

ANGLICAN CHURCH OF AUSTRALIA
PROFESSIONAL STANDARDS COMMISSION
GUIDELINES FOR PARISH SAFETY WHERE THERE IS A RISK OF SEXUAL
ABUSE BY A PERSON OF CONCERN

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1 INTRODUCTION

This resource has been written to assist you as clergy and church workers responsible for safe ministry within the parish to address the safety issues that arise where there is a person whose presence constitutes a risk of sexual abuse to others in the parish community. In this document we refer to them as the person, or the person of concern.

From time to time you may face the situation where a person of concern has been worshipping and been involved, or wishes to worship and be involved, in your parish. They may not appreciate that they pose a risk to the safety of children and vulnerable adults. While demonstrating genuine compassion and justice, you must take steps to protect the parish community from the risk of harm.

The following situations are not covered by this resource:

- the involvement of a person of concern in Church organisations other than parishes will require adaptation of these guidelines;
- the involvement in parishes of those who commit other types of abuse (emotional, physical and spiritual);
- the undertaking of any ministry role in the Church by a person of concern. In some cases a person known or suspected to have committed sexual abuse will be prohibited by the applicable State

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or Territory legislation from working with children.¹ In all other cases a person of concern should not be permitted to undertake any ministry role without undergoing a risk assessment.²

The effective implementation of these guidelines requires you to understand both sexual abuse and the theological issues raised by the involvement of persons of concern in the life of the Church. These issues are dealt with in **Appendices 1, 2, 3 and 4**. Some helpful resources for implementing these guidelines are set out in **Appendix 5**.

You will need to adapt these guidelines to your parish and to comply with any State or Territory legislation applicable to the parish.³ Failure to implement a system that is designed to keep children and vulnerable adults safe from the risk of harm from persons of concern may constitute a breach of your duty of care in undertaking parish activities.

2 ESTABLISHING BOUNDARIES

The parish should give consideration to the issues that would arise if a person of concern wants to become involved in the parish. You are encouraged to discuss with the leaders of the children's and youth ministry and the parish council the issues that would be raised by the possible involvement of such a person in the parish before the situation arises.

Clear boundaries are required where a person of concern is seeking new or continued involvement in the parish both to protect children and vulnerable adults, and to reduce the possibility of the person being wrongly accused of abuse or being tempted to abuse. To establish clear boundaries it will be necessary for you to address the following questions:

- how will a person of concern be identified?
- when will the parish be ready to receive the person?
- how will appropriate boundaries be established?
- how will information be communicated to the parish?
- what support will be provided for the person?

(a) How will a person of concern be identified?

A person of concern is:

- a person who has pleaded guilty to, has been convicted of, or has admitted to having committed, a sexual criminal offence; or
- a person who has been disciplined as a member of the clergy or a church worker within the Church because of sexual misconduct, or who has been refused ordination, employment or appointment in the Church because of an adverse risk assessment arising from sexual misconduct; or

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- a person who has been disciplined by another organisation for sexual misconduct; or
- a person who is currently charged with a sexual criminal offence; or
- a member of the clergy or a church worker against whom allegations of sexual misconduct are currently being dealt with under Church disciplinary procedures; or
- a person who is receiving, or has received, treatment for disordered sexual behaviour; or
- a person who is considered to be a risk to the safety of children and/or vulnerable adults because of an adverse risk assessment relating to sexual misconduct.

You should exercise care in the identification of persons of concern. Information can be derived from many different sources: the person; friends or relatives of the person; victims or their friends and family; the media; government authorities such as the police or parole board; members of the parish; diocesan officers; anonymous sources.

It is essential that you obtain accurate information as to the identity of the person and the sexual criminal offences and/or sexual misconduct that the person has, or is alleged to have, committed. The identification of a person must not be based solely on rumour or innuendo.

In the case of a member of the clergy or a church worker who has been disciplined for, or who is alleged to have committed, sexual misconduct, you should seek information from the Director of Professional Standards.

(b) When will the parish be ready to receive the person?

Where the person is seeking new or continued involvement in the parish, you will need to ascertain the attitude of the parish to this involvement. This issue should be discussed with the leaders of the children's and youth ministry and the parish council. You will find it helpful to involve the Director of Professional Standards in these discussions. You will assist this process if you have given in principle consideration to the possibility of the involvement of a person of concern in the parish.

Addressing this question will be more complex where more than one person of concern is seeking new or continued involvement in your parish. If you are facing this situation, you should involve the Director of Professional Standards in these discussions.

The parish should not agree to the involvement of the person if they have abused, or are alleged to have abused, a member of the parish community.

Whatever the circumstances of the person, the parish should not feel bound to agree to their involvement. This will be especially so where there is a history of clergy or church workers of the parish having engaged in sexual abuse, or where members of the parish community have experienced sexual abuse.

Where the parish does not agree to the involvement of a person of concern, the Director of Professional Standards should be approached to find a suitable parish for the involvement of the person.

If possible, you should limit the involvement of the person in the parish to a congregation which has no children or vulnerable adults. This will be difficult in some situations, such as where the parish only has one congregation and is the only parish within a reasonable distance of the person's home.

(c) How will appropriate boundaries be established?

If the parish agrees to the involvement of a person of concern, you will first need to undertake a risk assessment of the person.

The purpose of a risk assessment is to determine whether the person, if involved in the parish, poses a risk of harm to children and/or other vulnerable people. Relevant factors in assessing the risk of harm will include the type of abuse, the length of time since the abuse occurred, the absence of any repetition of the abuse, and the person's acceptance of culpability for the abuse. You will then need to discuss and reach a consensus with the person on the terms of their involvement.

You will need to undertake this process of risk assessment and reaching consensus as to the terms of involvement in the parish with sensitivity. If applicable, you should, with the permission of the person, speak to the probation or parole officer. You should also consider the church building, and parish property and activities, to identify potential risks that will need to be raised in the meeting with the person.

Your initial meeting with the person should include a diocesan representative, whose presence will help to ensure that diocesan concerns can be taken into account. The diocesan representative may be the Director of Professional Standards. At this meeting it will be important for you:

- to obtain the following acknowledgements from the person:
 - that they are committed to the physical, emotional and spiritual welfare and safety of all people involved in the parish;

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- that they will voluntarily limit their involvement in the parish so as to ensure they are not a risk to the welfare and safety of others, and are not subjected to the temptation to abuse;
- to give the following acknowledgements to the person:
 - that you are committed to the physical, emotional and spiritual welfare and safety of all people involved in the parish;
 - that you are committed to provide pastoral supervision and support to the person.

After obtaining and giving these acknowledgments, you will need to discuss with the person, and the person will need to accept, terms for involvement in the parish which may include:

- to only attend specified worship services and other authorised activities;
- to sit apart from children and designated adults at specified worship services and other authorised activities;
- to stay away from areas of the parish property where children and designated adults meet;
- to decline offers of hospitality where there are children and designated adults;
- to never be alone with children and designated adults in specified worship services and other authorised activities;
- to never work with children and designated adults in authorised activities;
- to not be part of a parish activity that includes children and designated adults;
- to not attend any parish activity or camp where children and designated adults may be present, and which requires participants to stay overnight;
- to not accept nomination for election to any leadership role in the parish;
- to meet regularly with designated support persons;
- to enter and leave the parish property by a designated route;
- to only use the toilet facilities on the parish property when accompanied by a designated support person;
- to accept directions from designated parish representatives when attending specified worship services and other authorised activities;
- if a member of the clergy, to not wear any clerical clothing or accessory, and not to use a title used by clergy;
- to agree that certain people will need to be informed of their history;
- to agree that if they move to another church, the leaders of that church may be informed; and
- to agree that if there is failure to comply with the terms of their

involvement they may be banned from attending worship services and other parish activities, and that in such circumstances you or your successors may inform specified persons such as the probation or parole officer and people involved in the parish.

Where a consensus is reached with the person, it should be formalised by entry into an agreement which is signed by the person, the parish representatives, and, if applicable, by the diocesan representative. A template of an agreement is **Appendix 6**. *The terms of this agreement will need to be adapted to take into account the particular circumstances.*

Where a consensus is not reached, or the person refuses to cooperate, you may face the situation that the person will seek to attend worship services and other parish activities. To prepare for this situation, you should, following consultation with the Director of Professional Standards, send a letter to the person setting out the terms for their involvement in the parish, and the consequences if they fail to abide by these terms. In these circumstances participation of the person in the life of the parish will be restricted to attending public worship and the members of the parish will be informed. A copy of the letter should be sent to the Director of Professional Standards.

(d) How will information be communicated to the parish?

Those within the parish to whom information about the person should be communicated will depend upon whether the person has or has not been found to have committed sexual abuse. Before communicating any information you should consult with the Director of Professional Standards as to the nature and wording of a communication. The Director of Professional Standards may have a template for a communication to a parish community. You must avoid emotive communications so as to minimise the risk that the person may be hounded out of the parish (to the detriment of the person and the greater danger of other children and vulnerable adults in the community and neighbouring parishes).

Before any communication to the parish you should show the text to the person and, where possible, obtain their agreement to the text and its communication. The person may not veto the text or its communication.

Where there has been a finding that the person has committed sexual abuse, you should communicate details about the person and their involvement in the parish to the members of the parish. Communicating information to the members of the parish is important because parents are entitled to make an informed choice as to whether they wish to withdraw their children from the worship service or parish activities which the person is authorised to attend. Where practicable the communication of information should take place at a parish meeting. It is recommended that

a statement be read to the meeting. You will need to take great care when answering questions. You will find it helpful to have the Director of Professional Standards present so that the members of the parish can be provided with accurate information and be reassured that proper steps have been taken to protect children and vulnerable adults from the risk of harm from the person. After the initial communication, you should communicate details about the person and of their involvement in the parish to new members of the parish. Depending on the numbers involved this may be able to be done on a one to one basis.

Where there has not been a finding that the person has committed sexual abuse, you should communicate details about the person and of their involvement in the parish on a 'need to know' basis with the parish council and those in leadership roles in children's, young people's and mixed aged activities. Communication of information to the members of the parish is inappropriate as there will have been no finding of sexual abuse made against the person. You will need to take great care when answering questions. There should be no gossiping or breaching of agreed boundaries of confidentiality. After the initial communication, you should communicate details about the person of concern and of their involvement in the parish where there are changes in the parish council and those in leadership roles in children's, young people's and mixed aged activities.

Communications must not be notified by mail or posted on a notice board. It is recommended that you keep a list of who has been notified and when they were notified.

If there is a variation to the terms of involvement in the parish of the person, or the person ceases to be involved in the parish, you should communicate these details to the people who previously received information about the person.

(e) What support will be provided for the person?

Many persons who have been found to have committed sexual abuse are lonely and isolated before offending, and leave prison or treatment having lost whatever small circle of social contacts they had before. The provision of pastoral supervision and support of the person within the parish:

- will help them to reintegrate into the community; and
- will reduce the risk of them re-offending, and thereby increase protection for the community.

You should set up a small group, consisting of four to six persons, for an initial term of one year to provide pastoral supervision and support of the person. The membership of the group will probably need to change

regularly. It will be helpful for each member to have an agreed term for their involvement. Members of the group, and the group as a whole, will need to meet regularly with the person. Initially, meetings should be held at least monthly.

It is not necessary that the volunteers for the small group have had any previous experience in dealing with a person of concern. However, it is essential that the group members satisfy diocesan and parish criteria for the selection of volunteers and receive training which should consist of the following elements:

- overview of the criminal justice system in relation to sexual abuse;
- understanding sexuality and sexual deviation;
- sexual abuse from the victim, abuser and community perspectives;
- the needs of sexual abusers and their supporters;
- risk factors and relapse prevention strategies;
- group dynamics and the functions of the group; and
- self care of the members of the group.

This training should be provided by people who are experienced in dealing with a person of concern. Where you do not know anyone with appropriate expertise, you should approach the Director of Professional Standards for assistance.

When the group first meets with the person they should make a contract, including commitments to openness within the group, confidentiality beyond it and consensus decision making.

At meetings members should check how the person is going, and whether the person has particular issues as to their involvement in the parish. The group should evaluate whether the person has complied with each of the terms of the agreement or the letter setting out the terms for the person's involvement in the parish. It is crucial that the group knows at what point to inform the police, or the probation or parole officer, about a problem.

You will need to ensure that the parish insurance extends to group members in carrying out their pastoral supervision and support of the person.

You should ensure that formal and informal support is provided to the members of the small group. Formal support might extend to group supervision by a counsellor or similarly qualified professional, especially in the event of any difficulty arising. Informal support should include your regular enquiries and prayer.

Where the parish is considering the establishment of a group to provide pastoral supervision and support of a person of concern, you should consult with the Director of Professional Standards.

If it is not possible to establish a pastoral supervision and support group, you should remember that whatever pastoral care you are able to provide to the person will to some extent fulfil its functions.

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PROFESSIONAL STANDARDS COMMISSION

¹ Most States and Territories have introduced legislation providing for a prohibition against certain persons working with children, or are working towards such legislation. The applicable legislation is set out in a Resource Sheet on the Australian Institute of Family Studies website at <http://www.aifs.gov.au/nch/pubs/sheets/rs13/rs13.html>. If in doubt as to the applicability of the relevant legislation, the Director of Professional Standards should be consulted.

² An assessment of the risk of a person sexually abusing children and/or vulnerable adults requires an investigation of all relevant circumstances and should be undertaken in consultation with the Director of Professional Standards of the diocese. The risk assessment, once completed, should be documented. *Guidelines for Dioceses Undertaking Risk Assessments relating to Sexual Abuse*, which have been approved as a resource by the General Synod Standing Committee in February 2009, are on the General Synod website at [TO BE INSERTED].

³ Most States and Territories have introduced legislation providing for the mandatory reporting of child abuse. The scope of mandatory reporting of child abuse and the applicable legislation are set out in a Resource Sheet on the Australian Institute of Family Studies website at <http://www.aifs.gov.au/nch/pubs/sheets/rs3/rs3.html>. If in doubt as to the applicability of the relevant legislation, the Director of Professional Standards should be consulted.

APPENDIX 1

SEXUAL ABUSE

(a) What is sexual abuse?

The victims of sexual abuse can be adults and children. The expressions **sexual abuse of an adult** and **sexual abuse of a child** are defined in *Faithfulness in Service* (see section 2, Key Terms), the national code for personal behaviour and the practice of pastoral ministry by clergy and church workers, which was adopted by the General Synod in October 2004 (resolution 33/04(e)) and has been subsequently revised by the Standing Committee.

Sexual abuse of an adult means sexual assault, sexual exploitation or sexual harassment of an adult. **Sexual assault** means any intentional or reckless act, use of force or threat to use force involving some form of sexual activity against an adult without their consent. **Sexual exploitation** refers to any form of sexual contact or invitation to sexual contact with an adult, with whom there is a pastoral or supervisory relationship, whether or not there is consent and regardless of who initiated the contact or invitation. **Sexual harassment** means unwelcome conduct of a sexual nature, whether intended or not, in relation to an adult where the person reasonably feels in all circumstances offended, belittled or threatened. **Sexual abuse of a child** means the use of a child by another person for his or her own sexual stimulation or gratification or for that of others. Examples and clarifications of these expressions are found in *Faithfulness in Service*.

Sexual abuse includes serious criminal offences such as sexual intercourse without consent (rape), indecent assault and possession of child pornography.

(b) Who are sexual abusers?

Sexual abusers come from every social group, irrespective of profession, level of intelligence, educational background, ability, sexual orientation, nationality, religion or race. Most, but not all sexual abusers are male. Many sexual abusers committed their first offence as an adolescent, but not all adolescent abusers go on to become adult abusers. A common stereotype of sexual abusers as outsiders with no connections to families or communities is misleading. The majority of sexual offences against children are committed by individuals known to the child and often to the family.

Current research offers some useful insights into sexual abuse. It indicates that:

- 90% of sexual abusers have experienced or witnessed physical abuse in childhood;
- only 20% of people sexually abused in childhood go on to become sexual abusers as adults;
- there is no higher rate of mental illness recorded among those who commit sexual offences than amongst the general population;
- sexual abusers commonly engage in a number of disordered sexual behaviours (paraphilias). Paedophilia is one of these.

Paedophilia (or pedophilia) is a psychosexual disorder, known as a paraphilia (an unusual sexual arousal or behaviour). Not all sexual crimes committed against children are perpetrated by people who, upon investigation, would warrant the diagnosis of paedophilia. As a result, some people prefer to discuss such behaviours as child sex offences. In the management of such a person, the issue of whether or not the person warrants the diagnosis of paedophilia is important. In the media and within society in general, people who commit child sex offences are typically referred to as paedophiles. Some child advocates argue against the use of the term paedophilia as it means "love of a child" and they argue child sex offences can never be considered loving.

A summary of evidence about sex offending is contained in **Appendix 2**.

(c) What are the characteristics of sexual abusers?

The characteristics of sexual abusers are described in *Faithfulness in Service* (see paragraph 5.17). Sexual abusers commonly follow the following steps leading up to the commission of a sexual offence:

- wanting to offend;
- giving themselves permission;
- creating the opportunity to offend;
- overcoming the victim's resistance.

Wanting to offend

A sexual abuser will have a desire to fulfil an emotional or physical need through some form of sexual misconduct. Some abusers will have a very clear mental image of what it is they want to do and the type of (or actual) person to whom they want to do it. For others it will be much more vague.

Giving themselves permission

Most sexual abusers know that what they want to do is wrong. To proceed they put in place a way of thinking which overcomes their inhibitions and gives permission to carry out the desired act. This distorted cognitive process falls into the following three main categories:

- ***Making reprehensible conduct acceptable:*** There may be moral justifications ('it's sex education'; 'it will be better for her to learn from me than from a stranger'; 'she's my step daughter not my natural daughter'; 'it was a proper relationship'; 'I was showing him the affection he didn't get at home'); psychological justifications ('it happened because my wife and I weren't getting on'; 'I was drunk at the time'; 'it's because of my own abuse – I can't help it'); mitigating comparisons ('I only touched her, I didn't penetrate her'; 'at least it's not a boy'; 'it won't hurt her'); or euphemistic labelling ('I was only fooling around – it just happened'; 'we were only playing');
- ***Misconstruing the consequences of the behaviour:*** This may involve minimizing the consequences ('the child didn't suffer'; 'I won't do any harm'; 'he didn't say anything so he must have been enjoying it'; 'I only intend it to be a bit of fun'); or ignoring the consequences ('I don't care').
- ***Devaluing or attributing blame to the victim:*** This may involve dehumanisation of the victim ('she was a slut') or attribution of blame ('she was asking for it the way she was dressed'; 'she came on to me').

For many sexual abusers this distorted thinking will be accompanied by denial. Through such distorted thinking and the associated denial, sexual abusers overcome their sense of culpability and guilt about past and potential offences and their impact on their victims.

In the case of adult victims (and some child victims) some clergy and church workers will have a split internally between their sexuality, morality and spirituality. In such cases, the member of the clergy or church worker will project their erotic impulse onto the victim and blame the victim for seducing them.

Creating the opportunity to offend

Sexual abusers get into positions which give access to a particular potential victim or range of potential victims. Grooming is one of the means used to create opportunities. Grooming is the manipulative cultivation of a relationship in order to initiate or hide sexual abuse of an adult or a child. In the case of child sexual abuse, an offender may groom not only the child, but also the child's parents or guardians, and clergy and church workers. Grooming can take many months or even years, during which the abuser builds a relationship and develops opportunities. Rarely do sexual abusers when creating the opportunity to offend draw attention to themselves through anti-social behaviour.

Grooming can be undertaken in a variety of ways. It may involve deliberately engaging in activities in which potential victims are participating (such as scouts, youth ministry or sporting teams); entering

specific employment giving access to children (such as teaching or the Christian ministry); targeting vulnerable children and their families (by developing trust through purchasing gifts or providing babysitting; by undermining parents' trust in their child through accusations of lying).

Grooming also occurs through increasing sexualisation of apparently innocent activities. Over time physical contact, cuddles and kisses of the victim, photographs and videos taken of the victim, and material on the internet shown to the victim, will become increasingly sexual.

Some clergy and church workers may gain trust and access into a family home or one-on-one access to the child because of the family's (and parent's) sense of safety and the expectation of moral conduct within the Church. Parents may assume that the person as an ordained minister church worker will hold those values to a very high degree. Such clergy and church workers may voyeuristically encourage children (and especially teenagers) to discuss their sexual activities (such as masturbation and other sexual behaviours) under the guise of "spiritual counselling".

Overcoming the victim's resistance

Physical strength and size, violence and the threat of violence, and grooming are used by sexual abusers in overcoming their victim's resistance. In many cases sexual abusers use much more subtle techniques. For example, a child may learn to accept sexual touching and eventually penetration as 'normal'; children may be told that they will be responsible for the break-up of the family if they report their abuse; the standing of the abuser may suggest that no-one would believe the victim if the abuse was disclosed. For an adult victim emotional as well as physical conditioning by the abuser may create a willingness for the victim to participate in the abuse for the fear of losing the 'relationship' or 'friendship'.

Some clergy and church workers may use their spiritual or pastoral authority as a representative of the Church or God. They may encourage a child or vulnerable adult to be trusting, to share secret thoughts or worries. They can exploit this relationship to talk about sexual matters. After the abuse, they will often invoke religious values to maintain secrecy around the abuse. They will intimidate the child into believing that the wrong act was the child's responsibility and initiative and would be a cause of great shame if revealed to their parents.

(d) What is the risk of sexual abusers re-offending?

Evidence about re-offending is mixed. It suggests that treatment reduces the likelihood of re-offending for some, but for many it does not. Factors

that reduce the risk of re-offending include the establishment of a social network and the avoidance of situations involving contact with children. A summary of factors which have been identified in professional literature as increasing the risk of both general and child sexual offences being committed is contained in **Appendix 3**.

APPENDIX 2

SUMMARY OF EVIDENCE ABOUT SEX OFFENDING

Studies to date on sex offenders have reached a number of consistent conclusions:

- sexual offences that come to the attention of police represent only a small proportion of all sexual offences that occur in the community;
- sex offenders who are imprisoned represent only a small proportion of all sex offenders who enter the criminal justice system;
- most victims of sexual offences are victimised by someone known to them, most commonly a family member;
- the overwhelming majority of sex offenders are men;
- only a small minority of sex offenders report having been sexually abused in childhood;
- most sex offenders are not mentally ill;
- the risk of reoffending is greatest for those offenders who started offending at an early age, have stable deviant sexual preferences, have multiple convictions for sexual offending, have committed diverse sexual offences and who target male child victims;
- sex offenders tend to have versatile criminal careers, with their sexual offending embedded in more general offending behaviour;
- sex offenders are not a homogeneous group, with different types of sex offender exhibiting different patterns and precursors of offending;
- sex offender treatment programs, especially those delivered in the community, have a small but significant effect on reducing sexual offence recidivism.³

³ These studies are referred to on page vii of the Research Paper *Recidivism of Sex Offenders* listed in Appendix 5 below.

APPENDIX 3

FACTORS INCREASING THE RISK OF SEX OFFENDING

(a) Factors increasing the risk of general sex offending⁴

The following factors have been identified in professional literature as increasing the risk of sexual offences being committed:

- **previous offences:** sexual abusers with a previous history of sexual offending are more likely to be recidivists. The greater the number of previous offences an individual has committed, the greater the likelihood that they will re-offend;
- **gender:** most sexual abusers are male;
- **age:** sexual abusers who commit their first offence at a young age are more likely to become recidivist offenders;
- **marital status:** sexual abusers who are unmarried are more likely to re-offend;
- **employment:** sexual abusers who are unemployed are more likely to re-offend than those who are in employment;
- **substance abuse:** substance abuse is related to recidivism among sexual abusers;
- **choice of victim and type of crime:** sexual abusers whose victims are strangers are more likely to become recidivist offenders. Child sexual abusers who select victims outside their own family are more likely to re-offend. Indecent exposers are more likely to re-offend than other types of sexual abusers;
- **victim empathy:** low victim empathy is linked to sexual re-offending;
- **personality disorder:** sexual abuse is commonly associated with the presence of a personality disorder, including high levels of anger and low self-esteem;
- **sexual arousal and use of pornography:** sexual deviancy including sexual interest in children is a strong indicator of re-offending;
- **treatment completion:** sexual abusers who drop out of treatment early are more likely to re-offend.

(b) Factors increasing the risk of child sex offending⁵

The following factors have been identified in professional literature as increasing the risk of child sexual offences being committed:

⁴ These factors are listed on pages 21-24 in the Occasional Paper *Offenders' risk of serious harm: a literature review* listed in Appendix 5 below.

⁵ These factors are listed on pages 27-29 in the Occasional Paper *Offenders' risk of serious harm: a literature review* listed in Appendix 5 below.

- **previous offences:** child sexual abusers who have a history of child sex abuse are the most likely to re-offend;
- **marital status:** unmarried child sexual abusers are more likely to re-offend than those who are married;
- **employment:** child sexual abusers who are unemployed are more likely to re-offend than those who are in employment;
- **childhood experiences:** the relationship between being abused as a child and subsequent adult sexual abuse against children is complex, with conflicting evidence for the assertion that those who have been abused themselves in childhood will go on to abuse children as an adult;
- **choice of victim:** child sexual abusers who select victims outside their own family are more likely to re-offend, as are those who select boy victims or both sex victims;
- **sexual preferences:** child sexual abusers who are only aroused by children are more likely to re-offend than those who are aroused by adults and children;
- **social isolation:** male child sexual abusers tend to have a lack of intimacy with adults and high levels of emotional loneliness, and therefore experience difficulties in maintaining normal relationships with adults and gain emotional intimacy from children;
- **personality traits and disorders:** child sexual abusers have poor social skills, lack assertiveness and have low self-esteem;
- **victim empathy:** low levels of victim empathy is linked to sexual re-offending by child sexual abusers.

APPENDIX 4

THEOLOGICAL ISSUES

(a) Sexual abusers and sin

Sexual abusers are commonly referred to in the community by pejorative labels: 'child molester'; 'creep'; 'deviant'; 'monster'; 'pervert'; 'predator'; 'rock spider'. No sexual abuser, regardless of what they have done, can be wholly described by one of these labels. A principle of doctrine of the Church is that all "offend in many things" and all who "say they have no sin, deceive themselves" (see *The Articles of Religion*, article XV). For the Church to provide pastoral supervision and support of sexual abusers it is essential that, without minimising their abuse and its effects, they are seen and treated as human beings made in God's image and deserving of God's love.

(b) Conversion and forgiveness

In *Making Our Church Safe: A Programme For Action* the Child Protection Committee made the following remarks:

"At a theological level, it must be recognised that Christian conversion does not cure the propensity or the temptation to abuse. Forgiveness does not mean forgetting what the abuser has done, treating the abuser as wholly reformed and cancelling the abuser's obligations. Rather forgiveness should encourage the abuser to take responsibility for the damage caused and to make reparation where possible. Participation in the life of the church does not confer any right to hold office."

It needs to be emphasised that a sexual abuser, who is involved in a parish and seeking to follow Jesus Christ, should be accepted as the recipient of God's forgiveness. However, that forgiveness does not mean immunity from temptation to re-offend or the removal of all barriers to the exercise of ministry.

A Christian congregation can be one of the few places where a sexual abuser can mix with a welcoming community. The abuser's journey to rebuild their lives and restore relationships (with their family, friends and neighbours) will be long and hard. The forgiveness and grace of God, mediated with strict supervision and clear guidelines through a parish, can be a vital part of that journey.

APPENDIX 5

RESOURCES

Faithfulness in Service, the Church's national code for personal behaviour and the practice of pastoral ministry by clergy and church workers, can be found on the General Synod website at <http://www.anglican.org.au/docs/PSCFISrevMar06.pdf>

Sexual abuse and related theological issues are thoroughly considered in Patrick Parkinson (2003) *Child Sexual Abuse and the Churches*, 2nd ed., (Sydney: Aquila Press).

Dale Tolliday of the New South Wales Health Department delivered the keynote address *Where to for Abusers?* at *Safe as Churches? II*, a national ecumenical consultation on Sexual Misconduct and Abuse in Australian Churches at Canberra on 8-10 September 2005. A copy of this address in print or audio form can be ordered from the National Council of Churches in Australia whose contact details can be found on its website at <http://www.ncca.org.au/>

Chaplains who serve in any correctional institution in the diocese may be able to provide assistance in the establishment of pastoral supervision and support of a person of concern in the parish. Contact details for any such chaplains can be obtained through the Registrar or the Director of Professional Standards of the diocese.

Kairos Prison Ministry Australia, which is an interdenominational Christian prison ministry, may also be able to provide assistance in the establishment of pastoral supervision and support of a person who has been found to have committed sexual abuse. Contact details can be found on its website at http://members.optusnet.com.au/~kairospm/contact_new.htm

Prison Fellowship Australia, which is an interdenominational Christian prison ministry, may also be able to provide assistance in the establishment of pastoral supervision and support of a person who has been found to have committed sexual abuse. Contact details can be found on its website at <http://www.pfl.org.au/pfa/contact/>

The Supervision and Pastoral Care of Offenders is a distance learning programme containing five hours of DVD material produced by the interdenominational English organisation Churches' Child Protection Advisory Service. The programme examines issues related to sex offending and includes understanding patterns of sex offending behaviour, risk assessment and written contracts, and the treatment, pastoral care and support of sex offenders in a church setting. It can be purchased from Churches' Child Protection Advisory Service, PO Box 133, Swanley, Kent,

BR8 7UQ, United Kingdom. The CCPAS email address is info@ccpas.co.uk

Factors increasing the risk of general sexual offences and child sexual offences being committed are considered in Beverly Powis (April 2002) *Offenders' risk of serious harm: a literature review*, RDS Occasional Paper No 81 which may be found on the website of the Research, Development and Statistics Directorate of the United Kingdom Home Office at <http://www.homeoffice.gov.uk/rds/pdfs2/occ81risk.pdf>

Recidivism of sex offenders is considered in Dr Karen Gelb (January 2007) *Recidivism of Sex Offenders* Research Paper which may be found on the website of the Sentencing Advisory Council of Victoria at www.sentencingcouncil.vic.gov.au
http://www.sentencingcouncil.vic.gov.au/wps/wcm/connect/Sentencing+Council/resources/file/eb4d1a466597fe8/Recidivism_Sex_Offenders_Research_Paper.pdf

APPENDIX 6

ANGLICAN CHURCH OF AUSTRALIA

DIOCESE OF [INSERT NAME]

AGREEMENT REGARDING THE INVOLVEMENT OF [INSERT NAME] IN THE PARISH OF [INSERT NAME]

*The terms of this Agreement will need to be adapted to take into account
the particular circumstances*

1 PARTIES

The parties who agree to this Agreement (Agreement) are:

[INSERT NAME] (Parishioner)

**[INSERT NAMES] representing the Parish of [INSERT NAME] (Parish
Representatives and Parish respectively)**

**[INSERT NAME] representing the Diocese of [INSERT NAME] of the Anglican
Church of Australia (Diocesan Representative, Diocese and Church
respectively).**

2 PURPOSE

The purpose of this Agreement is to state the conditions upon which the Parishioner can be involved in the Parish.

3 ACKNOWLEDGEMENTS

- 3.1** The parties are committed to the physical, emotional and spiritual welfare and safety of all people involved in the Parish.
- 3.2** The Parishioner **[DELETE INAPPROPRIATE WORDS]**
 has made admissions concerning sexual misconduct
 has been charged with, but denies having committed, an offence involving sexual misconduct
 has pleaded guilty to a sexual criminal offence
 has been convicted of a sexual criminal offence and has disclosed the conditions of any current probation or parole order
 has been disciplined as a church worker within the Church because of sexual misconduct
 has been refused ordination, employment or appointment in the Church because of an adverse risk assessment arising from sexual misconduct
 has been disciplined by another organisation for sexual misconduct

is a church worker against whom allegations of sexual misconduct are currently being dealt with under Church disciplinary procedures but denies having engaged in the sexual misconduct
is receiving, or has received, treatment for disordered sexual behaviour
is considered to be a risk to the safety of children and/or vulnerable adults because of an adverse risk assessment relating to sexual misconduct].

3.3 The Parishioner **[DELETE INAPPROPRIATE WORDS]** has been worshipping and been involved/wishes to worship and be involved] in the Parish.

3.4 In order to ensure the physical, emotional and spiritual welfare and safety of all people involved in the Parish, and to enable the Parishioner to worship and be involved in the Parish, the parties freely commit themselves to abide by the provisions of this Agreement.

4 COMMITMENT OF THE PARISHIONER TO THE PARISH

4.1 The Parishioner will only attend the worship service at **[INSERT NAME OF CHURCH]** at **[INSERT TIME AND DAY]** and other worship services agreed to by the Parish Representatives.

4.2 The Parishioner will not visit any property of the Parish except for specified worship services and for other activities authorised by the Parish Representatives.

4.3 The Parishioner will enter and leave the property of the Parish for specified services and other authorised activities by the route designated by the Parish Representatives, and stay away from areas of the property where children **[IF APPLICABLE INSERT and THE NAME OF ANY DESIGNATED ADULTS]** are present.

4.4 The Parishioner will sit in **[INSERT NAME OF CHURCH]** and at other authorised activities where directed by one of the Parish Representatives and will not sit or stand in the vicinity of, or be alone with, children **[IF APPLICABLE INSERT and THE NAME OF ANY DESIGNATED ADULTS]** during worship services and other authorised activities.

4.5 The Parishioner will only use the toilet facilities on the property of the Parish when accompanied by a Parish Representative or a person specified in clause 5.3 or clause 5.4 below.

4.6 The Parishioner will comply with all reasonable directions given by a Parish Representative or a person specified in clause 5.3 or clause 5.4 below at specified worship services and other authorised activities for the purpose of ensuring the welfare and safety of any person or persons.

- 4.7 The Parishioner will not participate in any Parish activity or camp where children **[IF APPLICABLE INSERT and THE NAME OF ANY DESIGNATED ADULTS]** may be present.
- 4.8 The Parishioner will not accept nomination for election for, or undertake, any leadership role in the Parish.
- 4.9 The Parishioner will meet regularly, and as requested, with the person or persons specified in clause 5.3 and/or clause 5.4 below.
- 4.10 The Parishioner understands that if any person makes a complaint against him/her of abusive behaviour towards or with a child or adult, it will be immediately reported to the Director of Professional Standards of the Diocese and the Diocesan Representative, and may be reported to the police and child protection authority.
- 4.11 The Parishioner agrees if he/she is a member of the clergy not to wear any clerical clothing or accessory at any Parish activity or to call himself by a title used by a member of the clergy (eg Reverend) in any communication with a person involved in the Parish.

5 COMMITMENT OF THE PARISH TO THE PARISHIONER

- 5.1 The Parish accepts the Parishioner as a member of the Parish community, and encourages him/her to use these gifts appropriately in the Parish.
- 5.2 The Parish commits itself to provide pastoral supervision and support of the Parishioner, and not to place the Parishioner in any situation where he/she may be alone with children **[IF APPLICABLE INSERT and THE NAME OF ANY DESIGNATED ADULTS]** during worship services and other authorised activities.
- 5.3 The Parish Representatives appoint **[INSERT NAME/NAMES]** to provide pastoral supervision and support of the Parishioner.
- 5.4 The Parish Representatives may appoint additional persons to provide pastoral supervision and support of the Parishioner, and will advise the Parishioner of their identity.

6 DISCLOSURE

- 6.1 This Agreement will be kept confidential except as set out herein.
- 6.2 The Parishioner understands that the Parish Representatives will disclose this Agreement:

- 6.2.1 to the minister of the Parish;
 - 6.2.2 to any person undertaking the role of Parish Representative;
 - 6.2.3 to the person or persons specified in clause 5.3 or clause 5.4 above;
 - 6.2.4 to persons responsible for the welfare and safety of children and/or vulnerable adults involved in Parish activities;
 - 6.2.5 to **[INSERT WHERE THE PARISHIONER IS A KNOWN SEXUAL ABUSER the members of the Parish OR WHERE THE PARISHIONER IS A SUSPECTED SEXUAL ABUSER THE APPLICABLE CATEGORIES OF PERSONS]**; and
 - 6.2.6 the Director of Professional Standards of the Diocese.
- 6.3 The Parishioner understands that the Parish Representatives, the Diocesan Representative and/ or the Director of Professional Standards of the Diocese may disclose this Agreement:
- 6.3.1 to any person, whether or not a member of the Parish, where they reasonably consider that it is necessary to ensure the welfare and safety of any person or persons; and
 - 6.3.2 where the Parishioner wishes to be involved, or becomes involved, in another parish of the Diocese or another diocese of the Church, to the person or persons responsible for the welfare and safety of children and/or vulnerable adults in that parish or diocese.
- 6.4 The Parishioner understands that if he or she breaches any provision of this Agreement the Parish Representatives may disclose this Agreement and its breach to any person involved in the Parish, the Diocesan Representative and the Director of Professional Standards of the Diocese.
- 6.5 The disclosure to the Director of Professional Standards of the Diocese shall be made by sending the original Agreement. The disclosure otherwise authorised by this clause may be made orally or by provision of a copy of the Agreement.
- 7 CESSATION OF INVOLVEMENT OF THE PARISHIONER IN THE PARISH**
- 7.1 If the Parishioner ceases to be involved in the Parish and wishes to be involved in another parish of the Diocese or another diocese of the Church

he/she will notify the Diocesan Representative or the Director of Professional Standards of the Diocese.

7.2 If the Parishioner breaches any provision of this Agreement he/she will no longer participate in any Parish activity unless an Agreement in similar terms is entered into.

7.3 If the Parishioner ceases to be involved in the Parish for whatever reason or breaches any provision of this Agreement, this Agreement will cease to be in force and the Parish Representatives:

7.3.1 will notify the Diocesan Representative and the Director of Professional Standards of the Diocese; and

7.3.2 where they reasonably suspect that the Parishioner wishes to be involved, or has become involved, in an organisation in which children and/or vulnerable adults are involved, may notify the person or persons exercising leadership in that organisation.

8 REVIEW

8.1 This Agreement will be reviewed in the event that the Parishioner is acquitted of **[DELETE INAPPROPRIATE WORDS the charge of a sexual criminal offence/allegations of sexual misconduct]**.

8.2 This Agreement may be reviewed by the parties from time to time, and must be reviewed every year.

8.3 Any agreement reached in any review, including a variation to this Agreement, must be recorded in writing, dated and signed by all parties and the original varied Agreement will be sent to the Director of Professional Standards of the Diocese.

Dated:

.....
Parishioner

.....
Parish Representatives

.....
Diocesan Representative

DISTRIBUTION:

Parishioner
Minister of the Parish
Parish Representatives
Diocesan Representative
Director of Professional Standards (original)
Persons undertaking pastoral supervision and support of the Parishioner