



The United Church in Australia
Synod of South Australia

Managing Persons of Concern

Policy, Conversations, Behavioural Covenants & Monitoring

Safe Church Policy

The Uniting Church affirms that all people are made in the image of God. The Uniting Church commits itself to the care, protection and safety of all people with whom it comes in contact. As a community of faith, we are committed to providing a safe environment for both children and adults to encounter God, to develop relationships as part of a community and to grow in faith.

The Uniting Church in Australia believes that all people are made in the image of God and as such we should accept every individual regardless of race, age, creed or gender.

As a Christian community, we believe that God reaches out to us in love and acceptance and that our relationships with each other should express love and respect and not be abused.

As a community of faith we are committed to providing a place in society where human beings can explore what it means to be made in the image of God.

As an expression of this commitment, the Uniting Church in Australia recognises its responsibility to provide worshipping and pastoral communities that are free from abuse and that provide safe environments for all people to explore and express their faith in the Gospel.

Safe Church Policy (*Safe Place statement written by the Assembly Gospel and Gender Committee 1993*)

Updated August 2021



This document provides a framework for the Uniting Church to uphold its duty of care to all those who participate in the Church's life, so that it remains a safe and open community, especially those who are particularly vulnerable.

This policy deals with the management of the risks associated with having a known sex offender in a congregation.

The Uniting Church affirms that we are all the beloved children of God and that a person of concern is invited to experience and know the love and forgiveness of God.

The Uniting Church also acknowledges that it is a community of both grace **and** truth, and that there are dire consequences to sexual crime, both for the victims, the perpetrators, and for their families. The consequences live with us despite our redemption, healing and knowledge of restoration.

PERSON(S) of CONCERN (or sometimes referred to as a Person of Interest)

A Person of Concern is any person who:

- has been investigated by the Police re a sexual crime and/or
- has charges pending re a sexual crime and /or
- has been convicted of a sexual crime and /or
- has been in custody, or is on parole after serving a prison term and/or
- has his/her name on the Sexual Offenders' Register;

and wishes to participate in the life of a congregation or faith community of the Uniting Church.

This policy includes all matters pertaining to child pornography.

A person about whom there are reasonable concerns that he/she may be engaging in grooming behaviours, or may be engaging in other sexual behaviours that put others at risk in the community is included in this policy.

This policy acknowledges

The expectations of the community that the church will be a place of safety, integrity and trust.

- The high level of pain in our communities felt by survivors of sexual abuse and the need to care for them sensitively and appropriately.
- The high level of liability held by offices of the Church in matters pertaining to Persons of Concern and the insurance implications of a PoC re-offending.
- That a Christian community is one of the few places where an offender may find acceptance. A PoC has a right to an expectation of welcome in Christian community when it is possible for that welcome to be adequately balanced by caring and care-ful supervision so that **all** may freely and safely grow in their love of Christ and their discipleship.
- That there is a strong need for the oversight of the Presbytery/Synod in all matters pertaining to Persons of Concern.



As soon as a leader of the Uniting Church is aware of current or past incidents or investigations around alleged or proven criminal sexual behaviour of ANY PERSON connected with the life of the Church, that matter will be discussed with denominational leaders.

The Person of Concern Policy is predicated on the willingness of a person of concern to engage in conversation with the Church about the circumstances under which they may participate in the life of the community. A refusal to engage positively in this conversation is likely to lead to exclusion from the Uniting Church.

It is understood that these conversations will be held by the ministry leader of a congregation or faith community (under the guidance of the Synod) and the person of concern, on the proviso that both parties agree to have the conversation together. If this agreement is not made, then the conversations will be conducted by the Synod of SA.

Conversations with the Person of Concern are intended to be a **collaborative process**, participated in by the Person of Concern (PoC), the local congregation (usually the Minister and the Chair of the Church Council), and the Synod of SA.

The conversation will include matters of

- The PoC's former roles in the life of the congregation.
- Any legal restrictions on the movements and activities of the alleged offender (e.g. bail conditions, parole conditions, sex register matters, etc).
- Any current suppression orders of the courts.
- Current access to any children or vulnerable persons who are a part of the church's life
- Permission to inform members of the congregation who need to know in order to exercise their own judgement to protect children and vulnerable adults.

It is assumed that

- Church Council and the Safe Church Committee of the UCA will be informed.
- The PoC will be stood down immediately from any leadership positions in the congregation and the wider church.
- The Congregation/ Church Council will assist the PoC to ensure conditions of bail or parole are not compromised by any of their attendance or involvement at the Church. This will require total transparency.
- The PoC will enter into a behavioural covenant with the Uniting Church in order to best protect themselves from further allegations, and to ensure the protection of all who participate in the life of the congregation or faith community.

Person of Concern Agreements

A Person of Concern Agreement is an agreement which sets out very clearly the ways in which the PoC may participate in the life of the congregation or faith community. A Person of Concern agreement also sets out the pastoral relationship between the Church and the PoC. It also is very specific about how the PoC's behaviour will be monitored.

A Person of Concern agreement may specify the consequences should the covenant be breached in any way.

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Signatories to the agreement are the Person of Concern; the Chairperson of the Safe Church Committee (Synod of SA) or their delegate; the Minister of the Congregation and the Chairperson of the Church Council (or equivalent under the Regulations).

Every situation is different, and that Person of Concern Agreements are drawn up for specific people in **specific situations**. Should a PoC move congregations, a new agreement will be established for the new relationship context.

Any **breaches** of the agreement will be communicated to the Synod as soon as possible.

The Person of Concern Agreement will indicate how the agreement is to be monitored.

A **monitor** is a person who undertakes to do their best to ensure that there is compliance with the agreement. People who serve in this role need to be able to apply their attention to the Person of Concern, and to exercise calm judgment and compassion whilst keeping the intention of the provision of a safe place for everyone firmly at the forefront of their actions. A monitor will be able to keep confidences and respect privacy but be assertive enough to supervise

In many cases, a team of monitors will be appointed to be involved with a particular Person of Concern.

There are occasions when a Church Council will decide that it does not have the capacity to adequately monitor a Person of Concern and will discuss other options with the Safe Church Committee of the Synod of SA, or the Executive Officer, Placements and Safe Church.

For more information, please contact:

Chairperson, Safe Church Committee, Synod of SA (08 82364268) or
General Secretary or Associate General Secretary (08 82364200)

To obtain a *Sample* of a Person of Concern Agreement please contact the Executive Officer, Placements and Safe Church



Persons of Concern Protocol – Sexual criminal offence(s)

Church leadership should consult with the EO Placements and Safe Church, OR the General Secretary OR the Associate General Secretary OR the Presbytery Chairperson as soon as possible after they become aware of a “person of concern”.

At all times the Church Council and the Presbytery and Synod must consider:

1. Who has a stake in how the church handles this situation? (Make a list!)
2. Pastoral Care for any alleged victims of the person of concern and their families.
3. Pastoral Care for the person of concern.
4. Pastoral Care for the family of the person of concern.
5. The risk (liability) to the Church.
6. The risk of media attention. **At no time should anyone discuss this situation with the media without the authorisation of the Moderator.**
7. Possible crimes not yet reported that may have occurred at Church or at Church programmes.
8. Possible liaison with SAPOL.
9. Who (which bodies of people) need to know about the situation?
10. Appropriate documentation.

Person charged but not yet processed through the courts (Assuming lay member/attende of the Uniting Church)

1. One of the following people need to be informed immediately and all the following processes discussed with them: Executive Officer, Placements and Safe Church or General Secretary or Associate General Secretary.
2. Contact with the accused person made - suspend judgment, pastoral tone. The person may or may not wish to discuss the situation. This needs to be respected, not only for pastoral reasons but for legal ones. Ensure our knowledge of bail conditions. It is important for us to be informed about the details of the charges.
3. Chair of Church Council or Church Council Executive informed. May decide that all of Church Council needs to be informed. Discussion about who needs to know – at this stage, the advice would be to limit it to the minimum, balanced by need to keep people safe.
4. Church Council steps the person down from any leadership positions pending the outcome of the court case.
5. Discussion re protective measures to be put in place. A Person of Concern Agreement with the person of concern is crucial if the charges relate to child abuse or child pornography (e.g. always accompanied when in the company of children, or at risk of coming into contact with children.) This document must be reviewed by the Synod Officer involved.
6. Pastoral strategies discussed and implemented. This may include discussion re the wisdom of court appearances in support of the alleged perpetrator or the alleged victim(s). Executive Officer, Placements and Safe Church or General Secretary to be consulted.
7. Discussion about likelihood of these alleged crimes being considered ministry – based or not.
8. Monitor court appearances and outcomes. Inform Synod so that Safe Church Committee is also informed.

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9. If media becomes involved, hold meetings to thoroughly inform church community of measures taken to ensure the safety of the community, with care taken to inform only about facts and process.
10. Document! Document! Document!

Person convicted of the charges brought against them

In addition to the strategies commenced above,

1. Ensure pastoral care of all parties.
2. Inform the Church community as appropriate. Consider carefully the context and the breadth of the community's need to know.
3. If no jail sentence applied, re-negotiate strict agreements of behaviour etc. for the person. Ensure that these agreements are enforceable.
4. **Seek confirmation from Synod re length of time this person must not be in a leadership position. This is an insurance requirement.**
5. Do not exclude a person from the community of faith without thorough conversations with the Synod and without the approval of the Safe Church Committee. Letters of exclusion may only come from the Synod.
6. Document! Document! Document!

Person not convicted of the charges brought against them

1. Ensure pastoral care of all parties.
2. **Inform Church Council (or anyone else you have informed). Ask Church Council to consider re-instatement of leadership roles.**
3. **Keep a watching brief.**
4. **Consider and discuss with the Synod and the person of concern the benefits and protection of an ongoing agreement and Document! Document! Document!**

