

Safe Community and Conflict Transformation Policy

Third Order, (Province of the Pacific) the Society of Saint Francis for those members in Aotearoa, New Zealand and Polynesia.

August 2010

The Third Order, Province of the Pacific, Society of Saint Francis endeavours to ensure that all activities and work in which it is engaged uphold the Christian values of love, truth, justice and forgiveness. We are part of God's creation, made in the image of God. We are free to make choices: to love, to create, to reason, and to live in harmony with creation and with God. We live apart from God and out of harmony with creation when, as human beings, we misuse our freedom and make wrong choices.

Our profession vows as Franciscans call us to community founded upon a Rule of Life which echoes these values and the fundamental call of our common baptism to recognize the dignity and worth of every human being. Destructive behaviour regardless of its form comes from choices that cause us to live apart from God's will and, unfortunately, is not new within the Church. What is relatively new is the realization that it must be brought out into the open, acknowledged, and addressed. This more open stance opens the way for understanding, Christian love, and care to replace the secrecy, silence, and ignorance of the past. In the spirit of Francis and Clare, we are called to be reformers of the Church and society.

Within our Order, it is our intention to work toward a climate free of abuse, harassment, exploitation and any boundary violations which compromise our Christian witness as individuals and as a community. It is also our intention, when any such misconduct surfaces, to deal with it fairly and promptly, working toward healing with justice. It is our intent to show compassion for both the complainant and the accused. The Church carries out its mission through the ministry of all its members. The ministers of the Church are laypersons, bishops, priests, and deacons.

All relationships within the Order are avenues of God's love and are vitally important to the overall health of our community. Those in positions of leadership, lay or ordained, hold additional responsibilities of power and trust. People often turn to pastoral leaders at vulnerable times in life, especially during the formation process, seeking affirmation, support, and guidance. In the care of souls, a pastoral leader enters into a trusting relationship, characterized by openness, nurture and grace. Ideally this pastoral relationship personifies Christ's message of love and healing. It may often be intensely personal. It is the responsibility of the entire Order to maintain the integrity of this pastoral relationship at all times, and to protect those who come for help — emotionally, physically, and spiritually.

We understand that any misconduct or allegation of misconduct can seriously impact the work of the Society and so we, the members of the Society, solemnly commit ourselves to creating a safe community.

We believe the following behaviours to be inappropriate and aim to provide a process for any concerns to be addressed. ¹

1) Inappropriate Conduct

This includes any behaviour which disrupts the spirit of Gospel love and harmony within the Community, example spreading false rumours or breaking confidentiality.

2) Emotional Abuse

Emotional Abuse is defined as a pattern of behaviour that attacks a person's emotional well-being or development. It could include name-calling, put-downs, terrorization, isolation, humiliation, corruption or systematically ignoring the person, whether adult, adolescent, or child.

3) Physical Abuse

Physical abuse may be defined as the physical injury or maltreatment of any person by another regardless of age, gender or social position.

4) Sexual Misconduct

For the purposes of this Policy sexual misconduct is defined as non consensual activity, including sexual harassment, sexual exploitation or sexual assault (commonly called sexual abuse). See appendix for further clarifications of definitions.

Raising a Complaint and the Response to that Complaint:

When a complaint is made, it is received, evaluated and addressed as quickly as possible. Those involved are supported in a manner consistent with the gospel values of dignity, compassion and justice.

The processes as set out in Canon (1) Title D will be used for the handling of any complaint in the Society.

Initiating a Complaint:

An official complaint may first be made in writing to the Minister Provincial (MP) or Assistant Minister Provincial (AMP). When the M.P. and AMP. Are of the same gender a third person of the opposite gender will be appointed by Chapter. If no response is received in ten working days, the complainant is free to contact the Bishop Protector.

¹ Refer to 'Maintenance of Standards of Ministry for Bishops, Ministers and Office Bearers' Province of Aotearoa New Zealand and Polynesia, Canon1 Title D, particularly 10,11 & 13.

Policy Implementation

1. All office holders, Chaplains and Novice Counsellors are required to take an abuse prevention/boundary awareness course sufficient for the diocese in which they are canonically resident within one year of their appointment.

All members of TSSF are encouraged to take these courses.

2. Formation materials will be revised to include a section on understanding abuse prevention from a Franciscan perspective and to increase awareness of the healthy boundaries.

3. All members will be made aware of the necessity of reporting any illegal incident covered by this policy to the appropriate Officer whether or not they are directly involved.

4. All members should be aware of the importance of avoiding potentially compromising situations in which an allegation of abuse could be made.

5. All existing members of the Third Order Society of St Francis will be required to sign in agreement of this Policy within one year of it coming into being.

6. Every application for Postulancy will include this Safe Community and Conflict Transformation Policy.

7. The Minister Provincial, Assistant Minister Provincial, Formation Director, Novice Counsellors and Chaplains will be required to undergo Police Safety checks.

8. The Minister Provincial shall hold the position of Privacy Officer; the Bishop Protector shall hold the position of Authorising Officer.

Safe Community and Conflict Transformation Policy Agreement

Name: (print) _____

Title: (print) _____

Please initial each of the three lines below:

_____ I hereby acknowledge receipt of this policy.

_____ I have read and understood the policy.

_____ I understand that to be part of this Order I must adhere to this policy and any complaints will be handled by the Society using the procedures as set down in Canon 1 Title D.

Signature: _____

Date: _____

(This signed form will be kept by the Minister Provincial in a confidential file created for that purpose).

INCIDENT REPORT

Name of Complainant: _____

Title: _____

Address: _____

Date : _____

Details of the complaint :

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface.

I have received a copy of Safe Community and Conflict Transformation Policy and have read and understand it. I understand that the accused will have copies of this complaint made available to them.

Signature of complainant: _____

Appendix

Sexual Harassment

Sexual Harassment is engaging in comment or conduct that is known, or reasonably ought to be known, to be unwelcome. Sexual harassment is a behaviour that has the effect of undermining, coercing, intimidating, humiliating or demeaning an individual on the basis of gender. Such behaviour may be a single incident or several incidents over a period of time. Sexual harassment is not limited to a work-related activity.

Examples

: threats or verbal abuse

: unwelcome sexual remarks, jokes, innuendo or taunting about a person's body or sexual orientation.

: distribution by mail, fax, or other electronic means of material of a sexual nature which potentially could be offensive.

: displaying sexist, pornographic or derogatory pictures.

: unwelcome invitations or requests or sexually suggestive remarks.

: leering or other sexual gestures

: unnecessary physical contact, such as patting or pinching.

Sexual Exploitation

Sexual exploitation is any form of sexual contact or invitation to sexual contact with an adult by someone who is in a position of authority, trust or power over that adult whether or not there is consent from that individual. Sexual exploitation refers to the act of taking advantage of the vulnerability of an adult, with whom there is a fiduciary relationship, for one's own pleasure or gain.

Sexual Assault

Sexual assault, commonly known as sexual abuse, is any intentional use of force or threat of use of force and involving some form of sexual activity, including, but not limited to, the examples listed below, against another person without his/her consent. Sexual assault is normally criminal in nature as defined by New Zealand laws.

Examples

: kissing, sexual contact, fondling or sexual intercourse

: bodily harm or threats to harm, assault with a weapon

: incest, bestiality and gross indecency

: sexual offences against young children, such as sexual interference, invitation to touching, sexual exploitation of a young person, exposing genitals to a child, juvenile prostitution, corrupting children, indecent acts.

Consent

Consent is understood as non-coercive. Consent has not been given if an individual agrees to any sexual activity under threat, or if consent is obtained through fraud or through the influence of a person with authority over that person. In many jurisdictions, children under the age of 18 cannot give consent. Under specific circumstances between peers, for children age 12-14 and with young persons age 14-18 consent is not valid if the accused was in a position of authority over them. Specific ages may vary depending upon applicable law. Meaningful consent for sexual activity may not be possible in a fiduciary relationship in which one party has more power or authority, regardless of the ages of those involved.

Pastoral Relationship:

A pastoral relationship is a fiduciary relationship in which a power differential exists between a member of the Order and any person who provides pastoral care, spiritual direction or spiritual guidance or hears confessions or receives confidential or privileged information. Examples of leaders within the order include Chapter members, Formation Director, Novice Counsellors, Area Chaplains, Conveners, and any other person holding a position of authority.