THE NEW SCAPEGOATS

The clergy victims of the Anglican Church sexual abuse crisis

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Chapter One

Introduction

As the Royal Commission into Institutional Responses to Child Sexual Abuse\(^1\) hearings have made abundantly clear, the Christian churches in Australia scapegoated the victims of clergy abuse for decades in an attempt to protect their reputation. That was at best deluded, and at worst evil. The Anglican Church was fully complicit in this appalling behaviour.

Abusive clergy were quietly moved from parish to parish, school to school, diocese to diocese, and sometimes overseas. Others were secretly sacked. Criminal activity was not reported to the police and parents were kept in the dark. Abused children and adults were often not believed, or themselves blamed for the abuse they endured. They were doubly victimised.

Rightly, the general public has been scandalised as countless stories of the churches’ duplicitous actions have come to light, first through press revelations over recent years and now from the Royal Commission hearings. Not surprisingly, the public’s opinion of clergy as a profession has dropped to a new low. A recent Roy Morgan Research survey found that only 35 per cent of those surveyed considered clergy the most honest and ethical profession – down from 48 per cent in 2002 and 59 per cent just 20 years ago.\(^2\) Ironically, the churches’ attempts to hide their shame has made the public abhorrence far worse than it would have been had the churches been honest from the outset.

The churches began to face up to the issue only when the media began exposing the situation – and then their response was at first niggardly. In a classic ‘shoot the messenger’ scenario, the media was initially blamed for its exposures, accused either of fabrication, exaggeration or a deliberate anti-religious conspiracy. The most extreme version of this accusation was

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1 The Royal Commission into Institutional Responses to Child Sexual Abuse was established in 2013 by the Australian Government, following what the then Prime Minister, Julia Gillard, called “shocking” reports of abuse. It has passed its original concluding date of 2015, and has public hearings scheduled well into 2017.

made in 2002, the year the *Boston Globe* began its explosive revelations of clergy abuse. A Catholic Cardinal, Norberto Rivera Carrera of Mexico City, claimed some journalists had told him the sexual abuse stories were part of an organised campaign to damage the church. It was, he said, similar to campaigns to destroy the church’s prestige in Nazi Germany and communist countries.³

Similar accusations of media conspiracy accompanied press revelations of clergy abuse in Australia in the early twenty-first century. For instance, when the Australian press reported accusations that the then Catholic Archbishop of Sydney George Pell had not handled sexual abuse complaints adequately, a media conspiracy was blamed. This time, a succession of conservative columnists leapt to the church’s defence, accusing their media colleagues of acting out of contempt for Pell’s holiness, describing him as a man who had ‘erred’ on the side of fraternal charity.⁴ The church’s reputation was at stake, and had to be protected, regardless of the church’s culpability.

‘Reputation’ is vastly important to all the churches, as to any large corporation or organisation. The public relations industry is swiftly utilised by these bodies whenever there is a perceived threat to their good name, and the churches are no different. They lost the battle to protect their reputations under the pressure of the large-scale exposure of their moral failure to deal with, let alone prevent, clergy abuse. In the wash-up of that exposure, the new imperative has become rebuilding their good name at all cost.

This book is a study of how one Australian church, the Anglican Church of Australia – forced by public outcry to introduce measures to stop further abuse – has used those measures to insulate itself from further reputational damage. In the cause of protecting the institution, a new class of victims has been created: the clergy themselves. The Anglican Church is going to extraordinary lengths to make individual clergy pay the price for the church’s good name, making the clergy the scapegoats forced to bear the church’s shame.

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This may seem a harsh assessment but the severe restrictions now being imposed on clergy private lives can be seen only as an over-reaction to the damage caused by the abuse crisis. And the over-reaction has opened the door to opportunistic interventions by puritan elements in the church, always eager to impose rigid rules on all sexual behaviour. Now at last, in this febrile climate, no one dare challenge their demands. They have taken advantage of the situation to push the church into imposing *Faithfulness in Service*, a clergy behavioural protocol that has imposed the harshest possible rules, harsher even than those of the Church of England. The protocol also actively discriminates against gay clergy through a strict rule that clergy must be faithful in marriage and chaste in singleness. For gay clergy denied marriage – not just by current Australian civil law but also by church opposition – chastity is the only possible option, regardless of whether they have a vocation to celibacy. This section, and the protocol’s definition of sexual abuse as encompassing every possible form of sexual contact between clergy and parishioners (other than their spouses), are ruthlessly prosecuted. Other requirements about matters such as financial conduct and personal integrity are rarely discussed.

Dioceses that have tried to soften the section on marriage and singleness to provide space for faithful, loving, monogamous same-sex partnerships, and for faithful de facto relationships for lay church workers, have been swiftly pulled into line by conservative bishops outside the diocese. For instance, the synod of the Diocese of Newcastle in 2005 passed an amended version of the protocol in which it used the term ‘Your sexual behaviour should be characterised by faithfulness and integrity’. This amended wording was intended to be faithful to the intent of *Faithfulness in Service*, condemning abusive and exploitative relationships, and also promiscuity, but recognising the reality of people living in long term committed relationships outside marriage. The amendment was to encourage honesty about the reality of modern lives, given the protocol applies to all church office holders, lay and ordained. Apparently, after the diocesan bishop came

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under pressure from outside his diocese – no doubt from conservative bishops – the amendment was removed in 2007, imposing the national protocol wording instead.

The harsh new restrictions on the private lives of clergy, and the professional standards processes developed to police them have also opened the door to what might be termed an ‘avenger’s charter’. For example, say an adult woman’s relationship with a single priest (Anglican priests are allowed to marry) ends against her will. If she wants revenge, she can claim he abused his pastoral responsibility to her as a clergyman. Never mind that she was not in his parish nor even perhaps a believer – her claim is still taken seriously and the priest is admonished, if not removed from office. Some have even been defrocked – that is, deposed from holy orders. ‘What might it look like if she went to the press?’ is the unspoken fear behind much of this response. The press would almost certainly recognise her complaint for the predatory nonsense that it is and completely ignore it, but such is both the paranoia on the one hand and the manipulative strategies of the puritans on the other, that the fear goes unchallenged.

Not only sexual behaviour. Anything – *anything* – that might conceivably imperil the church’s reputation, even fleetingly, is now subject to fierce judgment. For example, clergy in chaplaincy roles who have stood up for people being bullied in their organisation have found themselves subjected to scrutiny by the relevant church’s professional standards unit. Could they perhaps be a potential troublemaker in other areas? The hierarchy cannot take any risks. So their ministry is severely limited.

There is worse. The ultimate church sanction against a priest or bishop in Australia is deposition or, in common parlance, defrocking. That involves stripping the person of Holy Orders, thereby returning them to the status of a layperson. Some clergy have described this sanction as akin to a death sentence. Until the current sexual abuse crisis, it was an extremely rare occurrence, so much so that when the first defrocking occurred in recent times, it was believed to be the first in a century.  

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6 This comment is not very complimentary to lay people, particularly those who believe they have a God-given vocation to the lay role, but it does indicate how drastic this measure is for clergy. It is interesting to note that the Church of England – ‘mother church’ to the Anglican Church of Australia – has done away with deposition entirely. It was removed in the 2003 Clergy Discipline Measure.
Deposition is significantly different from, and far more serious than, removing a licence to minister. All ordained clergy in the Anglican Church may only minister publicly – lead services, preach, baptise, marry and bury – if they hold a licence to minister from their diocesan bishop. The nature of the licence can vary. A ‘full’ licence involves membership of the diocesan synod as well as permission to minister in all areas, including being the rector/vicar\(^7\) of a parish, whereas ‘permission to officiate’ limits the person’s ministry to locum work or preaching and liturgical functions by invitation. This is the form of permission accorded to clergy who are retired, or whose main source of income is in a secular role. (The name of the licences varies from diocese to diocese.)

Until recent times, the usual sanction against clergy who had been found to have misbehaved in certain areas was limitation on their licence, or its complete removal. There always remained the possibility of their return to full ministry, and they remained clergy in full orders. Deposition is, however, final, and some believe it carries the connotation that all the person’s previous ministry was tainted or even invalid. In some quarters, it is believed to be irreversible.

This most serious of penalties is now becoming commonplace. National figures for the defrocking of Anglican clergy over the past fifteen years or so are hard to compile as they are not published. I am aware of numerous occurrences. They range from the 2001 deposition of serial paedophile priest Robert Ellmore (believed to be the first deposition in the Anglican Church in Australia since the 1880s)\(^8\) and the 2004 deposition of former Bishop Donald Shearman – believed to be without precedent for an Australian bishop to be deposed when it occurred – to the very recent deposition of another bishop, Keith Slater. The first was entirely justified, as Ellmore was sentenced by the New South Wales Supreme Court to nine years in gaol for the abuse of children. Shearman, who has not faced criminal charges, was accused of abusing a 15-year-old schoolgirl in his care in a country hostel; some have questioned the severity of the ‘sentence’ imposed by the

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\(^7\) In Australia the terms ‘rector’ and ‘vicar’ are identical in meaning. Most Australian dioceses use the term ‘rector’.

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church.\(^9\) The deposition of Keith Slater in retirement, however, has caused considerable shock around the Australian church, as Slater was not accused of any abuse; his misdemeanour was an alleged failure to handle sexual abuse complaints adequately as Bishop of Grafton. He sought to have his ‘sentence’ overturned by what seems to be the only avenue open to him, an appeal to the church’s Appellate Tribunal. As this book goes to press, word has just come through that the Tribunal, though acknowledging it did not technically have jurisdiction in the matter, has unanimously concluded that his deposition was “null and void on various grounds”.\(^{10}\) His case will be examined in some detail in this study.

The deposition of clergy for child sexual abuse, most observers would agree, is warranted, given their behaviour was criminal. However, there is no consistency here. I am aware of numerous cases of clergy who have served prison sentences for child sexual abuse who have not been deposed; a superficial study suggests they were not deposed because their cases did not attract much publicity and so did not threaten the church’s reputation. Other clergy, however, have been deposed for sexual misconduct, sometimes of a trivial nature. Examples include cases of single priests deposed for what amounted to unwise relationships with consenting adults. Another priest has been threatened with deposition because of a short-lived adulterous affair where no complaint was made; his ‘crime’ only came to light because, overwhelmed with guilt, he laid bare his behaviour to his bishop.

Currently, it feels as if depositions are being thrown around like confetti. The great danger in the indiscriminate use of this ultimate sanction is that it places grievous child sexual abuse on a level playing field with unchastity. This demeans serious child sexual abuse, if it is punished in the same fashion as adult misdemeanours, let alone mismanagement as is the case with Bishop Slater. But it is undoubtedly effective if the real aim is to shore up the church’s reputation for being tough on (sexual) crime, or to prove to the puritan elements in the church that the bishops who impose this sanction are upholding the highest possible standards of sexual purity. That it is also striking fear into the hearts of the rest of the clergy, now constantly

\(^9\) Howard Munro, “‘Punish our Trespasses!’: An examination of private tribunal law as applied in the Anglican Church’s trial of Bishop Donald Shearman’, *Queensland University of Technology Law & Justice Journal* 52, 2005.

\(^{10}\) Appellate Tribunal of the Anglican Church of Australia, Appeal of Keith Francis Slater, 19 January 2017, p.1
fearful they might become the butt of a frivolous or worse, inauthentic complaint, is an unacknowledged side effect.

Not surprisingly, clergy are feeling quite demoralised by the harsh attitude the bishops have adopted. Not long ago, if accused of minor misconduct, they could usually expect to be treated generously and fairly by their Fathers-in-God and indeed, by the laity. When George Browning, the Bishop of Canberra and Goulburn, resigned as bishop in 1999 having been admonished by a church tribunal for a single act of adultery with an adult parishioner fifteen years earlier, the diocesan synod, in an overwhelming vote, asked him to withdraw his resignation. The synod's response followed outrage among churchgoers in the diocese that the bishop should have to resign because of what they saw as a human error. The synod said the church was compelled by the Gospel to be ‘the place where forgiveness, redemption, reconciliation and healing’ was made manifest.\footnote{\textit{Church Times}, 10 December 1999}

In the late 1990s, the explosion of abuse accusations had not yet hit the church. The church’s reputation was not at risk, and so there was room for common sense and forgiveness by the clergy and laity, and some church leaders. Not any longer. There is no forgiveness for erring clergy, let alone bishops, any more. The damage to the church’s reputation from the child sexual abuse scandals has hardened hearts in all directions.

Many clergy feel the bishops have become their enemies, always suspicious of them, fearful they will blight the church’s now-precarious reputation. Where once bishops found it hard to believe that clergy could be capable of sexual abuse, it seems that now they almost expect them not only to be capable of it but also highly likely to be committing it!

Add to this the tacit accusation that clergy are somehow to blame for the church’s numerical decline – despite plentiful evidence that the decline is largely the result of vast community change – and their level of unease is understandable. They might not consciously have described themselves as the new scapegoats, but that is how they feel.

It is apparent that at the heart of this scapegoating of the clergy lies a failure to approach this whole area from a theological and ecclesiological perspective. In every respect, the church’s response has been that of any secular corporation, anxious only to protect, or rebuild, its reputation.
The church is not like a secular institution. It is the Body of Christ, and the ‘priesthood of all believers’. Applying the rules of fiduciary relationships as they exist in the professional worlds of the law, medicine, education and so on – where relationships are fundamentally contractual and usually only fleeting – to the very different relationship between clergy and parishioners is a serious denial of their shared, equal ongoing roles in the priesthood of all believers. This denial has created a double standard between clergy and laity, returning the church to the situation overturned by the Protestant reformers five hundred years ago. And labelling any sexual relationship, no matter how slight, between a single priest and a mature, competent adult parishioner a form of sexual abuse is unconscionable.

It is possible the Anglican Church has done itself far greater long-term damage in its unconsidered, knee-jerk response to the sexual crisis than the crisis has done.

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Of all the stories that have come to light as the Royal Commission has traversed the country, this story has so far not been told. Why would it be? The church does not want it exposed, and the clergy – the new scapegoats – have been effectively browbeaten into submission. They are extremely vulnerable, and have no union, no ombudsman, to speak on their behalf. This book is an attempt by a deeply concerned layperson – free to speak where the clergy are silenced – to redress the balance. It goes without saying that some in the church hierarchy, and those highly invested in prosecuting harsh measures against even the most trivial of sexual ‘offences’, will not welcome this book. Nor, it must be said, will some survivors of actual sexual abuse by clergy and church officers. Understandably, they have little sympathy for clergy as a class, or indeed for any attempt to shift the focus from their suffering. Nevertheless, those paying a high price for the church’s drive to restore its public image deserve to have their story told.

Sadly, the pain that some clergy have suffered from the current harsh punitive regime is so great that I cannot recount their stories here, even when there has been public exposure, for fear of re-traumatising them. I have been told of clergy who were tempted to take their own lives over what they have experienced from the institutional church. I know of at least one priest who committed suicide after the way he was treated because of an
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adult indiscretion. If I could tell all the stories known to me, this publication would be much longer. If I am writing this account to draw attention to clergy suffering, however, I cannot in conscience add to their suffering.

I emphasise that this book is not attempting to whitewash those clergy and other church officers who have abused children or teenagers, or committed any form of sexual assault that could be categorised as criminal. When such abuse is proven beyond reasonable doubt, they should be subject to the full weight of the laws of both church and state. Rather, this book deals with the harsh treatment exacted by the Anglican Church against clergy (and church officers) for not conforming – or for being accused of not conforming – to the rigid new sexual purity standards imposed on them. And for, in a myriad petty ways, of endangering the rebuilding of the church’s shattered reputation.

This book will begin by looking briefly at the processes put in place in the Anglican Church to prevent another sexual abuse crisis, and how they are impacting the clergy, before turning to some case studies that illustrate what is happening. Real names will not be used, unless they are in the public domain, and some details – not germane to the study and not already public – will be changed to protect the privacy of the persons concerned. It should also be noted that, given the veil of secrecy covering so much of this area, it is not possible in many instances to have access to much of the detail in any case. I am forced to rely on information available to me because of my long and deep involvement in the decision-making bodies of the Anglican Church at many levels, and my consequent friendship with the people involved. A reflection on the theological and ecclesiological aspects of this scapegoating practice flagged above will follow.
Chapter Two

The Background

Australia first began to hear of sexual abuse committed by clergy, members of religious orders and church workers on any scale in the 1980s and 1990s. In the early stages, the news broke only spasmodically, and at first seemed to be quite rare. At the time, Anglican Church leaders – highly-respected bishops, generally of a conservative mindset – simply could not believe that such behaviour was possible in the ranks of the clergy they oversaw.

In hindsight, it is apparent they were naïve, but so was society in general. Domestic violence, let alone sexual abuse other than stranger rape, was rarely acknowledged in public. It seemed inconceivable that either domestic violence or sexual abuse would be found among the respectable professional classes, of whom the clergy were the classic examples.

The abuse of children – both physical and sexual – in institutions run by the Christian Brothers in Western Australia was the first major revelation of child sexual abuse in religious institutions in Australia. It became such a scandal that the order was forced to apologise in 1993, and eventually in 1996 to make financial compensation after court action.¹

Other churches were soon in the spotlight, but originally attracting attention for domestic violence in church families, including clergy families, rather than child abuse. By the mid-1980s, both the Sydney and Melbourne dioceses of the Anglican Church were beginning to look at domestic violence, together with the Australian Council of Churches’ Commission on the Status of Women. In 1990, a ‘Pastoral Report’ to the churches was published in Melbourne, the result of a collaboration between the Royal Women’s Hospital’s Centre Against Sexual Assault (CASA) and an ecumenical advisory group. This group represented most of the major Christian denominations – Catholic, Anglican, Uniting Church, the Churches of Christ and the Salvation Army. The male-dominated nuclear family – still regarded as the ideal in many church cultures – was too often a

¹ I have written about many of the matters contained in this section in Sex, Power and the Clergy (Melbourne: Hardie Grant Books, 2003).
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dangerous place for women and children, the report revealed. A disturbing number of abuse cases had been found in so-called Christian families. Sexual abuse also began to attract attention. A subsequent report, undertaken by CASA for the Anglican Diocese of Melbourne and published in 1994, identified a high level of violence, predominantly sexual abuse, against women in the Anglican community. Clergy men were found to be 9 per cent of the abusers, leading to the first attempt at sexual abuse protocols. It followed ABC TV programs that had exposed the level not just of abuse in the churches but also the hypocrisy that both permitted it and covered it up.

Church leaders could hardly believe what they were hearing. Claiming the findings were not consistent with their experience, they insisted abuse cases must be isolated. Anglican Archbishops around the country attacked the ABC programs; Peter Hollingworth, then the Archbishop of Brisbane, called them “sensationalist”, and demanded an apology to the clergy. Quite simply, the level of abuse was news to them probably because few women, let alone children, had had the confidence in the past to complain to the church hierarchy. No doubt they feared the same disbelieving reaction that followed the media exposure.

In earlier generations, churches had enjoyed a high standing in the community and had presented themselves as the moral arbiters of society. But by the time the first revelations of clergy sexual abuse came to public attention, the churches’ influence was already waning. The sexual revolution had seen to that, from the changing role of women to the contraceptive pill to no-fault divorce and a growing acceptance of homosexual relationships. In varying degrees, the churches had opposed all of these changes, with little or no effect. Quite simply, they had been left behind because of their

2 CASA House, A Pastoral Report to the Churches on Sexual Violence against Women and Children of the Church Community, CASA House – Royal Women’s Hospital, Melbourne, 1990.
3 Helen Last, Mirta Gonzalez & Danny Vadasz, eds, Public Face, Private Pain: The Anglican Report about violence against women and the abuse of power within the church community, prepared under the auspices of CASA and published by the Anglican Diocese of Melbourne, 1994.
4 The debate is discussed in detail in Peter Horsfield, ‘An analysis of the media debate following the ABC Compass program “The Ultimate Betrayal”’, Australian Journalism Review, vol. 15(1), 1993, pp.1-10.
intransigence, and the result was galloping secularism. Congregations began diminishing rapidly. The rites of passage that had been under the churches’ control – marriage and funerals – were increasingly moving away from them. Infant baptisms were plummeting. By the twenty-first century, the previous respect for the churches and the clergy, and the reluctance to challenge them, had all but disappeared. Both individuals and the media were emboldened to criticise them publicly.

From the mid-1990s until the first years of the twenty-first century, the churches’ attempts to deal with the issue of sexual abuse were largely piecemeal and reactionary. In the new century, the explosion of more public revelations forced them to develop more comprehensive programs. The Anglican Church of Australia nationally turned its attention to the issue at its General Synod (national ‘parliament’) in 2001, when resolutions calling for the establishment of child protection procedures were passed. One of the resolutions called for a committee to consider the issue and report back to the next General Synod meeting in 2004.

The 128-page report that came back in 2004 – the result of wide-ranging national consultations – was extremely thorough. It covered areas from the safe ministry structures and policies to recruitment of clergy, their standards of behaviour, and their training in safe ministry, to support and care for the abused, to issues it wanted to see handled by joint churches and by governments. The committee that developed the report was chaired by Sydney barrister Garth Blake SC, who would also be appointed chair of the ongoing Professional Standards Commission established as a result of the report. Mr Blake still chairs the Commission.

During the time the initial committee was developing its report, the media storm had escalated dramatically. It lashed the highest in the land with the Governor-General, the former Anglican Archbishop of Brisbane, Peter Hollingworth, forced to resign his vice-regal post in May 2003 after persistent claims dogged him for months that he had mismanaged abuse allegations in Brisbane. The Catholic Church was also very much in the spotlight in Australia, as it was particularly in the United States, over claims it had failed in its duty of care for abuse victims. Its most prominent leader, George Pell, then Archbishop of Sydney, came under attack for supporting

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a paedophile priest in court and for a claim that he had tried to silence a victim – a claim Pell has always strenuously denied.

In the light of the Hollingworth situation, the Anglican Church plans were fast-tracked. In early 2002, as the storm raged, the national church issued a public apology to all victims of sexual abuse, and established the committee called for by the 2001 General Synod. At least in part, the programs that were developed were designed to meet the requirements of church insurers, because the fear of massive financial payouts to victims terrified church leaders and managers. That was not, however, how they were presented to the general public, or even the decision-making synods, as the church scrambled to regain the high moral ground.

The 2004 meeting of the Anglican Church’s national decision-making body, the General Synod, was the high water mark for the church’s response. The Primate (leading bishop), Archbishop Peter Carnley of Perth, devoted a substantial portion of his presidential opening address to the crisis. He began with a frank admission of how the crisis was affecting the church, and illuminating its own wrongdoing:

…we have been both traumatized and shamed particularly by some highly publicized cases, involving multiple offences, in some parts of the country. The handling of such difficult matters, particularly when the atmosphere is charged with the fear of legal proceedings, and complicated by the intrusive advice of some insurance companies, and probably also by the naive hope that the nightmare might simply go away, has often left the victims feeling uncared for and devalued at the expense of institutional protection. Often there have been delays in the handling of complaints, something we now recognize to be an entirely unacceptable secondary form of abuse. We are also now well alert to the often long-term psychological damage done to victims of abuse and to the difficulty of achieving a measure of healing so as to bring about some form of closure. We rightly and honestly, and with sincere regret, own the mistakes of the past in a spirit of profound repentance. On a number of occasions now an offer of apology has been made in specific dioceses to those who unfortunately and tragically have been victimized. We re-affirm that apology now in the name of the National Church, for we are all members one of another, and must share the blame for the
development of a culture in which shortcomings in the handling of complaints have been endemic.6

Carnley noted that victims, as well as wanting their complaints taken seriously and dealt with promptly, also wanted assurance that “perpetrators of abuse should at least be prevented from offending again so that the world becomes a safer place for children”. He continued: “Clearly, something more is required than recrimination and hand-wringing for the mistakes of the past. The single most important issue facing us right now at this General Synod is to ensure that the mistakes of the past are never again repeated.”7

The synod duly passed a raft of resolutions and protocols in the hope that the twenty-three individual dioceses would adopt them with little variation, to offer consistency across the country. It also called on the dioceses to adopt the Model Professional Standards Ordinance already circulated. The ordinance provided for the “adoption of a code of conduct, a series of protocols and an institutional structure for handling complaints relating to sexual misconduct for clergy and church workers by dioceses. This includes the formation of a Professional Standards Committee and a Professional Standards Board, the appointment of a Director of Professional Standards and specification of their functions.”8 (In reality, differences in legislation and approach in this matter persist across the dioceses to the present time, a source of puzzlement and frustration to the Royal Commission into Institutional Responses to Child Sexual Abuse.9) A national register of any clergy and lay church workers against whom a claim of misconduct has been made – no matter how trivial – ensures that the old practice of moving offenders around the country without revealing their misdemeanours can no longer happen.

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6 Anglican Church of Australia: Proceedings of the Thirteenth General Synod 2004, pp.13-14
7 Proceedings, p. 14
8 http://www.anglican.org.au/governance/commissions/Pages/professional_standards.aspx, accessed 30 June 2016. The General Synod could not itself legislate for professional standards across the country because the Anglican Church of Australia is a federation of dioceses that retain a high degree of autonomy. Consequently, the General Synod has very limited constitutional powers.
9 The chair of the Royal Commission, Justice Robert McClelland, called on the Anglican Church to develop a uniform approach when he addressed the annual conference of Anglican bishops in 2014: TMA August 2016, p. 11
The various programs had a two-fold purpose: creating a ‘safe ministry’ environment by preventing abuse from occurring, and responding to abuse allegations. In the decade and more since the 2004 synod meeting, these multiple processes have been endlessly amended, extended and supplanted as the church has continually refined its response to the crisis. The website of the Anglican Church of Australia provides a complex ‘road map’ of these resources.\(^{10}\)

The impact of these programs is that clergy and lay church workers are constantly investigated. For the clergy, it begins with their training. The processes vary from diocese to diocese, but potential clergy are now subjected to multiple, intrusive screening processes. Police checks are required, and will be ongoing: at ordination, every time a new appointment is made, and usually every three years thereafter.

Authorised lay ministers come under the same requirement, as do the lay people on parish councils. Anyone who has any contact with children in the church is required to hold a government ‘working with children’ card (as it is called in Victoria). This is not restricted to obvious categories such as Sunday school teachers, music leaders and youth group workers. In some parishes, it is interpreted to mean that even the adults serving coffee after a service and the people who hand out the hymn books at the church door must hold the card. At least one parish is requiring that all regular adult churchgoers have the card, just to be on the safe side.

All of this is commendable. The church has left no stone unturned in its efforts to create a safe ministry culture, protecting children and vulnerable adults. But the downside is that the church is no longer a safe working environment for clergy (and lay church workers, who come under the same regime), as will be demonstrated.

But before turning to that vexed situation, a reality check is called for. Information on the extent of child sexual abuse in the church is incomplete by its very nature. Not all abused persons have lodged a complaint with the church, just as many children abused by family members have not reported it. Such information as there is, however, suggests that sexual abuse against minors in the Anglican Church of Australia has been overwhelmingly restricted to youth work with pre-teen and teenage boys. This is abundantly

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\(^{10}\) http://www.anglican.org.au/governance/commissions/Pages/The_Path_to_Safer_Ministry.aspx
clear from the 2009 study undertaken by leading child sexual abuse experts, Emeritus Professor Kim Oates AM of the Medical Faculty of the University of Sydney and Professor Patrick Parkinson of the University of Sydney Faculty of Law.\textsuperscript{11}

That report analysed one hundred and ninety-one reported cases of child sexual abuse in seventeen dioceses between 1990 and 2008, an average of just over ten cases a year across the Australian Anglican Church. They were most though not all of the reported cases in that period of time. Twenty-seven accused persons in these cases had more than one allegation against them; together, they accounted for forty-three per cent of the cases. Doubtless, given the passage of time and in particular the accusations heard during the Royal Commission into Institutional Responses to Child Sexual Abuse, the numbers of reported cases that occurred over that eighteen year period would now be significantly greater. Three-quarters of the cases involved boys between the ages of ten and fifteen, at the hands of clergy and/or youth workers. Half of the cases were treated as substantiated by the church, with a third as inconclusive. The study notes that “very few” of the complaints involved children under ten, and just three complaints related to Sunday school. Two of the alleged abusers were clergy, not volunteer Sunday school teachers.\textsuperscript{12} Clearly, the real danger to children in the church is in youth-specific activities, and that is an area that should be policed vigilantly. But the assumption that the older ladies who pour the tea after a church service might be using that contact with children – always supposing any children are likely to be drinking tea or coffee in that context – to groom them for abuse is nothing short of fanciful and could be construed as offensive.

In any case, all that police checks and applications for ‘working with children’ cards can reveal is evidence of prior reported abuse. They are not magic bullets that prevent abuse. They do, however, show that the church is serious about trying to prevent abuse, an effective means of both mollifying insurers and protecting reputation.


\textsuperscript{12} Parkinson, Oates and Jayakody, \textit{Study of Reported Child Sexual Abuse...}, p. 43
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The clergy are also impacted by the stringent requirements in relation to sexual conduct generally, that is, beyond conduct that is abusive. As mentioned, the protocol requiring faithfulness in marriage and chastity in singleness is not, in most cases, being treated as an ideal. Rather, it is interpreted as a hard-and-fast regulation and any – any – misdemeanour, no matter how slight, is savaged. In Melbourne Diocese, clergy being inducted as vicars of parishes or into any other clerical office, are now required to make a public statement about holiness of life, including a commitment to ‘faithfulness in marriage and chastity in singleness’ and ‘abstention from sexual relations with anyone in my pastoral care to whom I am not married’.

This is having the effect of introducing a form of dualism into the church, by placing clergy in a separate class from the laity, undermining the intent of the sixteenth century Protestant Reformation to restore an equality of status to clergy and laity. The Protestant reformers argued for marriage of the clergy as one of their key reform tenets. Their basic argument was that the priest is a man (sic) like other men, and no holier than other men. All Christians belong to the priesthood of all believers, not just the clerical elite, they claimed. For the deepest theological reasons, they were utterly opposed to any suggestion that the clergy needed to be purer than the laity, for they saw all around them the consequences of requiring clergy to live lives of absolute sexual purity through enforced celibacy. This will be explored further in Chapter Seven.

Until the Reformation, all clergy in the Western, or Roman, tradition of the church were required by church law to be unmarried, as Roman Catholic clergy still are today (unless they are Anglican clergy who have crossed the Tiber!). The vast majority of them did not have a calling to celibacy, and so either kept wives masquerading as housekeepers, or mistresses, or sometimes, in the case of wealthier clergy and bishops, hordes of prostitutes housed in brothels they owned. This proved, the reformers argued, that clergy were just fallible human beings; they were men ‘as other men are’. They must be allowed to marry.

It was a deeply controversial and radical idea in the sixteenth century, given that the church for centuries had harboured dark views about human

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13 The history of the marriage of the clergy was the subject of my doctoral thesis, published in book form in Sex, Marriage and the Church: Patterns of Change (Melbourne: Dove, 1996).
sexuality and particularly about women. Women were base creatures, the Devil’s gateway no less, who would contaminate the holiness of the priest, the arguments ran. Only lesser Christian men – laymen – should marry, these church leaders claimed, as they turned for comfort to their mistresses in lives of incredible hypocrisy. The debate about clerical marriage during the Reformation, which raged for more than half a century in England, was as controversial and ugly as the debate over gay people is in the Anglican Communion today.

The whole idea of a celibate priesthood had arisen out of attempts to elevate the clergy to a higher plane of holiness than the laity. The first rule came out of a local synod in Spain in the first decade of the fourth century. That rule required clergy to refrain from sex with their wives. It was not a rule that clergy should not marry. Rather, it was part of a raft of rules designed to portray the clergy as purer than lay people. It was a rule that was largely ignored, but it modelled a priesthood set high above the laity, based on hypocrisy. Out of that grew calls for clergy not to marry at all, for the same reason. Clergy marriage was not actually declared invalid by the Catholic Church until 1139.

If the Anglican Church of Australia does not want to set a new double standard for clergy but wants to maintain the new emphasis on a puritanical purity, then there is no alternative but to require the same standard of the laity. When couples come for marriage, they must be grilled about their personal lives. If they are no longer virgins, let alone if they are living in ‘sin, then perhaps they have to be turned away. Perhaps church leaders should have openly and publicly condemned royal personages such as the Duke and Duchess of Cambridge who openly lived together before they walked down the aisle?

The Cambridges were living according to the accepted morality of modern Western society, which is very different to what it was just a few decades ago. The introduction of safe, reliable and acceptable methods of contraception in the 1960s changed our world forever. Most Anglican lay people would accept that when young people live together before marriage in loving monogamous relationships then they are in fact still upholding an ideal of faithfulness and indeed chastity. After all, the theological understanding of marriage is that people marry each other; the role of the clergy is to pronounce God’s blessing, emphasise its sacramental nature,
and perform the state role of public authorisation. Similarly the majority of Anglican lay people would believe now that the ideal of ‘chastity in singleness’ is met by gay people in monogamous, loving, committed partnerships.

But neither of these forms of partnership, heterosexual or homosexual, is publicly acceptable in the Anglican Church of Australia. Until very recently, there was a chance that they might have been deemed at least partially acceptable, both here and overseas. Theological commissions and others produced learned reports on the church’s need to accept the new reality in our society. Earlier this century, Duncan Dormor, Dean of St John’s College, Cambridge, and a lecturer in the sociology of religion, pleaded for the church to embark on a radical reappraisal of its views. Specifically, he called for the church to ‘abandon an undiscriminating opposition to premarital sex’ and to ‘acknowledge a role for cohabitation as part of the process of becoming married’. He pointed out that the most reliable information available to him suggested that fewer than 1 per cent of British people marrying were virgins on their wedding day and that about eight in ten couples lived together before marriage. Those statistics could only have increased since then, and are comparable in Australia, where the most recent information from the Australian Bureau of Statistics is that almost 80 per cent of couples marrying in 2014 were already living together.

Yet the Anglican Church of Australia, like the Church of England, continues to promote the notion that sexual activity belongs exclusively to marriage and that therefore all pre-marital sex is wrong. We cling to rules that are completely ignored outside the church, putting us in real danger of becoming a sect instead of a church. Sects live by strict rules and put up barriers to protect their internal purity. They shun utterly people who do not live up to their strict standards. Churches, by contrast, are open to society, engaging with it and serving it. At least that is the traditional polity of the Anglican Church, as a church for a nation, a polity it seems

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15 Dormor, p. 116
16 Dormor, pp. 2-3
17 ‘Couples who lived together prior to marriage accounted for 79.4% of all marriages registered in 2014, an increase from the 76.6% recorded in 2013’: http://www.abs.gov.au/ausstats/abs@.nsf/mf/3310.0, accessed 22 October 2016.
to be abandoning in its zeal to impose a rigorous sexual purity, as will be discussed later.

In the white-hot heat of the public abhorrence at the sexual abuse revelations, this extreme reaction is understandable, but what has not been considered to date is the impact this legalistic onslaught is having on clergy and laypeople, as well as the church hierarchy overseeing it. In the current climate, few would risk the opprobrium of even raising the issue. It is my contention, however, that the churches might be doing immense damage to their overall wellbeing; a reality check is overdue.
Chapter Three:

The Scapegoat Bishop

Former bishop Keith Slater, who was Bishop of Grafton in regional NSW from 2003 until his resignation in 2013, is the archetypal scapegoat in the sorry saga of the Anglican Church’s crusade to rebuild its battered reputation. Slater, against whom no charges of sexual abuse or misconduct of any kind have been levelled, was deposed from Holy Orders in 2015 effectively for mismanagement of abuse claims. While one former diocesan bishop has been deposed for sexually abusing minors – another former Bishop of Grafton, Donald Shearman – no former or current diocesan bishops have been deposed or even disciplined in less extreme ways for their failure to handle sexual abuse complaints adequately.

Press reports claimed erroneously that Bishop Slater’s deposition was the result of a recommendation by the Royal Commission into Institutional Responses to Child Sexual Abuse that he face disciplinary action for ignoring complaints from sexual abuse victims. However, there is no evidence of such a recommendation in either the Commission’s findings from its intense examination of Grafton Diocese, or the associated press release. Slater’s name is not even mentioned in the press release. Rather, the summary of the Commission’s findings in the press release blames the diocese for the mishandling of claims, all of which were related to just one entity, the North Coast Children’s Home in Lismore.

The Children’s Home was established in 1919 by the rector of the Lismore Anglican Parish, on land held in trust by the diocese’s Corporate Trustees. It catered for orphans, wards of the state, or children who had been abandoned or placed there by their parents. According to evidence to the Royal Commission, there was frequent sexual, psychological and physical abuse at the Home between 1940 and 1985; the sexual abuse perpetrators were clergy, staff and other residents. The Commission found that the abuse had “profound, long-lasting impacts” on the victims.4

Complaints about the abuse began to be made to Grafton Diocese from 2005, with a group claim by more than forty former residents lodged in 2006. Twenty of the group members claimed they had been sexually abused. The diocese’s initial response to the group claim was that it did not have legal liability for the abuse because it did not control the Home or employ its staff. However, two-thirds of the Home’s board had to be members of the Anglican Church, and the local rector was board president and chaplain. It was, the Commission found, “at all relevant times… strongly associated with the Anglican Church and its predecessor, the Church of England”5

The diocese took a ‘defensive legal position’, according to the Royal Commission.6 It seems clear that the potential size of the compensation that might be payable to some forty complainants frightened the diocese into becoming defensive; it had not taken the same approach in its response to an earlier abuse complaint by an individual.7 Despite its strong association with the Children’s Home, the Commission found the diocese “took a legalistic approach at the expense of pastoral care, such as by denying its duty of care for the children, changed its policy and denied financial compensation for some victims, failed to comply with its own policies and procedures, and dealt with victims insensitively”. It also failed to take appropriate action against the clergy involved in the abuse.8

It is my assessment that the diocese’s failure to deal adequately with the abuse complaints can be traced to the erroneous claim that they were not its responsibility. It seems it wrongly latched onto the claim to protect the diocese from severe financial impact. I suspect it would have responded

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4 Case Study No 3, p. 4
5 Case Study No 3, p. 4
6 Case Study No 3, p.25
7 Case Study No 3, p.5
8 Case Study No 3, pp.3-4
very differently to individual complaints of abuse arising from incidents in parishes or in the diocese's schools, for instance. So it could be said to have started on the wrong foot. It was its failure to deal with the abuse complaints properly that brought the diocese before the Royal Commission.

There can be no argument that the abuse claims were not handled well either by the diocese or its bishop. The Commission hearing exposed a litany of missteps and bad judgments, but the bishop was by no means the only one at fault. It seems the entire leadership of the diocese as well as the bishop, from the diocesan council to the diocesan registrar (effectively its business manager) to its legal advisers and senior clergy, was at fault. In terms of the responsibility for financial decisions, such as the prioritising of paying down a school debt over raising sufficient funds to provide adequate compensation to the abuse victims, many were to blame. The Registrar, the Commission said, had “primary responsibility for the Diocese’s finances”.9 The Commission blamed the Registrar, a late ordinand, the Rev. Patrick Comben, and the Diocese’s lawyer, Peter Roland, for the diocese adopting its defensive position.10 Not, it should be noted, Bishop Slater.

Certainly, as the bishop could be said to be ultimately responsible for the diocese, it is hard to argue that he should not have resigned because of the diocese’s failure. He did so in May 2013, acknowledging his responsibility for ensuring full compliance with the diocese’s abuse protocol, and that he “had failed in this duty”. Matters had not been referred to the Professional Standards Director as they should have been, he said. He apologised to the complainants concerned, and in a letter read out in all parishes in the diocese, he said his resignation was “the only way in which I might be able to give some hope to those who have been abused as they seek healing and wholeness”. His resignation would also give the diocese “a fresh start in these matters”.11 Apparently that was not enough to give the diocese “a fresh start”; metaphorically, the bishop’s head on a plate was also required. And not just by the diocese.

It must be remembered that Grafton Diocese is small and seriously under-resourced. Along with numerous other rural dioceses, it suffers

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9 Case Study No 3, p.47
10 Case Study No 3, p.6. Mr Comben was a former minister in the Queensland Government from 1989 to 1995. He was ordained deacon in 1999.
from the effects of rural downturn, including significant population decline. According to the most recent national year book, it has just twenty-eight parishes, and a total of fifty-nine active (that is, not retired) clergy.\textsuperscript{12} Between 2006 and 2011, its average attendance (that is, monthly attendance) dropped by almost 30 per cent, from 3,305 to 2,370. That is an average of eighty-four people per parish. Given that some of the parishes in the coastal region of the diocese, where most of the population lives, would be a good deal larger than those inland, that means most parishes would be much smaller in terms of worshipping Anglicans. A national viability survey has noted that the diocese has a “small, declining and ageing church attendance” and “many inherited financial issues”.\textsuperscript{13}

From these statistics alone, it is evident that while the diocese has all the panoply of traditional Anglican diocesan structures – bishop, cathedral, dean, archdeacons, synod, diocesan council – in reality its governance is far less well resourced at every level than larger regional dioceses, let alone the major metropolitan dioceses like Sydney and Melbourne. Even the metropolitan dioceses are hard pressed to resource adequately the increasingly complex requirements of financial management and professional standards compliance.

Grafton is not alone. Many of the twenty-three dioceses of the Anglican Church of Australia face similar issues, so much so that a national Diocesan Financial Advisory Group has been created to assist these dioceses with expert advice. The group has commented that “the financial health of the Anglican Church in Australia outside of the large metropolitan Dioceses, appears to be in a parlous state”. In the light of population shifts, changing demographics, and declining church membership, “it is hard to see how many Dioceses will remain sustainable into the near future”.\textsuperscript{14}

Although a small diocese in every sense of the word, there are five Anglican schools closely connected to the Grafton Diocese. One, St Columba, in Port Macquarie, was established only as recently as 2002. Founding church schools became a popular activity for numbers of Anglican dioceses in Australia from the latter decades of last century with the advent of generous funding from the Australian Government. They

\textsuperscript{12} The Australian Anglican Directory 2015
\textsuperscript{13} ‘Report of the Viability and Structures Task Force’, a report presented to the 2014 General Synod of the Anglican Church of Australia, pp.8-031, 8-035.
\textsuperscript{14} ‘Report of the Viability and Structures Task Force’, p. 8-076.
Chapter Three: The Scapegoat Bishop

were established with great enthusiasm as a means of rebuilding church numbers. Surely by involving young families in Anglican educational establishments, the numbers of worshippers would grow, was the rationale. It might not have been the publicly acknowledged main reason for the rash of new schools created, but it was certainly the underlying hope. But that has not been the outcome, certainly in Grafton, as the Viability and Structures Task Force noted in its report.15

In some cases, directing scarce diocesan capital to founding schools has been financially very damaging; in the Diocese of Bathurst, it has been catastrophic.16 It has also caused great damage to Grafton, as became apparent in evidence given to the Royal Commission, where in one of its twenty-eight findings, it noted that the diocese had prioritised the debt it had occasioned with the founding of one of its schools, the Clarence Valley Anglican School, Grafton, over meeting the financial obligations of sexual abuse victims.17

According to evidence given at the Royal Commission, a debt incurred by the school in the 1990s had blown out to $12 million by 2007. Through mortgaging diocesan assets, the debt was reduced to $10 million by 2010. This was clearly causing the diocese financial strain, with the diocese determined to pay down the debt. Dealing with the school debt became its financial priority.18

The detail of the diocese’s dealings with the abuse survivors is laid out comprehensively in the Royal Commission’s report of the Grafton case study. In brief, the Commission’s findings record that the diocese failed to follow its own policies, adopted in 2004 and 2005 (Finding 5), conducted some negotiations with survivors in a “hostile manner”, contrary to the spirit of its own protocols (Finding 7) and offered complainants amounts that were “substantially lower” than if the claims had been resolved under its policies (Finding 8). It had also misled some of the complainants that the diocese’s policies would be followed (Finding 8).19 This behaviour cannot be excused, despite the diocese’s financial difficulties. As the Commission

17 Royal Commission press release.
18 Case Study no.3, p. 49
19 Report of Case Study No. 3, p. 6
pointed out, the diocese made no attempt to mortgage or sell assets to provide the proper level of compensation to abuse survivors in the way it did to deal with the school debt.20

A factor that was, I believe, highly significant in the fallout from the diocese’s mismanagement of the survivors’ claims – and indeed, in the way the diocese dealt with them in the first place – was the high level of media attention it generated. Much of the attention focused on one of the survivors of abuse at the Children’s Home, Tommy Campion, who ultimately gave evidence at the Royal Commission hearing. From 2005, when he first contacted Grafton Diocese about his abuse, there was a proliferation of news reports about his complaint. A local photographer and entertainer, he was already a well-known figure on the Queensland Gold Coast where he lived. It is clear from the extent and range of media interest in him from well before the Grafton situation came to light that he was very popular with the media. The Gold Coast newspapers were fond of reporting his various activities, almost on a monthly basis, with the Gold Coast Sun referring to him on at least one occasion as a “lovable local larrikin”.21 The Gold Coast Bulletin referred to him as a “colourful character” who “loves helping charity organisations”,22 and the same newspaper listed him among its Best of the Gold Coast 2004 by that title.23 In December 2004 – before he contacted Grafton Diocese – the newspaper ran a substantial feature article about his grim childhood at the Children’s Home. On that occasion, he was described as a “singing grasshopper personality”.24

So when he did first make contact with the diocese in relation to his abuse at the Children’s Home in 2005, it is not surprising that the press quickly publicised it. A major Queensland newspaper, The Sunday Mail, published an account of his abuse claim in November 200525 and many more followed in a range of newspapers, including the national newspaper, The Australian.26 Doubtless, Campion’s easy familiarity with the press, having been the subject of reporting so regularly, supported by the fact that

20 Report of Case Study No. 3, p. 49
21 The Gold Coast Sun, 13 April 2005.
22 The Gold Coast Bulletin, 10 January 2004
23 The Gold Coast Bulletin, 3 July 2004
24 The Gold Coast Bulletin, 11 December 2004
25 The Sunday Mail, 27 November 2005
26 The Australian, 13 March 2009
he had spent a significant part of his life as a press photographer, meant that media attention on his abuse complaint was almost unrelenting. Added to this was his diligent advertising in media around the country for former inmates of the Children’s Home to contact him so that a group claim could be presented to the diocese. On his personal website, he says he sent notices to eighty media outlets around the country asking people who had been at the home between 1949 to 1962 to contact him; fifty-two people responded.\(^{27}\)

So the ‘media factor’ must, I believe, be regarded as crucial in the way the church ultimately responded to the complaints about the North Coast Children’s Home. The Anglican Church, like all the churches, hates the loss of its public reputation through media exposure of its failings. Had the media response been significantly less, as it well might have been if the complainants had been less willing to speak to the press, then the church may well not have responded so harshly as it did in inflicting the ultimate punishment of defrocking on Bishop Keith Slater. It should be noted that Tommy Campion had also publicly demanded Slater’s deposition.\(^{28}\)

It is also true that Slater’s failure to respond to advice from the then Primate of the national church, Dr Phillip Aspinall, might have been a factor, albeit unconsciously. The Commission noted that between 2006 and 2012, the Primate advised Bishop Keith Slater that “the group claimants should have their complaints properly heard and be offered counselling and pastoral support; he should seek out further people who had been abused at the North Coast Children’s Home” and “he should inform the police of all criminal allegations which came to his attention arising out of the North Coast Children’s Home”. The bishop did not follow the Primate’s advice.\(^{29}\)

It fell to the Primate to ensure that the abuse Mr Campion suffered, which Dr Aspinall described as “criminal offences of a most serious kind”, was reported to the police.\(^{30}\) The failure of Grafton Diocese to report abuse

\(^{27}\) http://www.tommycampion.com/, accessed 8 October 2016
\(^{28}\) The Australian Magazine, 15 February 2014
\(^{29}\) Case Study No. 3, pp.8-9. The Primate has no power to direct diocesan bishops, because the Anglican Church of Australia is not so much a national church as a federation of autonomous dioceses. However, given the Primate’s role is influential as the ‘first among equals’, it would normally be expected that a diocesan bishop would follow the advice at least in some measure, particularly on such a sensitive matter.
\(^{30}\) Case Study No. 3, p. 45
not only to the police but in some circumstances to its own Director of Professional Standards, was very serious.\textsuperscript{31} The Primate was so shocked by all the diocese’s failings in these matters that in 2013 he reportedly said it was ‘untenable’ for Keith Slater to remain Bishop of Grafton.\textsuperscript{32} Slater resigned shortly afterwards. He was deposed two years later, in October 2015. The announcement of his deposal stated that he was deposed “following a recommendation from the Professional Standards Board of the Diocese of Grafton”.

The Board considered his fitness for office “given his systematic failure to comply with professional standards and protocols, particularly in responding both to allegations of abuse at the North Coast Children’s Home in Lismore during the period 1940 -1980 and to claims for compensation”.\textsuperscript{33} A press release issued by the Diocese of Grafton at the same time noted that “under church law there is no avenue of appeal”.\textsuperscript{34} Slater did however appeal to the Anglican Church of Australia’s highest court, the Appellate Tribunal, even though it was believed that it might not have jurisdiction, given he was deposed on the recommendation of a professional standards board and not a diocesan tribunal. (The Appellate Tribunal is the appeal court only for diocesan tribunals).

The Tribunal, which handed down its unanimous decision in January 2017, noted that it did not in fact have jurisdiction. It nevertheless went on to examine the matter in great detail, deciding that Slater’s deposal was “null and void on various grounds”.\textsuperscript{35} In brief, it came to this decision because of “jurisdictional deficits” in the processes taken against Slater.\textsuperscript{36} It also noted that there had never been “any suggestion of sexual misconduct on Slater’s part”, and that the Professional Standards processes used to recommend his disciplining by deposal were in fact essentially non-disciplinary.\textsuperscript{37} Although the key issue in terms of the legislation should have been his present fitness for office, there had been “very little overt

\textsuperscript{31} Case Study No.3, p. 40.
\textsuperscript{32} Case Study No.3, p. 40
\textsuperscript{33} Ad Clerum issued by the Primate, Dr Phillip Aspinall, 16 October 2015.
\textsuperscript{34} Anglican Diocese of Grafton Media Statement, 16 October 2015
\textsuperscript{35} Appellate Tribunal of the Anglican Church of Australia, Appeal of Keith Francis Slater, 19 January 2017, p.1
\textsuperscript{36} Appellate Tribunal decision, p.14
\textsuperscript{37} Appellate Tribunal decision, pp. 22, 31
consideration of the question of Bishop Slater’s present fitness”, and no
explanation as to why “his shortcomings as Bishop of Grafton served to
render him unfit for any [sic] clerical office in the Church…”38 Presumably
because its decision cannot be binding given it has no jurisdiction in the
matter, the Tribunal concludes that “it will be a matter for Bishop Macneil
[the current Bishop of Grafton] whether she respects [the Tribunal’s] view
and whether, in addition, she formally revokes that instrument or takes any
other action to remedy the injustice unintentionally inflicted upon Bishop
Slater by the steps taken and announced against him in 2015”39 It also
called for the removal of any reference to Bishop Slater’s deposition from
Holy Orders from the church’s National Register.40

Patrick Comben, the diocesan registrar who had overseen the hostile
dealings with Campion and the other survivors, was removed from Holy
Orders in 2015; he claimed he had voluntarily relinquished them some
time earlier.41 He has admitted to failing the survivors and driving the
diocese’s response too hard, for which he now claims to be deeply repentant.
However, he also accuses the Diocesan Council of setting the tone of the
Diocese’s response, and that he was doing its bidding.42

The Royal Commission, however, reported that the Diocesan Council
“adopted a defensive legal position to the group claim, as advocated
by Reverend Comben and Peter Roland, the Diocese’s lawyer”43 The
Commission sheeted home blame for the approach to the Bishop, the
Diocesan Council and Mr Comben, saying it was satisfied that that they
had together “adopted a legalistic and ‘hard line’ approach to the group
claim”. This was to manage the “potentially ‘calamitous’ financial impact
that they perceived that successful claims might have on the Diocese”.44

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Deposition – removal from Holy Orders – is the harshest penalty the
church can inflict on its clergy. And it is extremely harsh. There are lesser

38 Appellate Tribunal decision, pp. 32,33
39 Appellate Tribunal decision, p.47
40 Appellate Tribunal decision, p.47
41 Anglican Diocese of Grafton Media Statement, 16 October 2015; ‘I was wrong’, The
Australian Magazine, 15 February 2014.
42 The Australian Magazine, 15 February 2014.
43 Case Study No. 3, p. 6
44 Case Study No. 3, p. 50
penalties, ranging from counselling to reprimand to removal of a licence to act in a clergy role. Removal of licence means there is the possibility of a return at some point to a ministry, even if it is restricted in some way. Deposition, however, is permanent and for someone who has been in Holy Orders for much of their life, demeaning. It is effectively a denial of their very vocation, their calling into ministry by God. Keith Slater had been ordained for forty years at the time of his deposition. In deposition, his Holy Orders as deacon, priest and bishop were swept away; he became a layperson once more, no longer holding any ordained position, role or status within the Anglican Church of Australia.

Two Bishops of Grafton have been deposed: Donald Shearman for the ongoing sexual abuse of a fifteen-year-old schoolgirl in his care at a country hostel, and Keith Slater for “systematic failure to comply with professional standards and protocols.” Surely there is no comparison between a bishop sexually abusing a vulnerable little girl for whom he had responsibility over a considerable period of time, and a bishop who failed to implement his diocese's policies. Keith Slater’s deposition suggests that gross sexual abuse is no more serious than the (admittedly egregious) mishandling of such situations, and demeans the abused child.

Moreover, in Slater’s case, the blame for the mishandling was not his alone, according to the forensic investigations of the Royal Commission. According to the Commission, the Diocese of Grafton was to blame, that is, the entire leadership of the diocese was at fault. That included the bishop, but also the Diocesan Council and everyone else in the leadership team. But a diocesan council cannot be deposed, and nor would it be if it were possible. In practical terms, it would be unthinkable as it would throw the diocese into chaos. And punishing an amorphous leadership team would not satisfy the anger – righteous or otherwise – of those who believe their claims of abuse were not treated satisfactorily; they require retribution on a named individual. He was the fall-guy for the whole system, and did nothing to help the ‘system’ learn the deeper lessons of its collective failure.

So deposition of the bishop as figurehead for the sins of a much wider group in a case such as this functions as a means of placating survivor anger, and hopefully restoring reputation. Keith Slater is the archetypal scapegoat.

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45 Anglican Diocese of Grafton Media Statement, 16 October 2015
Chapter Three: The Scapegoat Bishop
Chapter Four: The New Puritanism

Perhaps one of the most damaging long-term effects of the Anglican Church’s creation of far-reaching controls on clergy behaviour is the imposition of a new mandated Puritanism. While Anglican clergy have always been expected to live up to an ideal of sexual morality, as will be discussed in Chapter Seven, now any failure to live up to the narrowest interpretations of that standard can see them in real danger of losing their licence to officiate, either for some years or permanently, or even being threatened with deposition from Holy Orders. The church has completely lost sight of the sixteenth century Reformers’ insight that clergy were “as other men are”, and therefore not expected to live purer lives than their parishioners. In the sixteenth century, this meant that clergy should not have to commit to complete sexual abstinence when they felt no calling to that demanding way of life. In the twenty-first century, when the reality is that even regular churchgoers no longer observe chastity before marriage as the statistics overwhelming show, requiring clergy to maintain pre-marital abstinence for instance is patently absurd.

At the height of the church’s panic-driven response to the sexual abuse crisis in the early years of this century, the harsh standard was imposed within Faithfulness in Service, the new code of conduct adopted by the 2004 General Synod. The code baldly specifies chastity in singleness (as well as faithfulness in marriage), and the compilers of the code were upfront about their objective:

We have been conscious that in the area of sexual conduct there has been a growing gap between community expectations as expressed in law and the Church’s understanding of God’s requirements as expressed in the Holy Scriptures. We have also been aware that there is

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1 As has been noted earlier, recent statistics show that almost 80 per cent of couples live together before marriage: http://www.abs.gov.au/ausstats/abs@.nsf/mf/3310.0, accessed 22 October 2016.
2 Faithfulness in Service: A national code for personal behaviour and the practice of pastoral ministry by clergy and church workers, General Synod of the Anglican Church of Australia Child Protection Committee, As adopted by General Synod 2004
a debate within the Church as to the meaning of the Holy Scriptures in areas of human sexuality, particularly homosexual practice. We have not seen it as our role to depart from the existing standards and the traditional disciplines of the Church in the area of sexual conduct. *Faithfulness in Service* explicitly adopts the existing standard of chastity and the traditional disciplines of the Church... Consequently, there is the standard that clergy and church workers are to be chaste and not engage in sex outside of marriage. This means that behaviour such as adultery, fornication and homosexual practice is prohibited even though they are not expressly named.\(^3\)

There is some deeply disturbing anecdotal evidence of how the double standard is being prosecuted. Take the young ordinand whose fiancée became pregnant. The response of his diocese was to refuse to ordain him, because he obviously had not conformed to “chastity in singleness”.\(^4\) Thankfully, the bishop of another diocese was more sensible and ordained him; he has consequently become a highly effective member of the clergy.

The harsh absolutism of the new puritanical sexual code also impacts on clergy who make very human mistakes. The 2004 Code of Conduct, *Faithfulness in Service*, enforces a rigid definition of what constitutes sexual abuse of an adult. It includes sexual exploitation, which is very broadly defined to include consensual activity, unlike the Church of England, which limits exploitation to activity with vulnerable adults, as we shall see in Chapter Six. In *Faithfulness is Service*, sexual exploitation is defined as “any form of sexual contact or invitation to sexual contact with an adult, 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”.\(^5\) This is in direct contrast with secular law, where the defining issue in matters of sexual assault involving competent adults is always that of consent. This definition, under which many clergy have been, or could be, labelled abusers, also defies the Reformation principle of ‘the priesthood of all believers’, as will be explored in Chapter Seven.

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4 *Faithfulness in Service*, clause 6.2
5 *Faithfulness in Service* 2004, p. 11
One example of how this narrow definition is being implemented: a married middle-aged priest, obviously feeling guilty, confessed to his bishop that he had had a brief sexual relationship with a woman in his parish. The woman herself did not make any complaint, and as a mature, competent adult, she was not in any sense a vulnerable person. The parish was not aware of the situation; there was no parish scandal or crisis. Clearly, because the relationship was adulterous, it was not an acceptable situation, and possibly deserving of some chastisement, perhaps some serious counselling or even the loss of his licence to officiate for a period of time. This man’s bishop, however, wanted to depose him from Holy Orders. Wiser heads prevailed, but the threat of the ultimate sanction was very real.

In this case, a factor was that the woman concerned was a member of the man’s parish. This brings into play the notion of fiduciary care – that is, that as the woman’s parish priest, it was claimed that the man had a fiduciary duty of care towards her. The term is used in financial relationships and in other situations where there is a clear power imbalance. Teachers have a fiduciary relationship with the children in their care, for instance. It clearly applies to clergy when they are school chaplains interacting with children, and hospital chaplains ministering to people vulnerable because of illness. It applies in parishes in clergy relationships to children, teenagers, and adults vulnerable because of physical or mental health issues, or in a situation of personal crisis, such as death of a loved one, loss of a job, or marriage breakdown. This will be discussed further in Chapter Seven.

The Anglican Church, however, now extends the notion of fiduciary duty to the priest’s relationship to any person in their congregation and in all circumstances. It is now unacceptable for an unmarried priest to date a person in the parish, for instance, without going to extraordinary lengths to ‘protect’ the lay person involved. The rules differ from diocese to diocese, but in general, if a priest and parishioner do decide they would like to begin a romantic relationship, they first have to get permission from the priest’s supervisor. That would be the parish rector if the priest is a curate, or in the case of a rector, the relevant archdeacon or bishop. Often even this is not sufficient; the layperson is sometimes required to leave the parish while the relationship is ongoing.

It does not take too much thought to realise how unworkable these rules are. To begin with, a relationship would have to have progressed to some
degree even to approach the supervisor, or for the layperson to be forced to go elsewhere. Neither priest nor parishioner is going to initiate such drastic action unless they are reasonably sure a relationship has a future. So the reality is that the rule encourages relationships to be clandestine, at least in the initial stages – never a healthy approach.

Because the rules mitigate against a priest even beginning to think about a romantic relationship with a parishioner, they reduce dramatically the priest’s opportunities to meet a potential marriage partner in the church. Since the sixteenth century Reformation when Anglican clergy began to marry, they have often found their spouses within their parishes; the young curate stepping out with a young woman in the choir was a common pathway to clergy marriage. It ensured that clergy wives would be committed Christians, sympathetic to, and understanding of, the demands of the priest’s role. Clergy spouses without such commitment and sympathy can find marriage to a priest very difficult, and can result in the failure of the marriage.

Even more concerning, however, is the theological aspect. In Anglican polity, as in the Protestant tradition, lay people are, together with the ordained, part of the ‘priesthood of all believers’. This aspect will be examined in Chapter Seven. It is also insulting to competent adult women and men. It effectively declares that they are not capable of taking equal responsibility for their relationships; it infantilises them. It was the infantilisation of women that the movement to see women ordained was in part designed to overcome – to declare that women were not second class Christians, and not innately dependent on male clergy. It is disappointing that women have stood by and allowed the Anglican Church to push them back into a subsidiary, dependent role. It should be noted that similar rules apply to relationships female clergy have with male parishioners, inevitably creating a double standard between the clergy and laity.

For all the draconian rules, the situation for single adults in a relationship is at least relatively straightforward. It is much more complex if two responsible mature adults, a priest and parishioner, begin a relationship when the priest is married, as noted above. An example of the misapplication of the fiduciary rule is the case of a priest who, with his long-term marriage in trouble, began a relationship with a woman in his congregation. Resigning his senior position because of the relationship,
‘Father D’\(^6\) then had to endure a wait of four and a half years before he was again licensed to minister, even though both he and his former wife had remarried – he to the parishioner concerned – within that window of time. The long process came about because of a challenge by one section of the professional standards regime of his diocese to the reasonable decision to allow him to resume ministry by another section. The challenge was principally over the issue of fiduciary trust.\(^7\)

In brief, it was contended that although the parishioner concerned was a professional woman holding a senior position in the church, nevertheless the priest had “sexually exploited another person by engaging in a form of sexual contact with her while they had a pastoral or supervisory relationship”.\(^8\) This contention was despite the fact that it was acknowledged that the relationship was not “an established and covert sexual relationship”.\(^9\) Nor, it seems, was it consummated. The record of the process that ultimately restored the priest to ministry, the Determination of a review board, is coy about the exact nature of the relationship between the two people concerned, saying only that it “involved physical contact that could be considered as falling ‘within the wide definition of sexualized (because romantic) contact’”.\(^10\) This suggests that it was well short of consummation.

Nevertheless, in its challenge, the professional standards committee had claimed that sexual exploitation did not depend on vulnerability in fact, the age or consent of the other person, or whether there was a demonstrated power imbalance. Rather, it arose from the existence of sexual contact within a pastoral relationship… it springs from the nature of the relationship between priest and parishioner, the fiduciary nature of the relationship in which the clergy … hold the greater resources, respect, power and trust.\(^11\)

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\(^6\) I am using this name to protect the priest’s identity.

\(^7\) Anglican Church of Australia, Professional Standards Review Board, Determination 8 April 2016, Public Version. Although the document is labelled a public version, the level of detail still within the document is sufficient for persons in the diocese concerned to identify the priest. For this reason, I have omitted the name of the diocese and any other information that might risk identifying the people concerned.

\(^8\) Determination clause 29.

\(^9\) Determination clause 53

\(^10\) Determination clause 35

\(^11\) Determination clause 44
There are two troubling aspects to this interpretation of the clergy-parishioner relationship. First, by that definition, even a single priest who kisses a consenting single adult parishioner within a romantic relationship, is guilty of sexual exploitation. Second, the assumption that the clergy always and everywhere hold “greater resources, respect, power and trust” than every parishioner is nonsense. It is offensive to competent adult parishioners at every level, let alone the lawyers, accountants, professors, medical doctors and so on who inhabit the church’s pews. In far too many cases, of course, powerful lay people – sometimes referred to as the parish ‘owners’ – dominate and control both the priest and the parish. The bullying and undermining of clergy in parish life by some parishioners is a sad fact of life in the Anglican Church.

Thankfully, the second stage in the professional standards regime – the board – disagreed with the interpretation of the committee. They saw no imbalance of power, as the woman was “mature and empowered with knowledge, ability and understanding of the relevant legislation”. It questioned “whether sexual exploitation would arise when the relevant parishioner had such qualities”. Moreover, the woman concerned denied that she had been vulnerable “or had suffered any ill effects” from the priest’s conduct. She had not made her confession to him, nor received counselling or spiritual direction from him. In her testimony, the woman submitted that “a finding of exploitation would negate her status as a person of full capacity and responsibility. Such a deeming effect would be tantamount to an attempt to silence and victimise her.” In other words, she was a parishioner who should, I contend, have been regarded as the priest’s equal, in every respect, in the ‘priesthood of all believers’.

However, the review board did decide, following careful legal interpretation, that the priest’s behaviour constituted sexual exploitation in terms of the definitions of the Faithfulness in Service code and the relevant diocesan legislation. The review board noted that

the definition of “sexual exploitation” in the Faithfulness in Service Code and the Act does not invite an enquiry as to whether there was in fact sexual exploitation according to any general usage or other definition

\[\text{\[12\text{Determination clause 45}\]} \]
\[\text{\[13\text{Determination clause 40}\]} \]
\[\text{\[14\text{Determination clause 84}\]} \]
\[\text{\[15\text{Determination clause 105}\]} \]
of the term outside the Act or *Faithfulness in Service* Code. It does not depend on whether the cleric in fact directly or indirectly exercised the authority or status of the role; or whether the worshipper was in fact vulnerable or in fact consented to or even initiated the contact. To the contrary, the definition makes clear that “sexual exploitation” in this context will arise upon the specified conditions of any form of sexual contact within a pastoral relationship between parties who are not married to each other.16

That the terminology of the code and the Act required the review board to come to this decision when it is clear that exploitation in the general sense of the term did not exist, indicates that both are in need of serious revision. Further, it is ironic that the only time sexual contact between a priest and parishioner is not deemed to be “sexual exploitation” within both the Code and the Act is within marriage, given that there is disturbing evidence that abuse, including sexual abuse, is found within church marriages, including clergy marriages.17

The findings in relation to the priest’s marriage in this case study were surely more important than the priest-parishioner relationship, given that, whatever its nature, it was not a relationship he was free to pursue. The review board found that his conduct in this regard was a “serious breach of his obligations”, but while his failure to be faithful to his wife was also serious, it was “not attended by significant aggravating factors, gross moral turpitude or disgraceful conduct, whether of a sexual nature or otherwise”.18 It seemed to be treated almost as secondary to the fiduciary element.

The opinion of a so-called theological expert (not identified in the public version of the Determination) was nevertheless concerned with the “faithfulness” aspect. He (it was almost certainly a ‘he’!) told the review board that “a priest may rarely or never be restored to ministry if guilty of marital unfaithfulness”, an extremely harsh and unreasonable point of view that would not be shared by most other theologians.19 By contrast, the review board’s finding was generous, loving and realistic. The review board said:

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16 Determination clause 98
18 Determination clause 105
19 Determination clause 110
The New Scapegoats

While clergy and church workers are ideally to be inspiring examples of Christian faith and obedience, the Review Board considers that most people, including most observant Anglicans, would, if apprised of all the facts and circumstances of the present case, be likely to empathise and forbear with the human failings at issue, even in their pastor, and would be heartened by his repentance, the spirit in which he has attempted to grow, and his continued commitment to service and ministry.20

In tune with that finding, the review board decided that the priest was “fit to hold a licence for general purposes”. Further, it recommended that the priest’s listing on the church’s National Register be removed.21 His licence to officiate once more as a priest has now been restored, but it seems that a technicality has been exploited to keep his name on the National Register. If that is the case, that technicality must surely be removed.

The blanket ruling in the Faithfulness in Service Code and the legislation that any romantic or sexual contact between a clergy person and a parishioner is always sexual exploitation should also be revisited. While it remains, it condemns not only current relationships but also those entered into before these new rules were invented.

My own pre-marital relationship is one that, in the light of this ruling, would stand condemned. I was singing in the choir in my parish church when the priest who would become my husband was appointed to a role within that parish. It was not long before he invited me out, and within weeks, we had become engaged. All this happened within full view of the parish, who were delighted about our romance. We did not hide our relationship, because there was no need. It was a relationship between two equal people, free to have such a relationship because we were single, responsible adults. I have sometimes mused that if for some reason I wanted to cause trouble for my husband – to whom, incidentally, I have been happily married for more than forty years – I could use the new draconian rules to make outrageous claims against him. I could claim that he, a respected, ordained man in his 30s, took advantage of me because I was a university student in my early

20 Determination clause 111
21 Determination clauses 113, 115. The National Register contains ‘information primarily pertaining to complaints or findings of child abuse and adult sexual misconduct as well as adverse findings against or adverse admissions made by clergy or lay people within the Church’: http://www.anglican.org.au/governance/commissions/Pages/professional_standards.aspx, accessed 22 October 2016
twenty; that as he was pastorally caring for my dying father at the time we began our relationship, he had taken advantage of that situation. None of this is true, and to claim that there was a power imbalance between us at the time we began our relationship is demeaning to my independent capacity as an intelligent, competent adult woman. The blanket ‘fiduciary’ rule is an open invitation to people to make mischief when a relationship has either ended or hit a roadblock. Even when it does not, it is demeaning to all concerned.

Some situations where the church’s new rules have reached the level of the absurd are very sad. Without using names or information that might identify the people concerned, here are two examples that illustrate how absurd the situation has become:

Several decades ago, a young, single priest invited a young woman – a university student – in his parish to a meal at a restaurant. At the end of the evening, he kissed her. A few days later, he expressed the hope that they might go out again; she declined. Many years later, the woman, possibly after hearing of compensation paid to abuse victims in the same diocese, lodged a complaint about that kiss, claiming she had been under age at the time. An inquiry exonerated him on the grounds that she had not in fact been under age. Moving to another diocese, however, restrictions were placed on his ministry just in case the woman went to the press and exposed his new diocese to reputational damage. It is to this man’s great credit that he has nevertheless continued to exercise a fine priestly ministry within the confines so unjustly imposed on him.

Another example is even sadder. As a teenager, a priest had a relationship with a teenage girl. He was eighteen, she sixteen. Now they would both have reached the age of legal consent for consensual sex between two persons close in age where there was no fiduciary relationship in the relevant Australian state. However, at the time of the ‘offence,’ the girl had not reached the age of legal consent. The result was that, as the result of a vindictive report to the police (not by the girl concerned), he was charged with carnal knowledge. Years later, applying for ordination, he informed his bishop of the charge, who did not see it as a barrier to priesthood, given the circumstances, and proceeded to ordain him.

He exercised a full and highly-regarded ministry over several decades, until the church, as a result of the child sexual abuse scandal, required all
clergy to obtain police clearances. His ‘offence’ came to light, and he was immediately removed from the ministry, despite his earlier clearance for ordination. There was no suggestion this man was in any way a threat to any minor, but presumably the church was not prepared to risk its reputation – or perhaps its insurance cover – should his history come to light.

One of the saddest factors in the case of ‘Father D’, the priest discussed earlier, as he revealed in evidence, was that following his resignation, he received no contact or pastoral care from any bishop and that “no enquiry had been made about his spiritual or general health and wellbeing”. Nor was any counselling offered.  Although he had “immediately admitted his faulty conduct” and resigned, repeatedly expressing “remorse, penitence and regret”, he had, over a period of four years, suffered “extremely adverse consequences”. These included “the loss of his livelihood, vocation, status, reputation, social and personal contact and participation in the collegiate life of the church”.

Despite his remorse and all that he lost, it seems he was effectively cast aside, and treated as a pariah. He was disowned, another victim of the Anglican Church’s determination to protect its reputation by mistreating its own clergy.

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22 Determination clause 39
23 Determination clause 108
Chapter Five

An Avenger’s Charter

As suggested in the previous chapter, the current professional standards regime in the Anglican Church has left clergy wide open to attack by disaffected romantic partners. The regime assumes that: clergy are always and everywhere in a fiduciary relationship with lay persons by virtue of their priestly role, even when they are not actually in a church pastoral relationship with the person concerned; and that clergy are required by the Code of Conduct to adhere to a standard of sexual purity that borders on the absolute.¹

Take the case of the ‘Revd AA’, a priest involved with a married professional woman he met through a website promoting extra marital affairs.² After the relationship ended, the woman brought a complaint to the professional standards committee in AA’s diocese. In this case, although the professional standards process was lengthy – extending over almost two years – and AA’s conduct was criticised, he was not in the end subject to any discipline. He was fortunate that in his diocese, the professional standards process had an appeal mechanism, a review board. In another diocese, under a different professional standards regime, he might well have been deposed.

According to evidence outlined in the determination by the professional standards review board of the diocese in question, the priest, a married man, did not initially reveal his full name to the woman, nor his priestly identity.³ There was “no pastoral, supervisory or other professional relationship” between them. Eventually, as a relationship developed – mainly through email exchanges described as being “sexual contact of the verbal kind and emotional intimacy” – he did reveal who he was. There were two sexual encounters in motels.⁴

¹ These are my assessments of the expectations of the regime, based on my research.
² Anglican Church of Australia, Professional Standards Review Board, Determination 29 March 2016, Public Version. Although the document is labelled a public version, the level of detail still within the document is sufficient for persons in the diocese to identify the priest concerned. For this reason, I have omitted the name of the diocese and any other information that might risk identifying the ‘Revd AA’.
³ Determination p. 4
⁴ Determination p. 5
After her marriage broke down, the woman lodged a written complaint with the diocese’s professional standards committee, claiming the breakdown “as a direct result of the respondent’s presence in her life”. Further, she claimed that “her assumptions about the church and priests, whom she was raised to trust and respect” had been “fractured”. The respondent claimed the complaint had been an act of vengeance for his decision to end the relationship.

The professional standards board, having examined the evidence and determining that AA had “engaged in a serious case of extra-professional misconduct”, decided that neither party was a victim of misconduct. It said it was “neither an umpire in a contest between consenting adults over their misconduct between themselves nor a vehicle for airing mutual grievances”. The Board decided that AA was “fit to hold any role, office, licence or position of responsibility within the Diocese”.

The decision was appealed by the professional standards committee that had initially received the woman’s complaint, on the basis that, while the two persons were consenting adults not in a direct pastoral relationship, the priest’s vows and obligations extended to the whole of his life and not just his professional or ministerial life. Tellingly, one of its concerns was that, by not finding AA unfit by reason of his misconduct, the board findings could have “an adverse impact on the reputation and fabric of the Church and its members”.

The review board, which heard the appeal, described the priest’s behaviour as “reprehensible”, and a violation of values he was bound to uphold. It was not, however, an unequal relationship in which AA “possessed and misused greater power to influence and exploit the complainant”. The review board, although not in full agreement with the finding of the board, was satisfied that in the time since the board had handed down its decision, AA had demonstrated “a significant amendment in his present life and conduct”, and therefore the board’s conclusion should stand.

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5 Determination p. 6
6 Determination p. 7
7 Determination p. 8
8 Determination p. 6
9 Determination p. 13
10 Determination, p. 19
11 Determination, pp. 21-23.
AA was, as noted above, fortunate that this was the final decision. It could have been far worse. If the “well-qualified academic and theologian”, designated the “expert”, who gave evidence to the review board, had had their way, significant barriers would have been put in place to AA’s continuing to function as a licenced clergyman. The person – almost certainly, from the nature of his evidence as reported in the Determination, a conservative Evangelical – stated that “someone who has been sexually unfaithful should not be restored to ordained ministry or to a position of leadership”. Church leaders were “by the New Testament, required to be ‘above reproach’, that is, without moral flaws that would bring them into disrepute”. While “even the most grievous sexual misconduct is not unforgiveable… not every Christian in good standing in the Church is qualified for an office of leadership in the Church”.12

It is hard to avoid seeing here evidence of a double standard between clergy and lay people, that clergy must subscribe to a higher personal sexual morality than practising lay members of the church. This is diametrically opposite to the standards expected by the sixteenth century Protestant reformers, who insisted that clergy were “as other men are”. Therefore they should not be required to live celibate lives – the means by which clergy were supposedly demonstrating a higher standard of sexual morality than their parishioners. The celibacy requirement in the Roman Catholic Church had this primary function explicitly until the nineteenth century. 13

A priest for whom the outcome was not as favourable as AA’s also seems to have been, at least in part, the victim of an aggrieved party seeking vengeance. John Gumbley, a single man and formerly a rector in the Diocese of Newcastle, was deposed from holy orders in 2010 following complaints against him concerning relationships with women, one of whom was a parishioner. Some of the evidence used against him in the investigation by the diocese’s professional standards committee was in his personal journals. These had been downloaded from his computer without his knowledge and handed to the diocesan authorities apparently by a person with whom he had been in a relationship. As Mr Gumbley has recounted his version of events in detail in a privately-published book,14 I will not focus on them

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12 Determination, p.12
13 I have explored issues of clergy celibacy and marriage in Muriel Porter, Sex, Marriage and the Church: Patterns of Change (Melbourne: Dove, 1996).
14 John William Gumbley, Frock Off! The Inside Story of a Defrocked Anglican Priest’s Struggle for Justice, Australian Self Publishing Group, 2015
here, save to note that it appears that his deposition was at least in part the result of a complaint arising from a broken adult relationship.15

While neither the behaviour of the Revd AA nor Mr Gumbley was particularly edifying in a clergyperson, in neither case was it criminal, it did not involve children or young people, and was not unambiguously abusive. The processes adopted by the church to prevent child sexual abuse, nevertheless, were utilised to punish clergy because of their involvement in sexual relationships with consenting adult women.

Other cases that might have some component of revenge involve those where there was a long time frame between the alleged abuse and the lodging of a complaint, triggered by noticing that the priest has been promoted in some way. I am aware of at least one case where the abuse complained of happened decades earlier, many years before the priest was ordained. He was, however, a lay church worker at the time, and the definition of ‘church worker’ is now – though not at the time of the offence – very broad. It differs from diocese to diocese, but generally the term now includes lay readers, musicians, Sunday school teachers, youth leaders, and even in some cases the people who pour the coffee after church. This young man, in a part-time role in a parish, had a relationship with an under-age teenage girl in the parish. No complaint was made until some forty years later, when he was promoted within the church hierarchy. No criminal charge was made, but he was nevertheless deposed from Holy Orders.

It is known that victims of sexual abuse often cannot face the reality of the abuse and its impact on them for many years, which explains why some complaints have been made decades later. At the time of the offence, it is also likely that they either were not believed, or would not have been believed. Opportunities for complaints to be lodged have opened up significantly only in recent years. But the possibility of an element of revenge needs to be recognised. As in the case above, the complaint is lodged when the priest is given a promotion, say as a cathedral canon or archdeacon. The promotion seems to trigger a response that might, in some cases, contain elements of envy that the person has been honoured, in contrast with the victim’s ongoing feelings of unworthiness as a result of the offence. There might also be a desire to seek revenge now the priest has been honoured, if the complainant feels that the priest has in some sense rejected them.

Chapter Six:

The Church of England

A comparison

Although the Anglican Church of Australia has been a fully autonomous church in the worldwide Anglican Communion since 1961 when it adopted its own independent constitution, it nevertheless still retains close links to the ‘mother’ Church of England. For instance, the Church of England’s Book of Common Prayer as standardised in 1662, remains the Australian Anglican Church’s “authorised standard of worship and doctrine” and “no alteration in or permitted variations from the services ... therein contained shall contravene any principle of doctrine or worship laid down in such standard”.

So in spirit at least, a fundamental dependency on, and continuity with, the Church of England remains, given that prayer book worship is at the heart of Anglicanism.

In the matter of clergy expectations and discipline, however, the two churches have parted company quite dramatically. Whereas the Australian church now has a vast edifice – some are now describing as an industry – of professional standards committees, boards and appeal processes to deal with the full gamut of matters concerning clergy and church workers, the Church of England has retained traditional ecclesiastical court structures to deal with clergy abuses. These are the successors of the courts that until the nineteenth century had quite extensive powers; today they are limited to areas such as church property and disciplinary matters.

The Australian church had inherited aspects of this structure from the Church of England, establishing tribunals in the 1961 constitution. The Special Tribunal, presided over by the Primate, was designed to deal with issues concerning diocesan bishops; diocesan tribunals, presided over by the bishop of the diocese, deal with matters concerning the clergy of that diocese. The Appellate Tribunal, an elected national ‘court’ comprising three diocesan bishops and four senior lawyers, hears appeals from decisions of the tribunals, among other things.

In scope, the tribunals deal only with complaints against clergy, including bishops. They deal with “breaches of faith ritual ceremonial or

1 The Constitution of the Anglican Church of Australia, 4, Chapter II, Ruling Principles.
discipline and of such offences as may be specified by any canon ordinance or rule” and charges “relating to an offence of unchastity, an offence involving sexual misconduct or an offence relating to a conviction for a criminal offence that is punishable by imprisonment for twelve months or upwards”.

The second reference, about unchastity and sexual misconduct, was added to the canons covering Tribunals only in 1998, and did not come into effect until 2003, obviously under the pressure of the mounting sexual abuse claims.

Although the Special Tribunal and the diocesan tribunals remain, they are now a shadow from the past. In transferring the management of professional standards issues to the new system, the aim was not just to deal with abuse allegations but also to create a ‘safe ministry’ environment to prevent future abuse. The prevention aspect was missing from the tribunal system. The tribunal system is also quite narrow in its scope and by its quasi-legal status, deemed to be not user-friendly, particularly for abuse victims wishing to make a complaint.

The Church of England has gone in the opposite direction, actually creating a tribunal system to deal with clergy discipline; its new system sits under its ancient ecclesiastical courts, which retain an appellate function from the tribunals. The Church of England also began dealing with the issue of clergy misconduct in the early years of this century, passing its Clergy Discipline Measure in 2003 (amended in 2013). The Measure has been further amended through the Safeguarding and Clergy Discipline Measure, passed by the British Parliament in 2016. This is not the place to explore the English system in detail, or even to judge its merits, but it is interesting to note the very different path taken by the ‘mother’ church in certain particulars.

In the Clergy Discipline Measure, each diocese has a disciplinary tribunal, effectively overseen by a national Clergy Discipline Commission. That body, appointed by the church’s Appointments Committee, includes two members from each of the three houses of the General Synod (that

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2 The Constitution, 54 (2) (2a)
3 Clergy Discipline Measure 2003 as amended by the Clergy Discipline (Amendment) Measure 2013: https://www.churchofengland.org/media/2192477/cdm%202003%20amended%20by%20cd(a)m%20as%20published%20feb%202014.pdf, accessed 8 November 2016
4 Safeguarding and Clergy Discipline Measure 2016
Chapter Six: The Church of England - A comparison

is, from the houses of bishops, clergy and laity) and two senior lawyers. It gives “general advice” to the tribunals as to appropriate penalties, and issues codes of practice and policy guidance. There is a Vicar-General’s court in each of the two provinces of the Church of England – Canterbury and York – to deal with issues concerning bishops.

The procedure for bringing complaints to a tribunal is quite strict. It seems that only quite serious matters of misconduct make it to that stage. If the misconduct is “a minor incident”, the complainant is encouraged first to “share your disappointment with the Clergy person concerned and resolve it together”. If that is not sufficient, then “a word with the Area or Rural Dean or the Archdeacon will lead to someone on the bishop’s staff speaking to the member of the clergy concerned, so that the matter is dealt with and rectified informally”. Otherwise, a complaint must be made in writing to the diocesan bishop, who refers it to the registrar of the diocese to see if there is “sufficient substance” to justify its proceeding to the tribunal process. On receiving the registrar’s report, the bishop can attempt conciliation, move it into the tribunal process or dismiss it, although the complainant has the right to appeal to the commission. If it goes to the tribunal, then the standard of proof to be applied will be “the same as in proceedings in the High Court exercising civil jurisdiction”. There is also a right of appeal for a respondent against any penalty imposed to go to either the Arches Court of Canterbury or the Chancery Court of York, depending on where the proceedings take place.

As to penalties that can be awarded, it is interesting to note that the Church of England has entirely removed the extreme penalty of deposition. The ultimate penalty in the 1963 Ecclesiastical Jurisdiction Measure, where it was almost always used only for serious criminal offences, it was removed in the 2003 Measure.8 Now the penalties a tribunal can impose range from rebuke up to “prohibition for life… without limit of time from exercising any of the functions of his [sic] Orders”.9 In between come specific injunctions:

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6 Clergy Discipline Measure 11 (1) (b)
7 Clergy Discipline Measure 18 (3) (a)
8 ‘The Church needs unfrocking’, Church Times 19 August 2016.
9 Clergy Discipline Measure 24 (1)
revocation of the bishop’s licence, removal from a particular office, and prohibitions for a limited time.

What is the “misconduct” that can see a clergyperson facing the tribunal in the Church of England? The Clergy Discipline Measure lists several categories: (a) doing any act in contravention of the laws ecclesiastical; (b) failing to do any act required by the laws ecclesiastical; (c) neglect or inefficiency in the performance of the duties of his office; (d) conduct unbecoming or inappropriate to the office and work of a clerk in Holy Orders.\(^\text{10}\) It is only the last category that would include sexual misconduct, though the legislation gives no detail as to what that might include. For some possible definitions, it is necessary to look at the Church of England’s *Guidelines for the Professional Conduct of the Clergy*, which state that clergy “should be aware of the danger of seeking sexual advantage, emotionally or physically, in the exercise of their ministry”.\(^\text{11}\) A later edition of the *Guidelines* is more explicit:

> The highest standards are expected of the clergy in respect of their personal relationships, not least in respect of their relationships with those in their pastoral care. In particular, the clergy must never have sexual or inappropriate relationships with those aged 16 or 17, or *vulnerable adults* [emphasis added]\(^\text{12}\).

Recent legislation has defined what is meant by ‘vulnerable adult’ in this context. The ‘Safeguarding and Clergy Discipline Measure 2016’ definition is that:

> … “vulnerable adult” means a person aged 18 or over whose ability to protect himself or herself from violence, abuse, neglect or exploitation is significantly impaired through physical or mental disability or illness, old age, emotional fragility or distress, or otherwise… \(^\text{13}\)

It is noteworthy that the Church of England does not employ the definition of exploitation as interpreted from the Australian Professional

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\(^{10}\) Clergy Discipline Measure 8(1)


\(^{13}\) ‘Safeguarding and Clergy Discipline Measure 2016, 6 (2).
Standards Legislation that, as we have seen earlier, has been used to censure relationships with adults who are clearly not vulnerable. The Church of England guidelines also show a far greater respect for the humanity of clergypersons than the Australian code of conduct *Faithfulness in Service* with its iron clad rule of “chastity in singleness”. “The clergy,” the Church of England code says, “should thankfully acknowledge their own God-given sexuality” and “In their personal life … should set an example of integrity in relationships and faithfulness in marriage”.

The English tribunal system might seem to be a harsh road for complainants about clergy sexual abuse. However, a vast structure outside the tribunals has been established. Called ‘Safeguarding’, it provides a range of resources, all easily accessible online, for everyone from complainants to parish personnel. There are comprehensive structures to receive and handle complaints, to educate clergy and laity, to lay down guidelines, and so on.

At face value at least, it seems that the Church of England’s processes are as fully developed to create a safe church for children and vulnerable adults as the Australian counterparts, and to deal compassionately and promptly with complaints. However, the way that accused clergy are dealt with seems to be far fairer overall, from the initial processes through to the penalties imposed. Under the English system, it seems, a diocesan bishop would not be deposed for alleged mishandling of sexual abuse complaints, and a priest would not be charged with exploiting a competent professional adult woman in his parish. And if a priest were to be brought before a tribunal, the standard of proof required would be sufficient to ensure they were not damned by hearsay. And they would not easily have their licence removed or restricted to deflect the vague threat of press comment.

This is not to suggest that the Church of England’s processes are flawless, as the furore over allegations made against the late Bishop George Bell have demonstrated. Following a concerted campaign by a group of influential clergy and lay people, the Church has had to launch an inquiry into its 2015 decision that labelled the twentieth century bishop a paedophile. It had settled a civil complaint brought by a person known only as Carol that she

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15 ‘Ex-terror reviewer Lord Carlile to re-examine Bishop Bell sex abuse decision’, *The Telegraph*, 23 November, 2016
was abused as a child by Bishop Bell in the late 1940s and early 1950s. The Church also issued a public apology to ‘Carol’. The Church’s processes had decided that on the balance of probabilities, the claim was true, although Bishop Bell had been dead for almost sixty years.

The Bishop of Chichester from 1929 until his death in 1958, Bell was a revered figure in the Church of England. He campaigned against Nazi anti-Semitism and tyranny during the 1930s, and was renowned as an ecumenical leader. During World War II, as a member of the House of Lords, he was an outspoken critic of the War Cabinet’s decision to carpet bomb German cities. The ‘George Bell Group’ that campaigned for a review of the Church’s inquiry into the allegations claimed that there had been a “grave miscarriage of justice”, and that the investigation of the complaint had been inadequate. While it recognised that the Church had to take complaints seriously and investigate them thoroughly, it also insisted that the Church “must also weigh equally, and under the law, the proper interests of those who may be the object of such allegations”.¹⁶ It is possible that the review will show that Bishop Bell has been treated as a scapegoat.

¹⁶ http://www.georgebellgroup.org/
Since the sexual abuse crisis flared, the churches have scrambled to provide some theological reflection on the issue. In the main, however, the focus of their reflections has been on how the church can redeem itself from its failure in not preventing abuse, and whether victims can be expected to forgive the church and their individual abusers. In many ways, the emphasis is actually subliminally on the church’s reputation. The recent booklet issued by the Church of England, *The Gospel, Sexual Abuse and the Church: A Theological Resource for the Local Church*,¹ is a good example, containing sections on how the church can repent of its past failures, become a place of compassion for survivors and a secure environment for everyone, and where abusers can face up to their misdeeds. What is missing to date is significant reflection on some of the core theological principles of the Christian church that are being affected by the way the crisis is being handled, and specifically, principles of the ‘catholic and reformed’ polity of Anglicanism.

Some of the major areas that have been neglected are: the damage done to the Body of Christ by defining all parishioners as being always in a fiduciary relationship to clergy; the insistence on a harsh concept of sexual purity; a theology of forgiveness that includes the church’s forgiveness and restoration of abusers and those leaders who have mismanaged or misunderstood the abuse; and the casting of the clergy as the scapegoats.

**The fiduciary relationship**

Derived from 1 Peter 2:9,² the teaching that all Christians belong to ‘the priesthood of all believers’ is a foundational tenet of Protestantism. It is the principle that lies behind many of the key reform teachings: lay people are to share in communion in both kinds, no longer restricted to the bread alone; there would be no different standards of sexual purity for

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² “But you are a chosen race, a royal priesthood, a holy nation, God’s own people, in order that you may proclaim the mighty acts of him who called you out of darkness into his marvellous light”: NRSV.
clergy and lay people; lay people are to have equal access to the Scriptures, made available in their own language (rather than Latin); and they are to share equally in the liturgy in their own language. The Church of England’s *Book of Common Prayer* made that very clear: liturgical prayer was to be “common” to both clergy and lay people.

The sixteenth century reformers were taking seriously the New Testament vision of the *laoς* as encompassing the whole people of God, which included every member of the church from the bishop down. The term ‘layperson’ which, in contemporary Greek usage referred to the uneducated masses, is absent from the New Testament. Mark Maddix argues that “the New Testament terminology does not support the contemporary division between classes of Christians”; while there were different ministries in the early church, there was “no distinction between a group of clergy and another of laity”. Ministry belonged to all the Christian community, following 1 Peter 4:10 and Ephesians 4:11-12. The role of the leaders in the church was to serve the people of God, rather than to exercise authority over them, a model still “embraced in theory” rather than in practice—witness the Pope’s title of ‘the servant of the servants of God’!

Although the New Testament reflects the ideal of an undifferentiated *laoς*, it did not take long for this to change. The creation of two distinct classes of Christians was a product of the post-Constantinian period, that is, the time when Christianity became the Roman Empire’s ‘state church’. The clergy became “a privileged sociological group”, with an authority more linked to the world than the Word.

In practice, the reformers’ vision of the church as the priesthood of all believers without some people set apart for the ministry of Word and

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5 1 Peter 4:10: “Like good stewards of the manifold grace of God, serve one another with whatever gift each of you has received”; Ephesians 4:11-12: “The gifts he gave were that some would be apostles, some prophets, some evangelists, some pastors and teachers, to equip the saints for the work of ministry, for building up the body of Christ”; Maddix, ‘A Biblical Model…’, p. 216
Sacrament, was unworkable. So reformed churches needed an ordained ministry. The Anglican Church has maintained the traditional three-fold order of ministry – bishops, priests and deacons – as well as the doctrine of the priesthood of all believers. Those ordained to lead are theoretically called out by the whole people of God. In ordination services, the presiding bishop is seen to be acting on behalf of the wider church, and the congregation is asked to declare publicly that they accept the person/s for the particular ministry.\(^8\) In practice, however, clergy are too often seen as constituting a separate ruling caste, and the new purity rules imposed by the church in response to the sexual abuse crisis has only exacerbated the distinction, as we will see.

Although the Church of England was radically reformed in the sixteenth century, absorbing the Protestant recovery of the ‘priesthood of all believers’, it nevertheless also retained the trappings of Empire as it became itself a state church. It came under the control – the very real control – of the English sovereign rather than the Pope. It remains an established church, with the Queen its ‘Supreme Governor’; although there are now consultative processes, archbishops, bishops, and deans of cathedral are appointed by the crown on the advice of the Prime Minister. The two Archbishops (of Canterbury and York) and twenty-four senior bishops still sit in the House of Lords, and church legislation needs the imprimatur of the British Parliament.\(^9\) A recent Archbishop of Canterbury nevertheless upheld the New Testament vision: the heart of pastoral leadership was “to reflect the priesthood of Christ and to serve the priesthood of the people of God”.\(^10\) The Anglican Church of Australia is not an ‘established’ church and even before it achieved its independence from the Church of England, it was not ‘established’. That has not stopped it often behaving as if it were, and functioning in many ways from an imperial mindset.

This has muddied the theological principle that the clergy and lay people are equal before God and in the congregation. Lay people, in Protestant and Anglican understanding, do not need a priest to mediate between them and God; they have direct access. They do not require the

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absolution of a priest to absolve them of their sins, for instance, although private confession remains a valued part of Anglican sacramental practice. At the most fundamental level, Anglican clergy do not automatically have spiritual power over lay people.

Clergy are in a significantly different relationship to parishioners than doctors are to patients or teachers to students. In those cases, there is demonstrably a power imbalance, because patients are dependent on their doctors for management of their health, and students are dependent on their teachers to gain their qualification. Relationships with doctors and lawyers are essentially contractual and in most cases intermittent or even fleeting; few people have substantial, ongoing relationships with these professionals. They are certainly not with them on a Sunday-by-Sunday, that is, weekly, basis. Student-Teacher relationships are also limited to the particular period of time the student is engaged in formal study with that teacher.

Competent adult parishioners are not in a contractual or intermittent relationship with clergy. Nor is their relationship limited to specific periods of time if they are regular worshippers, perhaps over their entire lives. Nor are they dependent on the clergy for their spiritual welfare unless they lean on the clergy in some specific way – if the clergy are their spiritual directors, for instance, or counselling them in a time of vulnerability because of some crisis or difficulty in their lives. The majority of lay people in parishes are not in a dependent situation with their clergy. More, although their role is functionally different, they are, or should be, expected to take an active role in the church’s ministry, and share the priest’s ministry on an equal footing.

Lay Anglicans actually share church leadership with the clergy, in ways completely denied to their counterparts in the Roman Catholic Church, for instance. They are members of the church’s governing bodies: as members of national and diocesan synods, generally in equal numbers to the clergy members, and as members of the related standing committees and diocesan councils. In parishes they are churchwardens, with oversight responsibility of the parish’s property and finance, and members of the parish councils that govern parishes in conjunction with the rector/vicar. Their role in church governance is so substantial that in most Australian Anglican dioceses those who serve the church in this way are defined as ‘church workers’ and so themselves come under the professional standards regimes.
Equating all clergy/lay relationships by reference to secular relationships such as that between doctor and patient, teacher and student, or lawyer and client, is an outcome of the way the churches have in recent times slid thoughtlessly into secular models of management. In some parishes, vicars now call themselves the CEO of the parish. Parishes are asked to fulfil Key Performance Indicators. In some dioceses, the traditional post of registrar has been rebadged as business manager. Salaries and even bishops’ stipends are set by reference to corporate salaries. Even the entirely appropriate formal incorporation of dioceses, undertaken in part to create a legal entity long sought by sexual abuse survivors has, in establishing boards of directors governed by corporate law, further refashioned the church into a worldly identity. Even the overall title given to the Anglican Church of Australia’s regime of measures to prevent further sexual abuse – ‘professional standards’ – betrays this capitulation, framing clergy (and church workers) as professionals instead of ministers of the Gospel.

It has not been far to travel then for the twenty-first century church to re-model clergy/lay relationships on what it has let itself believe are comparable professions, and claim that all clergy automatically have a fiduciary trust over competent, mature lay people. This constitutes a serious breach of the doctrine of the priesthood of all believers. It diminishes the doctrine because it diminishes the laity. It robs lay people of both agency and personal responsibility, as the woman involved in a case study explored earlier protested. It effectively infantilises lay people, allowing Anglican clergy to resume the pre-Reformation status of absolute clerical authority. It amazes me that those sections of the Anglican Church so absolutely committed to the tenets of the Protestant Reformation that they will be celebrating the 500th anniversary of its 1517 beginnings under Martin Luther enthusiastically in 2017, have not noticed this undermining of a key teaching. I suspect that it is collateral damage from their zeal to impose strict purity rules on clergy, to which I now turn.

Purity

The Church of England, from its beginnings as a reformed church in the sixteenth century, has always been concerned with clergy behaviour, particularly in terms of personal morality. This is not surprising. One

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11 For instance, Sydney’s Moore Theological College has organised two rallies, a summit and a conference to celebrate the anniversary in 2017.
of the major reasons why the reformers, in England as well as on the Continent, promoted marriage for the clergy was because of their disgust at the promiscuity of the supposedly celibate priests. The tracts written by English reformers to defend clerical marriage reveal an obsession with detailing the sexual excesses of the clergy, although how far this was factual rather than polemical is difficult to judge. For instance, John Bale's *Acts of English Votaries* was a lurid and sensationalist catalogue of stories of clerical immorality.\(^\text{12}\) For the reformers, marriage was a means of controlling the sexual drive of men who did not possess the charism of celibacy. In the marriage service in the *Book of Common Prayer*, Thomas Cranmer listed one of the reasons why God had instituted marriage as a “remedy for sin”, that is, a preventative for sexual sin. As he worded it, “it was ordained for a remedy against sin, and to avoid fornication, that such persons as have not the gift of continence might marry, and keep themselves undefiled members of Christ's body”.

A married clergy was also a concrete means of showing the difference between the reform ideal of personal holiness and that of ritual holiness required by Rome. More, the English reformers saw a godly married clergy as a way of modelling personal morality to the laity, given that the reformed church no longer provided cultic means for people to gain favour with God.\(^\text{13}\) The first Anglican Ordinal of 1550 exhorted ordination candidates to be “wholesome and godly examples and patterns” for the congregation, and asked them if they were willing to “frame and fashion your own selves, and your families... to make both yourselves and them... wholesome examples and spectacles to the flock of Christ?”\(^\text{14}\) There was no comparable requirement in the Latin rite. Anglican Ordinals since have made a similar requirement. (Note that while clergy were to be examples to the laity, they were not required to live purer lives than the lay people who followed their example. By contrast with the chastity previously expected of clergy, originally to set them apart from the laity, there was no double standard.)

The most recent Australian Anglican prayer book, *A Prayer Book for Australia*, continues the requirement in its ordination rite for deacons, but

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\(^{13}\) For instance, the purchase of indulgences and paying for Masses to shorten time in Purgatory were now banned, and personal confession was no longer readily available.

\(^{14}\) The Anglican Ordinal of 1550 can be read at [http://justus.anglican.org/resources/bcp/1549/Deacons_1549.htm](http://justus.anglican.org/resources/bcp/1549/Deacons_1549.htm).
it is less forthright than the 1550 version. It says: “Will you strive to shape your own life, and that of your household, according to the way of Christ?”

This is not only far more general than the explicit requirements now being placed on clergy, but also, by using the verb ‘strive’, it is framed as an ideal, rather than a regulation. Sadly, the church – via the multiple facets of its professional standards regime – has effectively changed ‘strive’ to ‘must’.

‘Never let a crisis go to waste’, Winston Churchill is reported to have said, and conservative forces in the Anglican Church of Australia have certainly not wasted the opportunity presented by the sexual abuse crisis to impose harsh sexual standards on the clergy.

During the past two decades, conservative Anglicans – now an international force through their creation of the global movement GAFCON – have made absolute adherence to the narrowest interpretation of ‘traditional’ sexual ethics their ‘line in the sand’: absolute sexual abstinence in singleness, and absolute faithfulness in marriage. Even the slightest sexual misconduct between consenting adult heterosexuals, even when there has been repentance, is almost unforgiveable, particularly in clergy, as we have seen. Because they insist marriage is ‘God’s good plan’ only for a man and a woman, there is no quarter whatsoever for homosexual expression. They also require lifelong fidelity in marriage, effectively barring divorce, at least for clergy in the Diocese of Sydney for example – a clear instance of an anti-Reformation double standard at work. Sydney Diocese abhors the ‘no fault’ divorce regime established in Australia in 1975, and is still proud of its opposition to that change. The change has led to “widespread infidelity and divorce”, it maintains in a recent publication, noting that “we opposed those legal changes then, and we’ve been shown right to have done so”.

Lurking behind their harsh stance is their literalist reading of Scripture that informs, some have speculated, a fear that what they deem to be sexual immorality will lead to damnation. And that not insisting on purifying the church will contaminate them as well. The sexual abuse crisis has given

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16 GAFCON is an acronym for Global Anglican Futures Conference, reflecting the original conference held by the movement in 2008.
17 What has God joined together? Jesus’ good message about marriage for Australia, a booklet produced by the Archbishop’s Plebiscite Task Force, Diocese of Sydney, 2016.
18 What God has joined together? p. 5

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them a golden opportunity to impose their rigid values on the rest of the church, as if by regulation they could control human behaviour.

The opportunity arose from the outset when the climate of panic gripped the church as it tried to deal with the crisis. In that climate, progressive voices were quickly drowned out. The report *Making our Church Safe: A Programme for Action* presented to the 2004 General Synod by the national Child Protection Committee deliberately adopted a hardline conservative position, as we have seen. Even while the committee recognised that community expectations were changing and that there was an ongoing debate around this in the church, it refused to countenance any softening of what it claimed was the traditional church teaching.¹⁹

This view lay behind the hardline requirement of absolute ‘chastity in singleness’ imposed by the *Faithfulness in Service* code of conduct brought by the same committee – the rule whereby faithful monogamous homosexual relationships are doomed because marriage is denied them, and a young ordinand whose fiancée became pregnant was denied ordination in his home diocese, as we saw in an earlier chapter. As we have seen, this code of conduct is harsher than that imposed by the Church of England, the origin of what Anglicans term ‘traditional’ teaching. In this climate, the 2004 General Synod also passed resolutions against the ordination of people in same-sex relationships and the blessing of such relationships.²⁰

The panic over clergy sexual behaviour in general has progressed to the point that in Melbourne Diocese, clergy are now required to make a ‘Commitment to Holiness of Life and Ministry’, usually in public, when they take up a new appointment. This is above and beyond the oaths and declarations they have long been required to make. The priest now has to commit to “repudiation of exploitation and manipulation”, “faithfulness in marriage and chastity in singleness” and “abstention from sexual relations with anyone in my pastoral care to whom I am not married”.²¹ Many clergy find this offensive and demeaning; congregations forced to listen to this either find it bewildering, or a signal that without such a commitment, they could expect sexual misconduct from the priest!

²⁰ Resolutions 62/04 & 63/04 of the 2004 General Synod
Chapter Seven: Theological Reflection

Until 2004, there had been a generally positive conversation about homosexuality, and whether monogamous homosexual relationships could be deemed acceptable in the church. While conservatives vehemently opposed any change, there was nevertheless room for open discussion. The door had not yet closed. In this context, the General Synod Doctrine Commission (at the time named the Doctrine Panel) had published a set of essays on the subject and shortly afterwards, a study book to enable the continuation of that conversation. The majority of theologians – all of them highly respected in their fields – who contributed to these books were open to the church changing its mind on the matter. But by the time the books were published, the sexual abuse crisis had erupted, the church was on the back foot, and in the panic about sex, conservatives ensured that the door slammed shut. Gay Anglicans should be counted among the scapegoats in the church’s struggle to rescue its tattered reputation.

Before 2004, there had also been a gentler response to clergy sexual misconduct generally. As mentioned earlier, when the then Bishop of Canberra and Goulburn, Bishop George Browning, was brought before the church’s Special Tribunal – the court that deals solely with diocesan bishops – in 1999 on a charge of sexual misconduct, the penalty it brought down was to admonish him. In response, Bishop Browning resigned, much to the disappointment of his diocesan council. The council passed a resolution affirming him “unequivocally”, praising his “ministry and leadership, his dedicated and unstinting service to the Diocese and Church of God, his manifest and extraordinary gifts and abilities, his passion and commitment to the Gospel, his grace of person, and his future potential for ministry in the Church”. The then Primate of the Anglican Church of Australia, Dr Keith Rayner, who had presided over the Special Tribunal hearing, while not excusing the misconduct concerned, said that while “the Christian Gospel takes human failure seriously… it takes equally seriously Christ’s Gospel of grace, forgiveness and restoration to new life”. It would be right

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for the church “to find ways by which his dedicated service and great gifts can be used in the future”.

Anglicans and countless others in the diocese, including some significant community leaders, took the same view as Archbishop Rayner. The Archbishop and Bishop Browning were flooded with letters of support. A Special Synod was quickly called, which passed a resolution asking him to withdraw his resignation by an astounding and decisive 83 per cent. He did so, and served with distinction as Bishop of the diocese until his retirement in 2008, offering throughout that time invaluable leadership to the national church on important issues such as climate change. I shudder to think what might have happened had the matter come to attention post-2004. Under the onslaught of the new Puritanism now enveloping the church, I am very sure the outcome would have been worse both for Bishop Browning and the church.

Forgiveness

Forgiveness is at the heart of the Christian Gospel. It is central to the message of the cross and resurrection – that in Jesus’ death and rising he broke “the power of evil, freeing us from sin, and putting death to flight”27, and “reconciled us to [God] and to one another”.

There are various theories as to what God’s forgiveness of sinful humans through the crucifixion means. Some of them, such as the penal substitutionary theory of the atonement, are controversial. How and why this forgiveness was achieved, the central truth is that, through Christ’s death and resurrection, humankind has been redeemed, and restored to oneness with God.

Jesus’ life demonstrated forgiveness at every level. He pronounced forgiveness of sins when he healed the sick, he freed from guilt the poor woman caught in adultery when she was dragged before him, and he forgave the disciples when they failed him – witness Peter’s restoration following his denial of Jesus.29 His parable of God as the loving father, traditionally called

25 Media Release, 26 September 1999
26 The Canberra Times, 10 December 1999.
28 Thanksgiving prayer 4, A Prayer Book for Australia
29 For example, Luke 5:20
30 John 8:11
31 John 21:15-17
the parable of the Prodigal Son, reveals that God forgives abundantly even before we ask for forgiveness.\(^{32}\) And most powerfully, there is Jesus’ calling on God the father to forgive the soldiers who nailed him to the cross.\(^{33}\)

Jesus clearly established the principle of forgiveness as central to the life of his disciples. It is there in the prayer he taught his disciples, the Lord’s Prayer – “forgive us our debts, as we also have forgiven our debtors”.\(^{34}\) As Rowan Williams points out, we are to take the risk of recreating relationships even when they have the potential to hurt us again:

To forgive and to be forgiven is to allow yourself to be humanized by those whom you may least want to receive as signs of God’s gift… a willingness to forgive is clearly the mark of a humanity touched by God…it is the way in which those who have damaged each other’s humanity and denied its dignity are brought back into a relation where each feeds the other and nurtures their dignity.\(^{35}\)

With forgiveness so foundational to the Christian life, it is in some ways astonishing that the church has been selective in the way it applies it when it comes to the abuse crisis. Certainly, over the past decade and more, the Anglican Church of Australia has implored the victims of Anglican abusers to forgive the church, apologising profusely and regularly over its failure to prevent the abuse. It has apologised to them on numerous occasions. Theologians have also tackled the thorny issue of how far victims can be expected to forgive the actual perpetrators.

But can the church forgive the perpetrators, and the clergy whose misconduct has been so trivial by comparison with sexual abuse, in its midst? This is almost a bridge too far for the church. When it has attempted to deal with this issue, which is not often, it has done so not with the loving gaze of Jesus confronting malefactors, but with the stern demeanour of a strict judge. The draft *Faithfulness and Reconciliation in the Aftermath of*

\(^{32}\) Luke 15:11-32  
\(^{33}\) Luke 23:34. As Heather Thomson has pointed out, some of the church’s teaching about God’s forgiveness has been categorised as in itself abusive; the church will need to rethink its theology if it is to repent of its past practices in relation to abuse, she points out: ‘Forgiveness’ in ‘Sexual Abuse and The Church; Essays from the Doctrine Commission of the Anglican Church of Australia’, *St Mark’s Review*, no. 205, August 2008 (2), p. 120.  
\(^{34}\) Matthew 6:11  
Abuse, a report released for comment by the Church of England’s Faith and Order Commission, is a case in point:

God’s offer of forgiveness through the cross of Christ is for all. That is the good news. It is the joyful duty of the church to proclaim this. Receiving forgiveness, however, involves recognition of the wrong that has been done, and repentance for it. In the case of abuse, such repentance will involve being prepared to face the consequences, including legal consequences. This has direct implications for the ministry of absolution within the church. Moreover, the nature of abuse (and not least the way it may habituate the abuser to self-deceit) can make it difficult for repentance to take root. Therefore evidence of repentance cannot mean that no constraints should be placed on a person’s access to situations where re-offending would be possible.\(^{36}\)

Of course, repentance and reparation are required for wrong-doing before forgiveness can be proclaimed. There is no question that the church has to proceed extremely carefully with those who have been guilty of sexual abuse, particularly of children, given what we now know of paedophilia and the danger of re-offending. Forgiveness in such cases cannot mean that a paedophile, or a person guilty of other forms of sexual abuse, should be given ready access to children or other potential victims.

But anyone found guilty of a sexual misdemeanour, and repentant, would surely find the tone here not conducive to seeking absolution, or reconciliation with the church. The sad reality is that most people who have been castigated by the church for misconduct – I am not speaking of criminal abuse – have found themselves almost completely rejected by the church to which they had, in many cases, dedicated their lives. Most to whom I have spoken have expressed deep, ongoing pain at the repudiation they have suffered from the church for having been found guilty of an adult misdemeanour. This was the case for ‘Father D’, who reported receiving no pastoral care in the aftermath of his relationship with a woman to whom he was not married. It seems that any attempt to forgive clergy in these circumstances, even when their remorse and repentance is unqualified, is interpreted as condoning their behaviour. And worse, as suggesting the church is not really serious about tackling sexual abuse, exploitation and misconduct. I suspect this is what church leaders fear if they reach out to

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\(^{36}\) Forgiveness and Reconciliation in the Aftermath of Abuse, draft version of a report by the Church of England Faith and Order Commission 2016, p. 35
Chapter Seven: Theological Reflection

their colleagues – that they will tempt the ire of distressed abuse survivors and the media. Earlier, before the sexual abuse crisis escalated, church leaders were able to offer public forgiveness, at least in one instance, that of Bishop George Browning, as we have seen.

The lack of forgiveness is particularly concentrated in the area of sexual sin, as a comparison with the case of Perth Rector Evan Pederick reveals. In 1989, Pederick came forward to confess that, as a 33-year-old member of the Ananda Marga sect, he had planted a bomb at the Sydney Hilton Hotel in 1978. It killed two garbage collectors and a policeman instead of the visiting Indian Prime Minister, who was the prime target. Pederick was jailed for murder and conspiracy to murder, serving eight and a half years of a thirteen and a half year sentence. In 2004, he was ordained in Perth, and today is rector of a suburban parish. The church’s forgiveness in this case has been very real.

It is not only the accused who feel the pain of rejection and the failure to forgive. Their family, friends and colleagues also feel it, as do the clergy at large. Many are disillusioned and even embittered by the harshness they are witnessing.

Scapegoats

The mechanism of the scapegoat is common to all cultures: an innocent person, or group of persons, is singled out to bear the blame for something that has gone wrong in a society, and to remove the blame from the larger group.37 The terminology can be traced back to the Old Testament book of Leviticus (16:8-10) where a goat was sent out into the wilderness as a means of making atonement, a ritual linked to the holiest Jewish festival of Yom Kippur. Greek and Roman society had similar scapegoating rituals. In more recent times, Hitler made the Jewish people, gay people, gypsies and others the scapegoats for Germany’s problems in the 1930s. Identifying a victim or victims to blame for accidents, tragedies, or communal problems – and thereby remove the shame and guilt from the larger group – endures in Australia in the twenty-first century.

For the church, the first scapegoats for the sexual abuse perpetrated by clergy were the victims of the abuse. They were either disbelieved or

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37 The scapegoat function within society, and specifically its theological role in Judaism and Christianity, has been fully explored by Rene Girard, and developed further by James Alison. For a brief overview, see http://www.jamesalison.co.uk/texts/eng05.html.
The New Scapegoats

blamed; they paid the price for the church’s failure to deal with what the media delights in calling ‘the sins of the fathers’. Someone had to pay the price so that the church’s reputation, its status in society and in its own eyes, could be maintained. That, as we are well aware, backfired spectacularly. Once the lid was taken off that cauldron, the church’s reputation lay in tatters.

The drive to restore its good name, to recover from the immense damage, was not dented, however. It simply had to be redirected. New scapegoats had to be found. The clergy were the obvious scapegoats – the ‘fathers’ whose sins had brought the church so low. They had to be targeted. It is easy to see how this has happened, not just in the church but also in the community at large.

It is, then, not hard to see how the church has taken this path, to the point that many clergy now feel that the bishops almost expect them to be misbehaving. That was not the case just a generation ago. When bishops were first told of clergy sexual abuse in the 1990s and into this century, some of them simply could not believe it. This was particularly the case with bishops in the church’s Anglo-Catholic wing. They had such a high view of priesthood that they did not believe clergy would behave in that way. In hindsight, it is easy to blame them for their naivety, but it is worth remembering that at that time, sexual abuse, like domestic violence, was generally thought to be limited to certain segments of society only. The thought that doctors and lawyers, let alone clergy, would take advantage of children’s trust or beat their wives, was unthinkable.

Clergy struggling to model the unconditional love of God to a world that scarcely cares anymore, and to inspire and encourage shrinking congregations, feel almost abandoned by both their leaders and the complex professional standards processes. Some feel under constant threat. Will a hand on a shoulder of a grieving man or woman be misinterpreted? Will a troublesome parishioner rush to the professional standards regime to complain about some imagined slight, interpreting it as bullying? Will a case of mistaken identity see a priest accused of abuse and then have to negotiate a tortuous path to be vindicated?

And not just the clergy. Bishops have also come under attack for mishandling issues, and for not understanding the nature of complaints. In some dioceses, the level not just of complaints but the work involved in
the processes to deal with them have drained bishops of their energy. Little wonder they can no longer relate to their clergy as their Fathers-in-God. Bishops too are numbered among the new scapegoats, as the tragic case of Keith Slater has so glaringly revealed.

**Reputation**

Maintaining reputation is a concern common to all institutions, and the church is certainly not immune to this pressure. The church, however, might be expected to reflect on reputational issues from a theological perspective. If it were to do so in the light of the sexual abuse crisis, it would realise that it has failed to confront what the sexual abuse revelations have exposed – that the church is inordinately attached to its own self-image. The institution has almost become a god, to be protected and enhanced at all costs. So the patterns of creating victims, behaving deceitfully and shifting blame that characterised its behaviour towards sexual abuse victims in the name of protecting itself have been transferred to another set of victims, for the same purpose. Its response to the crisis has not been one of mature self-awareness and discernment, of standing with the vulnerable and facing its own deep shame. Rather, it has behaved like any other institution caught in the glare of negative publicity, scrambling to sacrifice another set of victims to restore its reputation.
Chapter Eight:

Conclusion

It is blindingly obvious why the clergy – and some bishops – have become the scapegoats for the church’s handling of the sexual abuse crisis. They were chosen for this role by the secular media.

A truism of the media is that people are interested in people, not issues. It is why commercial television stations begin their news broadcasts with the latest local grisly road accident or armed robbery – well before they turn their attention to international crises or political problems at home. It is why serious newspapers package their substantial reports on major economic issues, for instance, with sidebar human interest stories about how the issue is affecting particular persons or groups. People relate to people, not issues.

So when the sexual abuse crisis began to impact the churches, the focus very quickly landed on ‘the sins of the Fathers’, rather than of the churches per se. That cliché has been used ad nauseam as the headline for innumerable stories about clergy abusing children or vulnerable adults. It is, of course, a sensationalist response to the crisis, and an easy one for mainstream media reporters, even on respected media outlets, most of whom have very little knowledge of the churches and clergy anymore.

The focus has been so sustained that many clergy are now reluctant to appear in public in clerical collars. Some are targets for petty abuse by strangers, such as being shouted at or even spat upon in public places. All clergy have been tarred with the same brush for the sins not only of some of their number, but also the failings of the church hierarchy to deal with abuse allegations. Clergy innocent of any abuse have also become fair game for mischievous or vexatious complaints, causing untold heartbreak for them, their families and parish communities. Even if they are totally exonerated, the mud sticks, and they continue to be suspect. Fine ministries have been destroyed in this way.

The community respect in which clergy were once held is long gone; it might never return. In itself this is quite healthy – clergy should not be put on a pedestal just by virtue of their role. It was because they were once so
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revered that the minority who abused were able to get away with their evil deeds; their victims felt powerless because of their abusers’ status, and no one would have believed them in any case. Parents, teachers and bishops simply could not comprehend that clergy would behave in that way.

So to rebuild the church’s reputation without any attempt to reflect theologically, scapegoating the clergy was the most obvious response. The churches had to demonstrate they were dealing with the ‘sinful Fathers’, making them pay the price for the damage they had done to the church as much as to the victims of their abuse. Scapegoating the clergy became the mechanism whereby the church could shift the blame for its failings, and by so removing it, be restored in the public eye.

I am sure that this was never a conscious policy decision. For all the reams of paper and hours of developing policies and deliberating them in synods that have gone into developing the Anglican Church’s response to the crisis in this country and elsewhere, little thought has been given to the damage being inflicted on the majority of clergy who are innocent of any abuse. The church simply had not only to be ‘tough on crime’ but also, most importantly, be seen to be tough on crime.

There was no clearly developed underlying theological rationale behind the steps put in place in response to the crisis, other than to adopt measures necessary to prevent further abuse, and to respond properly to complainants. The response was effectively driven by both the media and insurers; in many respects it was reactive. And has continued to be so. As the years have gone on since the crisis came to attention in the 1990s and more and more evidence of abuse has come to light, ramping up public outcry, the responses to it have become progressively more draconian. It has grown like Topsy. In the process, it has opened the door to the conservative faction, giving it carte blanche to impose extreme, inhumane sexual purity rules on clergy.

As we have seen, the harsh reaction has not only inflicted severe punishment on proven abusers. Naïve bishops struggling to manage complex issues in financially deprived rural dioceses have paid the same price, from the church’s perspective, as child rapists. Clergy guilty of no more than a brief sexual indiscretion with a competent adult have, despite their evident remorse and amendment of life, been dragged through lengthy
quasi-legal processes and dumped on the scrapheap. Suicide has been the result in some instances.

Important theological perspectives have been overlooked: the church as the priesthood of all believers has been dispensed with, as all lay parishioners have been re-badged as potential victims; the church has become a bastion of the pure, a society for saints instead of a school for sinners; and forgiveness, the concept at the heart of the Gospel, is now in short supply.

Cast in the role of scapegoats and readily suspected by their bishops, many clergy feel disempowered. Their morale diminished, they feel isolated and neglected as they struggle to minister in a rapidly-changing world where the church is increasingly on the sidelines. Ironically, if ever the church needed strong, confident clergy leaders it is now. The scapegoat response shows every sign of backfiring spectacularly.

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The Anglican Church must now stop and reflect. It must review its entire professional standards regime thoroughly, with fresh eyes. The Appellate Tribunal's decision in relation to Bishop Keith Slater’s deposition makes a review urgent, given the errors it found in the way diocesan professional standards legislation had been used in his case. The Tribunal recommends care with the processes in general, encouraging “those involved with administration of the professional standards regime to more clearly identify… the jurisdictional bases upon which fitness questions are referred to a professional standards board”.¹ This might suggest – although the Tribunal has not made this point – that professional standards matters need to be in the hands of highly-competent, well-resourced metropolitan dioceses rather than small struggling rural centres.

The Tribunal decision emphasised several times in passing that the professional standards regime’s primary role is to determine present fitness for office, rather than punishment.² Too often over the past fifteen years or so, clergy have been declared unfit for office because of failings many years, even decades, in their past. While the failings might

¹ Appellate Tribunal of the Anglican Church of Australia, Appeal of Keith Francis Slater, 17 January 2017, p.23
² For instance, Appellate Tribunal decision p.31
still be relevant, the longer the time span since the failing occurred and the nature of their ministry in that time, is perhaps even more relevant and has not often been sufficiently taken into account. It is my contention that it is anxiety about reputation that has robbed the process of a more generous and grounded approach.

The church must examine at depth – and prayerfully – what damage the regime has done to the clergy. In particular, it must revisit the sentence of deposition (defrocking) and if it decides it should be retained, lay down some clear and consistent guidelines for its use. It must bring accountability and transparency to bear on this whole area, and find ways in which to restore confidence in the fairness of its processes. It must stop reacting to media sensationalism – and the fear of media sensationalism – and worrying about its reputation. Its reputation will not be restored through harsh, punitive treatment of clergy guilty of no more than sexual misconduct or even human error, but only through the humble, faithful exercise of loving priestly ministry.

Who should see that this happens? The bishops are as much the victims of this story as the clergy in the parishes. It has been said that the whole sexual abuse crisis has drained the bishops of psychic energy. So it is probably too much to expect that deep reflection will originate with them. Most clergy feel too vulnerable and intimidated even to think of initiating such an enterprise.

Perhaps it will have to come down to lay people encouraging theologians, including moral theologians, and other deep thinkers to begin such a process. Although those designated ‘lay church workers’ under the professional standards regime are vulnerable to a certain degree, all lay people nevertheless have ultimate independence. Perhaps it is time we reclaimed our place in the priesthood of all believers by naming and rejecting the scapegoating of the clergy.
Over the past few decades, seismic shifts have changed the contours of the Anglican Church in Australia. Numbers of rural dioceses are scarcely viable; major city centres are struggling under the pressures of urban growth and multiculturalism. Harsh conservative forces are threatening the historic inclusive comprehensiveness of Anglicanism, partly in reaction to the ordination of women. Fear and anxiety about the church’s future is crippling the leadership’s response. A New Exile? documents what has been happening, and poses the difficult question: what is the future for Anglicanism in Australia?

The untimely death in June 2014 of Bishop John McIntyre of Gippsland deprived the Anglican Church of Australia of a rare prophetic voice. He spoke out powerfully on behalf of Indigenous people, asylum seekers, gay people, the victims of war and conflict, the disadvantaged, and the environment. A man whose heart lay with the alien and the outsider, he challenged the church to become a more inclusive, open-hearted and prayerful community fully engaged with contemporary society. In this selection of his synod charges, addresses, sermons and reflections, his courageous voice lives on.
This book is a study of how one Australian church, the Anglican Church of Australia – forced by public outcry to introduce measures to stop further sexual abuse – has used those measures to insulate itself from further reputational damage. In the cause of protecting the institution, a new class of victims has been created: the clergy themselves. The Anglican Church is going to extraordinary lengths to make individual clergy pay the price for the church’s good name, making the clergy the scapegoats forced to bear the church’s shame.

From ‘Introduction’, The New Scapegoats

In common with other Australian churches, the Anglican Church of Australia has been rightly shamed for its negligent response to sexual abuse perpetrated within its ranks. It has apologised profusely, and committed itself to preventing future abuse.

In the process, however, it has adopted draconian new measures to regulate its clergy, in part to rebuild its shattered reputation by appearing tough on every aspect of their lives. Many Anglican clergy, innocent of any abusive behaviour, now nevertheless feel anxious and intimidated.

This study, by a prominent laywoman, lifts the veil on this hidden outcome, and pleads for a more caring, considered approach.

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