

ANGLICAN COMMUNION  
SAFE CHURCH COMMISSION



## Guidelines

Guidelines to enhance the safety of all persons—especially children, young people and vulnerable adults—within the provinces of the Anglican Communion

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## INTRODUCTION

## About these Guidelines

### Purpose

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In 2019 the Anglican Consultative Council (at ACC-17) recommended these guidelines for implementation by the *provinces* of the Anglican Communion. They are intended to enhance the safety of all persons, especially *children, young people* and *vulnerable adults*, within the provinces of the Anglican Communion. They are also intended to enhance existing practices for the safety of people in provinces, which are called by different names such as '*safe church*' practices in some provinces and '*safeguarding*' practices in other provinces.

The guidelines provide a practical means for provinces both to prevent the occurrence of *abuse by church workers* and to respond to those who have been abused through the implementation of:

- the *Charter for the Safety of People within the Churches of the Anglican Communion*, and
- the *Protocol for disclosure of ministry suitability information between the churches of the Anglican Communion*.

If the behaviour and practices outlined in the guidelines are followed, churches throughout the Anglican Communion will be places of enhanced safety for everyone, where:

- church workers act with integrity;
- victims of abuse receive justice;
- church workers who commit abuse are held accountable; and
- church leaders do not conceal abuse.

The focus of these guidelines is on *ministry* in the church. Church workers undertake ministry in the church in a variety of forms including the provision of spiritual advice and support, education, counselling, and assistance in times of need, and in a variety of situations including in a *church community*. In their *ministry relationships* church workers must act in the best interests of those to whom they minister rather than meeting their own needs.

## Theological foundations

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As set out in the *Charter* the witness of Scripture recognises and affirms God's love for all members of the human family and the priority given in Jesus' ministry to children and the vulnerable of society.

The Archbishop of Canterbury, the Most Reverend and Right Honourable Justin Welby, in his evidence before the Independent Inquiry into Child Sexual Abuse in England and Wales in March 2018, gave the following three-fold answer as to his understanding of a theology of safeguarding:

The theology is this: that God made us, and we bear in ourselves the image of God. Therefore we are infinitely precious. And Christ died for us on the cross, and that shows the love that God has for us. And any action that does not demonstrate that extreme of sacrificial and creative love is wrong.

Secondly, that the example we have in Jesus, whom we understand and believe to be God himself, is that Jesus came and lived a fully human life taking in all the vulnerability of being a small child in a war torn area; that his parents protected him, those around him protected him. He grew up needing protection and that example of Jesus calls us to protect all those who need protection.

And, thirdly, his own teaching says very clearly, when talking about children, that those who do them harm would do better to have a millstone put around their neck and be thrown into the sea rather than face the judgment God will give them.

God's love for all people, the protection of the vulnerable and accountability of abusers, which are the three themes of Scripture expressed by the Archbishop of Canterbury, are foundational to these guidelines.

The implementation of these guidelines in each province will need to be undergirded by a theology of safe church or safeguarding which prioritises the safety of children, young people and vulnerable adults in the mission of the church.

## Format and presentation

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These guidelines consist of five sections and three schedules.

Sections 1 to 5 relate to the five commitments of the Charter, and each consists of three parts:

- an extract of the applicable commitment of the Charter;
- background information for the section; and
- guidelines which give practical expression to the commitment of the Charter.

Schedule 1 contains definitions of key terms. Each key term is in *italics* where used for the first time in this introduction to the guidelines and in

Sections 1 to 5. Schedules 2 and 3 contain the text of the Charter and the *Protocol*.

With the following exceptions these guidelines use the same words and expressions as in the Charter:

- 'care' is used in place of 'pastoral care';
- 'church communities' is used in place of 'parishes and church organizations';
- 'church workers' is used in place of 'clergy and other church personnel';
- 'ministry' is used in place of 'pastoral ministry'; and
- 'support' is used in place of 'pastoral support'.

Church workers encompass both *clergy* and *lay workers*. In some provinces 'pastoral' refers to care, ministry and support undertaken by clergy. To avoid confusion 'care', 'ministry' and 'support' have been used to describe the activity of church workers.

## Implementation

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Each province should have a code of conduct or appropriate framework that encompasses these guidelines. The governing body of the province may implement the guidelines by taking action at a provincial level, or by adopting measures to ensure that each diocese in the province implements the guidelines. Implementation may be undertaken in stages.

In many cases rules and policies will need to be developed by people with appropriate expertise in areas such as canon law, training for ministry and pastoral care. It may be necessary to change the words and expressions used in these guidelines to be compatible with the words and expressions used in the rules and policies of the province or the applicable diocese. These rules and policies once adopted should be made known and implemented consistently throughout the province.

## SECTION 1

### **Providing support where there is abuse**

#### Charter Commitment 1

##### **Pastoral support where there is abuse**

We will provide pastoral support for the abused, their families, and affected parishes and church organizations by:

- a. listening with patience and compassion to their experiences and concerns;
- b. offering spiritual assistance and other forms of pastoral care.

## Background information

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### The nature of abuse

*Abuse*, which occurs in families and in the community as well as in the church, encompasses a wide variety of conduct towards *children, young people* and *vulnerable adults*. Abuse is behaviour which causes harm to another person or is undertaken with the intention of causing harm to another person, or which may place another person at the risk of harm. Types of abuse include, but are not limited to, *bullying, concealment of abuse, cyber abuse, emotional abuse, financial abuse, gender-based violence, harassment, neglect, physical abuse, sexual abuse* and *spiritual abuse*. There is an explanation of each of these types of abuse in Schedule 1.

A person can be subject to abuse at any stage of their life. Abuse of a child or young person is commonly called ‘child abuse’. Abuse of a vulnerable adult can take many forms. Abuse in a family or domestic context is commonly called ‘family violence’ or ‘domestic violence’.

When abuse occurs more than one form of abuse can be involved. In the church, other forms of abuse can be accompanied by spiritual abuse. *Church workers* sometimes silence their victims by misusing their spiritual authority, such as by threatening punishment by God or exclusion from the church if the abuse is disclosed.

Abuse often occurs and continues because of the unequal power relationship between the abuser and their victim. Victims will be afraid to disclose abuse where there is a culture of silence in the community and the church. Even when victims disclose abuse, no effective action will be taken where community and church leaders have believed the alleged abuser rather than the victim.

Sometimes church workers experience abuse within the church from other church workers or members. This arises where other church workers or members misuse their power over another.

In the case of sexual abuse there are generally additional factors present. Abusers may assert or believe that the victim is a willing participant. They may deny, justify, minimise or excuse their abuse by claiming it was an expression of love, was caused by stress, alcohol or other substances, or by blaming the victim. They are often repeat offenders.

A variety of social and cultural factors can contribute to a person’s vulnerability to abuse, such as the poverty, ethnicity, sexual orientation, gender, and physical or intellectual disability of the victim. Vulnerability may also be due to a combination of these factors. In some cases abuse occurs in the context of human trafficking.



Sometimes church workers in one *province*, who are known or suspected of abuse, are moved to and become *authorised* for *ministry* in another province, diocese within the same province, or in another church tradition, without disclosure of this information to the *church authority*. This practice allows them to continue to abuse people in their new location.

### **The harmful effects of abuse**

The harm done to both *primary victims* and *secondary victims* of abuse, and the failure to protect them from abuse and to respond properly where abuse occurs, can be far reaching and deeply destructive. A majority of primary victims have been women and children. Men can also be primary victims. There can be many secondary victims of one primary victim. These may include family members of the primary victim, family members of the abuser, other church workers and members of the church.

The harmful effects of abuse vary according to a range of factors including the closeness of the relationship between the victim and the abuser, the role of the abuser in relation to the victim, the duration of the abuse, and whether the victim receives family or other support. Additional factors in the case of physical abuse and sexual abuse are the degree of the invasiveness of the abuse and the degree of force used in committing the abuse. Primary and secondary victims may be affected in the way they view themselves, their relationships with others and their faith.

Harmful emotional and psychological effects of abuse on victims include:

- guilt when they believe they are responsible for the abuse;
- shame when they believe they have been abused because they are unworthy, unlovable and unacceptable, or missed 'warning signs' of abuse; and
- disempowerment through being unable to stand up for themselves.

Harmful effects on victims' relationships with others include their becoming:

- aggressive and extremely angry at those in authority, including church workers;
- tentative when among people they know, and wary when meeting new people, because of their fear of rejection or disapproval;
- compliant in their relationships with authority figures, whether in the community or in the church; and
- 'rescuers' who care for others but fail to care for themselves.

Victims commonly experience spiritual difficulties. They may:

- believe that God, who remained silent throughout the abuse, is cruel, impotent or uncaring;
- believe that they are being punished by God;
- be angry with or feel abandoned by God;

- be alienated by the thought of God as Father. For some the only father they have known is their own father or a male member of the clergy who has betrayed them, and abused his position of trust;
- find it difficult to experience God's love and grace because what they have experienced is a perversion of love, trust, hope, and faith; and
- feel betrayed by church leaders.

People who become aware of the abuse and the harmful effects experienced by the primary victim can often themselves suffer harm and experience overwhelming sadness and anger. They are secondary victims. They may then experience changes in their relationships, including in their *church community*, because there is a lack of trust, secrecy (where they are unable to talk openly about the abuse), stigma, and questions to which they do not have answers. Sometimes they are ostracised from their church community. Sometimes there has been a division in a church community with some siding with the primary victim and others siding with the alleged abuser.

### Care of victims of abuse

The way in which the church cares for victims must be centred on the victim's needs.

Some victims of abuse do not trust the community in which they were abused, and leave. The church should respect the choice to leave and yet be willing to provide care at any time.

Some victims choose to stay in church communities. They may be struggling to cope because of the harmful effects of the abuse and are looking for help. Sometimes when the abuse has been kept secret, they are afraid to disclose the abuse in the church community and, as a result, continue to suffer in silence. Sometimes where the abuse is known the church has not provided them with care. Churches should be safe places where primary and secondary victims can speak about the abuse, and find healing from its harmful effects. For this to happen, church communities must listen to victims, and offer them spiritual assistance and other forms of care. Victims may need help beyond the care that the church can provide, such as specialised care and victim support services.

### Forgiveness

Forgiveness is one of the most difficult issues faced by victims and church workers who minister to victims and abusers.

Victims often find themselves under pressure to forgive the abuser. The pressure may be:

- external – when someone says 'Just put it behind you', 'Forgive and forget', 'Forgive and move on' or 'You will feel better if you forgive'; and

- internal – when the victim’s own understanding is that they themselves need to be forgiven and for that to happen, they must first forgive their abuser.

Victims must never be pressured by church workers to forgive their abuser. Further harm can be caused to a victim through pressure to forgive, and re-establish their relationship with, their abuser. They may condemn themselves and believe they are condemned by others if they are not willing or able to forgive. They may see themselves as ‘not being Christian’, and beyond the forgiveness of God.

A victim, independent of any request, may wish to forgive their abuser: for example, when their abuser does not repent, or is dead, or is no longer in contact. Forgiving their abuser is multi-layered, complex in nature, and can be very difficult for victims to do. It is rarely a single event, but usually a process which often occurs over an extended period of time and in stages.

Sometimes the abuser may ask to be forgiven. When this happens, the three requirements expressed in Scripture for forgiveness, which together are commonly called ‘repentance’, are:

- confession, involving the abuser fully acknowledging the abuse and harm caused, which may include an unconditional apology by the abuser to the victim for the abuse and its effects;
- contrition and a commitment to amendment of life, involving the abuser taking full responsibility for the abuse with a willingness to bear any consequences, which may include reporting the abuse to the *civil authority* or disciplinary action within the church; and
- reparation, involving the abuser offering to the victim to make amends for the abuse, where this is appropriate.

Where these requirements are satisfied, a member of the clergy may pronounce God’s forgiveness. The victim may choose to forgive their abuser in a conversation, or without any contact, especially where this is necessary for the victim to feel safe.

Where an abuser is forgiven by God or their victim, this does not mean:

- the victim should minimise the abuse or excuse the abuser or forget their abuse;
- the church should appoint or re-appoint the abuser to a ministry role or trust the abuser with the care of children, young people or vulnerable adults;
- the abuser should avoid punishment for the abuse; and
- the victim and the abuser should be reconciled, in the sense of a return to the relationship as it existed before the abuse occurred.

Sometimes forgiveness may not be possible. A victim may not be prepared to forgive their abuser.

## **Support for those providing care to victims of abuse**

Those who provide care to primary and secondary victims of abuse require support in their ministry. It is often not realised that caring for victims can be emotionally and spiritually draining, especially where care is provided for a long period of time. Support of those providing care helps to sustain them in this ministry.

## **Guidelines**

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### **Care for victims of abuse**

- 1.1 Each province should have a system for providing care for primary and secondary victims of abuse, whether the victims have been abused by church workers or by other persons. People offering care should normally be of the same sex as the primary victim, particularly in cases of sexual abuse.
- 1.2 Enough people should be trained so that, where practicable, there is at least one man and one woman in each church community who can offer care to victims of abuse. Where this is impractical, enough people should be trained so that there is at least one man and one woman who is located within a reasonable distance of a group of church communities. Suitable people for training are those who can maintain appropriate ministry boundaries and confidentiality and, if they themselves have experienced abuse, have recovered sufficiently to provide care to other victims of abuse. People who receive training may be clergy or lay workers. Accurate records should be kept of the people receiving the training.
- 1.3 The training for providing care to victims of abuse should include the following topics:
  - the theology of care in the context of abuse;
  - the recognition of observable signs of abuse;
  - the importance of listening to victims of abuse with empathy, patience and compassion;
  - the harmful effects of abuse on primary and secondary victims of abuse;
  - the importance of confidentiality and the limits to confidentiality;
  - appropriate responses where there is a disclosure of abuse;
  - the limitations of the role of carer (such as respect for the wishes of the victim and not attempting to provide specialised care);
  - the circumstances in which, and when, the church should offer victims of abuse referral for specialised care and victim support services, and information about people who can provide specialised care (such as doctors, psychologists and counsellors)

and any organizations which can provide victim support services (such as advocacy groups);

- the nature and practice of forgiveness and the harmful effects on victims of abuse if pressured to forgive before they are ready; and
- forms of practical care available for victims of abuse, such as regular inquiries about their welfare, prayer support, financial assistance, relocation to a safe place to live, and assistance to report the abuse to the civil authority where it constitutes a criminal offence.

- 1.4 Refresher training of people to provide care to victims of abuse should be required at regular intervals of between three and five years.

### **Support for those providing care to victims of abuse**

- 1.5 Each province should have a system for providing support for people who are providing care to primary and secondary victims of abuse. Where practicable, people providing this support should themselves have training and expertise in providing care to victims of abuse. This support should consist of regular contact with those providing care and help to deal with any issues that have arisen in their provision of care.

## SECTION 2

# Implementing effective responses to abuse

### Charter Commitment 2

#### **Effective responses to abuse**

We will have and implement policies and procedures to respond properly to allegations of abuse against clergy and other church personnel that include:

- a. making known within churches the procedure for making complaints;
- b. arranging pastoral care for any person making a complaint;
- c. the impartial determination of allegations of abuse against clergy and other church personnel, and assessment of their suitability for future ministry;
- d. providing support for affected parishes and church organizations.

## Background information

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### Misuse of power and authority by those who abuse

*Church workers* have power and authority by virtue of their role and are therefore in a position of trust. Some are unaware of their power and unconsciously exercise it in *abusive* ways to achieve their desires. Others intentionally use their power to overcome the resistance of their victims. In the case of *sexual abuse of children, young people and vulnerable adults* abusers have commonly used their power to *groom* their victim and others close to the victim. Church workers who misuse their power and authority by abusing others have betrayed the trust conferred on them and should be held accountable for their conduct.

### Concealment of abuse in the church

Church leaders who have covered up *allegations* against other church workers to protect the church's reputation have by this *concealment* abused their power, failed to act with integrity and acted unjustly. This covering up has occurred by ignoring *complaints* or minimising their seriousness, or by moving the *respondent* to another position. Victims of abuse have been further harmed by the failure of the church to act upon their complaints. The reputation of the church has been further damaged where its covering up of abuse by church workers has been publicly disclosed.

### Procedures to determine the truth of allegations in complaints

Where there are complaints against church workers, accountability requires procedures to decide fairly upon the truth of the allegations. These procedures need to be made known within the province.

Some primary victims are afraid to make a complaint because they have been threatened with reprisals. The procedures for making a complaint should permit a complaint to be made on their behalf (such as where the victim is deceased). Many years may pass before some *complainants*, particularly those who were abused as a child, are ready to make a complaint. The passing of time since the abuse is alleged to have occurred should normally not be a barrier to the consideration of a complaint. However, a barrier is appropriate where the passing of time has made it impossible to deal fairly with the complaint. Where the alleged abuser is deceased it will be important to determine the truth of the complaint and the appropriate redress.

Where a complaint is made, support needs to be provided during the process both to the complainant and the respondent.

## **Outcomes of complaints**

Where there is a decision that the respondent committed the abuse or concealed the abuse, their suitability for future *ministry* must be assessed. This assessment should include whether or not they are fit to remain in their current position, or to be appointed to any other position. It should also include whether or not they are temporarily or permanently unfit to remain in ministry and, if temporarily unfit, the conditions for restoration to ministry. In the case of *clergy*, this assessment should also include whether they are fit to continue to exercise ordained ministry and, if so, under what conditions.

All complainants, whether or not the complaint is substantiated, should be offered care. Where the complaint is substantiated, the church should offer to provide redress to the victim. The offer of redress should always include a direct personal response in the form of an apology by a church leader, and may include steps such as counselling and other forms of practical assistance to respond to the harm suffered.

All respondents, whether or not the complaint is substantiated, should be offered care. Where the complaint is substantiated and the respondent remains in ministry or otherwise participates in the life of a church community, there should be a system of accountability to ensure the respondent does this without compromising the safety of people.

A process for the communication of the outcome of the complaint, including any findings, to the complainant, the respondent, the church and, where appropriate, the public, will help to ensure that the outcome is accurately reported.

## **Support for church communities affected by complaints**

When a complaint is made, the church communities connected with the primary and secondary victims, and the respondent, often experience a profound sense of betrayal, anger and disillusionment. Sometimes there may be division in the church community. These consequences will often increase if there is any subsequent decision that the respondent committed the abuse. They may even continue where the complaint is substantiated because of the belief by some that the respondent is innocent. Affected church communities will need ongoing support. This support includes being given appropriate information that will not cause harm to the complainant or prejudice the fair determination of the allegations, but will help to minimise speculation and the spreading of rumours.



### Dealing fairly with complaints

- 2.1 Each province should have a system for dealing fairly with complaints. The system should include the following elements:
- an easy to use and accessible means for victims, or people on their behalf, to make complaints to a designated person;
  - where a complaint involving an alleged criminal offence is made, a mechanism for helping the complainant report the abuse to the *civil authority*, other than in situations where the church itself is required by law to report the complaint;
  - protection of the complainant and any whistleblower associated with the complaint from any reprisal by a church worker;
  - capacity for the *church authority* in appropriate circumstances to suspend respondents from their current position until the conclusion of the process for dealing with the complaint (such as where people including the victim will be placed at risk of harm and/or the reputation of the church will be damaged if the respondent continues in their current position);
  - consideration of the complaint no matter how long ago the abuse is alleged to have occurred, except in circumstances where the passing of time has made it impossible to deal fairly with the complaint;
  - disclosure of the complaint and the identity of the complainant to the respondent, except when to do so would jeopardise the safety of the complainant;
  - opportunity for the respondent to respond to the complaint;
  - where the allegations are denied or not admitted by the respondent, a formal process for an impartial person or group of people to investigate the allegations and determine their truth or otherwise;
  - where the allegations are admitted by the respondent or found to be true, a process for determining the suitability of the respondent for continuing ministry and, if so, whether subject to any conditions;
  - maintenance of accurate records of the action taken by the church authority giving effect to the assessment of the suitability for ministry of the respondent;
  - vindication of the respondent where the complaint is found to be false;
  - maintenance of confidentiality, including determining the amount of information and to whom information should be provided; and
  - communication of the outcome of the complaint to the complainant, the respondent, the church and, where appropriate, the public.

## **Support for complainants and respondents**

2.2 Each province should have a system for providing a support person for the complainant and for the respondent throughout and after the process of dealing with the complaint. People should be trained to undertake this role and accurate records should be kept of the people receiving the training. The training should include the following topics:

- the importance of listening to complainants and respondents with empathy, patience and compassion;
- the nature of abuse and its effects on victims; and
- the assistance which may be given to complainants and respondents (such as explaining the process for dealing with complaints, and being present during interviews when the complaint is being investigated or any hearing where the truth of the allegations is being determined).

The support person for the complainant and for the respondent should not have any role in the process of investigating or making a decision about the complaint.

## **Support for affected church communities**

2.3 Each province should have a system for providing support for church communities affected by complaints and the outcome of their determination. People should be trained to undertake this role and accurate records should be kept of the people receiving the training. The training should include the following topics:

- the impact upon people and church communities of complaints of abuse and their outcome;
- the information that is appropriate to be provided to the affected people and church communities about complaints of abuse and their outcome, and the person who makes that decision; and
- strategies to facilitate the healing of people and church communities affected by complaints of abuse and their outcome.

Any person providing support for affected people and church communities should not have any role in the process of investigating or making a decision about the complaint.

## **SECTION 3**

### **Adopting and promoting standards for the practice of ministry**

#### **Charter Commitment 3**

##### **Practice of pastoral ministry**

We will adopt and promote by education and training standards for the practice of pastoral ministry by clergy and other church personnel.

## Background information

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### Ministry in the church

*Church workers* undertake *ministry* in the church in a variety of forms including the provision of spiritual advice and support, education, counselling, care and assistance in times of need. Such ministry can happen in a variety of settings including in a *church community*. In their *ministry relationships* church workers should always act in the best interests of those to whom they are ministering.

### The imbalance of power in ministry relationships

There is an intrinsic imbalance of power in a ministry relationship between the church worker and those to whom they minister. This arises because the church worker has spiritual authority over others, specialised knowledge and expertise, or access to the leaders and resources of the church. It is always the responsibility of the church worker to maintain appropriate boundaries in their ministry relationships.

### Standards for the practice of ministry in a code of conduct

Clear standards for the practice of ministry should be contained in a code of conduct. All church workers should be bound to observe the standards in the code of conduct. They will need regular education and training about these standards of behaviour to help them to maintain appropriate boundaries in their ministry relationships. It is particularly important to ensure that church workers who have moved from another *province* or church tradition receive this education and training. The adoption of and training on a code of conduct will mean that church workers cannot plead ignorance of the appropriate standards for the practice of ministry.

### The importance of ministry support for church workers

A system of ministry support for church workers is a practical method to help ensure ethical ministry practices by them, and to help them prevent and respond to the abuse of power by other church workers or members.

### A code of conduct for the practice of ministry

- 3.1 Each province should have a code of conduct containing standards for the practice of ministry to be observed by church workers. The code of conduct should address the following areas of conduct:
- the nature of ministry relationships and how power is to be used in the best interests of those being ministered to;
  - the maintenance of confidentiality of information received in ministry and the limits of confidentiality, such as where disclosure is required by law;
  - communications in ministry including the use of language, gesture and images, the use of technology, and the location and conduct of meetings, interviews and conversations;
  - appropriate boundaries in ministry relationships including emotional, financial, physical and sexual boundaries;
  - ministry to *children* and *young people* including avoiding where practicable working alone or in isolation with them;
  - ministry to *vulnerable adults*; and
  - reporting known or suspected abuse by another church worker to the *church authority*, or *civil authority* where required.

### Training in the code of conduct

- 3.2 Each province should have a system for providing the satisfactory completion of training in the code of conduct by:
- candidates for ordination prior to their ordination as a deacon; and
  - church workers prior to their appointment or, exceptionally, within three months of their appointment, and thereafter at intervals of between three and five years.

Accurate records should be kept of the training.

### Ministry support

- 3.3 Each province should have a system for providing ministry support to church workers to help ensure ethical ministry practices by them which:
- for *clergy* and *authorised* and employed *lay workers*, should include supervision of their ministry and, where available, other forms of support such as mentoring, professional supervision, peer support and ministry review; and
  - for lay workers who are volunteers, should include supervision of their ministry.

## SECTION 4

### Assessing suitability for ministry

#### Charter Commitment 4

##### **Suitability for ministry**

We will have and implement policies and procedures to assess the suitability of persons for ordination as clergy or appointment to positions of responsibility in the church including checking their background.

## Background information

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### Abuse where there has been no background checking

Sometimes *church workers* with a prior history of *abusing* others have been appointed to positions, and in the case of *clergy* have entered the process leading to ordination, without any checking of their background and have subsequently committed abuse in their *ministry*. Abuse has been committed both by clergy and *lay workers*. In some cases this has occurred where church workers have moved between *provinces*, between dioceses within a province, or from another church tradition.

### The importance of background checking

Assessment of a prospective church worker's suitability for ministry will include background checking. The purpose of background checking is to identify any information which indicates that the person may pose a risk to the safety of others. This information should be taken into account in assessing whether the person is suitable to undertake ministry in the church. All clergy should be screened. Priority should be given to background checking of lay workers whose ministry involves contact with vulnerable people such as *children*, *young people* and *vulnerable adults*. Background checking is an important means to prevent abuse in the church, as past conduct is an important indicator of behaviour in both the present and the future.

For church workers moving between provinces, background checking will require the co-operation of both provinces through the implementation of the *Protocol*. For church workers moving between dioceses within a province, background checking will require the co-operation of both dioceses within the province. For church workers moving from another church tradition, background checking will require the provision of information to the other church tradition and co-operation of both the other church tradition and the province.

### Circumstances in which a risk assessment is required

Where a person has abused in the past, it will be necessary to carry out a risk assessment of the likelihood of the prospective church worker abusing others in the future. This should be carried out before they are ordained or appointed to a position. Where feasible, an experienced professional such as a psychologist should carry out the risk assessment. In cases of abuse such as those involving *sexual abuse* of children it will not be appropriate for the person to be ordained or appointed to a position involving ministry.

### Assessment of the suitability of persons to be church workers

4.1 Each province should have a system for the background checking of prospective church workers. They should be screened before their appointment and, in the case of clergy, before entering a process that may lead to their ordination. The background checking should include the following elements:

- completion by the person of an application form which includes provision for disclosure of prior abusive behavior;
- verification of identity;
- checking with the *civil authority* for any criminal record where available and where the applicant is an adult;
- an interview with the person making the appointment or their delegate;
- obtaining references from persons with knowledge of the applicant, including from within the church and/or their previous employment;
- where the person was an *authorised* church worker in another province or another diocese within the province or had an equivalent role in another church tradition, requesting *ministry suitability information* from the church authority of the other province or diocese or the equivalent authority of the other church tradition; and
- in the case of candidates for ordination, where feasible, a psychological assessment to identify any condition which may pose a risk to the safety of others.

Records should be kept of background checking.

4.2 Each province should have a system for assessing the suitability of prospective church workers before their appointment, and in the case of clergy before their ordination as a deacon. The assessment of suitability should include the following elements:

- consideration of the people to whom the person will minister and their vulnerability;
- consideration of the information obtained from background checking; and
- where a person has abused in the past, carrying out a risk assessment of the likelihood of the person abusing others in the future.

Records should be kept of assessments.



- 4.3 Each province should have a system which maintains the confidentiality of its records of background checking, including ministry suitability information, except where their disclosure:
- is required by law;
  - is reasonably believed to be necessary to protect any person from the risk of being harmed by the church worker;
  - is necessary for undertaking the assessment of whether the church worker is suitable to undertake authorised ministry in the province; or
  - is necessary for undertaking any disciplinary action against the church worker.

**Disclosure of information about suitability for ministry**

- 4.4 Each province should have a system regarding ministry suitability information which ensures:
- request and receipt of ministry suitability information about a person who is or was a church worker from the church authority of another province or diocese within the province or the equivalent authority of the other church tradition; and
  - prompt provision of ministry suitability information about the person to the church authority or the equivalent authority of the other church tradition, except where disclosure of the ministry suitability information is unlawful.

## **SECTION 5**

### **Promoting a culture of safety**

#### **Charter Commitment 5**

##### **Culture of safety**

We will promote a culture of safety in parishes and church organizations by education and training to help clergy, other church personnel and participants prevent the occurrence of abuse.

## Background information

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### The culture of the church has contributed to abuse

Aspects of the culture of the church have contributed to an environment where *church workers* have abused *children, young people* and *vulnerable adults*.

In different ways, aspects of culture have allowed *abuse* and the silencing of victims. In some cases:

- the protection of the church's reputation has been placed above the interests of victims;
- the church has focused on extending forgiveness and compassion to abusers rather than holding them accountable and properly considering the needs of victims;
- where a member of the *clergy* has engaged in abuse, *clericalism* (clergy encouraging and taking advantage of deference to them) has been a factor in the occurrence of abuse, and has also caused inadequate responses where there have been *complaints*; and
- where abuse has been recognised, it has often been seen as a moral failing which can be overlooked rather than misconduct which has caused harm to the victims and, in the case of some types of abuse, a criminal offence.

### Ineffective governance in the church has contributed to abuse

Aspects of this culture have been reinforced by the structure and governance of the church. In some cases:

- there has been inadequate selection, background checking and training of church workers;
- where complaints of abuse have been made there have been inadequate processes to determine fairly the truth of the allegations and the suitability for future *ministry* of the church workers involved;
- church leaders have failed to manage conflicts of interest between their pastoral and disciplinary roles;
- church leaders have not been, or have appeared not to be, impartial because of their relationship with *respondents*; and
- church leaders have *concealed* abuse in different ways, including moving an alleged abuser to another *church community*.

### **The challenge of known and suspected abusers in the church**

People who are known or suspected of abuse may seek to participate in the life of a church community. They include those charged with or convicted of criminal offences involving *sexual abuse*. While ministry to them is to be encouraged, this should not compromise the safety of others, especially children, young people and vulnerable adults.

Generally, those known or suspected of abuse should not be permitted to participate in a leadership role, such as providing care, leading any youth or other group, directing the music in services, reading the Bible or leading prayers. It is important to recognise that people who exercise a leadership role will be perceived as trustworthy.

### **The creation and maintenance of a culture of safety in the church**

Creating and maintaining a culture of safety in the church requires the involvement of all who participate in the life of church communities, not just church workers.

Training to prevent the occurrence of abuse should be part of the formation and ongoing development of clergy. Participants in the life of church communities should receive education to prevent the occurrence of abuse.

Creating and maintaining a culture of safety in the church requires more than the adoption of *safe church* or *safeguarding* rules and policies. They will need to be effectively implemented, and their implementation monitored. The church should demonstrate integrity by making public the results of this monitoring. Rules and policies will also need to be undergirded by a theology of safe church or safeguarding which prioritises the safety of all those who participate in the life of the church. Church leaders have an important role to play in creating and maintaining this culture of safety.

Complaints about the effectiveness or fairness of safe church or safeguarding rules and policies should be reviewed so that identified weaknesses and failures may inform continuous improvement. Safe church or safeguarding rules and policies should otherwise be reviewed regularly so that they continue to be effective. This will help ensure the church is a safe environment for all people especially children, young people and vulnerable adults.

### **Formation and ongoing development of church workers to include training to create and maintain a culture of safety**

- 5.1 Each province should have a system for the formation and ongoing development of church workers that includes training which addresses the following topics:
- the theology of safe church or safeguarding which prioritises the safety of all who participate in the life of the church;
  - the importance of effective leadership and self-awareness in creating and maintaining a culture of safety in church communities;
  - the proper exercise of their power and authority;
  - boundaries in *ministry relationships*;
  - the responsibility to act when they become aware of or reasonably suspect abuse by another church worker;
  - actions to take when they become aware of or reasonably suspect abuse by another church worker;
  - safe ministry practices;
  - the provision of care to victims of abuse;
  - the requirements under civil law to report abuse to the *civil authority*;
  - the impact of abuse on victims, including affected church communities; and
  - the creation and maintenance of safe church environments.

### **Education of church communities to create and maintain a culture of safety**

- 5.2 Each province should have a system for the education of the participants in church communities in safe ministry practices and the prevention of abuse. This education should be age appropriate. In the case of schools and other organizations providing ministry to children and young people, it should extend to their parents and carers. In the case of organizations providing ministry to vulnerable adults it should extend to their family members and carers. It should address ways of raising awareness of the commitment to safe church or safeguarding, and creating and maintaining a safe environment for children, young people and vulnerable adults and include the following topics:
- the nature of abuse and its effects;
  - the recognition of the signs of abuse;
  - *grooming* techniques in the case of sexual abuse;
  - practical ways to reduce the risk of abuse; and

- the reporting of known or suspected abuse to the civil authority and the *church authority*.

### **Ministry to those known or suspected of abuse**

5.3 Each province should have a system for ministry to those known or suspected of abuse who are currently participating or seek to participate in the life of a church community. The system should include the following elements:

- a process for assessing whether the participation of the person is or will be a risk to the safety of others;
- where the outcome of the assessment is that the person may participate in the life of the church community with restrictions, a process to ensure they abide by these restrictions such as a safety agreement or a group who monitors compliance with the restrictions;
- where the outcome of the assessment is that the person may not participate in the life of the church community, the offer to provide alternative ministry to the person (such as individual ministry to the person by a church worker); and
- where the person is known to have moved to a new church community in the diocese or in another diocese of the *province* or in another church tradition, the disclosure of relevant information about the person to the leaders of that church community.

### **Monitoring compliance with safe church or safeguarding rules and policies**

5.4 Each province should have a system for monitoring compliance with safe church or safeguarding rules and policies which should include the following elements:

- preparation of a report by a responsible and, where feasible, independent person at intervals of at least five years about the adoption and implementation of rules and policies that give effect to these guidelines; and
- publication of the report on the website of the province or the diocese, or otherwise making the report publicly available.

### **Review of safe church or safeguarding rules and policies**

5.5 Each province should have a system for the review by a responsible and, where feasible, independent person, of their safe church or safeguarding rules and policies that give effect to these guidelines which should include the following elements:

- a report to the governing body of the province about the adequacy, and any recommendations for the enhancement of, safe church or safeguarding rules and policies, at intervals of at least every five years; and
- where there are complaints about the effectiveness or fairness of safe church or safeguarding rules and policies, a report to the governing body of the province about their adequacy and any recommendations for their enhancement.

## SCHEDULE 1

# Definitions

**abuse** means behaviour which causes harm to another person, or is undertaken with the intention of causing harm to another person, or may place another person at the risk of harm. Types of abuse include:

- bullying;
- concealment of abuse;
- cyber abuse;
- emotional abuse;
- financial abuse;
- gender-based violence;
- harassment;
- neglect;
- physical abuse;
- sexual abuse; and
- spiritual abuse.

Abuse of children and young people is commonly called ‘child abuse’. Abuse of a vulnerable adult can take many forms. Abuse in a family or domestic context is commonly called ‘family violence’ or ‘domestic violence’.

**age of consent** means the age at which a person can legally consent to sexual activity. The age of consent varies in different countries. In some countries a person cannot legally consent to sexual activity unless they are married.

**allegations** means the allegations which are the subject of the complaint.

**authorised** means authorised by a licence or other similar authority.

**bullying** occurs where a church worker engages in behaviour directed to a person which is repeated, unreasonable (such as where it is victimising, humiliating, intimidating or threatening), and creates a risk to the person’s health and safety. It includes:

- making derogatory, demeaning or belittling comments or jokes about someone’s appearance, lifestyle, background, or capability;
- communicating in an abusive manner;
- spreading rumours or innuendo about someone or undermining in other ways their performance or reputation;
- dismissing or minimising someone’s legitimate concerns or needs;
- inappropriately ignoring someone, or excluding someone from information or activities;
- touching someone threateningly or inappropriately;



- teasing someone, or playing pranks or practical jokes on someone; and
- displaying or distributing written or visual material that degrades or offends.

It does not consist of conduct of a church worker carried out in a reasonable manner, such as:

- disagreeing with or criticising someone's beliefs or opinions or actions in an honest and respectful way;
- giving information about inappropriate behaviour in an objective way to the person or people concerned and to any other person with a proper reason for having that information;
- setting reasonable performance goals, standards or deadlines;
- giving information about unsatisfactory performance in an honest and constructive way; and
- taking legitimate disciplinary action.

'Cyberbullying' is a form of bullying which involves the use of technology such as sending text messages and emails.

**Charter** means the *Charter for the Safety of People within the Churches of the Anglican Communion* which the Anglican Consultative Council adopted by resolution 15.09 passed in 2012, and the text of which is set out in Schedule 2.

**child** means anyone who under the applicable law has not attained their majority. In many countries a child is anyone under the age of 18 years. In some countries, where a distinction is made between children and young people, a child is anyone under the age of 16 years.

**church authority** means a diocesan bishop or a person or body having authority to ordain, license, elect, appoint, dismiss or suspend a church worker.

**child pornography** describes or depicts a person who is or who appears to be a child engaged in sexual activity, or in a sexual context. It can include any film, printed matter, electronic data, computer image and any other depiction.

**church community** means a parish or church organization in which ministry is undertaken.

**church workers** means clergy and lay workers.

**clergy** means bishops, priests and deacons of the church.

**clericalism** means clergy encouraging and taking advantage of deference to them.

**complainant** means a person who makes a complaint that they were abused or a person making a complaint on behalf of the primary victim.

**complaint** means a complaint of abuse against a church worker.

**concealment of abuse** means the failure without reasonable excuse to disclose known or suspected abuse by a church worker to the church authority or civil authority.

**civil authority** means the police or other authority to which a report of known or suspected abuse may or should be made.

**cyber abuse** occurs where a church worker engages in behaviour involving the use of technology which harms or threatens to harm a person socially, psychologically or physically. It can take place in various online spaces, like chat rooms, on social networking sites, through emails, messaging apps or on message boards. It includes a range of behaviours which are sometimes described as 'cyberbullying', 'cyberstalking', and 'image-based abuse'.

**emotional abuse** occurs where a church worker engages in behaviour directed to a person where the person suffers, or is likely to suffer, harm to their health and safety. It includes:

- making derogatory, demeaning or belittling comments, jokes or gestures about someone's appearance, lifestyle, background, or capability;
- ridiculing a person, including the use of insulting or derogatory terms to refer to them; and
- coercing, manipulating, threatening or intimidating a person.

It does not consist of conduct of a church worker carried out in a reasonable manner, such as:

- disagreeing with or criticising someone's beliefs or opinions or actions in an honest and respectful way;
- giving information about inappropriate behaviour in an objective way to the person or people concerned and to any other person with a proper reason for having that information; and
- taking legitimate disciplinary action.

Emotional abuse is commonly called 'psychological abuse'.

**financial abuse** occurs where a church worker seeks personal advantage or financial gain for themselves or their family from their position or from a ministry relationship, beyond their stipend or wage and recognised allowances. Where it involves theft it will constitute a criminal offence. It includes soliciting a gift, whether monetary or otherwise, from a person with whom there is a ministry relationship.

**gender-based violence** means any act that is perpetrated against a person's will and is based on harmful gender norms and unequal power relationships. It encompasses threats of violence and coercion. It can be physical, emotional, psychological, or sexual in nature, and can take the form of a denial of resources or access to services. It inflicts harm on women, girls, men and boys.

**grooming** occurs where a church worker deliberately undertakes actions with the aim of engaging and influencing an adult or a child or young person for the purpose of sexual activity. In the case of a child or young person, the church worker may groom them and those close to them, such as parents, family members and other church workers, with the aim of having sexual activity with the child or young person. In the case of an adult, the church worker may groom the adult and those close to the adult such as family members, other church workers and church communities, with the aim of having sexual activity with the adult. Grooming commonly precedes other forms of sexual abuse and can involve contact involving the use of technology to build the relationship with the child or adult.

**harassment** occurs where a church worker engages in unwelcome conduct, whether intended or not, towards another person where the person feels with good reason offended, belittled or threatened. This behaviour may consist of a single incident or several incidents over a period of time. It includes:

- making unwelcome physical contact with a person;
- making gestures or using language that could reasonably give offence, including continual and unwarranted shouting;
- making unjustified or unnecessary comments about a person's capacities or attributes;
- putting on open display pictures, posters, graffiti or written materials that could reasonably give offence;
- making unwelcome communication with a person in any form such as phone calls, email, text messages; and
- stalking a person.

'Cyberstalking' is a form of harassment which involves the use of technology such as sending text messages and emails.

**image-based abuse** occurs where a church worker engages in the taking of, distribution of, or threat to distribute, intimate, nude and/or sexual images of another person without their consent. The images may be original and photoshopped photos, drawn pictures, and videos. It is called 'sexting' when technology is used to distribute the image. It is called 'sextortion' when the church worker tries to get sexual favours, money or something else, by threatening to reveal intimate images of the other person, or requests money, additional images, or sexual favours for removing the images online.

**lay worker** means a lay person who:

- is authorised by the bishop of a diocese;
- is appointed, elected or employed by or on behalf of a church community; or
- as a volunteer, undertakes ministry in the church.

**ministry** means the work involved or the situation which exists when a church worker has responsibility as part of their role for the wellbeing of others.

**ministry relationship** means a relationship between a church worker and any person for the purposes of ministry.

**ministry suitability information** means a written statement by a church authority of a province about a church worker that discloses whether or not there has been, and, if there has, the substance of any allegation, charge, finding or admission of the commission of a criminal offence, or the breach of the province's rules regarding the conduct of church workers, including rules relating to sexual conduct and conduct towards children, young people and vulnerable adults.

**neglect** occurs when a church worker with responsibility for the welfare of another person fails without reasonable excuse to provide the basic necessities of life, so that the person's physical or mental health and development are placed at risk of harm. It includes being deprived of:

- food;
- clothing;
- shelter;
- hygiene;
- education;
- supervision and safety; and
- medical care.

Neglect can occur in a variety of situations such as a care home or day-care centre for vulnerable adults, a camp or residential facility or day-care centre for children and young people, a boarding house in a school, a hospital or a health clinic.

**physical abuse** occurs where a church worker commits an intentional or reckless act, uses force or threatens to use force causing injury to, or involving unwelcome physical contact with, another person. It includes:

- slapping;
- hitting;
- punching;
- shaking;
- choking;
- kicking;
- burning;
- shoving; and
- grabbing.

It does not include corporal punishment of a child where this is lawful.

**primary victim** means the person who has been abused.

**Protocol** means the *Protocol for disclosure of ministry suitability information between the churches of the Anglican Communion* which the Anglican Consultative Council referred to in resolution 16.27 passed in 2016, and the text of which is set out in Schedule 3.

**province** refers to a member church of the Anglican Consultative Council., A national or local church which is under the direct metropolitan jurisdiction of the Archbishop of Canterbury is considered to be a province for the purpose of these guidelines.

**respondent** means a church worker against whom a complaint has been made.

**safe church** or **safeguarding** means policies and practices to promote the physical, emotional and spiritual wellbeing of all persons within the church, including children, young people and vulnerable adults.

**secondary victim** means other people who have suffered harm as a result of the abuse of the primary victim. They will be likely to include members of their family of the primary victim as well as members of the family of the abuser, other church workers and members of the church.

**sexual abuse** occurs where a church worker engages in any of the following conduct:

- grooming;
- image-based abuse;
- sexual assault;
- sexual exploitation;
- sexual harassment; or
- viewing, possessing, producing or distributing child pornography.

**sexual assault** occurs where a church worker engages in any intentional or reckless act, uses force or threatens to use force involving some form of sexual activity against a person without their consent, or with their consent in circumstances where consent is not a defence to such sexual activity under the applicable laws. Children who are under the age of consent, or any adult on their behalf, cannot consent to sexual activity. Sexual assault will normally constitute a criminal offence and includes:

- rape;
- touching a person in a sexual manner; and
- inviting, inducing, inciting or forcing a child, young person or vulnerable adult to touch themselves, the church worker or another person in a sexual manner.

**sexual exploitation** occurs where a church worker, who has a ministry relationship with an adult or child who is over the age of consent, invites them to engage in sexual activity, or engages in sexual activity with them with their consent. It does not matter that the adult or child made the invitation or initiated the sexual activity.

**sexual harassment** occurs where a church worker makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to a person. It may consist of a single incident or several incidents over a period of time, and may involve different forms of communication such as phone calls, email, text messages and social media. It includes:

- asking for sex;
- making gestures, jokes or comments containing sexual references; and
- showing sexually explicit material.

**spiritual abuse** occurs where a church worker mistreats a person by actions or threats when justified by appeal to God, faith or religion. It includes:

- using a position of spiritual authority to dominate or manipulate another person or group;
- using a position of spiritual authority to seek inappropriate deference from others;
- ostracising a person from their church community;
- isolating a person from friends and family members; and
- using biblical or religious terminology to justify abuse.

**vulnerable adult** means an adult who by reason of an intellectual disability, mental illness or other impairment, age or other circumstance, has reduced capacity, whether permanently or temporarily, to protect themselves from abuse. This includes any adult who:

- is ministered to in their home;
- is dependent on one or more persons for support such as in the case of an accident, illness or birth of a child;
- experiences a life crisis or natural disaster, such as the death of a family member or loss of employment, or loss of home and possessions; and
- through poverty, war or civil strife, displacement, ethnicity, sexual orientation or gender, or other social and cultural factors has a diminished ability to protect themselves from abuse.

**young people** means people in a country where a distinction is made between children and young people who are not a child and have not attained their majority. In some countries they are people over the age of 16 years and under the age of 18 years.

## **SCHEDULE 2**

# **The Charter**

## **Charter for the Safety of People within the Churches of the Anglican Communion**

### ***Pastoral support where there is abuse***

1. We will provide pastoral support for the abused, their families, and affected parishes and church organizations by:
  - a. listening with patience and compassion to their experiences and concerns;
  - b. offering spiritual assistance and other forms of pastoral care.

### ***Effective responses to abuse***

2. We will have and implement policies and procedures to respond properly to allegations of abuse against clergy and other church personnel that include:
  - a. making known within churches the procedure for making complaints;
  - b. arranging pastoral care for any person making a complaint of abuse;
  - c. the impartial determination of allegations of abuse against clergy and other church personnel, and assessment of their suitability for future ministry;
  - d. providing support for affected parishes and church organizations.

### ***Practice of pastoral ministry***

3. We will adopt and promote by education and training standards for the practice of pastoral ministry by clergy and other church personnel.

### ***Suitability for ministry***

4. We will have and implement policies and procedures to assess the suitability of persons for ordination as clergy or appointment to positions of responsibility in the church including checking their background.

### ***Culture of safety***

5. We will promote a culture of safety in parishes and church organizations by education and training to help clergy, other church personnel and participants prevent the occurrence of abuse.

## SCHEDULE 3

# The Protocol

### Protocol for the disclosure of ministry suitability information between the churches of the Anglican Communion

#### Definitions

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1. In this Protocol:

**Assessing Province** means the Province in which a Church authority is to assess whether the Church worker should be authorised for ministry;

**Authorising Province** means the Province or Provinces in which the Church worker is authorised, or has previously been authorised, to undertake ministry by a Church authority;

**Church authority** means the person or body responsible for authorising Church workers to undertake ministry in the Authorising Province or the Assessing Province;

**Church worker** means a member of the clergy or a lay person who:

- (a) is authorised, or has previously been authorised, to undertake ministry by a Church authority of the Authorising Province; and
- (b) has applied to undertake authorised ministry, or has been nominated for appointment to a position or office involving the undertaking of authorised ministry, in the Assessing Province;

**Ministry Suitability Information** means a written statement by a Church authority of the Authorising Province about the Church worker that discloses:

- (a) whether or not there has been; and (b) if so, the substance of:

any allegation, charge, finding or admission of the commission of a criminal offence, or the breach of the Authorising Province's rules regarding the moral conduct of clergy and lay persons undertaking ministry, including rules relating to sexual conduct and conduct towards children and vulnerable adults;

**Province** includes part of a Province.



## **System for the disclosure of Ministry Suitability Information by the Authorising Province**

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2. The Authorising Province will have and maintain a system for the disclosure of Ministry Suitability Information about a Church worker of the Province to the applicable Church authority of the Assessing Province that includes the following requirements:
  - (a) the applicable Church authority of the Province is to promptly deal with an application by the applicable Church authority of the Assessing Province for the disclosure of Ministry Suitability Information; and
  - (b) the applicable Church authority of the Province is to disclose the Ministry Suitability Information to the applicable Church authority of the Assessing Province.

## **System for assessing the suitability of a Church worker for authorised ministry in the Assessing Province**

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3. The Assessing Province will have and maintain a system for the assessment of the suitability of a Church worker to undertake authorised ministry in the Province that includes the following requirements:
  - (a) the applicable Church authority is to make an application to the Authorising Province for Ministry Suitability Information;
  - (b) the applicable Church authority is not to authorise the Church worker to undertake ministry in the Province unless and until it has carried out an assessment of whether the Church worker is a risk to the physical, emotional and spiritual welfare and safety of people that takes into account the Ministry Suitability Information disclosed by the Authorising Province; and
  - (c) the applicable Church authority is to keep the Ministry Suitability Information confidential, except where its disclosure:
    - (i) is required by law; or
    - (ii) is reasonably believed to be necessary to protect any person from the risk of being harmed by the Church worker; or
    - (iii) is necessary for the purpose of undertaking the assessment of whether the Church worker is suitable to undertake authorised ministry in the Province or any disciplinary action against the Church worker.