



# **Pastoral Care & Assistance Scheme**

**Anglican Deaconess Ministries  
Limited**

**2015**

## PASTORAL CARE AND ASSISTANCE SCHEME

### 1. OUR COMMITMENT

As a Christian organisation, we are committed to the mission of living out and extending the love, care and compassion of Jesus Christ to everyone.

The Anglican Deaconess Ministries Limited (ADM) is committed to addressing allegations of child abuse responsibly and proactively.

When an individual makes a claim or allegation of child abuse we are committed to responding promptly with empathy, support and respect. We will seek to be compassionate to victims, to provide assistance to help them with their needs and to help them rebuild their lives.

This scheme is intended to provide victims with a voluntary alternative to litigation. Due to the passage of time and loss of evidence it will often not be possible for victims of child abuse to establish the validity of their allegations in court. In addition, court litigation can be costly and stressful.

The scheme aims to allow victims a choice to pursue a claim outside the court process.

### 2. VICTIMS OF CHILD ABUSE

Victims of child abuse at the hands of an ADM worker have been violated and had their trust betrayed.

The ADM has developed this scheme to detail how we will respond and provide pastoral care and assistance to persons (referred to as the “claimant” or “victim”) who contact us with allegations that an employee, volunteer or office holder (referred to as “worker”) has, during his or her time as an ADM worker, engaged in Child Abuse. “Child Abuse” and “Sexual Abuse of a Child” are defined in the Faithfulness in Service Code of Conduct (Anglican Church of Australia in the Diocese of Sydney) adopted by the ADM for all workers.

An “ADM worker” includes workers of pre-existing entities of ADM and other entities for which ADM bore responsibility. In particular, this covers the operations of Pallister House and Lisgar Hostel.

Pallister House refers to the building in the grounds of Greenwich Public Hospital at 95-115 River Rd Greenwich which operated as Pallister Girls Home (1946-1976), Pallister Young People’s Unit & Special School (1977-1981) and Lower North Shore Adolescent Service and Pallister S.T.A.Y.

## ADM Pastoral Care and Assistance Scheme

residential unit (1981- March 1984).

Pallister Girls Home was controlled and managed by the Church of England Deaconess Institution Sydney Council (COEDIS). Pallister House Adolescent Therapy Unit was administered by Greenwich Hospital as a public health program in conjunction with Health Commission of New South Wales Northern Metropolitan Region and Department of Youth and Community Services. The Special School came under the Department of Education North Sydney Region and closed in May 1981. Greenwich Hospital was one of the Home of Peace Hospitals coming under the responsibility of COEDIS the predecessor of ADM.

Lisgar Hostel refers to a hostel for young women (accommodating up to 10 girls) aged 15 to 18 years old who had reached school leaving age and were seeking work. The original building in the grounds of Pallister which opened in 1953 was destroyed by fire in 1955. The Lisgar Hostel was reopened at 38 Knight Street Arncliffe in 1959 and continued to be operated by COEDIS until 1987 when responsibility was transferred to the Anglican Home Mission Society.

### 3. RESPONDING TO CONTACT AND COMPLAINTS

When an allegation of child abuse has been made, it will not usually be possible immediately to confirm the facts or extent of the claim. We recognise and acknowledge that child abuse has a tragic impact on a person's life. In addition, making an allegation is in itself additionally traumatic and takes great courage. As far as possible we want to ensure that the person is properly cared for from the initial point of contact, even as we provide procedural fairness to the ADM worker against whom allegations are made. Our response will incorporate the following elements:

#### ***Pastoral care***

Dealing with child abuse is likely to involve issues of emotional, psychological, spiritual and personal distress. We recognise that appropriate support needs to be available for the person to deal with all the issues which arise. As a first response the claimant will be contacted by a Pastoral Care Manager for victims, who has been given responsibility for ensuring that victims of child abuse receive ongoing pastoral care and support.

#### ***Counselling***

Counselling will be offered so that the claimant can work through the personal issues and needs which arise for them and so that a clinical assessment of the needs of the victim can be made and how those needs can best be met. The counselling will be arranged with an independent

## ADM Pastoral Care and Assistance Scheme

practitioner either from an agreed panel of providers or from an approved counsellor, with appropriate qualifications and experience, selected by the claimant. A progress report may be sought from the counsellor with the consent of the claimant.

### ***Acknowledgement and apology***

We recognise that an apology is the appropriate Christian response to a person who has had child abuse perpetrated against them and that it can aid in the healing process of the victim. An apology in relation to the child abuse will be made to a victim as follows:

- (i) Before the substance of an allegation has been established, a general acknowledgement will be given that all child abuse is grossly wrong and should never occur. This will include an empathetic expression of care and concern; and
- (ii) If the substance of an allegation has been established, a specific apology will be given to the victim which will not include qualifications which may exacerbate the trauma experienced by the victim. The form and wording of the apology and the context in which it is given must be acceptable to the victim. It will normally be given by the CEO or ADM Chair in a context where the victim has first been given the opportunity to tell their story and has been listened to. Often the complexity of issues in a person's life may be the result of many contributing factors, and it will not always be possible to attribute them all to one set of events. However, the tragic impact of child abuse on a person's life is acknowledged and recognised.

### ***Dealing with the perpetrator***

An integral part of the response to the claimant is dealing appropriately and justly with the perpetrator. ADM will deal with an alleged perpetrator in accordance with its employee protocol. For further information about the procedures to be followed in dealing with an alleged perpetrator, contact the ADM.

### ***Other care and assistance***

Where a victim does not wish to pursue a claim for financial assistance, they will be offered appropriate pastoral care, an apology and counselling. These measures are intended to provide practical support to help victims address issues that have arisen as a result of the child abuse and aid in their healing.

### ***Financial assistance***

Where a claim for financial assistance is made by a victim, there will be a proper assessment of the claimant's allegations and their current needs and requirements arising from the child abuse, regardless of whether the financial claim would be likely to succeed if legal action were

## ADM Pastoral Care and Assistance Scheme

commenced.

The claimant will be invited and assisted by the claims counsellor if necessary, to complete a claim form to enable an assessment of their needs arising from the child abuse. The claims counsellor will then negotiate with the claimant to ascertain whether agreement can be reached as to what financial assistance will meet their needs as disclosed in the claim form.

If agreement cannot be reached the claim will be assessed by an external Independent Panel.

The Panel will be constituted by:

- (a) A senior psychiatrist or clinical psychologist having current or recent clinical experience with patients who have been victims of child abuse; and
- (b) A senior legal practitioner who has experience in arbitrations or other alternative dispute resolution procedures.

The Panel will make an assessment of the financial needs of the claimant arising from the child abuse. Reference will be had to the scale of categories listed in the Schedule of Financial Assistance. Following assessment, the Panel will recommend an appropriate amount to be paid to meet the claimant's needs in response to a claim. They will be asked to make their recommendation within two months.

Financial assistance alone cannot make amends for the harm caused by child abuse. Rather, financial assistance is seen as a means by which ADM can acknowledge the harm caused by child abuse and show compassion by providing some practical financial assistance for the claimant's present and future needs arising from the child abuse. It is a reflection of the fact that the ADM recognises the serious effects of child abuse and their Christian responsibility to respond with practical care.

#### **4. ASSESSMENT PROCESS**

- (i) A claimant will be invited and offered assistance by the claims counsellor to complete an Application for Pastoral Care and Assistance with supporting documentation.

Applications for financial assistance will be received and dealt with confidentially by all parties. This means that the claimant and the ADM agree not to publicly reveal the discussions with the claims counsellor or the recommendations of the Panel, subpoena the claims counsellor or members of the Panel or seek to rely in any court proceedings on any communications had with the claims counsellor or for the purposes of the Panel's deliberations.

However, the claimant discussing the events that gave rise to the allegations and "telling their story" will be specifically excluded from any

## ADM Pastoral Care and Assistance Scheme

arrangement regarding confidentiality.

The attached Schedule of Financial Assistance indicates the various categories of event and effects for which a victim may receive financial assistance.

Claims that a victim has suffered moderate or severe psychological or psychiatric effects should demonstrate that the effects are due to the child abuse rather than any other factors in the claimant's history. If *Category A Chronic Psychological or Psychiatric Disorder* is claimed as an effect of the child abuse, the claimant must provide a formal psychological impact statement from a psychiatrist or registered psychologist. If *Category B Chronic Psychological or Psychiatric Disorder* is claimed as an effect of the child abuse, the claimant must provide a formal written report from an approved report writer. An approved report writer is a currently practicing senior psychologist or psychiatrist having clinical experience with patients who have been victims of child abuse that has been approved by the Panel.

Where a claimant does not allege that the child abuse has caused a moderate or severe psychological or psychiatric disorder, the claimant is invited to provide a statement from a counsellor or other appropriate professional to describe the personal impact of the child abuse on the victim and the needs that arise.

Claimants will be given assistance by the claims counsellor to make their applications and reimbursed an amount considered appropriate for any expert report obtained to support the application, provided the report has been provided by a practitioner approved by the Panel.

- (ii) Where an act of child abuse has not already been substantiated (by disciplinary, civil or criminal proceedings or by an admission by the perpetrator which has been accepted as the truth by the ADM), the Panel will review all available evidence to assess the facts as to whether there was child abuse by the worker and whether it occurred in the context of their role as a worker.
- (iii) Where child abuse has been substantiated, the Panel will assess and review all available evidence to determine:
  - (A) the category of event in the Schedule of Financial Assistance to which the claim applies (category 1, 2 or 3, see attached table), and the appropriate amount to be provided for financial assistance within the range of that category, having regard to the severity of the event and the consequent needs of the victim
  - (B) where applicable, the category of psychological or psychiatric effects in the Schedule of Financial Assistance to which the claim applies (A or B), and the appropriate amount to be provided for financial assistance within the range of that category, having regard to the severity of the event and the consequent needs of the victim

## ADM Pastoral Care and Assistance Scheme

- (C) the amount assessed as appropriate for an award of financial assistance, being the sum of the amounts determined for each category to which the claim applies, but together not exceeding \$100,000.

In making an assessment, the Panel may inform itself as it sees fit.

Matters to be considered will include:

- the needs of the victim;
- the age of the victim;
- the facts, nature of, extent and circumstances surrounding the child abuse;
- the relationship, if any, between the ADM worker and the victim;
- any disability or vulnerability of the victim;
- the effect of the child abuse upon the victim.

- (iv) The recommendation of the Panel is final and there is no “appeal” from the assessment, however neither party is bound to accept the recommended assessment. If the recommendation is accepted by the ADM, an offer will be made to the claimant accordingly. As this scheme is an alternative to litigation the claimant will be asked to sign a deed to release the ADM (including their employees but excluding the perpetrator) from being a party to any court proceedings arising out of the child abuse. The deed of release will not prevent victims from “telling their story” and any confidentiality provisions in the deed will refer to disclosure of the amount of financial assistance only. The claimant may accept or decline an offer made by the ADM. However, acceptance of an offer will affect the legal rights of the recipient and a claimant may be assisted by seeking independent legal advice before acceptance.

### **5. ADMINISTRATION OF THE PASTORAL CARE AND ASSISTANCE SCHEME**

The pastoral care and assistance scheme will be made know to the public and will be administered in conjunction with ADM disciplinary procedures.

When an allegation of child abuse has been made, the Chief Executive Officer of ADM (or other appropriate officer) will be informed as soon as possible so that action can be taken in accordance with the protocols of ADM. As soon as practicable after receiving notice of an allegation, the ADM will:

- acknowledge the allegation and express care and concern on behalf of the ADM;
- acknowledge that all child abuse is grossly wrong and should never occur;
- enquire what needs have arisen for the claimant as a result of the child abuse;
- enquire whether ADM can help in meeting those needs;
- inform the claimant of the existence of the Pastoral Care and

## ADM Pastoral Care and Assistance Scheme

### Assistance Scheme.

Where the claimant has needs which may be met by financial assistance, they will be invited and if necessary assisted by the claims counsellor to make an application for pastoral care and assistance.

If the allegation constitutes a criminal offence, the claimant will be advised that they may make a statement to the Police and that the ADM will report the matter to the Police in any event. If the allegation relates to reportable child abuse, the requirements of the law in relation to mandatory reporting will be complied with by the ADM.

## 6. CONCLUSION

The ADM is committed to addressing allegations of child abuse responsibly and proactively. Persons making allegations of child abuse are in need and any response must be compassionate and timely, to lessen the trauma that victims are experiencing. The scheme aims to allow victims to receive appropriate pastoral care, counselling and assistance without resorting to litigation.

## 7. CONTACT

Ken Breakspear  
Anglican Deaconess Ministries Limited  
Level 1, St Andrew's House 464-  
480 Kent Street, Sydney NSW 2000  
Phone: (02) **92841479**  
Mobile: **0419306734**  
Facsimile: (02) **92612864**  
Email: [kenbreakspear@deaconessministries.org.au](mailto:kenbreakspear@deaconessministries.org.au)



## ADM Pastoral Care and Assistance Scheme

### SCHEDULE OF FINANCIAL ASSISTANCE

<b>Event constituting child abuse</b>	<b>\$</b>
<p>Category 1: Harassment constituting child abuse; Indecent act, assault or indecent assault; Assault with violence or assault in the course of attempted unlawful sexual intercourse; or Physical assault.</p>	Up to 20,000
<p>Category 2: An unlawful act of sexual intercourse; or Infliction of serious bodily injury in the course of an attempted act of unlawful sexual intercourse.</p>	Up to 45,000
<p>Category 3: A sustained pattern of child abuse involving category 1 or category 2 harassment, assault, or sexual assault; Assault or unlawful sexual intercourse in which serious bodily injury is inflicted; Assault or unlawful sexual intercourse in which 2 or more offenders are involved; or Assault or unlawful sexual intercourse in which the offender uses an offensive weapon.</p>	Up to 100,000
<b>Effects arising from child abuse</b>	
<p>Psychological or psychiatric disorder: Category A, chronic psychological or psychiatric disorder that is moderately disabling i.e. affects lifestyle and relationships.</p>	Up to 30,000
<p>Psychological or psychiatric disorder: Category B, chronic psychological or psychiatric disorder that is severely disabling i.e. on its own prevents employment.</p>	Up to 100,000

1. Determine (if not already determined or admitted) whether there was an act of child abuse which relates to or was committed in the context of the ADM worker's role.
2. Determine which event category (1, 2 or 3) based on description of event.
3. Assess particular required needs of victim, including counselling, up to maximum for event category.
4. Determine which effects category (A or B) based on extent of psychiatric or psychological effects from child abuse.
5. Assess effects arising from child abuse up to maximum for category.
6. Combine the two assessed figures for recommended payment for financial assistance, but together not exceeding \$100,000.
7. The assessed figure will include all counselling and other financial assistance previously provided.
8. The maximum possible total assessment under the scheme is \$100,000.