



PROFESSIONAL STANDARDS REVIEW

**Established by Bishop Allan Ewing, Diocese of Bunbury
10th May 2016
To Report by November 2016**

To undertake a Review of the Processes followed within the Diocese, the Professional Standards Committee and the Professional Standards Board in consideration of the matters concerning Glen Rebello from the time of his arrest in 2013 up to the present time (May 2016).

The Review is to consider processes and make recommendations regarding the way in which any future matter may be handled more effectively, particularly in terms of timeliness, justice and safe practice.

**A Report provided to Bishop-in-Council
25th November 2016**

**“I swore never to be silent whenever and wherever
human beings endure suffering and humiliation. We
must take sides. Neutrality helps the oppressor, never
the victim. Silence encourages the tormentor, never the
tormented.”**

Elie Weisel

Executive Summary

A review of the processes followed within the Diocese, the Professional Standards Committee and the Professional Standards Board in consideration of the matters concerning Glen Rebello from the time of his arrest in 2013 to the present time (May 2016) was undertaken by a group of four individuals as requested by the Bishop in May and June 2016. The Terms of Reference were agreed and work commenced in June 2016.

The Committee members reviewed the processes from the individual testimonies, written and verbal and existing documentation and records; and has made 34 recommendations regarding the way in which any future child sexual abuse allegation may be handled more effectively, particularly in terms of timeliness, justice and safe practice.

The key themes named in the Terms of Reference guided the focus of the Review and the content of this Report – justice, timeliness, safe practice and process.

The Report states very clearly the perspective of the Church at all times, must be the perspective of the victim and their family. The child's interests are paramount. It is from this perspective that the recommendations are made for consideration by the Bishop and the Diocese.

The Report recommends the Diocese go beyond the requirements to seek appropriate justice and include in its response a comprehensive approach to restorative justice. While this is a concept that has been in place for several years, it may be relatively new in such circumstances for the Diocese. At this stage, it is proposed this becomes one of the options and responses available for the Bishop and Diocese to use.

These are the key recommendations:

- A new role/responsibility to be established in the Diocese, providing a Professional Standards Liaison role (a Co-ordinator) supporting the Diocesan leadership team and acting as a liaison with the Director of Professional Standards. This role to take on reporting and actively managing the progress of any investigation and handling the local response on behalf of the Bishop, keeping the Bishop and Council informed. This role includes being the nominated person by the Bishop as local contact person for the Diocese, helping people to contact the Director of Professional Standards and supporting any local activity.

- The person against whom an allegation is made (the Respondent) is to be suspended immediately and all access to people, records, activities and events that are the work of the Church are to be stopped. The Respondent is to be physically relocated as soon as possible from the vicinity of the church if the rectory is co-located on the same site or on an adjacent block.
- An independent investigative process to be initiated by the Bishop and Diocese to run separately to any other investigation, while always supporting and co-operating with any police investigation. This will require a new set of procedures and resourcing and must commence promptly upon notice being given of such an allegation. This is already enabled in Protocols from the Professional Standards Committee.
- There must be a clear communications plan, with greater openness and capacity to report, inform, educate, update and provide access to information to all interested parties in a transparent manner. Previous parishes where the Respondent has worked must be contacted and a broader information dissemination process be implemented. There must be a clear communications plan for the Bishop and Diocese from which they speak directly to the parish leaders, parish members and the Diocese. This communications plan cannot be the responsibility of the parish priest particularly when this position is the one being accused.
- Any potential scapegoating and vilification of alleged Victims and their families is to be stopped wherever it is potentially identified and the Church to ensure it is in solidarity with, and witnessing to, the hurt and humiliation of the Victims.
- A full and sincere apology needs to be made to the Victims and their families by the Bishop
- There are implications for housing for priests as a consequence of their suspension, and recommendations to cover these options.
- There should be a clearer process of performance appraisals for all priests and lay leadership, with a much clearer idea from a leadership and community perspective of what constitutes a closed system and supporting behaviours within a parish and in the Diocese.
- The Safe Church programme and Diocesan Complaints/feedback process needs to be expanded, reviewed and updated as a matter of course. The name of the Safe Church programme to be reconsidered.
- Insurances to be tested and other jurisdictions to be checked for how they do investigations and manage such allegations.
- The Professional Standards Board and Committee may need additional resourcing and possibly a review of its overall structure and future effectiveness given the increasing workload. In addition, a consideration of payment to ensure a timely response to decisions

that need to be made about employment and involvement in the parish of those with allegations made against them. The process if involving a criminal court case can take a long time. Those affected by the allegations must be supported during the long process.

- Redress should always be offered to the Victim, separate to an Apology, and it could be for direct compensation to the Victim or to be paid to a charity nominated by the Victim. This should not be done by the Bishop.
- A working party to be established to consider the implications and implementation of the recommendations; and, to take into account issues not considered by this Review or Report.

The 34 recommendations are comprehensive but not exhaustive. It is likely there will be further changes in the processes and practices that will need to be made from a human resource management perspective; as well as from the perspective of the children who need to be kept safe and allowed to flourish in the Church, that will emerge as the recommendations are accepted, adopted and implemented.

The Committee recognises the Diocese has done its best at the time of this case and its desire to improve and respond differently in the future is to be commended and acknowledged.

The Committee commends this Report to the Bishop and Bishop-in-Council and thanks them for the opportunity to participate in this critical piece of work.

Rev. Dr C. Lucy Morris, Chairperson

Rev. Dr Stewart Macpherson

Mrs Robin Depiazzi

Mr Bruce Sherborne

Summary of Recommendations

4. Justice

- 4.1 The Diocese adopts and implements, *where appropriate*, the practice of Restorative Justice and justice-making as a process with the victims and their families, communities and parishes where the response of the Diocese has been one of institutional protection rather than justice making.
- 4.2 An Apology is to be given to the Complainants by the Church and the Bishop, in writing and verbally, face to face as soon as is practical for the Complainants, particularly those covered by this Review and for this to be done in the future as standard practice.
- 4.3 The Church is responsible for working out ways to restore the offenders to the human community against which they have turned. This recommendation needs further work and informs the basis for future activity with other Church employees to ensure justice is maintained for those who are guilty, innocent or unproven.
- 4.4 The pastoral care for the Claimant/s to be unequivocal, open, supportive and ongoing. Any evidence of scapegoating, vilification by Church attendees to be challenged and worked through promptly. Any ongoing relationship with the Claimants if they agree, either to be made directly or through a third party.
- 4.5 The locum priests and any replacement Church personnel for the suspended respondent to be properly briefed and trained in handling the responses, pastorally and theologically and for the community.
- 4.6 The individuals involved and affected by the allegations both directly and indirectly, to have clear directions and understanding concerning their rights and actions to be taken.
- 4.7 The current Protocols and information to be written in plain English be circulated to all Parish leaders on a regular basis, at least annually; and simple, easy to follow directions on how to find the information on the website to be included in the updates.
- 4.8 Redress should always be offered to the Victim, separate to an Apology, and it could be for direct compensation to the Victim or to be paid to a charity nominated by the Victim. This activity should not be the responsibility of the Bishop.

5 Timeliness

- 5.1 The Diocese to consider paying the Professional Standards Board and Committee to ensure a timely and considered response to be made in any determinations required by the Diocese in current cases.
- 5.2 The Diocese to establish a Professional Standards 'Co-ordinator' role/responsibility to maintain and track the progress of the allegations, any investigations and report regularly to the relevant Diocesan meetings and the Bishop, acting as the liaison and contact with the Provincial Director of Professional Standards on a day to day basis. This position to be the nominated person of the Bishop in the day to day management of any allegation within the Diocese and report to Bishop-in-Council and other relevant committees and keep timeliness and reporting accountability.
- 5.3 An independent Diocesan initiated investigation process to be established and approved as policy and practice as one of the options available to the Diocese in its response to allegations of child sexual abuse.
- 5.4 The current structure and work of the Province-wide Professional Standards to be reviewed in the longer term, to consider resources and processes needed given the anticipated increased workload arising from the Perth Diocese revised Protocols and the implications for the Bunbury Diocese workload, and to consider how to manage this into the future.

6 Safety

- 6.1 Immediately an allegation has been made of child sexual abuse against a priest or other employee of the Church, a Church lay leader, volunteer or associated parish person in the course of their Church work, (called the 'Respondent'), the person is to be suspended from all duties forthwith.
- 6.2 All access to internet, emails, Church records and contact details and Church material to be suspended; and the individual to be advised that no contact is to be made with anyone in the Church community for pastoral or professional reasons. All contact to be held through the Professional Standards Co-ordinator appointed by the Bishop.
- 6.3 The Respondent to be suspended until evidence is provided to the police through a criminal investigation, and/or a decision is made by the Professional Standards Board whichever is determined sooner.

- 6.4 The employment history of the Respondent to be reviewed immediately and previous parishes to be advised after the initial internal investigation has been completed, if there is evidence to suggest the allegations are likely on the 'balance of probability'.
- 6.5 The current communications policy to be reviewed, including the interactions with the media, including online media, and all communications with stakeholders and general public. A transparent and accountable communications process to be established that encourages other potential witnesses or victims to come forward and speak to the Director of Professional Standards and/or to the Police.
- 6.6 Separate intentional meetings are held with the Parish, by the Bishop or the proposed appointment of a Diocesan Professional Standards Co-ordinator, with the Director of Professional Standards in attendance, to provide up to date, clear, communications and to ensure the Respondent and the Claimants are correctly represented to the Church community.
- 6.7 The Respondent shall not work in any Church related matter while suspended and shall not be present in the administrative aspects of the Church. Contact shall be maintained with the Respondent on a regular basis by the Diocese through the nominated person to hold the individual safe in a caring environment.

7 Processes

- 7.1 All clergy housing/rectory to be located separate from and some distance away from the Church and Church buildings wherever practical and a policy decision implemented as soon as possible to enable this to occur over a reportable period of time. This might include the provision of a housing allowance rather than the provision of a rectory.
- 7.2 All clergy to be encouraged to own their own house apart from the parish-provided housing.
- 7.3 A 'Response plan' be drafted to assist parishes to continue to lead when a leader is suspended due to allegations needing investigation. This is to be reviewed every three years and updated.
- 7.4 The Professional Standards Board to have the capacity to make a recommendation to the Bishop on the appropriate disciplinary outcomes taking into account any police investigation, but not to be determined by such proceedings, given the different standards and options available to the Church. Consideration be given to establishing additional

support systems when reviewing any recommendations and to assist the Bishop in making the final decision.

- 7.5 Training to be ongoing on the issues of child sexual abuse, grooming, predatory behaviour, employment practices, pastoral care, cultural changes, volunteers and Church attendees.
- 7.6 An evaluation of the Safe Church programme to be undertaken to ensure its continuous improvement and updates to its effectiveness and to maintain the standards expected by the wider community and the Royal Commission. The Diocese to consider changing its name to 'Safe Church Safe People'.
- 7.7 The Director of Professional Standards to be introduced and available to all parishioners with any concerns at the earliest opportunity to all Complainants and the Respondent.
- 7.8 A support process to be outlined for the Respondent and to have access to information about the Diocese's response when allegations are made.
- 7.9 Annual performance reviews to be implemented for Parish Priests and Parish leaders. These should take into account the sense of belonging and community provided by the networked connections into the wider Diocese and with the Deanery as observed by the Bishop, Synod, Clergy Conferences and Retreats. Attendance and open communications within the parish to be encouraged
- 7.10 Diocesan complaints and feedback processes for parishioners to be reviewed.
- 7.11 The education, information and training provided by Safe Church to continue being made as widely available as possible throughout the parish community as well as to the leaders. The updating of information on the Safe Church programme to be disseminated formally by Diocesan leaders and not solely through the Priest, to ensure a consistent messaging directly from the Bishop and the Bishop's leadership team.
- 7.12 Specific insurances to be explored to see what might be possible to support Church employees and lay volunteer workers during the period of investigation when an allegation has been made. The extent and substance of such support to be clarified and made available for general information for all priests and lay leaders given the changes in OSH obligations for all those in authority. The standards set in such circumstances to be benchmarked where possible with other jurisdictions and a pastoral, Christian standard determined.
- 7.13 The Diocese to pay the wages for the employed person who is suspended and for any additional pastoral, counselling and administrative supports as required for the interregnum by the parish and for those affected within the parish; while the parish pays

for any locum priest and associated costs. Similarly, if the Respondent is one of the lay Church leadership

- 7.14 The Diocese to review protective behaviours training and its suitability for the Diocese personnel and parish leaders.
- 7.15 The Bishop to establish a Working Party to undertake the preparatory work required to implement these Recommendations, to address additional implications that have not been resolved and to progress additional and different areas of work that arise and which have not been considered by this Review.

Context and Background for Review

As this Review is being completed and the Report written in November 2016, the work of the Royal Commission into Institutional Responses to Child Sexual Abuse, which was established by the Federal Government of Australia on the 11th January 2013 is still underway.

In the three years and ten months of operating, the Royal Commission has published its first Interim Report on 30 June 2014; and a range of other reports and specifically commissioned research reports undertaken on behalf of the Royal Commission. These reports cover a wide range of matters critical to informing the Commissioners and their response to the hearings and the general public more broadly. They include:

- 9.1.1.1 A review of the Working With Children Checks Report;
- 9.1.1.2 Evidence and Frameworks for Understanding Perpetrators of Institutional Child Sexual Abuse; and,
- 9.1.1.3 The Use and Effectiveness of Restorative Justice in Criminal Justice Systems Following Child Sexual Abuse or Comparable Harms.
- 9.1.1.4 In addition, there are also the case reports of which at least 26 are currently listed and all these and the above reports are available on the Royal Commission website for public consumption.

During this period the Royal Commission has held specific hearings into a range of Christian Institutions including those owned and run by the Anglican Church and its handling of Institutional Child Sexual Abuse within the Church itself.

The Royal Commission into Institutional Responses to Child Sexual Abuse was established in response to the growing frustration, anger and perception, evidence and demonstrations of corruption, misconduct, illegal and criminal behaviour concerning child sexual abuse and the continued lack of transparency, accountability from those in authority, and concern for the child victims around the country suffering from institutional sexual abuse by those in authority. They included leaders of the institutions, including Churches, sporting and recreational authorities, polices, courts, lawyers, Church leaders, insurance companies, government institutions, and government funded bodies. Other enquiries elsewhere in the world, such as in Ireland had provided incontrovertible evidence of endemic and systemic abuse and corruption. Community

concern was overwhelming and the Federal Government responded with the Royal Commission and its current terms of reference.

This shift in community practice, understanding and changing community standards was not necessarily reflected comprehensively in much of the leadership of such institutions and many were slow in responding to the expectations. Nonetheless, there were also leaders who were at the forefront of the demands for changes from the 'systems' and institutions to end the shame and suffering of those who had been and continue to be abused, ignored, disbelieved and humiliated.

It is within this context that the Diocese of Bunbury under the leadership of Bishop Allan Ewing has sought to make the necessary cultural, policy and practice changes within the individual parishes across the Diocese. This focus needs to be brought into all current and future leadership practice and among the lay volunteers and communities attending Churches and Church activities across the different generations. This will effectively bring the culture in line with the rest of the community with information, education, training, and improved practices to provide child safe environments.

The Diocese's own commitment and increasing concern in this context was to provide a safe environment for all its people, young and old, able and enabled and it commenced its own response to the concerns regarding the emerging prevalence of institutional child sexual abuse. It did this with the introduction of a comprehensive 'Safe Church' programme with its supporting policies and procedures applied across the Diocese with the first Diocesan Co-ordinator appointed in mid-2013 and the first workshop held in February 2014. Individual parishes were required to appoint a Safe Church Co-ordinator and a position in the Diocesan Office was made responsible for the overall co-ordination and implementation of the policy and its practices. Regular workshops and training were provided at minimal cost for all positions of voluntary or paid positions of leadership within parishes and the Diocese and individuals were required to attend. Access to information and assistance with understanding the new expectations was increased.

At the time of writing this Report, this work is still actively being implemented, enforced and applied with all church workers, volunteers, clergy and lay leaders throughout the Diocese without exception. The training has currency for three years and all leaders will be required to attend

refresher courses from 2017. No leadership appointments are made if this has not been done initially or in the future.

This focus of activity and intent was supported and promoted by the ongoing review and changes to the Code of Conduct, called Faithfulness in Service, a national code for personal behaviour and the practice of pastoral ministry by clergy and church workers laid out in the Statutes of Bunbury for its employees and clergy. This Code of Conduct was adopted by the General Synod of the Anglican Church of Australia Child Protection Committee and by General Synod in October 2004, and revised in April 2011 and November 2011. This Code is enforced in the Diocese of Bunbury by specific policies and procedures applied by the Diocese of Perth and adopted by the Diocese of Bunbury relating to the issues of child sexual abuse. These have been updated as recently as the 9th April 2015. The Perth Diocese Policy statement is as follows:

“The Diocese is committed to providing a safe and secure environment for all its members and leaders, and especially its children. It recognises the vulnerability of children and their right to be safe. The core beliefs of the Church require us to treat all people with love and dignity, and to care for those who are in need of nurture and protection. Policy 40 is the index for Professional Standards Policies and contains the definitions used in the policies numbered 40.1 – 40.8.”

These policies and procedures can be found on the Anglican Church, Diocese of Perth’s Website but not yet on the Bunbury website. It is recommended these are made available on the Bunbury website at the earliest opportunity with references to the Perth website.

It is within this context that the Diocese of Bunbury found itself having to respond to allegations of recent child sexual abuse against one of its priests initially in 2011 and again in 2013. The 2011 allegations did not result in a court case against Glen Rebello. However, the same priest had further allegations made against him in 2013 which did result in a court case. In 2016, these allegations were finally the subject of a Professional Standards Board Hearing with a recommendation made to depose Glen Rebello, which was subsequently implemented.

As a consequence of this specific case study, in May 2016, Bishop Allan Ewing, Bishop of the Diocese of Bunbury established the following: “*A Review of the Processes followed within the Diocese, the Professional Standards Committee and the Professional Standards Board in*

*consideration of the matters concerning Glen Rebello from the time of his arrest in 2013 up to the present time (May 2016)*⁶. Following confirmation of the task and membership of the Review Committee, the Committee began its work.

This Report is about the findings of the Review, and contains the recommendations that have been made as a consequence.

Thank You to all the Participants

The Committee Members would like to thank all those who participated in the Hearings and in providing written reflections. This required great courage and resilience from all participants. We would like to acknowledge the pain and suffering that has been experienced directly and indirectly and honour the participants and those who made separate submissions, in their experiences and willingness to share some of their stories with the Committee. We would like to thank them for their time and thoughtfulness and for enabling this Report to be one that speaks with their voices.

Each person who contributed brought a different and fresh perspective that informed and challenged the Committee.

Consequently, there is no single narrative that provides a clear, open, single pathway. There are many considerations contained in this Review and reported upon for consideration and will need further development. The work for the Diocese outlined in this Report will continue to beyond this Review and Report.

As one of the witnesses commented:

“Isn’t it sad that in today’s world with all the protocols put in place, ...these complainants were let down by two very important institutions, firstly the church and then the justice system. Let’s bring about change within the church at least by firstly talking about it, not burying it under the carpet.” (6)

So, we echo the words of Kofi Annan, also quoted in the Preamble for the Policy on Professional Standards:

“There is no trust more sacred than the one the world holds with children. There is no duty more important than ensuring that their rights are respected, that their welfare is protected, that their lives are free from fear and want and that they can grow up in peace.”

It is this perspective that we take as our stance into the Review.

A Prayer of Lament and Confession

O Christ in whose body was named all the violence of the world
And in whose memory is contained our profoundest grief.

We lay open to you:

The violence done in our name
The unremembered wounds we have inflicted
The injuries we cannot forget and for which we have not been forgiven
The remembrance of them is grievous to us
The burden of them is intolerable

We lay open to you:

The violence done to us in time before memory
The unremembered wounds that have misshaped our lives
The injuries we cannot forget and have not forgiven
The remembrance of them is grievous to us
The burden of them is intolerable

We lay open to you:

Those who have pursued a violent and abusive knowledge the world cannot forget
Those caught up in violence and abuse they have refused to name
Those who have enacted violence and abuse which they have not repented
The remembrance of them is grievous to us
The burden of them is intolerable

We lay open to you:

The victims of violence and abuse whose only memorial is our anger
Those whose suffering was sustained on our behalf
Those whose continued oppression and abuse provides the ground we stand on
The remembrance of them is grievous to us
The burden of them is intolerable.

Hear what comfortable words our Saviour Jesus Christ says to all who truly turn to God:
Come to me all you who labour and are heavy laden and I will give you rest.

Take my yoke upon you and learn from me, for I am gentle and you will find rest for your souls;
for my yoke is easy and my burden light.