

Royal Commission Synod Task Group

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As mentioned in my previous report, while the genesis of this Task Group was born out of the establishment of the Royal Commission into Institutional Responses to Child Sexual Abuse, it also has very much embraced the need to ensure that the Uniting Church is a safe church for children and other vulnerable people.

- policies and procedures
- reforms undertaken since the commencement of the Royal Commission
- the creating and maintaining of records of allegations and incidents of child sexual abuse
- redress and civil litigation; and
- any details of internal inquiries.

NATIONAL TASK GROUP

Royal Commission Final Public Hearing

The final public hearing of the Royal Commission began at the end of March 2017.

Public Hearing – Case Study #56

This occurred on Friday 10 February 2017, and focused on:

- the Uniting Church's Governance and Structure

This was to cover every Uniting Church congregation, school/college, care agency and any other entity right across Australia. Preparation for this public hearing was time and resource consuming.

The gathering of the data required, its analysis and reporting and occurred over the Christmas/New Year period. It was a credit to our National Task Group, our Synod bodies and others that all the timelines of the Royal Commission were met.

The statistical data reported in the newspapers was very raw data and the Royal Commission knew that was the case. The Uniting Church is currently analysing the data and will provide a more informative report to the Royal Commission. Unfortunately this was not how the newspapers reported it.

Five major areas in the life of the Church are of ongoing concern:

- implementation of the National Child Safe Framework
- implementation of the National Framework for Interim Redress Measures
- mandatory Reporting Guidelines
- litigation processes; and
- professional standards and discipline.

I will comment on each of these areas separately.

National Child Safe Policy Framework

An earlier document was revised, in light of learnings from the Royal Commission, and adopted by the Assembly Standing Committee in February 2017.

It makes 13 major commitments and all Uniting Church entities are required to develop and regularly review appropriate policies and processes, which are consistent with the framework. For additional information and assistance please contact Cindy Gorton, Safe Church/Royal Commission Officer, on 9260 9800 or by email cindy.gorton@wa.uca.org.au

National Framework for Interim Redress Matters

This framework was approved by the Assembly Standing Committee (ASC) in December 2015. It was adopted by the Synod General Council in June 2016. A helpful disclaimer was added by the ASC in July 2016. It is important to remind ourselves this is an interim redress scheme and not compensation.

It provides guidelines until the National Scheme envisaged by the Royal Commission comes into being.

The particular details for the Western Australian Synod, due to the nature of our incorporation arrangements, are being finalised. It is the intention that all entities in Western Australia will work within our own particular outworking of the Framework by agreement.

Last year, quite unexpectedly, the Federal government released some details of a proposed redress scheme and is seeking support for the opt in scheme. At a national level the Uniting Church has convened ecumenical meetings with the federal government to commence discussions on this matter.

Mandatory Reporting Guidelines

The Policy for Responding to Complaints of Past Abuse was established by the WA Synod/Presbytery in December 2014, and is clearly a process to inform all Uniting Church entities of their responsibilities in this area.

It is important to note that while at present WA does not require mandatory reporting for historical cases, I would want to make the following points.

- Any complaint or allegation by a minor will be referred to police.
- Where the adult complaint involves allegations of a criminal offence, the Designated Person must urge the complainant to refer the matter to the Police.
- Where the complainant indicates that they do not wish to refer the matter to the Police, the Organisation must obtain advice as to whether it should report the matter of its own accord.
- Where a complainant indicates that they do not wish to report the matter to the police, the complainant must be warned that the Organisation itself may make a report of its own accord, depending on the severity of the offence and the public interest involved.
- Conversations with the Police and Child Protection speak about the importance of “joining the dots”

Litigation Processes

The Uniting Church in Australia has committed itself to a set of Model Litigant Principles.

The Model Litigant Principles are:

1. Act to minimise further trauma.
2. Support the survivor.
3. Seek resolution without litigation.
4. Respect circumstances and needs of survivors.
5. Ensure equal treatment.
6. Officials to have appropriate skills.

7. Provide survivor with early information.
8. Facilitate access to records.
9. Not act adversarially.

The Royal Commission has requested that this be used by all our schools and agencies and applied by our lawyers.

Professional Standards

Schools and agencies already have standards and the Church has significantly raised the level of training. Church Councils have a responsibility to be trained in the Ethics and Safe Church training requirements.

Discipline procedures have been re-inforced (ie. recognition of a minister will be automatically withdrawn if convicted of child sexual abuse.)

Some Final Comments

Consideration is commencing on what our Post 2017 structures, that is when the Royal Commission submits its final report to government, may look like for the Uniting Church.

We eagerly await the considerations of the Royal Commission and believe it will have further implications for our Church.

Robert Watson

Chairperson

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