

Safe Church:

Dealing with allegations
of abuse



ANGLICAN COMMUNION
SAFE CHURCH COMMISSION



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Glossary

This glossary provides the meanings of certain important words used in this document.

Abuse is usually an ongoing pattern of behaviour (although it can be a single incident) which:

- a. causes harm to another person, or
- b. is intended to cause harm to another person, or
- c. which may place another person at risk of harm.

Abuse is a category of misconduct. Members of the clergy and lay leaders can be reported for perpetrating abuse and the abuse can be the focus of disciplinary action. A comprehensive definition of abuse can be found in the Safe Church Guidelines (<http://www.anglicancommunion.org/guidelines>).

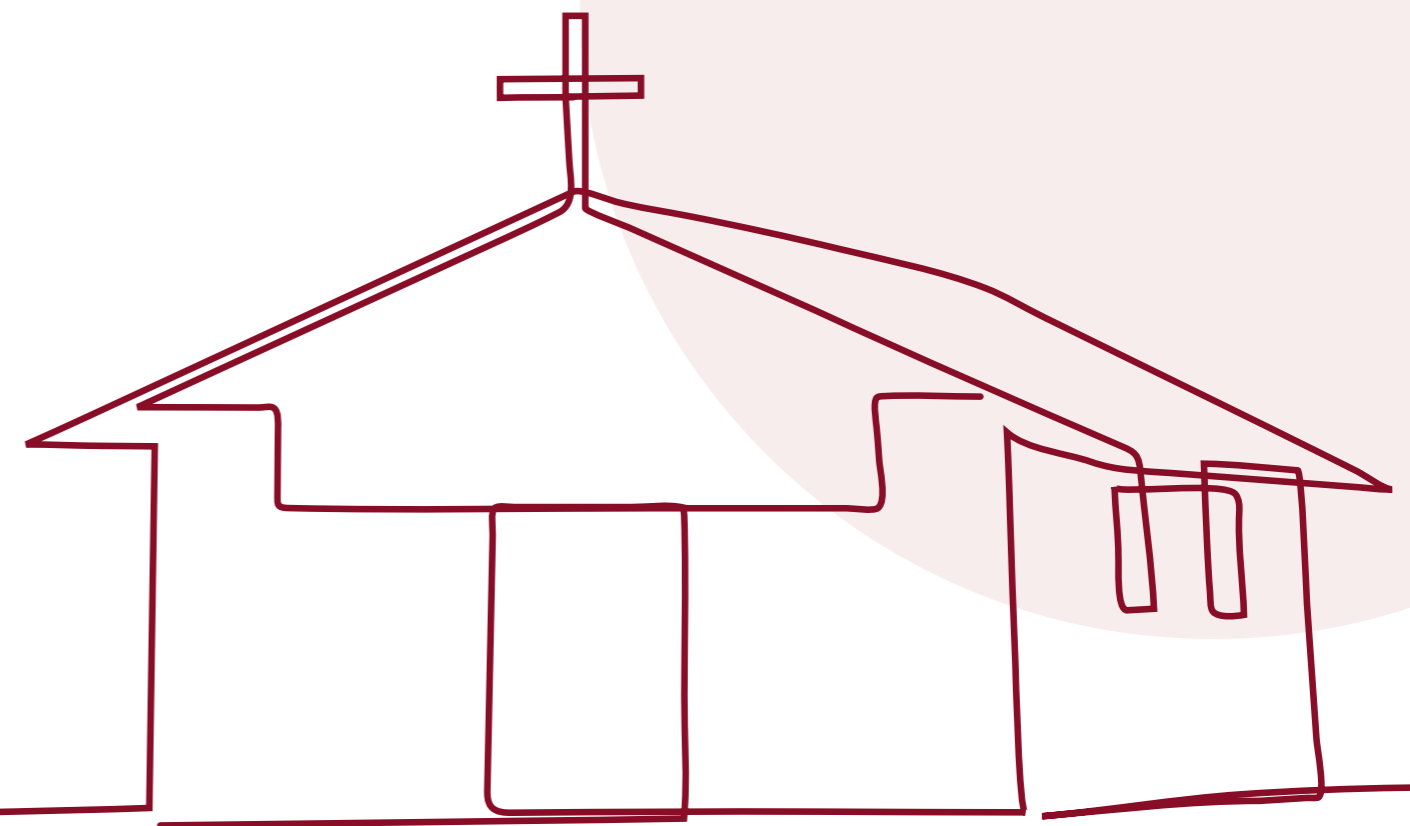


An **allegation** is a claim or statement that someone has done something illegal or wrong. In this document an **allegation** refers to an allegation of abuse, a complaint of abuse or a report of abuse made by a victim or by another person on behalf of a victim.

A **church worker** is any member of the clergy or lay person who is actively involved in the ministry of the church.

The **complainant** is the person who reports abuse i.e. makes a formal allegation about a situation where abuse occurred. The complainant could be the person who was abused or a person reporting the abuse on behalf of the primary victim.

The **respondent** is the person who is alleged to have abused the victim (alleged abuser).



1 Why do churches need a process for responding to allegations of abuse?

Every province and/or diocese should have a clear process in place for responding when someone formally reports/makes a formal allegation that they have been abused by a church worker (member of the clergy or a lay person involved in ministry). This process should be followed consistently whenever abuse is reported. In the past this has not always been the case and the church has failed both those who were abused and the wider church community when they have turned a blind eye to abuse or covered up reports and allegations.

We now know that when churches have clear policies and processes in place and follow these consistently, the following are made possible:

a. Justice and healing

When we follow a clear and consistent process every time abuse by a church worker is reported, we ensure that there is accountability and the possibility of a just outcome. Those who report abuse deserve to have their experiences taken seriously and addressed through a fair process. This can support their healing journeys.

b. Trust in the church and its leadership

A church will not thrive if its members do not trust its leaders. An effective response to allegations of abuse demonstrates that the church values accountability and does not tolerate abuse, no matter who the perpetrator may be. It reassures the church community that their safety and well-being comes first and preserves trust in the church leadership.

c. Culture of safety

When a process for dealing with allegations is consistently and efficiently followed, in a fair and transparent manner (that is, the same process is followed no matter who is reported, the church community is made aware of the process that is being followed and the outcome is communicated) it helps to create and maintain a culture of safety in the church.

d. Deterrence and prevention

An effective response to allegations of abuse can serve as a deterrent to those who might wish to abuse. It may therefore prevent abuse in the future.

e. Reputation and credibility

Failures in safeguarding have a significant negative effect on the church's standing and reputation in the wider community. If a church fails to respond effectively, it is likely to lose the trust and respect of not only its own members but the wider community as well. A church that handles such a situation with transparency and rigour, demonstrating its commitment to justice and the well-being of its members, is more likely to maintain credibility and respect in the community.



2 Key Principles in Dealing with Allegations of Abuse

Key principles to be addressed in any process for dealing with reports/allegations of abuse are:

2.1 Safety

The safety, welfare and best interests of the person who has been/is being abused (primary victim) must always come first. It is also necessary to consider the safety and well-being of others who have experienced harm as a result of the abuse of the primary victim. These are secondary victims. Secondary victims could include family members of the primary victim as well as family members of the abuser, other church workers and members of the church.

2.2 Pastoral Care

Every province and/or diocese needs to train people who can provide care to primary and secondary victims of abuse. The way the church offers care should be centred on the victim's needs and wishes. Pastoral care for the victim starts with listening carefully and compassionately to their disclosure of abuse, taking the disclosure seriously, ensuring that they are safe, explaining the processes available to them if they wish to formally report the abuse, taking prompt action and offering ongoing care and support throughout the process.

Pastoral care also needs to be offered to the person who is accused of abuse (the respondent) once a formal allegation/report of abuse is made and also to their family members (where appropriate). However, this cannot be the same person who is providing care to the victim as this would undermine the victim's trust in the person offering them care.

2.3 Fair process

Every step of the process of investigation and decision-making after an allegation of abuse has been reported must be clear, consistently followed, sensitive, thorough and always fair. The process should begin as soon as possible (promptly) after the report is made.



In order for a process to be fair:

- a.** Every person involved in the process should have a clear role. It is essential to avoid conflicts of interest e.g. if an allegation is made about the investigator's friend, someone else should do the investigation. This is difficult in small communities where everyone knows everyone else, but conflicts of interest should still be avoided. If an allegation is made about a priest, that priest cannot appoint the investigator, or decide about the validity of the allegation;
- b.** The person investigating the allegation should not be the same person who will make a decision about the validity of the allegation;
- c.** The complainant needs to have a proper opportunity to tell their story without pressure and in their own words;
- d.** The respondent must be informed about the complaint and the nature of the allegations as well as the identity of the complainant, unless doing so would put the complainant at risk of harm. The respondent must have the opportunity to respond to the allegations; and
- e.** A panel of at least two independent persons should be involved in the decision-making about the validity of the allegations. One of these persons should, if possible, have particular knowledge or experience about the type of allegation being investigated e.g. sexual harassment, psychological abuse, financial abuse etc.

3 Requirements for an effective process for dealing with allegations of abuse

One of the first tasks for a provincial/diocesan Safe Church team is to develop a process for dealing with reports/allegations of abuse. The process must:

- a. Describe/define what is considered abuse by members of the clergy and other church workers in your province or diocese. Examples should be included for greater clarity;
- b. Specify what a member of the clergy would be charged with if they were to go through a disciplinary process (e.g. conduct unbecoming of a member of the clergy, or a more specific offence);
- c. Be specific about the penalties/sanctions if a member of clergy is found to have perpetrated abuse;
- d. Describe clearly and in detail, the process to be followed every time an allegation of abuse is made against a church worker;



- e. Make provision for suspension of a member of the clergy from their position until the process for dealing with the allegation is concluded, and/or other measures that may be necessary to protect the complainant, as well as any whistleblowers, witnesses, the respondent, and the broader church community, if there is assessed to be an immediate or ongoing risk. The respondent and their supporters must not be allowed to contact the complainant or members of the complainant's family to discuss the allegation;
- f. Clearly describe the responsibilities and limitations (boundaries) for each person involved in the process;
- g. Be compatible with canonical law and process in your province/diocese;
- h. Be compatible with the requirements of the civil legal system and notions of justice that are applicable in your province or diocese;
- i. Be culturally appropriate for your context; be mindful of local cultural practices and leadership structures in order to ensure that the process runs as smoothly as possible;
- j. Be communicated to the church community and be easily accessible e.g. put posters up or have brochures/pamphlets available in the church with contact details for the person to report to and the steps that will be followed. Ensure that everyone knows or can easily find out who to go to if they want to report abuse;
- k. Be transparent – everyone must know what the process is that will be followed and who will be involved;
- l. Describe exactly who will have access to the detailed facts related to an allegation/investigation. Confidentiality is essential – information should only be provided to those who need to know to carry out their role in the process;
- m. Build in oversight mechanisms - there must never be a situation where one person gets to decide on their own if an allegation goes forward and/or gets investigated;

4 Steps in a Fair Process for Dealing with Allegations of Abuse

4.1 Receiving allegations

- a. There should be an easily accessible way for victims (or others reporting on their behalf) to report abuse to a person who is appointed to receive such allegations.
- b. The person who receives the allegation of abuse should be trained and know how to do so well, with respect and care (see *How to respond well to disclosures and reports of abuse*) available on the Safe Church Commission webpage: www.anglicancommunion.org/scc
- c. This person will be familiar with the processes in that diocese/ province and will explain them to the person reporting the abuse.
- d. The person receiving the allegation of abuse needs to then ensure that the complainant has the opportunity to make a full statement. The complainant should have the opportunity to describe everything that happened related to the abuse, providing as much detail as they feel able to, in a safe environment. They could do so in writing and/or in a private conversation, supported by a person(s) that they choose.

- e. The person receiving the allegation of abuse will need to make several key initial determinations and take immediate action, as necessary:
 - Is a child at risk of harm? Report to relevant civil authorities (police and/or social services – as required by child protection laws in your country) to ensure that the child is protected.
 - Is any adult complainant or victim at risk of harm? If so, ensure that measures are put in place to protect the complainant and/or victim.
 - Has a criminal offence (crime) been committed? If so, assist the complainant to report the crime to the relevant civil authorities, or report it yourself if you are required by law to do so e.g. if the victim is a child.
- f. Once a formal report has been made, it needs to be passed on to the person responsible for safeguarding in the province/diocese (if this is a different person to the one who received the report). There should always be at least two people who discuss and critically evaluate each report and decide on the next steps. One of these should preferably be a safeguarding officer or someone with experience and skill in evaluating and responding to allegations of abuse. There must never be a situation where one person with power gets to decide on their own if an allegation goes forward and/or gets investigated.
- g. Every report of abuse should be taken seriously, considered and investigated no matter how long ago the abuse occurred, except where the passing of time has made it impossible to deal fairly with the complaint. If this is the case, a conversation with the complainant is needed to help them decide what next steps they would like to take, and ongoing pastoral care should be offered.

4.2 Investigating an allegation of abuse

When setting up a process for investigating allegations of abuse, the following questions need to be considered:

- a.** When will the respondent be informed about the complaint? Who will tell the respondent? Who will ensure that the respondent understands the details of the allegations made against them and is given the opportunity to consider the allegations and respond as fully as possible?
- b.** If the respondent denies or does not admit to the allegations, what formal process will be followed to:
 - investigate the allegations?
 - carefully consider the statements of the complainant and the respondent and any other evidence gathered during the investigation?
 - arrive at a decision regarding whether or not the allegations are substantiated (shown to be true; supported by facts/evidence)?
- c.** If the respondent admits that the allegations are true, or if they are found to be true, what process will be followed to decide whether or not the respondent may continue in their ministry role? If they are to continue in their ministry role, what conditions or restrictions need to be put in place such as retraining, ministry supervision, making an apology or amends and so on?
- d.** If the respondent denies the allegations, who will investigate those allegations? The investigator should not be the bishop, priest or head of an institution. It should be an impartial person.

- e.** What kinds of information might the investigator need to gather during their investigation, and how will they do so?
- f.** Who will the investigator report to? Who will make the final decisions about the way forward? Who will have the authority to decide on actions and implement them?
- g.** How will records be kept of decisions made and conditions or restrictions put in place? Who will ensure that these are followed?
- h.** What are the responsibilities and limits of those responsibilities for every person involved in the process?
- i.** Who will communicate with the complainant and who will communicate with the respondent through the course of the investigation?
- j.** Who else will be informed of what, and when, and by whom (this includes secondary victims, church community etc.)?



4.3 Deciding on an outcome

The investigation and decision-making process should lead to a clear outcome. The decision-making process must be consistent, fair and free from bias.

There should be at least two people on an independent decision-making panel who weigh up the findings of the investigation, make a decision regarding the allegations and recommend appropriate disciplinary action to the church authority who will, in turn, implement the disciplinary action. There should be at least one member of the clergy and one lay person who are not part of the church community where the abuse is alleged to have occurred.

Some questions to think about regarding the outcome:

- a. Is the emphasis in the outcome on protection of the victim(s), discipline, punishment, restoration, or a combination of these (depending on the nature of the allegations and the outcome)?
- b. Does the process allow for a range of possible outcomes, from reprimand with retraining to deposition (removal) from holy orders (defrocking)? It is essential that if the respondent admits to the allegations of abuse or if they are found to be guilty of perpetrating abuse and/or concealing abuse, their suitability for

future ministry must be assessed. A system of accountability is needed to ensure that people are protected and that an abuser is not given the opportunity to re-offend.

- c. What action will be taken if the outcome shows that a crime has been committed under the laws in force in that province or diocese?
- d. If an allegation is found to be true, how will the person found guilty of abuse and/or the church offer redress (make right, compensate for, remedy, make amends) for the harm done to the complainant?
- e. If an allegation is found to be untrue, unsubstantiated or malicious how will this outcome be communicated to the church community and beyond in order to restore the good standing of the respondent?

4.4 Communicating the outcome to the church community and beyond

Thought needs to be given to how the outcome of this process will be communicated to the complainant, the respondent, other parties directly affected e.g. the complainant and respondent's family, the staff of the parish/diocese, the church community and the wider public/media. If clear, unambiguous information is provided there will be less opportunity for speculation, rumour, exaggeration and sensationalising.

5 Reviewing your province's process for dealing with allegations of abuse

It is important to review your province's process for dealing with reports and allegations of abuse and the outcomes that have been reached when following the process on a regular basis. A review will allow you to learn from your experiences, correct any missing steps or weaknesses in the process, and update the process. It also offers an opportunity to again inform parishes in the diocese/dioceses in the province about the process.

You will need to set up an external system for monitoring compliance within the diocese/province to the Safe Church Guidelines as well as policies and processes that have been adopted within the province. This could take the form of an independent, external review every few years (further information about this can be found within the Safe Church Commission's Guidelines).



There are other resources to help you as you continue your work on the Safe Church Commission website

www.anglicancommunion.org/scc

Please contact the Safe Church Commission at scc@anglicancommunion.org if you have suggestions, questions or would like to have a conversation about the Safe Church work you are doing.

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