



PARTNERING FOR PREVENTION

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Policies and Procedures

Notes of a Presentation by Mary Wells and Lawrence R Hitt II

This presentation will focus on development of church policies for responding to complaints of sexual abuse or sexual misconduct. Sexual abuse and sexual misconduct by persons in ministry is abuse of power. Abuse in the church will continue as long as social and religious structures that perpetuate abuse are allowed to remain in place. Policies designed to respond to abuse must be written in a way that ensures empowerment of complainants and a levelling of the playing field between the accused clergy person and the complainant. Current structures of clericalism that place clergy in unrealistic positions of power and adulation must be offset by a structured to challenge those structures.

In the workshop, suggestions will be offered as to how to ensure the elements of a misconduct response policy can empower a complainant and offset the historic structures of clericalism that place clergy in positions of power. These elements may include:

- A clear introductory statement of principles:
 - decrying sexual misconduct as an abuse of power
 - asserting that all persons coming under the policy will be treated as equals, whether clergy or lay, without regard to position or rank
 - **acknowledging that the church has perpetuated a culture of silence around sexual violence and the policy will operate on principles of transparency, clarity, openness and accountability to end the silence**
 - **recognizing the church has largely failed to respond to the crisis and may even worsen the impact by reinforcing stigma and discrimination experienced by survivors, especially women.**
 - Each complaint will include a review process to examine to what extent church structures and systems contributed to the occurrence of the abuse.
- A clear statement that all persons coming under the policy will be treated as equal, whether clergy or lay and without regard to rank or position
- Definitions of misconduct (sexual abuse, sexual exploitation of the ministerial / professional relationship; sexual harassment) will be clearly defined.
- Investigation and adjudication procedures will be fully and clearly spelled out.
- All roles under the policy (for example, the Canon Pastor, investigator, support persons, Bishop and or Archdeacon) are clearly defined.
- Description of the response procedures are clearly described:
 - a) *Formal* complaints of harassment or exploitation of the ministerial relationship:
 - interview of the complainant
 - written documentation of the complaint

- complaint in writing is forwarded to accused person
 - accused person has opportunity for response interviews of witnesses and review of other relevant information, documents etc.
- b) An *optional informal* process for dealing with alleged sexual harassment and or sexual exploitation will be included. This must be agreed to by both the complainant and the accused person.
- There is a description of supports offered to both complainants and accused persons.
 - There is a description of the decision-making process.
 - There is an assertion of the right of the church to conduct an internal investigation subsequent to criminal proceedings with a primary focus of ensuring there is no risk to children or vulnerable persons and to use the findings of this investigation in making decisions about reinstatement of an accused person. The procedures for this are clearly spelled out.
 - There are clear guidelines for management of accused persons pending the outcome of the internal investigation.