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## **REDRESS AND PASTORAL CARE FOR APPLICANTS OF REDRESS FOR CHILD SEXUAL ABUSE AND SEXUAL MISCONDUCT**

Approved by Diocesan Council  
Next Review

8 November 2018  
8 November 2021

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### **Policy Statement**

The Diocese will always respond to allegations of child sexual abuse or sexual misconduct with compassion, sensitivity and empathy.

We recognise the harm and impact that child sexual abuse or sexual misconduct has had on a person's life and recognise the courage it has taken to make their disclosure. It is our aim to ensure that the best possible care focus initiatives are extended to those who make a disclosure of child sexual abuse and misconduct from their first initial point of contact.

### **Purpose**

The Diocese has adopted this Policy to detail how it will respond to and provide pastoral care initiatives to any applicant who discloses that they were the subject of child sexual abuse or sexual misconduct.

### **Scope**

This Policy applies to all those who have made an allegation of child sexual abuse and sexual misconduct.

### **Diocesan Commitment**

- 1 The Diocese is committed to survivor focussed initiatives in our response to those who make an allegation of child sexual abuse and sexual misconduct. We will assist and support all applicants in their journeys of healing by offering the following means of redress. Pastoral Care
- 2 Counselling
- 3 Acknowledgement and Apology from the Archbishop or Administrator (direct personal response)
- 4 Monetary Payment (a voluntary alternative to litigation and pursuing a claim out of a court environment)

When an allegation of child sexual abuse or sexual misconduct has been made, the Director will act in accordance with the Statute and the associated Policy for responding to allegations (Policy 40.2).

As soon as practicable after receiving an allegation, the Professional Standards Director will:

- 1 Provide the Applicant with the options available to them in applying for Redress which include:
  - a. The National Redress Scheme;
  - b. The Anglican Diocese of Perth Pastoral Care and Redress Process;
  - c. Options available under Common Law
- 2 Acknowledge the allegation and express care and concern on behalf of the Diocese;
- 3 Acknowledge that all child abuse or sexual misconduct is reprehensible and should not have occurred;

## **DIOCESAN COUNCIL POLICY 40.3**

**Anglican  
Church**  
Diocese of Perth



- 4 Advise the Applicant what the Diocese can offer as a means of Redress; Refer the matter to the PSC who will consider each claim individually and make the appropriate recommendations based on the balance of probabilities that the child sexual abuse or misconduct occurred.

### **Responding to Allegations**

When an allegation of child sexual abuse or sexual misconduct has been made, it will not usually be possible to immediately confirm the facts or extent of the claim. This could be due to:

- 1 Inability to identify the alleged perpetrator
- 2 The death of the alleged perpetrator;
- 3 Incomplete or lack of records;

### **Exclusions in this Policy**

- 1 Applicants of physical, emotional, spiritual abuse and neglect, can request counselling and an apology but will not be offered a monetary payment
- 2 A monetary payment is not available for families (secondary victims) of those who have been abused. We do, however, recognise that families of the applicant and the perpetrator are impacted by abuse and reasonable counselling will be offered.
- 3 Claims for sexual abuse by another resident in a Care Facility will be based on an individual basis. Residents do not constitute Clergy or Church Worker and are not within the jurisdiction of this policy.

If the child abuse or misconduct was perpetrated in a Church School or Church Agency of the Diocese, the Director will refer to the individual protocol of the Church School or Church Agency to determine the action to be taken.

If the Applicant is a child (i.e. under 18 years of age), the Director will liaise with the Parent or legal Guardian.

### **Pastoral Care**

Any Applicant who indicates they would benefit from Pastoral care and support for the duration of their claim will have a suitable member of Clergy appointed for that purpose.

### **Counselling**

Counselling is made available to any person who has suffered child abuse or sexual misconduct by a Church Worker.

The Diocese will pay up to an amount of \$5000.00 per applicant.

The options for counselling are:

- 1 The Applicant's existing Psychologist or treating practitioner;
- 2 Sexual Assault Referral Centre (SARC) – located near King Edward Memorial Hospital, Subiaco;
- 3 An independent practitioner or an approved counsellor selected by the Director of Professional Standards.

To ensure the privacy and confidentiality of each applicant is maintained, the treatment provider is provided with a case reference number which is used for the purposes of accounting when invoices are received at the Diocesan office.

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Diocese of Perth



Where significant psychological harm has occurred, the Director may seek a progress report to determine the ongoing requirements for therapy.

Counselling, while recommended, is optional. Any Applicant who does not attend counselling or, who refuses to be reviewed by a Psychologist for the purpose of a report to be obtained, may be disadvantaged in the assessment process. Psychological harm is a component of the Panel's assessment and the absence of a report may prevent a fair and accurate determination being made.

### **Monetary Support and Assessment Process**

A monetary payment alone cannot make amends for the harm caused by child sexual abuse or sexual misconduct. Rather, it is seen as a means by which the Diocese can acknowledge the harm caused by child sexual abuse or sexual misconduct.

Where a claim for a monetary payment is made, the Applicant will be required to complete the Pastoral Care Application to enable an assessment of their needs arising from the child sexual abuse or sexual misconduct to be made. If required, the Director will assist the Applicant to complete the documentation.

- 1 The Director will decide for the application to be assessed by the Independent Assessment Panel (the Panel) which is an appointment made by Diocesan Council the Director, the PSC, The Archbishop and the Diocesan Secretary may not negotiate with the applicant about a monetary payment.
- 2 The Panel will make an assessment based on the information provided in the Applicants statement and Psychological report. Following assessment, the Panel will recommend an appropriate amount to be paid, in terms of guidelines determined by Diocesan Council from time to time.
- 3 The maximum payable under the Diocesan Monetary Schedule is \$150,000.00.
- 4 When the recommendation is received, the Director will advise the Applicant of the amount subject to the approval by Perth Diocesan Trustees and Diocesan Council.
- 5 Following approval for the payment to be made, a Deed of Settlement and Release will be prepared releasing the Diocese, its employees, officers or agents (but excluding the respondent) from any claims, demands, or actions under statute or at common law, arising out of the complaint.
- 6 The deed of release will not prevent applicants from "telling their story" and any confidentiality provisions in the deed will refer to disclosure of the amount of a monetary payment only.
- 7 When the Diocesan Secretary advises the Director that approval has been given for the payment to be made, the Director will advise the Applicant who may accept or decline the offer. However, acceptance of an offer will affect the legal rights of the recipient and an applicant may be assisted by seeking independent legal advice before acceptance. The Diocese will pay for reasonable costs for this legal opinion to be obtained.
- 8 All support payments made are subject to an amount of \$175.00 being deducted from the final assessment and forwarded to the Commonwealth Government Recovery Scheme. This is to cover any claims that may have been made against Medicare as a direct result of the abuse or misconduct. Applicants will be required to provide their Medicare Number and Date of Birth.
- 9 Any payments that the Applicant has received from Redress WA, the Child Migrant's Scheme, the Country High School's Authority, a court awarded payment, or a victim of crime payment will be deducted from the final payment.
- 10 Where child sexual abuse or sexual misconduct has been sustained, the Panel will assess and review all available documentation to determine the amount to be paid, in terms of guidelines determined by Diocesan Council from time to time.

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- 11 The Diocese will take responsibility of legal costs incurred with the preparation of the Deed of Settlement and Release.
- 12 The Diocese will take responsibility for the legal costs incurred if an independent legal opinion is sought regarding the Deed of Settlement and Release.

### **Further Information Regarding the Panel**

- 1 The Panel will be constituted by:
  - a. A psychiatrist, clinical social worker, mediator or clinical psychologist having current or recent clinical experience with patients who have suffered child sexual abuse or sexual misconduct; and
  - b. A legal practitioner who has experience in medico-legal processes, criminal Injury or risk management claims.
- 2 To ensure independence and transparency, members of this Panel will be non-Anglican where possible.
- 3 The Panel is not bound by the rules of evidence.
- 4 The applicant may address the Panel in person and can be accompanied by a support person.
- 5 If the Applicant is challenged geographically or unable to travel, arrangements will be made for a teleconference or skype call or other forms of communications as is available.
- 6 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.

### **Acknowledgement and Apology (Direct Personal Response)**

We recognise that an apology can assist the healing process of the applicant and can be provided by the following:

- 1 Before the substance of an allegation has been established, a general acknowledgement and an expression of care and concern will be given by the Director that all child sexual abuse or sexual misconduct is wrong and should never have occurred.
- 2 When the substance of an allegation has been established and, it has been requested by the Applicant, an apology will be given to the applicant by the Archbishop or Administrator in a pastoral context where the applicant is given the opportunity to tell their story.
- 3 A written letter of apology from the Archbishop or Administrator can also be requested by the Applicant.

### **Other Care and Assistance**

Where an applicant does not wish to pursue a claim for a monetary payment, they will be offered appropriate pastoral care, an apology and counselling. These measures are intended to provide practical support to help applicants address issues that have arisen as a result of the child sexual abuse or sexual misconduct and assist in their healing.

### **Contact**

Director of Professional Standards  
Professional Standards Unit  
Anglican Diocese of Perth  
GPO Box W2067  
Perth WA 6846

Phone: (08) 9425 7203 (direct)  
Email: [psu@perth.anglican.org](mailto:psu@perth.anglican.org)



# **Redress and Pastoral Care Information and Application Package**

**For Applicants of Child Sexual Abuse or  
Sexual Misconduct by a Church Worker**

**Professional Standards Unit**

**Anglican Diocese of Perth**

**2018**



The Anglican Diocese of Perth acknowledges the harm done by child sexual abuse and misconduct by Clergy and Churchworkers. In recognition of that harm, we offer to those who have been abused the following options that may assist in their journey of healing.

- 1. The National Redress Scheme (NRS);**
- 2. Options available through Common Law;**
- 3. The Anglican Diocese of Perth Redress and Pastoral Care Process.**

**1. The National Redress Scheme (NRS)**

For any person who has been sexually abused and meets the criteria set out by the NRS and, who does not wish to engage with the Anglican Church, you may submit your application for Redress to the NRS.

Visit: [www.nationalredress.gov.au](http://www.nationalredress.gov.au) and download the application form.

Phone: 1800 737 377 (charges may apply, and contact can be made between 8am and 5pm local time).

Overseas Callers should call +61 3 6222 3455.

Completed applications should be sent to:

NRS

Reply Paid 7750

**CANBERRA BC ACT 2610**

**To be eligible to make an application under the NRS, please take note of the following:**

**You can apply to the National Redress Scheme if:**

- a) You experienced sexual abuse when you were a child (under 18 years of age);
- b) The abuse happened before 1 July 2018, and an institution was responsible for bringing you into contact with the person who abused you;
- c) You were born before 30 June 2010;
- d) You are an Australian citizen or permanent resident.

**Your application may be processed differently if you:**

- a) Were abused in an institution that hasn't joined the National Redress Scheme;
- b) Are under 18;
- c) Have ever been sentenced to more than 5 years in jail;
- d) Have already received a payment related to the abuse.

**You cannot apply if you:**

- a) Are in jail (you can apply once you are released or in exceptional circumstances);
- b) Have already applied for redress through the National Redress Scheme;

**You cannot access redress if you:**

- a) Did not suffer sexual abuse;
- b) Have already received a court-ordered payment from the institution.



## **2. Options available through Common Law**

Applicants can consult with an independent Legal Advisor.

## **3. The Anglican Diocese of Perth Pastoral Care Process**

The information provided in this document provides information about accessing pastoral care initiatives which include:

- 1 Counselling to the value of \$5000.00;
- 2 Pastoral Care and Support by a Member of Clergy or other nominated support person;
- 3 An Apology (direct personal response) by the Archbishop or Diocesan Administrator;
- 4 Monetary Payment of up to \$150,000.00 which is determined independent of the Diocese and based on criteria as outlined in the Diocesan Monetary Schedule.

### **There are several exclusions in this process which include:**

- 1 The child abuse or sexual misconduct was not perpetrated by a member of Clergy or Church Worker;
- 2 If the abuse was perpetrated by another resident or child in care and, it can be proved that problematic behaviour had been demonstrated and / or reported the claim will be assessed accordingly.
- 3 If the abuse was perpetrated by another resident in a care facility and there was a significant age difference, the claim will be assessed accordingly but may not qualify for a monetary payment;
- 4 The alleged perpetrator cannot be identified;
- 5 The child sexual abuse or sexual misconduct cannot be reasonably substantiated;
- 6 Physical, emotional, spiritual abuse and neglect are eligible for counselling and an apology but do not qualify for monetary compensation;
- 7 Families of those who have been abused will be eligible for counselling as we recognise the impact on secondary victims.
- 8 If the child sexual abuse or misconduct was perpetrated in a Church School or Church Agency of the Diocese, the Director will refer to the individual protocol of the Church School or Church Agency to determine the action taken. The applicant may be referred directly to the Church School or Church Agency. (need to ascertain who has opted in).

## **COUNSELLING**

Counselling is made available to any person who has suffered child abuse or sexual misconduct by a Church Worker.

The Diocese will pay up to an amount of \$5000.00 per applicant.

The options for counselling are:

- 1 The Applicant's existing Psychologist or treatment practitioner;
- 2 Sexual Assault Referral Centre (SARC) – located near King Edward Memorial Hospital, Subiaco;
- 3 An independent practitioner or an approved counsellor recommended by the Director of Professional Standards.

To ensure the privacy and confidentiality of each applicant is maintained, the Treatment Provider is provided with a case reference number which is used for the purposes of accounting when invoices are received at the Diocesan office.

A report may be sought from the treatment provider that will be used in support of this application for a monetary payment.

Counselling, while recommended, is optional. Any Applicant who does not attend counselling or, who refuses to be reviewed by a Psychologist for the purpose of a report to be obtained, may be disadvantaged in the



assessment process. Psychological harm is a component of the Panel's assessment and the absence of a report may prevent a fair and accurate determination being made.

### **Making a Claim**

Any person making a claim for a monetary payment must complete the application form and sign the Statutory Declaration. The Director of Professional Standards will assist any applicant as required to complete the claim form to enable a fair and accurate assessment to be made.

For this to occur, all supporting documentation including the applicant's personal statements, witness statements, hospital or medical records, psychologist / psychiatrists report, Police statements and Redress WA documentation will accompany the application form.

### **Child Applicant**

If the applicant is a child, an application for care and assistance can be made by the parents or legal guardian only after all investigations by the Police, DCPFS and the diocesan insurer are complete.

### **Assessment of Claim**

The claim will be assessed by an Independent Assessment Panel ('the Panel') who operate independently of the Church and who will recommend an appropriate amount to be paid after viewing all documentation and meeting with the Applicant. However, it is not a requirement for the Applicant to address the Panel if doing so will cause them to be re-traumatised.

The Panel will decide based on the report and supporting documentation from the Professional Standards Committee (PSC) that, based on the balance of probabilities, the abuse did occur. In addition, this may have been substantiated by disciplinary, civil or criminal proceedings or by an admission by the perpetrator.

The Panel will determine an amount to be paid keeping with the Diocesan Monetary Schedule. The maximum amount payable is \$150,00.00 and based on criteria as outlined in the Diocesan Monetary Schedule.

### **Monetary Payment**

When the Panel have made their determination, the following process takes place:

- 1 A report is provided to the Director outlining the amount to be paid;
- 2 The Diocesan Secretary arranges for the funds be made available to the Applicant subject to approval by the appropriate Church authorities;
- 3 A Deed of Settlement and Release is prepared and provided to the Applicant;
- 4 The Applicant may seek an independent legal opinion and the Diocese will pay reasonable costs associated with seeking that opinion;
- 5 When the Deed has been signed by the Applicant, it will be signed by the Church Authority;
- 6 The payment will be made to the Applicant by either cheque or EFT and the Applicant will need to provide all relevant banking details for an EFT transfer.
- 7 It is a requirement under Commonwealth regulations that an amount of \$175.00 is paid to the Compensation Recovery Scheme and this amount is deducted from any compensation paid.

Applicants will be required to provide their Medicare Number.

**NB – The Diocese will make every endeavour to expedite this process, however, applicants should be aware that delays can occur in the finalisation of a claim.**

### **Apology Or Direct Personal Response**

If an Applicant is seeking an apology from the Church for the harm done, the Director will arrange for this to take place.



## **DIOCESAN COUNCIL POLICY 40.3 - APPENDIX 1**



The Applicant may choose:

1. a meeting with the Archbishop or Diocesan Administrator; or
2. a personal handwritten apology;
3. both a meeting and hand-written apology can be provided.

### **Confidentiality Clause**

Participating in this process or accepting monetary compensation will not prevent you from telling your story. Any deed of release will make specific reference to your continuing right to tell your story.

### **RETENTION and CONFIDENTIALITY of RECORDS**

The files of all applicants are held in secured storage in the office of the Director of Professional Standards. Information in the files specific to child sexual abuse or sexual misconduct is provided for the following purposes:

- Assessment of a claim for a monetary payment;
- Legal reasons;
- Insurance purposes;
- Disciplinary processes.

### **Definition Of Child Sexual Abuse Or Sexual Misconduct?**

**Sexual Abuse** – means sexual assault, sexual exploitation, sexual harassment or sexually inappropriate behaviour in relation to a child or adult, and in relation to a child includes the use of a child by another person for his or her own sexual stimulation or gratification or for that of others;

**Sexual Assault** - means any intentional or reckless act, use of force or threat to use force involving some form of sexual activity against an adult without their consent or against a child;

**Sexual Exploitation** - means any form of sexual contact or invitation to sexual contact with another person, with whom there is a pastoral or supervisory relationship, whether or not there is consent and regardless of who initiated the contact or invitation. It does not include such contact or invitation within a marriage;

**Sexual Harassment** - means unwelcome conduct of a sexual nature, whether intended or not, in relation to a person where the person reasonably feels in all circumstances offended, belittled or threatened;

### **Definition Of A Church Worker**

Church Worker – Means any person who is or who at any relevant time was:

- 1 member of the Clergy (including the Dean of the Cathedral) whether or not holding the Archbishop's licence or permission to officiate;
- 2 an ordination candidate;
- 3 a church warden or parish council member;
- 4 employed or engaged by a Church authority or Church entity; or holding a position or performing a function with the actual or apparent authority of a Church authority or Church entity but excludes the Archbishop.

### **Contact Person:**

Director of Professional Standards  
Professional Standards Unit  
Anglican Diocese of Perth  
GPO Box W2067  
PERTH WA 6846  
Phone: (08) 9425 7203 (direct)  
Mobile: 0419 935 889  
Email: [psu@perth.anglican.org](mailto:psu@perth.anglican.org)



**VERY CONFIDENTIAL**

**THE ANGLICAN CHURCH OF AUSTRALIA  
Professional Standards Unit**

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GPO Box W2067, PERTH, WA 6846 - Ph: (08) 9425 7203 - Email: psu@perth.anglican.org

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**Application for Pastoral Care & Assistance**

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This form should be completed by any person applying for a monetary payment under the Redress and Pastoral Care Policy guidelines.

Once completed, this form should be returned directly to the Director of Professional Standards marked 'Private and Confidential'

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**1 Personal Information**

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Surname: ..... Date of Birth: ..... / ..... / .....

Given Names: .....

If your name has changed, please provide your previous name:

.....

Preferred Postal Address: .....

..... Postcode: .....

Telephone Contact Details: ..... Mobile: .....

Email: .....

Medicare Number: \_\_\_\_\_

Preferred method of Payment: Cheque  EFT

Bank Account Details: BSB \_\_\_\_\_ Account Number: \_\_\_\_\_

Account Name: \_\_\_\_\_

**DIOCESAN COUNCIL  
POLICY 40.3 - APPENDIX 1**



**2. Details of the person who abused you**

Their name.....

Did they have a nick name?.....

Do you recall anything that could assist in identifying them (scars, beard, Clerical attire, the way they dressed, their voice, jewellery)?

.....  
.....

The alleged perpetrator’s role in the institution.....

Were you abused by more than one person in the institution?

Please provide their names:

.....

Did you tell anyone at the institution that you had been abused?.....

Do you remember their name?.....

What did they do / say?.....

**3 Details of Abuse**

The name of the institution, parish or children’s home where the abuse occurred?

.....

Do you recall exactly where it occurred (dormitory, car, parish office, rectory, on a camp)?

.....

Please list the years you were in the institution / parish / children’s home.....

.....

Your age when the abuse occurred.....

Please tick the appropriate time frame that identifies the duration of the abuse.

One off event	
Less than 1 year	
1 – 2 years	
2 – 3 years	
3 – 4 years	
4 – 5 years	
More than 5 years	

**DIOCESAN COUNCIL  
POLICY 40.3 - APPENDIX 1**



When the abuse occurred, were you:

Attending a parish activity or Sunday School	YES	NO
Student at a school where the accused provided Chaplaincy services or Religious instruction	YES	NO
Ward of the State or Orphan	YES	NO
Child Migrant	YES	NO
In foster care	YES	NO
Other	YES	NO

**To ensure that the Independent Assessment Panel makes a proper and fair evaluation, it is a requirement to provide a detailed account of what happened.**

We acknowledge this could be very difficult for some applicants and the Director of Professional Standards will assist you to complete this form.

**Please tick YES or NO on the following table.**

<u>Were you sexually penetrated (vaginally / anally)</u>	<u>YES</u>	<u>NO</u>
Did masturbation occur?	YES	NO
Did fondling of the genitals occur?	YES	NO
Did fondling of the breasts occur?	YES	NO
Did oral sex occur?	YES	NO
Were you physically abused?	YES	NO
Was there violence?	YES	NO
Were you threatened?	YES	NO
Have you been subject to child sexual abuse external to this institution?	YES	NO

*If you have previously submitted a statement to the Director of Professional Standards, the Child Migrant Trust Scheme, WA Police or Redress WA, please attach the documents to this application and mark this section 'see attached'*

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To assist the Panel in their determination, please tick any of the following that best describes the impact that child sexual abuse has had on your life.

Medically diagnosed Post Traumatic Stress Disorder (PTSD)	
Anxiety or Depression or other Psychological harm	
Attempted Suicide, Suicidal Ideology or Self Harm	
Relationship / Family / Marriage breakdown	
Inability to establish intimate relationships and show affection	
Sexual Dysfunction	
Confusion over sexuality	
Inability to socialise and withdrawn from society	
Compromised sense of self-worth	
Deep feelings of guilt, shame and responsibility for the offence	
Confusion over sexuality	
Unable to trust	
Feelings of betrayal	
Drug and Alcohol Dependency / Abuse	
Criminal History	
Aggression, anger management issues	
Parenting issues	
Fear of being institutionalised in an aged care facility	
Claustrophobia or other phobias as a consequence of being confined	
Diagnosis of HIV / AIDS	
Diagnosed Rectal / Abdominal / Bowel Complications	
Compromised health due to neglect and poor hygiene (eyes, teeth, hearing)	
Poor learning skills	
Inability to communicate effectively	
Long periods of unemployment	
Homelessness	
Loss of Faith	
Anger towards the institution	
Other	

**DIOCESAN COUNCIL  
POLICY 40.3 - APPENDIX 1**



**3 Describe what the Anglican Diocese of Perth can do for you that will assist you in your journey of healing**

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**4. Have you received any previous payments for child sexual abuse by the same perpetrator from any of the following:**

Please tick all that apply

Anglican Diocese of Perth	
Anglican Diocese of Bunbury	
Anglican Diocese of North West Australia	
Any other Anglican Institution / Diocese	
Redress WA	
Child Migrant Trust Scheme	
Criminal Injuries Compensation	
Country High Schools Authority	
Other	

**If yes, please identify the institution and provide details of the payment.**

Name of Institution:.....

Year of Claim.....

Payment Amount.....

Did you receive other payments for counselling or education? Yes/No

Amounts received:.....



**WESTERN AUSTRALIA OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005**

**STATUTORY DECLARATION**

I .....

.....

(name, address and occupation of person making declaration)

Do solemnly and sincerely declare:

- 1 I apply for a monetary payment for child abuse / sexual misconduct committed against me by a member of the Clergy or a Churchworker in the Anglican Diocese of Perth.
- 2 In making this application I understand and agree to the following: -
  - a) The process is entered into by all parties on an informal basis and is not legally binding on anyone unless and until a separate deed of offer, acceptance and release is subsequently signed by me;
  - b) A recommended amount of pastoral monetary assistance (if any) will be determined by an independent assessment panel ("the panel") whose identities will be made known to me;
  - c) The panel will be provided with all documentation which I submit in support of my claim.
  - d) I may be offered such an amount as may be recommended by the panel. My acceptance of any offer will involve giving appropriate releases and discontinuing any relevant civil legal proceedings against any church body or office holder;
  - e) The Diocese will pay reasonable costs of independent legal advice before I sign any document that contains the releases mentioned above;
  - f) If I reject the amount offered to me I note that the Diocese acknowledges that any rights that I may have to commence or continue legal proceedings are unaffected by my application under the scheme;
  - g) Neither I nor any person acting on my behalf, the panel, nor the Diocese nor any person acting on behalf of the Diocese or panel will disclose to any person or rely or seek to rely in any arbitral or judicial proceeding (whether or not such proceeding relates to the subject matter of this application) on any communication, statement or information, whether oral or documentary, made or provided in the course of or in relation to the panel's records or communications or anything done or omitted to be done by the panel except:
    - (i) as required by law
    - (ii) use of documents such as statements and third-party reports which exist independently of the scheme;
    - (iii) for the purpose of medical treatment;
    - (iv) for a church disciplinary proceeding
    - (v) to enable me the applicant to tell the story of the abuse which happened to me.
  - h) I will not call any member of the panel as a witness or subpoena or demand the production of any records, notes or the like made by or for the panel in the course of or in relation to any action done or omitted to be done by the member;
  - i) I irrevocably waive any rights that but for this provision I may have had, to seek judicial review of any act or omission of the panel or to take legal action against the members of the panel.  
i.e. I cannot go to court about any dissatisfaction that I may have with what happens, does not happen or the outcome under the scheme.
- 3 I have truthfully declared all previous payments received for child sexual abuse.



**DIOCESAN COUNCIL  
POLICY 40.3 - APPENDIX 1**



4 The facts and statements set out in this application and the attached papers are true to the best of my knowledge and belief.

This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular. This declaration is made under the Oaths, Affidavits and Statutory Declarations Act 2005.

DECLARED at ..... this ..... day of ..... 20.....

\_\_\_\_\_  
**Signature of person making the declaration**

\_\_\_\_\_  
**Witness (Witness is anyone over the age of 18 years)**

**Witness Name:**.....

**Address:**.....

.....

**Occupation:**.....