



Anglican Diocese  
of the Northern Territory

# Protocol for Ministry with Persons of Concern

DOCUMENT NUMBER	SM004
TYPE	Protocol
SUBJECT	Ministry with persons of Concern
AUTHORISED BY	Diocesan Council in accordance with Part 3 of the Professional Standards Ordinance
DATE AUTHORISED	November 2017

## SCOPE

This protocol is to be used in all cases where a person of concern wishes to take part in any church activity, ministry, or service of worship, that is associated with the Anglican Church in the Northern Territory, whether or not held on church property.

## INDIVIDUAL SAFETY AGREEMENT (ISA)

This protocol describes the unique factors involved in providing safe ministry through an Individual Safety Agreement (ISA) for each *person of concern* in parishes.

An ISA addresses the safety issues that arise where there is a *person of concern* whose presence constitutes a risk of sexual harm to others in the parish community. In this document they are referred to as the *person*, or the *person of concern*.

This document is to be read in conjunction with the *Professional Standards Ordinance* of the Diocese and the *Diocesan Safe Ministry Policy* and associated protocols.

## COMMITMENT

The Diocese of the Northern Territory is committed to safe ministries. This means that Diocesan parishes, ministries and entities should be abuse-free and harm-free, person-valuing and respectful environments for ministry to God's glory. We must therefore do all that is possible to protect all parties when a risk of harm has been identified.

## GUIDING PRINCIPLES

The principles used to implement safe ministry with persons of concern include:

- 1. Prevention of Harm:** the primary intention of this protocol is the prevention of harm through the management of known risks.
- 2. Rigour:** we require that all *persons of concern* wanting to be part of a worshipping community embrace the process outlined in this protocol.

3. **Accountability:** we need to be able to show that we have done all we can to ensure that:
  - *persons of concern* are ministered to appropriately, and
  - children and vulnerable adults are protected from harm.
4. **Duty of Care:** we commit to our pastoral, duty of care, legal and insurance obligations with the goal that all ministries are spiritually, emotionally and physically safe.
5. **Individual risk management:** the particular risks relating to each person of concern are unique in terms of offending, thinking and behaviour. This protocol is aimed at addressing individuals' risks and requires them to take personal responsibility in the management of their risks of reoffending.

The guiding principle of this protocol is the prevention of harm through the management of known risks. However, it is incumbent upon the church to ensure they manage allegations properly, and in a manner that provides procedural fairness and a just process. The intention of this protocol is the management of known risks. However, this protocol must be implemented with care, particularly when investigations are still underway concerning new allegations against a person.

## DEFINITIONS

All definitions in this protocol are set out in the Diocesan *Professional Standards Ordinance*, The Diocesan Code of Conduct: *Faithfulness in Service* and the Diocesan *Safe Ministry Policy*. In addition, this protocol uses the following definitions:

**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
- a church worker who has been disciplined within the Church because of sexual misconduct
- a person who has been refused ordination, employment or appointment in the Church because of an adverse risk assessment arising from sexual misconduct
- a person who has been disciplined by another organisation for sexual misconduct
- a person who is currently charged with a sexual criminal offence
- a church worker against whom allegations of sexual misconduct are currently being dealt with under Church disciplinary procedures
- a worker against whom allegations of sexual misconduct are currently being dealt with by law enforcement agents
- a person who is receiving, or has received, treatment for disordered sexual behaviour which poses a risk to other persons
- 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.

The approach to ministry with persons of concern outlined in this protocol has as its heart the church's mission and commitment to provide a safe place for all vulnerable people, including children, to grow and thrive. We acknowledge that forgiveness does not mean immunity from temptation to reoffend or the removal of all barriers to the exercise of ministry. The forgiveness and grace of God, mediated with supervision and clear guidelines and boundaries through a local church, can be a vital part of a healing journey.

The **Director of Professional Standards (DoPS)**, in this protocol means the person appointed to the role of *Director of Professional Standards* in accordance with the *Professional Standards Ordinance*, or his or her delegate. (For example an appropriate local church authority such as a member of the Professional Standards Committee.)

The role of the DoPS is to confirm that a specific person is a *person of concern*. In addition, the DoPS is responsible to provide ongoing oversight, supervision and monitoring in ministry with all persons of concern in the Diocese. The DoPS makes assessments and seeks advice about whether the Parish is ready and able to:

- adequately provide safe ministry
- educate and support those who will be providing accountability for the person of concern
- work with external professionals, such as those in the criminal justice system and forensic psychologists

to ensure proper risk management of the person of concern.

## PROCESS

The following steps outline the process for creating an ISA.

### STEP 1: IDENTIFICATION

It is the responsibility of the DoPS to confirm that a specific person is a *person of concern*. If information is received about a *person of concern* from any source, the Safe Ministry Helpline must be notified as soon as possible. It is important to exercise care in the identification of *persons of concern*. It is essential that accurate information is obtained in relation to the identity of *the person* and the sexual criminal offences and/or sexual misconduct that the *person of concern* has, or is alleged to have, committed. The identification of a *person of concern* must not be based solely on rumour or innuendo.

Should the Safe Ministry Helpline, Bishop, DoPS or PSC become aware of a *person of concern*, they will immediately inform the relevant Rector or church leader who will be assisted to create an ISA.

### STEP 2: NOTIFICATION TO DIOCESE

If there is reason to believe there is a *person of concern* in the church or who intends to attend the church the Safe Ministry Helpline must be contacted immediately.

The Helpline must contact the DoPS regarding implementation of this protocol.

The Safe Ministry Helpline must ensure the DoPS and any other relevant church authorities are contacted so that an ISA appropriate to the specific situation can be developed and a process must be entered into to establish and maintain an ISA for the *person of concern*.

In the case of a one-off attendance (such as a funeral), where no advance notice was given, the Rector or person in charge of the service must act to ensure that the *person of concern* is at all times under supervision.

In this case, the Safe Ministry Helpline must be informed as soon as possible after the event so that the DoPS can be notified.

### STEP 3: INTERIM SAFETY PLAN

As soon as practicable the Bishop, in consultation with the DoPS, Rector and Wardens, must implement a set of interim safety measures to ensure the safety of all parties during the establishment of an ISA. These measures are particularly relevant in cases where the person of concern is currently under investigation, which may be ongoing for a period of months or years.

An Interim Safety Plan must take into account and may include:

- acknowledgement of specific concern (e.g. details of the offense or area of boundary straying)
- disclosure: who will and will not be told and what they are told
- specific conditions of church involvement given known risks (i.e. from the information already known from the meetings and discussions)
- management of breaches of the plan. For example:
  - if the Person of Concern breaches the conditions of plan what the consequences will be
  - what steps need to be taken to minimise harm to the people in the parish?
- cessation of involvement (e.g. what is to occur if the Person of Concern moves to another church)
- duration of the interim safety plan.

#### STEP 4: DECISION TO PROCEED

A *person of concern* cannot participate in the life of a parish on an ongoing basis unless they agree to a process of assessment. In addition, the parish needs to be assessed on their capacity to implement an ISA. The decision to proceed with an ISA is to be jointly made by the Bishop, the DoPS (or delegate), the rector or senior church leader and the *person of concern*. This may require discussions and / or meetings to help the decision process. The purpose of these meetings is educational and fact-finding. An ISA is only effective and appropriate when all parties are willing to embrace it and are able to implement it. Where this is not possible, all parties will be informed and the DoPS, (or delegate), will identify and recommend steps to be taken to minimise the risk of harm to people in the parish.

#### STEP 5: ASSESSMENT PHASE

Both the parish and the *person of concern* must be assessed for risks and readiness to undertake safe ministry with *the person*. The DoPS (or delegate) provides a report to the Bishop with recommendations to facilitate safe ministry: both for the parish and the person. This may include forensic assessment of the person of concern. Any decisions based on the recommendations should be communicated to all parties involved in the process. This must include:

- conditions for the ISA with the person of concern
- a safety plan for the parish
- the establishment and appropriate training of a monitoring group for the ongoing monitoring of the ISA. (A separate Monitoring Guide will be provided as part of this training).

#### STEP 6: DEVELOPING THE ISA

The DoPS (or delegate), in cooperation with the Bishop, Rector and Wardens and the *person of concern*, develops and establishes an ISA taking into consideration the assessments in step 5.

Possible measures in the ISA that may be recommended include, but are not limited to:

- establishment of appropriate boundaries for regular ministry situations
- identification of members of the monitoring group for the *person of concern*
- process for addressing grievances
- responsibilities and commitments of all involved parties, including the commitment of the monitoring group for the *person of concern*
- process for establishing safe ministry when irregular ministry situations arise from time to time.

#### STEP 7: ONGOING MONITORING, SUPPORT AND REVIEW

Yearly monitoring and support is offered by the DoPS (or delegate). Additional, external support may be provided where necessary. The operation of the ISA, safety plan and monitoring group should be

reviewed yearly. If at any time the ISA, safety plan or monitoring group are considered inadequate to protect people in the parish from risk of harm the DoPS (or delegate) should be consulted and this protocol implemented from Step 4. The ISA should not be altered in any way without prior agreement of the DoPS (or delegate). All parties involved need to be informed and agree to any changes.

Any breaches of the ISA should be reported immediately with details to the Rector and Wardens. The DoPS (or delegate) should be consulted with details of any breach or suspected breach to make a decision on whether the person of concern may continue participating in the life of the parish and under what conditions.

Any termination of the ISA must be reported to all involved parties and the DoPS (or delegate) must recommend what steps should be taken to minimise risk of harm to people in the parish.

If a person of concern moves or is proposing to move to another parish or denomination the DoPS (or delegate) must be notified as soon as practicable.

## MORE INFORMATION

### Civil Legislation:

- Care and Protection of Children Act
- Domestic and Family Violence Act

### Church Legislation:

- *Offences Canon*
- *Professional Standards Ordinance*

### Diocesan Documents:

- Diocesan Code of Conduct: *Faithfulness in Service*
- The Safe Ministry Policy of the Diocese
- Protocol for Responding to Allegations of Sexual Misconduct

### Other Documents:

- *Anglican Church of Australia Policy for Safe Ministry in a parish where there is a risk of sexual abuse by a Person of Concern.*

*For completion when document supersedes and existing policy, procedure or protocol.*

VERSION NUMBER OF THIS DOCUMENT	DATE OF PREVIOUS DOCUMENT	SUMMARY OF CHANGE	REASON FOR CHANGE
2	May 2017	Provides increased clarity about the process, and specifies more clearly some aspects.	General Synod PS advice to Dioceses.