

Recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse applicable to the Anglican Church of Australia

FINAL REPORT - Volume 16 Book 1 (pages 72 – 82)

No	RC Recommendation
Recommendations to the Anglican Church of Australia	
16.1	The Anglican Church of Australia should adopt a uniform episcopal standards framework that ensures that bishops and former bishops are accountable to an appropriate authority or body in relation to their response to complaints of child sexual abuse.
16.2	The Anglican Church of Australia should adopt a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child sexual abuse, which expressly covers: <ol style="list-style-type: none"> a. members of professional standards bodies b. members of diocesan councils (otherwise known as bishop-in-council or standing committee of synod) c. members of the Standing Committee of the General Synod d. chancellors and legal advisers for dioceses
16.3	The Anglican Church of Australia should amend <i>Being together</i> and any other statement of expectations or code of conduct for lay members of the Anglican Church to expressly refer to the importance of child safety
16.4	The Anglican Church of Australia should develop a national approach to the selection, screening and training of candidates for ordination in the Anglican Church (with regard to safe ministry).
16.5	The Anglican Church of Australia should develop and each diocese should implement mandatory national standards to ensure that all people in religious or pastoral ministry (bishops, clergy, religious and lay personnel): <ol style="list-style-type: none"> a. undertake mandatory, regular professional development, compulsory components being professional responsibility and boundaries, ethics in ministry and child safety b. undertake mandatory professional/pastoral supervision c. undergo regular performance appraisals
Recommendations to all Religious Institutions in Australia	
16.31	All institutions that provide activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children, should implement the 10 Child Safe Standards identified by the Royal Commission.
16.32	Religious organisations should adopt the Royal Commission’s 10 Child Safe Standards as nationally mandated standards for each of their affiliated institutions
16.33	Religious organisations should drive a consistent approach to the implementation of the Royal Commission’s 10 Child Safe Standards in each of their affiliated institutions.
16.34	Religious organisations should work closely with relevant state and territory oversight bodies to support the implementation of and compliance with the Royal Commission’s 10 Child Safe Standards in each of their affiliated institutions.

16.35	Religious institutions in highly regulated sectors, such as schools and out-of-home care service providers, should report their compliance with the Royal Commission's 10 Child Safe Standards, as monitored by the relevant sector regulator, to the religious organisation to which they are affiliated.
16.36	Consistent with Child Safe Standard 1, each religious institution in Australia should ensure that its religious leaders are provided with leadership training both pre- and post-appointment, including in relation to the promotion of child safety.
16.37	Consistent with Child Safe Standard 1, leaders of religious institutions should ensure that there are mechanisms through which they receive advice from individuals with relevant professional expertise on all matters relating to child sexual abuse and child safety. This should include in relation to prevention, policies and procedures and complaint handling. These mechanisms should facilitate advice from people with a variety of professional backgrounds and include lay men and women.
16.38	Consistent with Child Safe Standard 1, each religious institution should ensure that religious leaders are accountable to an appropriate authority or body, such as a board of management or council, for the decisions they make with respect to child safety.
16.39	Consistent with Child Safe Standard 1, each religious institution should have a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child sexual abuse. The policy should cover all individuals who have a role in responding to complaints of child sexual abuse.
16.40	Consistent with Child Safe Standard 2, wherever a religious institution has children in its care, those children should be provided with age-appropriate prevention education that aims to increase their knowledge of child sexual abuse and build practical skills to assist in strengthening self-protective skills and strategies. Prevention education in religious institutions should specifically address the power and status of people in religious ministry and educate children that no one has a right to invade their privacy and make them feel unsafe.
16.41	Consistent with Child Safe Standard 3, each religious institution should make provision for family and community involvement by publishing all policies relevant to child safety on its website, providing opportunities for comment on its approach to child safety, and seeking periodic feedback about the effectiveness of its approach to child safety.
16.42	Consistent with Child Safe Standard 5, each religious institution should require that candidates for religious ministry undergo external psychological testing, including psychosexual assessment, for the purposes of determining their suitability to be a person in religious ministry and to undertake work involving children.
16.43	<p>Each religious institution should ensure that candidates for religious ministry undertake minimum training on child safety and related matters, including training that:</p> <ol style="list-style-type: none"> a. equips candidates with an understanding of the Royal Commission's 10 Child Safe Standards b. educates candidates on: <ol style="list-style-type: none"> i. professional responsibility and boundaries, ethics in ministry and child safety ii. policies regarding appropriate responses to allegations or complaints of child sexual abuse, and how to implement these policies iii. how to work with children, including childhood development

	iv. identifying and understanding the nature, indicators and impacts of child sexual abuse.
16.44	Consistent with Child Safe Standard 5, each religious institution should ensure that all people in religious or pastoral ministry, including religious leaders, are subject to effective management and oversight and undertake annual performance appraisals.
16.45	Consistent with Child Safe Standard 5, each religious institution should ensure that all people in religious or pastoral ministry, including religious leaders, have professional supervision with a trained professional or pastoral supervisor who has a degree of independence from the institution within which the person is in ministry.
16.46	Religious institutions which receive people from overseas to work in religious or pastoral ministry, or otherwise within their institution, should have targeted programs for the screening, initial training and professional supervision and development of those people. These programs should include material covering professional responsibility and boundaries, ethics in ministry and child safety.
16.47	Consistent with Child Safe Standard 7, each religious institution should require that all people in religious or pastoral ministry, including religious leaders, undertake regular training on the institution's child safe policies and procedures. They should also be provided with opportunities for external training on best practice approaches to child safety.
16.48	Religious institutions which have a rite of religious confession for children should implement a policy that requires the rite only be conducted in an open space within the clear line of sight of another adult. The policy should specify that, if another adult is not available, the rite of religious confession for the child should not be performed.
16.49	Codes of conduct in religious institutions should explicitly and equally apply to people in religious ministry and to lay people.
16.50	Consistent with Child Safe Standard 7, each religious institution should require all people in religious ministry, leaders, members of boards, councils and other governing bodies, employees, relevant contractors and volunteers to undergo initial and periodic training on its code of conduct. This training should include: <ul style="list-style-type: none"> a. what kinds of allegations or complaints relating to child sexual abuse should be reported and to whom b. identifying inappropriate behaviour which may be a precursor to abuse, including grooming c. recognising physical and behavioural indicators of child sexual abuse d. that all complaints relating to child sexual abuse must be taken seriously, regardless of the perceived severity of the behaviour.
16.51	All religious institutions' complaint handling policies should require that, upon receiving a complaint of child sexual abuse, an initial risk assessment is conducted to identify and minimise any risks to children.
16.52	All religious institutions' complaint handling policies should require that, if a complaint of child sexual abuse against a person in religious ministry is plausible, and there is a risk that person may come into contact with children in the course of their ministry, the person be stood down from ministry while the complaint is investigated.
16.53	The standard of proof that a religious institution should apply when deciding whether a complaint of child sexual abuse has been substantiated is the balance of probabilities, having regard to the principles in <i>Briginshaw v Briginshaw</i> .
16.54	Religious institutions should apply the same standards for investigating complaints of child sexual abuse whether or not the subject of the complaint is a person in religious ministry.
16.55	Any person in religious ministry who is the subject of a complaint of child sexual abuse which is substantiated on the balance of probabilities, having regard to the principles in <i>Briginshaw v Briginshaw</i> , or who is convicted of an offence relating to child

	sexual abuse, should be permanently removed from ministry. Religious institutions should also take all necessary steps to effectively prohibit the person from in any way holding himself or herself out as being a person with religious authority.
16.56	Any person in religious ministry who is convicted of an offence relating to child sexual abuse should: <ul style="list-style-type: none"> a. in the case of Catholic priests and religious, be dismissed from the priesthood and/or dispensed from his or her vows as a religious b. in the case of Anglican clergy, be deposed from holy orders c. in the case of Uniting Church ministers, have his or her recognition as a minister withdrawn d. in the case of an ordained person in any other religious denomination that has a concept of ordination, holy orders and/or vows, be dismissed, deposed or otherwise effectively have their religious status removed.
16.57	Where a religious institution becomes aware that any person attending any of its religious services or activities is the subject of a substantiated complaint of child sexual abuse, or has been convicted of an offence relating to child sexual abuse, the religious institution should: <ul style="list-style-type: none"> a. assess the level of risk posed to children by that perpetrator's ongoing involvement in the religious community b. take appropriate steps to manage that risk.
16.58	Each religious organisation should consider establishing a national register which records limited but sufficient information to assist affiliated institutions identify and respond to any risks to children that may be posed by people in religious or pastoral ministry

OTHER RELEVANT RECOMMENDATIONS

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No	RC Recommendation
6.4-6.6	All institutions should uphold the rights of the child. Consistent with Article 3 of the United Nations Convention on the Rights of the Child, all institutions should act with the best interests of the child as a primary consideration. In order to achieve this, institutions should implement the Child Safe Standards identified by the Royal Commission.
7.2	Institutions and state and territory governments should provide mandatory reporters with access to experts who can provide timely advice on child sexual abuse reporting obligations.
7.7	Consistent with Child Safe Standard 6: Processes to respond to complaints of child sexual abuse are child focused, institutions should have a clear, accessible and child-focused complaint handling policy and procedure that sets out how the institution should respond to complaints of child sexual abuse. The complaint handling policy and procedure should cover: <ul style="list-style-type: none"> a. making a complaint b. responding to a complaint c. investigating a complaint d. providing support and assistance e. achieving systemic improvements following a complaint.

7.8	Consistent with Child Safe Standard 1: Child safety is embedded in institutional leadership, governance and culture, institutions should have a clear code of conduct that: <ol style="list-style-type: none"> outlines behaviours towards children that the institution considers unacceptable, including concerning conduct, misconduct or criminal conduct includes a specific requirement to report any concerns, breaches or suspected breaches of the code to a person responsible for handling complaints in the institution or to an external authority when required by law and/or the institution's complaint handling policy outlines the protections available to individuals who make complaints or reports in good faith to any institution engaging in child-related work (see Recommendation 7.6 on reporter protections).
8.1	To allow for delayed disclosure of abuse by victims and take account of limitation periods for civil actions for child sexual abuse, institutions that engage in child-related work should retain, for at least 45 years, records relating to child sexual abuse that has occurred or is alleged to have occurred.
8.4	All institutions that engage in child-related work should implement the following principles for records and recordkeeping, to a level that responds to the risk of child sexual abuse occurring within the institution. [principles omitted]
13.1	All schools should implement the Child Safe Standards identified by the Royal Commission.
17.3	Major institutions and peak bodies of institutions that engage in child-related work should, beginning 12 months after this Final Report is tabled, report on their implementation of the Royal Commission's recommendations to the National Office for Child Safety through five consecutive annual reports. The National Office for Child Safety should make these reports publicly available. At a minimum, the institutions reporting should include those that were the subject of the Royal Commission's institutional review hearings held from 5 December 2016 to 10 March 2017.

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No	RC Recommendation
16	In relation to blind reporting, institutions and survivor advocacy and support groups should: <ol style="list-style-type: none"> be clear that, where the law requires reporting to police, child protection or another agency, the institution or group or its relevant staff member or official will report as required develop and adopt clear guidelines to inform staff and volunteers, victims and their families and survivors, and police, child protection and other agencies as to the approach the institution or group will take in relation to allegations, reports or disclosures it receives that it is not required by law to report to police, child protection or another agency.
32	Any person associated with an institution who knows or suspects that a child is being or has been sexually abused in an institutional context should report the abuse to police (and, if relevant, in accordance with any guidelines the institution adopts in relation to blind reporting under Recommendation 16).