



THE ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE

INFORMATION KIT

Prepared for: Congregations and agencies of the Lutheran Church of Australia

Prepared by: LCA Communications
Office of the Executive Officer of the Church

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A Message from the LCA Bishop

When the Royal Commission into Institutional Responses to Child Sexual Abuse was announced in January 2013, the Lutheran Church of Australia welcomed this development and pledged its full cooperation with the authorities.

President Michael Semmler issued a statement saying, '[The LCA] welcomes and fully supports all initiatives that will protect children, bring healing to those abused, achieve reconciliation where that is possible, and bring to justice those who have perpetrated evil acts against vulnerable individuals'. President Semmler went on to say that the Royal Commission is an opportunity for the LCA to 'reaffirm that sexual or any other form of abuse against children is totally unacceptable'.

The LCA stands by this response, and this information pack will assist us in responding frankly and fairly to any approaches the Commissioners may make to us. It provides you with clear guidelines should you be approached in your community. I encourage you to read through this kit and follow the directions it contains.

In Luther's Small Catechism the 5th commandment reads:

'You shall not kill.' What does this mean? We should fear and love God, and so we should not endanger our neighbor's life, nor cause him any harm, but help and befriend him in every necessity of life.

Any form of abuse, especially sexual abuse involving children, is in clear breach of this command, and many, many injunctions of Scripture. While the focus of the Royal Commission is on institutional responses, it is both our collective and individual responsibility to do our best to ensure a safe place for all.

I commend this information pack to you. I also take this opportunity to encourage you to study the Catechism which so clearly and simply describes the standards we are committed to and aspire to as a community centred on Christ.

Bishop John Henderson

Lutheran Church of Australia

13 August 2013

Introduction

The Royal Commission into Institutional Responses to Child Sexual Abuse will inquire into how institutions with a responsibility to children have managed and responded to allegations and instances of child sexual abuse. It will investigate where systems have failed to protect children and make recommendations on how to improve laws, policies and practices to prevent and better respond to the child abuse in institutions.

The six Commissioners will conduct both public and private hearings taking evidence from victims of child sexual abuse which occurred in institutions including child-care, religious, cultural, sporting and other institutions. They will focus on institutional sexual abuse and not on matters where sexual abuse occurred within families.

Although the Royal Commission does not have power to prosecute, it may refer cases to relevant authorities as it deems appropriate.

The Commissioners have been asked to deliver their interim report by 30 June next year, and they are expected to hand over its final report by 31 December 2015.

More information: www.childabuseroyalcommission.gov.au

Purpose of the Information Kit

The information pack has been prepared for the benefit of people within the LCA, especially those in responsible positions. It aims to address some basic questions and issues that you need to know about.

This kit is available for download: www.lca.org.au/royal-commission-child-sexual-abuse.html

Pastoral care

As media coverage of the Royal Commission's work increases over the ensuing months and years, it is possible that people within our Lutheran Church community and those in touch with it might experience a range of emotions that require our pastoral care.

- Those who have suffered from sexual abuse at any age and in any context might have old wounds re-opened and may experience painful memories. This could occur for those who have spoken about the abuse, and those who have not.
- For those in abuse categories the Commission is not investigating (eg over 18 at the time of the abuse, or within a family context, or non-sexual abuse), there could be feelings of injustice or anger.
- Perpetrators might experience fear, guilt, shame or a desire to seek forgiveness.

Pastoral carers are urged to be prepared for these situations and to be ready to refer people to support organisations where appropriate.

- Lifeline
- Mensline 1300 789 978
- National Suicide Callback Service 1300 659 467
- Adults Surviving Child Abuse 1300 657 380

Our Obligations

The Royal Commission is a reminder about our obligations to care for all people, especially children, who are connected with the Lutheran Church. The LCA has a Safe Place Policy and Child Safe Management System that must be complied with.

How do I know our congregation/agency is meeting our obligations?

If you are unsure whether you are 'doing the right thing', please contact the Professional Standards Officer in your District.

- **New South Wales:**
Carolyn Kiss safelacemanager@nsw.lca.org.au 0457 532 384
- **New Zealand**
Jill Hagen psol@lutheran.org.nz +64 4 385 2540
- **Queensland**
Keith Stiller Keith.Stiller@qld.lca.org.au **07** 3512 7273
- **Victoria/Tasmania**
Dinu Stamatescu Dinu.Stamatescu@vic.lca.org.au **03** 9236 1200
- **South Australia/Northern Territory**
Dave Biar Dave.Biar@sa.lca.org.au **08** 8267 5211
- **Western Australia**
Monika Tropiano Monika.Tropiano@wa.lca.org.au **08** 9227 8072

FAQ

What do we do if the Royal Commission asks us to produce documents?

You should immediately contact Peter Schirmer, Executive Officer of the Church (contact details on page 7), who is the LCA's first point of contact for the Commission. He will advise you how to proceed.

How should I respond if I am approached by the media about an issue relating to the Royal Commission?

All members of the LCA and employees of LCA agencies are to refer media inquiries to Peter Schirmer. At his discretion he may refer the enquirer to Bishop John Henderson, who is the LCA's official spokesperson about issues relating to the Commission.

How is 'child sexual abuse' defined?

Under the Commission's Terms of Reference, the victim will have been under 18 years of age at the time of the alleged abuse. The abuse will have been of a sexual nature (which includes inappropriate touching, indecent exposure and harassment), and it must have been committed by a person holding an office within the organisation.

What should I do if a person meeting the above criteria for child sexual abuse tells me he/she was abused by a church official?

Listen compassionately. Refer the person to Liz Crawford, LCA Professional Standards Director (details on page 7), who can advise them how to proceed. Advise the person that they can make a complaint to the police or they can contact the Royal Commission. You may wish to contact Liz if you would like to discuss your concerns.

What if the alleged abuse occurred in our church community before my term of office there?

The Commission has power to investigate all cases of alleged abuse. Although the Commission will focus on the period from 1970, it is not restricted to this and can investigate allegations dating back as far as it deems appropriate. Therefore you need to report the alleged abuse to Liz Crawford.

What if the alleged abuse occurred outside the church community, eg by a family member, or to a person who was 18 or older at the time of the alleged abuse, or if the abuse was not of a sexual nature?

Gently explain to the person that abuse falling outside the above definition of 'child sexual abuse' is not being investigated by the Commission. As appropriate, you are encouraged to refer the person to any of the agencies listed on page 4.

In these circumstances you do not need to contact any LCA official.

What should I do if I am aware of (or suspect) an incident of child sexual abuse of a person under the age of 18 years by a church office-holder, staff member, or by a person/volunteer acting in any capacity related to church approved activities, whether at my congregation or agency or another one?

The LCA is morally and ethically bound to report child sexual abuse to the police should we become aware of any incidents or allegations. Depending on the legislation in your State, you may also be required to make a report to a designated government agency if you suspect that a child is at risk of harm. If you are not sure about the requirements in your State, you should contact your District's Professional Standards Officer (contact details on page 4).

For past incidents of abuse that happened or might have happened to a child aged under 18, but who is now 18 or older, you should contact the LCA's Director of Professional Standards, Liz Crawford, for advice. It doesn't matter how long ago or where the incident was alleged to have occurred.

What might happen to me if an incident of child sexual abuse occurred under my watch without me being aware of it, even to this day?

You could be asked by the Commission to assist them in their enquiries. If you are contacted by the Commission, you should immediately contact Peter Schirmer, who will advise you how to proceed.

What if our congregation/agency cannot afford to pay the costs associated with finding the materials the Commission requests and/or legal fees if we are required to defend ourselves?

The LCA will assist its congregations and agencies if they cannot afford to pay costs associated with the Commission's requests.

What should our congregation/agency be doing now?

You should not be alarmed, but you should be prepared. If the Commission requests information from you (a 'Notice to Produce'), you will have four weeks to comply. Therefore you should make sure you know the whereabouts of your congregation/agency's records of office-bearers, minutes and policy documents from at least 1966 onwards, and you should be able to access them quickly.

LCA Working Group

The LCA Working Group has been formed to coordinate the LCA's engagement with the Royal Commission. The members of the working group are:

- Peter Schirmer, Executive Officer of the Church (chair)
- Leon Doecke, SA/NT District representative
- Faye Schmidt, Victoria District representative
- Rev Paul Smith, Queensland District representative
- Stephen Rudolph, Lutheran Education Australia representative
- Colleen Fitzpatrick, Board for Lutheran Aged Care Australia representative
- Liz Crawford, Director, LCA Professional Standards Unit
- Linda Macqueen, Coordinator, LCA Communications.

From time to time the Royal Commissions invites interested institutions and persons to submit formal responses to various topics relating to child sexual abuse. The Working Group is responding on behalf of the LCA to these Issues Papers as it deems appropriate.

We're here to help.

It is unlikely that you will be contacted by the Royal Commission. If you are, the LCA National Office staff will deal directly with them on your behalf, as far as this is possible. If you have any questions or concerns, please contact us. Your primary LCA support people are:

Peter Schirmer, Executive Officer of the Church

Phone: 0409 156346

Email: peter.schirmer@lca.org.au

Liz Crawford, Director, LCA Professional Standards Unit

Phone: 07 3511 4089 or 0447 200892

Email: liz.crawford@lca.org.au

Contact Peter if:

- you are contacted by the Royal Commission about any issue and especially if you receive a Notice to Produce; or
- you are contacted by the media for comment.

Contact Liz if:

- you are contacted by anyone about an incident of child sexual abuse involving a person holding an office in the Lutheran Church, regardless of where or when the incident is alleged to have occurred; or
- you know of (or suspect) that an incident of child sexual abuse occurred within the Lutheran Church, regardless of where or when the incident might have occurred.

What to pray

- Thank God for the Royal Commission—that our government is doing God’s work of compassion and justice in society, as it seeks to protect children from abuse.
- Pray that, for every time the Law accuses the church of sin, the Gospel might also have the opportunity to shine in the darkness.
- Pray for those churches that might come under serious investigation by the Commission. We stand with them as brothers and sisters in Christ; when one part of the body suffers, we all suffer.
- Pray for those for whom the Royal Commission investigations will open painful wounds, and for the Holy Spirit to gently guide these people towards healing.
- Pray for those who wrestle with guilt, and ask that the Spirit will convict them to confess their sin, so that they may be forgiven.
- Pray that our congregations, agencies and families might be places of sanctuary and healing for people who have been hurt by sexual or any other type of abuse.

Appendix 1

LCA Statement about the Royal Commission

On Monday, 12 November 2012, Prime Minister Julia Gillard announced that she will be 'recommending to the Governor-General that a Royal Commission be appointed to inquire into institutional responses to instances and allegations of child abuse in Australia'.

The Lutheran Church of Australia (LCA) welcomes and fully supports all initiatives that will protect children, bring healing to those abused, achieve reconciliation where that is possible and bring to justice those who have perpetrated evil acts against vulnerable individuals.

The Royal Commission is an opportunity for the LCA to reaffirm that sexual or any other form of abuse against children is totally unacceptable.

In observing Christ's command to love one another, we are to treat each other with respect and dignity.

The safety, protection and wellbeing of children and young people are key priorities across the LCA and in all its educational institutions.

We are called to share the love of Jesus by providing a safe, welcoming and nurturing environment for children. It is in this spirit that those who hold positions in the church exercise with great care the trust placed in them.

The LCA has children's ministry ranging from church-wide faith-nurturing programs involving families in the congregation and home to long-established camp ministries around the country. It is essential that these ministries are safe places for children.

The LCA has a Child Safe Management System that has been designed to promote the physical, emotional, psychological and spiritual wellbeing of young people, their families and caregivers.

ChildSafe is a safety and risk management system for people working with children and young people, incorporating a safety manual, policies and an online procedure system. It is relevant to anyone within the LCA who engages in work with children, young people and families.

It is LCA policy that everyone involved in ministry to children and young people must complete the ChildSafe training requirements (refer www.lca.org.au for more information about ChildSafe and Safe Place).

Similarly, Lutheran schools have been implementing a program called 'Valuing Safe Communities' that has as its objective a safe environment for all students.

It is our hope and prayer that the Royal Commission will thoroughly consider the issues related to child abuse and identify measures to better prevent and respond to child abuse in all those institutions that work with children.

The LCA is committed to implementing processes to ensure that our church is a safe place for all, including children. God entrusts children to our care and holds us responsible for their nurture and upbringing. It will be a positive outcome if we improve how we care for children, both as a church and in the wider community, following the example of Jesus who accorded children love and respect (Matthew 19: 13-15).

Once the terms of reference for the Royal Commission are released a meeting of senior leaders within the LCA will be convened to determine how best the LCA can participate in and offer its full cooperation throughout the process.

Rev'd Dr Michael P Semmler
President
Lutheran Church of Australia

7 January 2013

Appendix 2

Duties of the LCA Working Group

1. Develop a strategic approach to the LCA's engagement with the Royal Commission, and make recommendations to General Church Council, as necessary and appropriate
2. Maintain a watching brief on developments in the Royal Commission and assess their likely impact on the LCA
3. Facilitate the LCA's formal submission to the Royal Commission, in consultation with the districts and boards of the church
4. Establish processes to respond to requests of the LCA from the Royal Commission
5. Review the LCA's compliance with its child-related policies and procedures
6. Review previous, known child sexual abuse cases within the LCA
7. Develop/review approaches to pastoral care and support to enable pastors and other leaders to respond appropriately to victims of child sexual abuse, and alleged perpetrators, who may emerge during the Royal Commission process
8. Prepare and equip pastors and congregational leaders to be able to respond appropriately to issues that may emerge from the Royal Commission
9. Provide support and advice to current governing bodies and, as considered necessary, previous leaders and governors, who may be required to respond to the Royal Commission
10. Develop a communications protocol to enable the LCA to respond effectively and as one voice
11. Develop a communications strategy to keep congregational members informed of developments at the Royal Commission
12. Other duties as shall be identified from time to time.



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