

Healing Steps

*Pastoral support and practical assistance for those who
have been sexually abused within the church*

Anglican Diocese of Adelaide
August 2010

These guidelines outline how the Anglican Diocese of Adelaide can provide pastoral support and practical assistance to people who have been sexually abused by Anglican clergy and church workers within this diocese.

Healing Steps offers an alternative approach to civil proceedings for resolving claims by those who have been abused.

This option approaches claims from a pastoral perspective, toward a resolution appropriate to the circumstances of each individual. You are however free to opt out and resume civil proceedings at any stage.

The memories of the past will always remain. But the church recognises its responsibility to help those who have been abused toward a better future.

Healing Steps allows those who have been abused to tell their story and to have the damage of the abuse acknowledged.

They can be given support and encouragement to move on in healing, with whatever assistance the church can provide.

Healing Steps is a pastoral program and can provide assistance even where there is not necessarily any legal obligation on the Church to do so. It can also provide assistance with access to counselling services and pastoral support together with meetings with a senior church representative allowing survivors to tell their story and receive an apology on behalf of the Church.

The Professional Standards Director is the first point of contact for any questions or inquiries regarding the making of a complaint.

A separate Professional Standards investigation may flow from information received, but you are free to choose whether to be involved in that process.

The church faces up to its past

While justice demands that perpetrators of sexual abuse are made accountable for their actions, it can do little to mend the lives of people who were the subject of their crimes. Similarly, while the law can assess and enforce financial reparation for the damage caused by people working within the church, it cannot apologise on behalf of the church.

The legal process can be long and painful, and can only deal with the events of the past. Many of those who have been abused by church workers want pastoral support and practical assistance to help them to move on to a better future.

Recognising its past failures, the church is committed to responding with a compassionate understanding of the suffering and the needs of those who have been abused. Churches in Australia and around the world have been applying the principles of alternative dispute resolution to claims related to sexual abuse.

The Healing Steps process has been developed in this model. It does not provide a perfect answer. It will continue to evolve and can be adapted to individual circumstances. It is the church's attempt to respond appropriately, in a pastoral and practical way, to decades of abuse caused by the church's neglect and inaction.

Most importantly, Healing Steps seeks a way to provide for those who have been abused to move towards a better future, with the support they need.

The responsibilities of church workers

All church workers are called to live their lives in a way which gives no cause for reproach, which does not exploit others, and which upholds the dignity of the role to which they have been appointed. This applies particularly to members of the clergy.

When someone is working in the church in a position of trust, they are responsible for behaving appropriately.

When someone comes to a church worker for help, that person can be vulnerable to abuse of power or trust. Within a pastoral relationship, it is a breach of professional ethics for sexual activity or sexually suggestive behaviour to take place.

Sexual misconduct by a church worker may also be a breach of the criminal law. Whether or not there has been a breach of the law, if the pastoral relationship has been breached, the church must respond.

The sexual abuse of children is an abhorrent breach of trust and the church will not tolerate this criminal activity. All church workers have a responsibility to report suspected child abuse to the appropriate statutory authorities.

In all instances of sexual abuse, the Anglican Diocese of Adelaide aims to respond with primary concern for justice and healing of those affected.

Healing Steps: working towards a better future

Healing Steps is a process which may be modified or adapted to meet the needs of an individual.

If you seek pastoral support and practical assistance from the church, the following steps apply:

You inform the Church of your experience of sexual abuse or misconduct.

Your claim is taken seriously and assessed by people independent of the church.

An independent person, agreed to by those involved, facilitates a meeting between you and a person representing the church.

Agreement is reached between you and the church about the nature of the support and assistance to be provided.

Guiding principles

The process operates in accordance with the following guiding principles:

- **Independent** – the church coordinates the process but ensures that the key elements are undertaken by individuals and bodies independent of the church.
- **Optional** – the process is one option available and trying it does not prohibit you from seeking redress through other avenues instead.
- **Supported** – at all times during the process you can access additional support and advice from sources independent of the church.
- **Transforming** – the objective is to help you to move on in your life in a positive way.

What kinds of support and assistance?

The church aims at all times to meet your reasonable needs and address your claim with justice and compassion.

You may seek a number of outcomes including:

- Recognition from the church that it understands the impact of abuse on your life.
- An apology from the church; and reasonable assurance that the offence will not happen to another person.
- Support and assistance towards a better future for you which may include financial assistance.

The process does not stop you from pursuing a claim through the courts if a satisfactory resolution cannot be achieved.

The process does not amount to admission of liability, but is a pastoral response to people who have been abused by church workers.

Beginning the process

If you have suffered sexual abuse by a church worker in the Anglican Diocese of Adelaide you may apply for pastoral support and assistance from the church.

Completing and signing a simple application demonstrates your intention to participate in the process. You can choose to withdraw from the Healing Steps process at any time.

You will be guided through the application process by the Professional Standards Director in the Anglican Diocese of Adelaide.

You are encouraged to seek legal advice in relation to your application. This is consistent with the guiding principle of ensuring you have access to support and advice at all times.

Investigation and assessment

Once an application for pastoral support and assistance has been made the church may appoint an independent person to investigate what happened to you. This may not be necessary if the facts of the claim have been admitted or established by the police or an investigation by some other competent body.

You will be encouraged to provide all existing psychiatric, psychological, medical and other reports and records relevant to your application. The church may ask you to participate in independent medical assessments, to be paid for by the church.

The church will ensure the process of investigation and assessment is undertaken as quickly and sensitively as possible. You will be advised of the outcome.

When the independent investigator advises the church that there is substance to the claim, you will be able to choose to take the next step and consider the possibility of facilitation (or 'mediation').

The facilitation process

The next step in Healing Steps is organising a meeting between you and the church's representative.

This process will be coordinated by a facilitator, who is a suitably qualified person, independent of the church.

The facilitator will conduct one or more initial meetings with you and the church representative to:

- Describe the nature and purpose of the facilitation
- Explain and agree upon the process for the facilitation appropriate to the circumstances of the application.
- Consult and reach agreement on who may participate in the facilitation process and agree on the role of support persons.
- Encourage the participants to consider the contributions they can make to the process.
- Discuss a range of possible outcomes.

When these steps are completed you and the church representative are asked to sign a 'memorandum of agreement' which sets out clearly the nature of the meeting.

At this point, you will be asked to commit to release the church from any further claims, should a financial settlement be agreed at the facilitation.

Coming together - the facilitation

The meeting between you and the church representative provides the opportunity for you to receive an acknowledgement and/or an apology for what you have suffered, and to explore how your future needs can be met.

The facilitator arranges the meeting between you and the church representative, and guides the meeting. The facilitator aims to ensure that all parties are satisfied with what has taken place and the outcome.

At the meeting, you may take the opportunity to tell your story and express how the abuse has affected your life. This can be painful and emotional for both parties. If you wish, a senior Church leader will attend this part of the meeting to acknowledge your experience and give you an apology on behalf of the Church. Then the facilitator invites you to consider what support you may require to help you move into the future.

The church's representative is authorised to commit to an agreement which may include financial assistance.

The participants may agree to have more than one meeting if they want to continue the discussions.

The facilitator provides a written report of any agreement reached.

Confirming the agreement

Where the final agreement includes financial assistance the Anglican Diocese of Adelaide will ask you to release the church from any further claims. This is called a Deed of Release. You are encouraged to obtain legal advice on the Deed of Release.

Where the final agreement does not include financial assistance the facilitator will help you and the church representative determine how the agreement is to be recorded.

You are not required to give an undertaking of silence as part of a facilitated agreement.

Obligations of the participants

As far as possible, the facilitation process is without cost to you, and the church will bear all reasonable expenses associated with your personal participation in the facilitation process.

Participants in the process acknowledge that neither the facilitator nor any other person shall be liable for any act or failure to act during the process.

You and the church waive any right to call the person acting as the facilitator as a witness in any existing or subsequent legal proceedings.

You and the church waive any right, without the express consent of each other, to use any document or communication created in this process as evidence in any existing or subsequent legal proceedings.

The facilitation process is to be conducted respectfully, aimed at generating negotiations in good faith between the parties and at a mutually acceptable outcome, which will assist you to move on with your life.

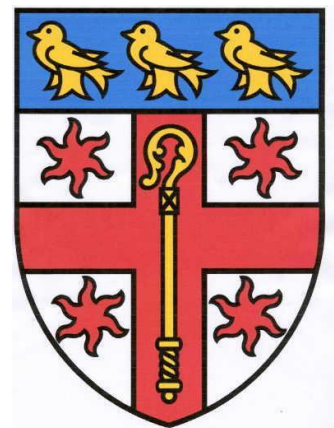
Definitions

- The **church** means the Synod of the Diocese of Adelaide of the Anglican Church of Australia Inc. and any body corporate organisation or association that exercises ministry within, or on behalf of, the Synod;
- **Church worker** means a person who is or who at any relevant time was:
 - a member of the clergy; or
 - a person employed by a Church body; or
 - a person holding a position or performing a function with the actual or apparent authority of a Church authority or Church body;but excludes a bishop subject to the jurisdiction of the Special Tribunal of the Church.
- **Sexual abuse includes** sexual harassment, sexual misconduct, or sexually inappropriate behaviour;

Further contacts:

More information on *Healing Steps* is available from:

The Professional Standards Director
Anglican Diocese of Adelaide
PO Box 171
Stepney SA 5069
Telephone 08 8366 6589
Mobile 0412 256 244
Email: psdirector@adam.com.au



*The Synod of the
Diocese of Adelaide of
the Anglican Church of
Australia Incorporated*

August 2010