notifying the authorities of any wilful criminal act by an employee

¹⁰⁰ <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf>

¹⁰¹ <http://www.privacy.vic.gov.au/domino/privacyvic/web2.nsf/pages/privacy-laws>

If the Local Church does not follow recommendations from the *Victorian Conference Safe Places Committee* or *Australian Union Conference Safe Place Services*, in line with the Policy, the Conference may not indemnify the Local Church in the event that any liability or claim for damages arises¹⁰². This could include situations where the Local Church:

1. Fails to undertake background screening of children's workers.
2. Refuses to implement a Safety Agreement.
3. Allows an applicant for a Safety Agreement to attend church or a church sponsored activity where children are in attendance, when a medium to high risk has been assessed, or otherwise fails to advise the Chairperson of the *Victorian Conference Safe Places Committee* of the applicant's attendance.
4. Permits a person with a prior (known) conviction to be involved in any child related role or permits them to hold a position of moral or spiritual authority
5. Fails to hold a person with a prior (known) conviction for a sexual-related offence against a child to account for an apparent breach of the Local Church's *Code of Conduct* or a condition of a *Safety Agreement*.

In such circumstances the Local Church might be held responsible for all legal costs associated with the case and any damages that may be ordered by the Court.

5.4 QUESTION 14. RESPONDING TO OFFENDERS AND ALLEGED OFFENDERS

14.1 Are there formal or informal practices or guidelines for the personnel accused, suspected or convicted of criminal or other abuse?

The Church holds to a strong belief that everyone has the right to feel safe all the time. Therefore, the Local Church¹⁰³ is committed to maintaining active measures to prevent Child Abuse and Sexual Misconduct.

When incidents occur within the Local Church or are alleged to have occurred, the Local Church is committed to the allegations being investigated and any real and potential risk being managed on impartial, objective professional advice and recommendations.

Responding to an allegation about a Church Worker (employee)¹⁰⁴ will be similar to responding to allegations regarding a Church volunteer or attendee, with the following key differences:

1. Results of the Church's Investigation are sent to the *Safe Place Adjudication Committee (SPAC)*, which makes a finding and proposes recommendations.
2. The recommendations from the SPAC are conveyed to the applicable Local Church, Church Body or employing entity (e.g. the Conference Education Department if involving a school employee) via *Safe Place Services*.

¹⁰² <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf>

¹⁰³ See Section 6 <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf>

¹⁰⁴ See Section 6.4 <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf>

3. An allegation against a Church Worker (employee) of a Conference-affiliated entity, such as a school or aged facility, will also be handled according to any applicable Conference and Institutional policies for that entity and any applicable workplace legislative requirements. This will include the requirement that the employing Affiliated-entity or Church Authority act as a responsible employer in relation to the investigation of allegations and any subsequent disciplinary action or termination decisions, in accordance with its obligations pursuant to applicable Workplace Relations Acts.¹⁰⁵

In relation to 3 above, the Local Church may have a duty to act following a positive finding regarding a Church Worker (employee) who is a member or attendee of their congregation. Although the Respondent's (person subject of allegation -PSOA) conduct may not have (allegedly) occurred within the Local Church setting, the Local Church is therefore committed to implementing strategies designed to manage risk such as:

- a) Restrictions on the PSOA holding church office.
- b) Non-participation by the PSOA in child-related roles.
- c) Non-contact by the PSOA with children (besides their immediate dependants).
- d) Compliance with a Safety Agreement, if recommended by the *Victorian Conference Safe Places Committee*
- e) Requiring adherence to the Local Church's *Code of Conduct*.
- f) Exclusion of the PSOA from attendance at all church and church related activities.

Where a Church Worker (employee) is a member of the Local Church, the matter of Church discipline will be considered by the Local Church Board, according to the procedures outlined in the Church Manual¹⁰⁶. Discipline should not be considered until a finding is determined on the facts or otherwise of an allegation.

14.2 How should cases be dealt with when there is suspected abuse but insufficient evidence?

In response to an allegation (and either before, during, or after an investigation), the Local Church will undertake the following (as applicable):

- a) Refer all allegations of child abuse or sexual misconduct toward a child to Child Protection services and the Police.
- b) Advise all of the above allegations to *Safe Place Services*.
- c) Implement recommendations made to it by either the Police, Child Protection services, or *Safe Place Services*, in order to:
 - Manage real and potential risk to various parties.
 - Support an investigation process to take place in an unhampered
 - Implement outcomes that emerge as a result of an investigation.
- d) Provide support to all parties involved in the allegation, to the best of its ability, including the complainant(s) and the person subject of allegation (PSOA).

¹⁰⁵ See Section 4.1 <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf>

¹⁰⁶ <http://www.adventist.org/beliefs/church-manual/>

If the Local Church does not follow recommendations from the *Conference Safe Place Committee* or *Safe Place Services*, in line with this policy¹⁰⁷, the Conference may not indemnify the Local Church in the event that any liability or claim for damages arises. This could include situations where the Local Church:

- a) Fails to undertake background screening of children's workers.
- b) Refuses to implement a Safety Agreement.
- c) Allows an applicant for a Safety Agreement to attend church or a church sponsored activity where children are in attendance, when a medium to high risk has been assessed, or otherwise fails to advise the Chairperson of the Conference Safe Place Committee of the applicant's attendance.
- d) Permits a person with a prior (known) conviction to be involved in any child related role or permits them to hold a position of moral or spiritual authority.
- e) Fails to hold a person with a prior (known) conviction for a sexual-related offence against a child to account for an apparent breach of the Local Church's *Code of Conduct* or a condition of a Safety Agreement.

In such circumstances the Local Church might be held responsible for all legal costs associated with the case and any damages that may be ordered by the Court.

14.3 How do religious and other organisations protect victims when alleged offenders have not been charged or convicted of a criminal offence?

It is everyone's business to monitor compliance. A minor breach of the *Code of Conduct*¹⁰⁸ may be brought to a person's attention for their learning. Minor breaches may be done innocently and in ignorance. Persistent serious breaches will be reported to the *Local Church's Safe-Place Coordinator*. A person may be asked to sign a *Safety Agreement*¹⁰⁹ as a condition of continued attendance at Church or children's events.

The Local Church is committed to maintaining its duty of care (to all parties) by using Safety Agreements:

- a) After an allegation has been made.
- b) During an investigation or complaint inquiry.
- c) Following an investigation or complaint inquiry.
- d) After a historical conviction or incident comes to light.

The *Safety Agreement* will be an agreement between the applicant (person subject of the agreement) and the Victorian Conference. *The Victorian Conference Safe Place Committee* will act on behalf of the Victorian Conference in preparing the *Safety Agreement* and in signing it along with the applicant. *The Victorian Conference Safe Place Committee* will prepare the *Safety Agreement* in consultation with the Local Church, the applicant, and *Australian Union Conference Safe Place Services*.

¹⁰⁷ See Section 8.1 <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf>

¹⁰⁸ See Brochure -Code of Conduct <http://safeplaceservices.org.au/resources/local-church-brochures>

¹⁰⁹ See Section 7 <http://safeplaceservices.org.au/resources/local-church-policy/child-safe-policy.pdf>

The Conference will indemnify the Local Church for any liability that may arise out of implementing and following a *Safety Agreement* as recommended to it, such as a claim in relation to a breach of privacy or failure to adhere to principles of natural justice.

A *Temporary Safety Agreement* may be introduced during a Complaint Inquiry or Investigation. A *Temporary Safety Agreement* requires at least two persons to act as monitors of the person subject of the agreement. These monitors are not required to undergo specific training other than being briefed about the role by *Australian Union Conference Safe Place Services*.

An *Ongoing Safety Agreement* will be used in situations where the applicant has a conviction for a sexual offence against a minor or where a professional body, tribunal or Church-coordinated Complaint Inquiry/Investigation process upholds an allegation or complaint as being substantiated.

The Local Church (including its Board, Business Meeting or Child-Safe Coordinator/Committee etc.) may use the outcome of a Church-conducted Investigation or Complaint Inquiry as prima facie proof of the facts of an allegation. *Australian Union Conference Safe Place Services* normally only recommend introducing an *Ongoing Safety Agreement* when the *Conference Safe Place Committee* has made an assessment of the Local Church's capacity to introduce and monitor the *Safety Agreement* and either:

- a) A personal risk assessment has been made by an appropriate psychologist (organised by either *Australian Union Conference Safe Place Services* or the *Victorian Conference Safe Place Committee*), which assesses a person's likelihood of re-offending ... OR ...
- b) The person has completed a group-based treatment program and provided a report of their treatment progress which *Australian Union Conference Safe Place Services* considers is satisfactory to assess the applicant's risk or likelihood of re-offending.

An *Ongoing Safety Agreement* will be used only when a person is assessed to be at a low risk of reoffending (rather than a medium or high risk). If an applicant is low-risk but the Local Church situation is assessed as unsuitable, the *Victorian Conference Safe Place Committee* will try to negotiate for the applicant to attend another church.

An *Ongoing Safety Agreement* will require the Local Church to provide at least two people who can act as monitors. These monitors must be willing to undergo specific training developed by *Australian Union Conference Safe Place Services* (this training is arranged by the *Victorian Conference Safe Place Committee*).

5.5 QUESTION 15. DATA, PRIVACY AND PUBLIC INTEREST

15.1 Does the organisation maintain comprehensive records data on the incidence and prevalence of abuse against children in the organisation? If so, are such records publicly available?

Comprehensive records are kept of all cases by the Safe Place Coordinator at the Victorian Conference.

Further, the *AUC and NZPUC Creating A Safe Place Policy – Version 2012.01* (Section 10 pp. 21-23) provides for a future National Database. This database will outline provisions for its operations and the safeguarding of information, including the particular roles of personnel designated for accessing and overseeing information. The AUC is currently developing specifications to host the IT platform, finance and operationalize the database as further outlined in the documents: *Safe Place Adjudication Committee: Terms of Reference* (2011) and *Framework for the National Child-Safe Database* (2011).

15.2 Do organisations share information regarding proven or suspected cases of abuse to other agencies even in cases where it is not compelled to do so (for example, schools, Department of Human Services)? What confidentiality/privacy considerations flow from this?

The Seventh-day Adventist Church has and is always willing to share proven or suspected cases with Department of Human Services. Care needs to be taken regarding privacy laws and the divulging of information to other agencies or services outside of our own organization.

15.3 Do religious organisations inform the laity and other members of the religious or wider community about abuses committed by its members? Should it do so?

Appropriate information regarding current police investigations; court outcomes; substantiated outcomes from *Safe Place Services* investigations may be given on a 'needs to know' basis. Pastors, Elders, Local Church Boards, Local Church Safe Place Coordinators and Monitors of those persons on Safety Agreements may be privy to applicable information so as to affect their duty of care relating to their roles.

Further, the Church attempts to be transparent in its acknowledgement of past abuse and through its education program for church members, has sought to address this issue in an open (yet often confronting for Church members) manner. This information sharing enables Church members to recognise the Seventh-day Adventist Church is not immune from abuse but is also proactive in providing strategies to minimise this reoccurring.

Finally, where serious risk has been identified, notification may be provided to other Faith organisations.

15.4 How can the wider community be informed about child abuse/child protection issues or suspicions?

The main obligation of the Church is to establish its own environments as 'Safe Places'. It also participates in raising awareness of these issues through participation in specified programs and calendar events such as NAPCAN's National Child Protection Week and Bravehearts White Balloon Day.

While helping to assist in informing the wider community about issues or suspicions of child safety, the Church recognises that the safety of children is “everyone’s business”. Therefore selective ‘targeting’ of people who have children in proximity to a known identified person of risk could be appropriate, as children cannot keep themselves safe...it is adults who must do this. It is believed that the Police are best placed to facilitate such community-safety measures.

5.6 QUESTION 16. PREVENTION

16.1 Are there education or prevention programs/policies with regard to the abuse of children and other vulnerable people in religious and other organisations?

The *Australian Union Conference*, through *Safe Place Services*, supports training that reflects recognised standards of effective practice for safeguarding the Church as a safe place for everyone.

Towards this end, in 2008 the Seventh-day Adventist Church became a member of the Safe Church Training Agreement¹¹⁰. This allows the Church to benefit from inter-denominational training materials that reflect a high standard of effective practice and also meet legal and insurance requirements. It also means there is a consistency for the training that is offered across major Christian faith-groups within Australia.

The Victorian Conference aims to reduce the instances of abuse and duty of care and/or safety failures by providing procedures for Holistic Safe Church Ministry. All Local Churches therefore are provided with training in the following ways:

1. Maintaining the church’s membership with the National Council of Churches Australia (NCCA). This is done through The Safe Church Training Agreement (SCTA). This is a service offered by NCCA which facilitates quality Safe Church (i.e. duty of care, child protection, good leadership practice, safe leaders, and safe programs) awareness training in Australian Churches. The SCTA is not a product, but rather a mechanism to facilitate Safe Church training.

Safe Church Training Agreement (SCTA) Members are Christian organisations who pay an annual membership fee and become SCTA Members. All SCTA training is conducted by "Endorsed Training Partners", who offer their training to the wider Christian community.

Progress is being made to ensure that all *Local Church Safe Place Coordinators* are trained according to the SCTA agreement, thoroughly understand and are committed to the tenets contained within the Victorian Conference’s Safe Church Training Manual 2012¹¹¹

¹¹⁰ <http://www.ncca.org.au/departments/safe-church-network/scta/how-we-work>

¹¹¹ <http://safeplaceservices.org.au/resources/booklets-and-articles>

2. Ongoing awareness raising and training of the Local Church by the *Victorian Conference Safe Places Coordinator*.
3. Orientation of new teachers to Safe Places and their mandatory obligations under the Victorian Institute of Teaching Code of Conduct.
4. Ongoing training to all teachers into Safe Places and 'Arenas of Safety'
5. Orientation of new Pastors and Lay Workers to Safe Places and their mandatory obligations under the *Local Church Child Safe Policy and Boundaries Training Program*.
6. Ongoing training/ Refresher Boundaries Training to all Pastors and Lay Workers into Safe Places and 'Arenas of Safety'

16.1.1 What type of programs? Are they one-off or ongoing?

The Church's Policies are focussed on children, with some reference to other vulnerable people. Therefore educational programs, such as 'Safe Church' training, are targeted at the Local Church Boards/Children's Leaders.

All programs are ongoing and regularly reviewed for both consistency with the current legislation, church policies and current best practice and research.

16.1.2 Who is responsible for developing the programs?

Safe Place Services, at the National level of the Church organization, have generally been responsible for developing policies and training programs, since the year 2000. These include:

- a) Negotiation with NCCA for SCTA Training
- b) AUC Safe Place Services for *Boundaries Training*
- c) *Victorian Conference Safe Places Coordinator* for Local Church Training to all Pastors, Teachers, Local Church Safe Place Coordinators, Youth and Children's Ministries Leaders etc.

16.1.3 Are these programs internally/ externally run? Or both?

Training for local churches and ministers is mostly run internally, but can and does include external speakers and presenters.

Each local Conference throughout Australia and New Zealand has a *Safe Place Committee*, *Safe Place Coordinator* or supportive administration that can assist with organising training and in supplying 'recognised' facilitators to deliver this training. In addition, the Adventist Church recognises training delivered by other denominations and church groups that are part of the Safe Church Training Agreement (SCTA).

It is noteworthy that the SCTA training is based on an interdenominational 'template' where the Seventh-day Adventist Church reciprocally recognises training delivered by other religious organizations and vice-versa.

16.1.4 Who attends the education programs? Is it compulsory?

Safe Place Services recommends that Local Church Boards and all child/youth leaders complete the SCTA training program. This takes between 5-6 hours, and can be delivered as a full day workshop or separated into combinations of the 4 modules and run over a weekend or a series of evening time slots. Local Church Boards automatically include all the Elders and ex-officio leaders. *Safe Place Services* recommend that Church Boards and child/youth leaders also complete a 'refresher' workshop every 3 years. The 'refresher' version takes about 2.5 hours to complete.

All local church volunteers who work with children or young people as team members, assistants, or on an occasional basis, should also complete Module 2 of this training, which takes up to 1.5 hours to complete as a stand-alone unit. In several regions across Australia, it is a legal requirement for church and other community organizations to run child-protection training for staff and volunteers. This module meets these requirements, and also considers the safety and protection of all vulnerable people in the church's environments, not just children and young people.

In addition, it is compulsory for all Pastors in Victoria to attend the church's workshop "Boundary Issues for Ministers and Religious Leaders", and to do a Refresher every two to three years.

16.2 For organisations responsible for the accreditation of ministers of religion, do the curricula include training regarding sexual and other forms of abuse (for example. at seminaries)?

There is some attention given to this topic at Avondale College of Higher Education (NSW). In addition, starting in 2013, all Theology/Ministry students will complete the 'Safe Church' training program as part of their requirements for doing 'field practicums' (supervised work placements) in local congregations in the vicinity of the College, prior to their graduation. This is because the Church organisation in NSW has made this training compulsory. This in turn will now benefit all churches who employ one of these graduates.

Avondale College¹¹² is the main educational institution providing the training and accreditation for Pastors within the Seventh-day Adventist Church in Australia. It offers a range of courses in ministry and theology to prepare both future professional ministers and theologically-educated laypersons¹¹³.

Course options for undergraduate degrees in Theology include:

1. **Bachelor of Theology/Bachelor of Ministry**
For those interested in preparation for full-time ministry
Four-year combined degree (or part-time equivalent)

¹¹² http://www.avondale.edu.au/contact_us/

¹¹³ <http://www.avondale.edu.au/courses/listing/faculty/?faculty=theology>

2. **Bachelor of Theology**
For those interested in the understanding of theology
Three-year degree (or part-time equivalent)
3. **Associate Degree in Theological Studies**
For those interested in studying theology, the Bible, and improving their practical ministry skills
Two-year associate degree (or part-time equivalent)

The following entry requirements are specific to the BTh/BMin course:

1. **Recommendation from, and telephone interview with, church pastor**
Applicants seeking ministry employment need a recommendation from a pastor of the applicant's local church who currently knows the applicant and who can affirm the applicant currently demonstrates in his/her home congregation suitability and potential for ministry. Such suitability must include involvement in leadership roles in congregational life, and time spent with the pastor or senior elder visiting both church members and non-members. The pastor's recommendation must also confirm that the applicant has adequate relational skills. A recommendation form must be completed by the pastor and sent to Avondale. Upon receipt of the recommendation from the pastor, a member of the Faculty of Theology conducts a telephone interview with the pastor.
2. **Optional telephone interview of applicant by faculty**
An optional telephone interview of the applicant may be conducted by a member of the Faculty of Theology, in order to clarify any matter left unclear by the procedure outlined above.

As part of the Field Education requirements¹¹⁴ there is an intentional placement and mentoring of students in a church during their enrolment in the BTh/BMin degree. A number of specific requirements attached to several of the church ministry units need to be fulfilled in a church. In order to be placed in a church, field-students are required to sign a self-disclosure form (Prohibited Persons Declaration) and consent to a criminal records check as part of the New South Wales Working with Children Check.

There are current plans for third year Theology students to complete all four modules of the *Safe Church Training Agreement* as outlined in the *Safe Church Training Manual*,¹¹⁵ as well as basic Child Protection and *Boundaries Training*.

16.3 Have these programs been evaluated? To what extent have they been successful in addressing or raising awareness of these forms of criminal abuse?

These programs are yet to be fully evaluated.

16.4 Does the organisation's framework or policy have provisions or guidelines for proactively encouraging/facilitating the reporting of criminal (or other) abuse of children by people within the organisation? Are new laws required to more effectively address the institutional abuse of children?

¹¹⁴ http://www.avondale.edu.au/Departments::Learning_and_Teaching::Ci_theology.pdf

¹¹⁵ <http://safeplaceservices.org.au/resources/booklets-and-articles>

The *Victorian Conference of the Seventh-day Adventist Church* values the support of the Police in 'reporting' of situations, particularly in relation to the support of *Sexual Offenders Child Abuse Units*. The Church would value further cooperation and liaison with Community Corrections at the end of the sentencing process, when an offender is released from prison including parole conditions specific to religious contexts and environments.

Safe Place Services provides the following policies and procedures for establishing and maintaining safe environments:

Policies and resources for Local Churches, Conferences and Unions:

- Union (2012) Creating a Safe Place Policy
- Union (2012) Framework for Investigations
- Union (2012) National Safe Place Database Procedure
- Local Conference (2009) Safe Place Policy
- Local Church (2011) Child-Safe Policy
- "Sexual Abuse: A 'How to Help' Guide for Victims, Parents of Victims and Congregation" booklet (2012 Edition).

Local Church Brochures:

- Child-Safe Policy
- Screening Volunteers who Work with Children and Youth
- Grooming of Children
- Code of Conduct
- Responding to Kids at Risk
- Safety Agreements

5.7 QUESTION 17. RELATIONSHIPS WITH EXTERNAL BODIES AND ORGANISATIONS

Victoria Police

17.1 Do any formal/written protocols exist between religious / non-government organisations and Victoria Police?

The *Victorian Conference of the Seventh-day Adventist Church* has no current formal/written protocols with the Victorian Police, yet would welcome Police liaison.

17.2 Are Victoria Police guidelines and procedures for investigating child abuse consistently applied across religious or other organisations? Are there any guidelines specific to the investigation of ministers of religion?

The Local Church is committed to establishing a safe environment for children by reporting incidents of suspected and disclosed child abuse and neglect to statutory authorities including Police and the Department of Human Services. This is done by supporting the investigation of complaints and allegations in a timely manner, introducing safeguards (as recommended by the Conference Safe Place Committee/Coordinator or AUC Safe Place Services) where a situation of risk has or may be identified such as before, during or after an investigation.

17.3 Does Victoria Police have liaison officers that are dedicated to working with religious organisations on cases of criminal abuse? If not, should there be?

The *Victorian Conference of the Seventh-day Adventist Church* has experienced a cordial relationship with the Victorian Police in the past and looks forward to this continuing. While the Church is unaware of any assigned Police Liaison Officers, it would welcome future collaboration including:

- a) Shared input with Parole officers doing their 'homework' for Parole Reports
- b) Community Corrections supervising known offenders, to liaise with the church regarding its own views and perspectives on people of risk and what it would like parolees (for example) to be compelled to comply with (such as the Church's 'Safety Agreement' contract regarding their attendance),
- c) Working together on a 'cooperative model' - so the Church is not 'managing' a convicted offender in the religious community in isolation of other supervisory arrangements.

It would also be of benefit to the Complaints Units of any religious organisation to verify the Criminal History of people within their communities. Whilst it appears that the WWCC is very helpful in Victoria compared with elsewhere, not all persons of risk propose to work directly with children, but can still pose a risk to them.

Department of Human Services

17.4 Do religious and other organisations have any formal protocols with the Department of Human Services? If not, what form should they take?

All teachers employed within *Seventh-day Adventist Schools (Victoria) Ltd.* are bound by the mandatory reporting systems relating to the Department of Human Services (DHS) and Victorian Institute of Teaching (VIT).

Other organisations

17.5 Are there formal or informal protocols or relationships between religious and other organisations and non-government bodies, such as CASA? If not, what form should they take?

Formalised professional development, education and training is given to all pastors, teachers and regarding CASA.

17.6 Are there relationships or liaisons between religious and other organisations and victims advocacy groups?

The *Victorian Conference of the Seventh-day Adventist Church* strives to maintain positive relationships and broad networks with various community groups both religious and secular.

17.7 Do the organisations network with religious and other organisations to address abuse? For example, interfaith bodies?

The *Victorian Conference Safe Places Coordinator* is an active member of the *Victorian Professional Standards Network*, an interfaith group of members with similar roles working together to support the acculturation of effective policy, processes and protocols relating to the care and protection of both children and vulnerable persons/adults.

The Church is also a partner and supporter of the Safe Church Training Agreement.



SECTION 6: CONCLUSION

As a dynamic faith community, the *Victorian Conference of Seventh-day Adventist Church* is committed to the ongoing care and protection of children and vulnerable people. The historical establishment and the ongoing adherence to the designated 'Policies and Code of Conduct', 'Processes and Practices', 'Protocols and Procedures' continues to support the prevention, early intervention and amelioration of all forms of child abuse and the misuse of power in the church.