

# THE ANGLICAN CHURCH OF AUSTRALIA AUSTRALIAN DEFENCE FORCE CHAPLAINCY CODE OF PRACTICE

## Preamble

The Christian Church exists in a society that has seen great changes in accepted norms of behaviour over recent years. Clergy and laity hold diverse views as to what is acceptable conduct among church leaders. For these reasons, it is more difficult than ever for boundaries of appropriate behaviour to be recognized. Lack of clarity about boundaries allows issues of propriety to be obscured in the minds of those involved, and leads to confusion in the community in which this occurs. It is important for the church to be striving to be clear about boundaries, and to be seen to have the will to face and deal with inappropriate conduct firmly and fairly, but in the context of the Gospel of justice, love, mercy and reconciliation. This is a matter of public concern.

In Australian society and by extension within the Australian Defence Force (ADF), law and legal sanction ultimately bound interpersonal conduct. Entering the clerical vocation signifies the voluntary undertaking of obligations of self-discipline *above and beyond* the requirement of law. Such an obligation of self-discipline is at the heart of discipleship. The existence of a Code of Practice is not by itself sufficient. Chaplains need to study the Code, know the reasons for its provisions, understand its general importance, and share in its vision. A code of practice cannot be so detailed as to prescribe action or non-action in every given situation. Effectiveness in application depends upon the competence of the chaplains themselves and the quality of their support network. In the past the Church has relied upon unwritten codes of norms and expectation and this will continue to be so. The existence of a written code should not be seen to denigrate the competence or integrity of the vast majority of chaplains. Rather, a written code should be seen as an encouragement and affirmation of good practice.

## The Code's Purpose

This Code is intended to have three effects.

The *first* is educative. The Code sets out a standard that will be a guide to good practice for all forms of ministry. A common standard is important at a time when ministry is being seen as more locally based. Those experienced in ministry should be able to affirm its provisions and reflect upon their experience in the light of these standards. Those new to ministry should find it a guide in gaining experience. The Code will change certain actions from being habitual among some to being a standard acknowledged and embraced by all.

The *second* effect is regulatory. While the Code encourages good practice, it also discourages some forms of conduct and prohibits certain specific behaviours. The Code has the effect of identifying conduct that is unwise and behaviour that is unacceptable among ADF chaplains while undertaking their pastoral duties. Whether by acts of commission or omission, conduct that falls short of the standards outlined in the Code provides a *prima facie* case for criticism. In this instance, it would be usual for the chaplain to be corrected and conduct to be amended. Behaviour that is contrary to the Code is unacceptable and provides a *prima facie* case for disciplinary action in accordance with Anglican Church law and custom.

The *third* effect is developmental. This is broader than the educative effect and may be seen simply as conforming Anglican chaplains to a common standard while affirming that our vocation touches all aspects of life. Despite a preoccupation with sexual misconduct within the church, we need to recognise that laziness, worldliness, drunkenness or financial impropriety are just as serious and debilitating of ministry. The Code itself encourages broad personal and corporate development, which will, in time, affect and change the nature of the Code itself.

## **The Code's Derivation**

The Code is derived from a number of sources. The Scriptures are foundational. They outline the duties and responsibilities of those who lead and pastor Christ's flock. Chaplains need to be thoroughly familiar with the Pastoral Epistles in particular as they contain the most fulsome descriptions of our calling and conduct. For many chaplains there will be a fear that the Code is conforming Christian ministry to the practice of the world by its existence and in its content. For this reason it is important that the Code reflect and maintain a sound scriptural warrant. The Code also complements the Anglican Ordinal. Chaplains should be familiar with the Ordinal and attempt to reaffirm their ordination vows at least annually. The Ordinal of 1662 was derived principally from the Scriptures. Indeed, much of the liturgy was recitation of Scripture and set out clearly the kind of things that were expected in both the public and private life of the ordained person.

## **The Code's Standing**

The Anglican Church recognizes that the ADF has its own administrative and disciplinary procedures and that these apply fully to chaplains and their conduct. This Code exists to provide an objective standard for identifying conduct committed by a chaplain in the course of their ADF pastoral duties that would lead the Primate and the Bishop to the Defence Force to question their confidence in the vocation of a particular chaplain and the chaplain's suitability for continuing ADF services mindful of the particularities and peculiarities of Defence Force service. Chaplains serving in ADF establishments are also subject to local Church disciplinary procedures. Diocesan discipline ordinances have territorial clauses that encompass every member of the clergy serving in a diocese irrespective of their status within that diocese.

## **Encouraging Good Practice**

The Church must be seen to have a desire both to encourage good ministerial practice and to deal fairly with inappropriate conduct. Awareness of standards and boundaries of conduct among the widest possible group is a very great means of helping chaplains to maintain those standards and prevent them from stepping over the boundaries. Where standards have not been maintained or where conduct has been inappropriate, the Code of practice helps those involved to recognise that this is the case. Very importantly, this Code of Practice is for the encouragement and help of those very many chaplains, in all roles, whose standards and conduct are of the highest order. Those who are dedicated and whose practice is good should not have their reputation damaged by a public image derived largely from the very few who err. Principally, the Code reminds chaplains of what God expects of them; to educate chaplains on what the church seeks of them; and to proclaim the values and virtues that demarcate the Kingdom of God.

The final draft of this Code was produced after consultation with chaplains during the 2001 ADF Anglican Chaplaincy Annual Retreat-Conference and with the Anglican Defence Force Board at its meetings in October 2001 and March 2002. It was promulgated following discussion of its substance and standing at the Australian Bishops' Conference in March 2002.

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Primate of the Anglican Church of Australia

Pentecost 2002

Dr Thomas Frame  
Bishop to the Defence Force

Pentecost 2002

# THE CODE

## Professional Competence in Matters Relating to Pastoral Ministry Issues

- 1.1 Chaplains have a responsibility to maintain high standards of knowledge in all areas of ministry appropriate to their position, and to continue to update their knowledge and ministry skills. They shall not misrepresent their competence, qualifications, training or experience. They shall recognise the boundaries of their professional competence.
- 1.2 Chaplains shall recognise the power inherent in their role and shall not use this power in a manner that is abusive or unprofessional. They shall not seek to represent personal opinion or viewpoint as the formal teaching of the Church or the position of ADF Anglican Chaplaincy on any matter.
- 1.3 Chaplains are expected to be aware of their own personal weaknesses and limitations of professional skills and vulnerability and refer ADF personnel and their families as necessary to an appropriate professional colleague or another ADF support service.
- 1.4 Chaplains shall provide care of sound quality in pastoral relationships and professionalism in ministerial responsibilities. This includes:
  - providing care of the highest quality to the sick and suffering, recognising professional modes of working in these sensitive areas;
  - preparation that affirms the truth of Scripture, upholds the doctrinal formularies of the Anglican Church of Australia and leads to the best leadership in public worship and preaching;
  - providing for the spiritual and educational needs of ADF members and their families, and others in their pastoral care;
  - being sensitive to and not exploiting the vulnerability of children and young people;
  - relating appropriately to people from different ethnic, social and cultural backgrounds; and
  - working in a collaborative and cooperative manner with all chaplains and others employed by the ADF to offer personal support for service personnel and their families while avoiding competitiveness.
- 1.5 Chaplains will remember the solemn declaration made at their licensing that in leading public worship they will use the liturgies authorised by the church 'and none other, except as far as shall be ordered by lawful authority'. Alternative liturgies (other than those produced for occasional services) should be approved by the Bishop to the Defence Force. Chaplains shall not be required to lead or participate in multi-faith or 'accommodation' services and should consult the Bishop to the Defence Force if obliged or directed to do so by an ADF member or another chaplain.
- 1.6 Chaplains are required to be accountable under the terms of their licence to perform their ministry. Such authority is given by the Primate of the Anglican Church of Australia and is delegated to the Bishop to the Defence Force. Chaplains shall attend corporate worship at least weekly in a parish church when their ADF employment does not include Sunday chapel ministry.
- 1.7 Chaplains shall respect the Anglican diversity existing within the ADF and the dioceses in which they serve. Chaplains shall operate with integrity towards colleagues who hold theological, liturgical and missiological positions different from their own.

- 1.8 Chaplains shall endeavour to be welcoming and sensitive in relation to requests for the sacrament of holy baptism, and in the pastoral rites of marriages and funerals.
- 1.9 Chaplains, as an expression of their collegiality, shall assist one another to aware of the norms and standards applicable to their ministry, the attainment of skills and knowledge for their work, and give adequate support to one another. This is especially applicable to Chaplains responsible for the professional training and development of others.
- 1.10 Chaplains shall endeavour to maintain a close relationship with the bishop of the diocese from which they were recruited or the bishop of the diocese to which they believe they expect to return on completion of their ADF service.
- 1.11 Chaplains shall recognize the priority of their family responsibilities and the expectation that they will tend to their own spiritual, physical and emotional health. Chaplains shall set aside a regular time for leisure and recreation, and be encouraged to develop a physical fitness plan and to embrace a devotional rule.
- 1.12 Chaplains shall attend the annual ADF chaplains' retreat-conference unless prevented by compelling reasons. Appropriate arrangements should be made within the Archdeacon, Principal Chaplain or Coordinating Chaplain to ensure a timely response to urgent pastoral situations, eg deaths and funerals after normal working hours or during periods of annual leave. Long Service Leave is to be used if possible during the time of active ministry rather than at the end of this period.

### **Professional Responsibility and Competence in Relationship to Anglican Church and ADF Structures**

- 2.1 Chaplains shall where and when possible participate in the life of the diocese in which they reside during each posting through attendance at Area Deanery (or equivalent) meetings, synods, other local Anglican gatherings and in the wider work of the Anglican Church of Australia.
- 2.2 Chaplains shall respect the decisions of parish, diocesan and national church councils, and practice accountability within the discipline of the Anglican Church of Australia.
- 2.3 Chaplains shall not exploit financially their relationship with a member of the ADF, the Anglican Church of Australia or any member of the public in any way.
- 2.4 Chaplains shall ensure that chapel records and registers are maintained and kept in a safe place, and forwarded to the Bishop to the Defence Force for electronic registration and archival storage.
- 2.5 Chaplains are to be responsible in maintaining clear boundaries between their personal and chapel finances. To this end they will recognise that it may not advisable for them to be signatories to church accounts. They will ensure that personal debts are paid promptly.
- 2.6 Chaplains will obtain the permission of the Bishop to the Defence Force before any remarriage of a divorced person within an ADF chapel or to conduct any marriage outside a designated place of public worship on Commonwealth property.
- 2.7 Chaplains must not allow themselves to be influenced by offers of personal or monetary reward. Chaplains are not to accept any ADF position that will compromise their vocation or impair the performance of their pastoral duties.
- 2.8 Chaplains must under no circumstances undertake any professional duties while under the influence of drugs or alcohol, noting that intoxication is listed in the General Synod *Offences Canon* as an offence that may be the subject of a diocesan tribunal.

- 2.9 Chaplains must observe the laws of both church and state and encourage others to do likewise, excepting where political or civil disobedience may be justified. Prior to taking such action, they shall seek counsel and inform the Bishop to the Defence Force.
- 2.10 Chaplains must inform the Archdeacon immediately of any foreshadowed legal action being taken against them, the church or the ADF. Chaplains shall advise the Bishop to the Defence Force immediately if they propose taking legal action against any chaplain, church officer of any denomination or ADF member.

### **Working With Another Institution or Profession**

- 3.1 Chaplains shall familiarize themselves with the extant Code of Ethics or similar guidelines in every ADF institution or foreign military establishment to which they are posted. Chaplains in such postings have an additional responsibility to abide by such codes or guidelines.
- 3.2 Where the demands of an ADF institution conflict with this Code, chaplains shall clarify the nature of the conflict between both those demands and the principles of this Code. Chaplains shall inform all parties of any conflict and seek advice from the Archdeacon or the Bishop to the Defence Force if necessary on their resolution.

### **Professional Competence in Matters of Sexuality**

It is acknowledged that most human relationships have a sexual dimension. In the light of this observation:

- 4.1 Chaplains must never take advantage of their vocation to gain a sexual favour from a member of the ADF or members of the public. In this regard members of the Chaplains must be aware of and not exploit those who are in a vulnerable state, through bereavement, divorce, illness or dependency.
- 4.2 It is a serious abuse of privilege to use the pastoral role to further a personal relationship of an emotional or sexual nature. Such abuse would be regarded as a breach of duty, and of damage to the relationship between chaplaincy and those it seeks to serve, bringing discredit to ADF or the Anglican Church of Australia.
- 4.3 Due care should be taken to protect and respect all parties. Chaplains must be extremely cautious about making and receiving a visit alone at night. No pastoral relationship should be allowed to harm the life or well being of any chapel community or the ADF.
- 4.4 The General Synod of the Anglican Church of Australia has adopted *Faithfulness in Service*, a national code for personal behaviour and the practice of pastoral ministry by clergy and church workers. At their respective meetings on 23 July 2005 and 17 August 2005, the Defence Force Board and the Bishop's Standing Committee adopted *Faithfulness in Service* as the primary code of conduct applying to all Anglican ADF Chaplains. Paragraphs 1.1 to 6.6 in the ADF Chaplaincy Code of Practice are subordinate to *Faithfulness in Service*. These paragraphs should be regarded as companions to the provisions and requirements of *Faithfulness in Service*. All Anglican ADF Chaplains are to read and comply with *Faithfulness in Service*. Copies are available through the Registrar.
- 4.5 Chaplains should make themselves familiar with local diocesan protocols concerning sexual harassment in addition to the ADF's procedures for handling such conduct. Chaplains have a duty to bring these to the attention of the ADF and the Christian communities in which they exercise leadership.

- 4.6 In the course of one's ministry significant and lasting friendships may be formed. In the case of a single chaplain, it may well be that such a friendship could develop into a lifelong partnership. As soon as the possibility of the friendship developing into a personal and intimate relationship is recognised, it is the responsibility of the chaplain to seek advice from a supervisor, confidante or person to whom they are pastorally responsible with a view to the requirement that the pastoral relationship be severed.

**Note:** Section 4 should be read in conjunction with the two letters (each dated 22 August 2005) immediately following "THE CODE" in the current *Yearbook of Defence Force Anglican Chaplains*.

### **Professional Responsibility in Relation to Confidentiality and Privacy**

- 5.1 Trust is fundamental to the pastoral relationship. Confidentiality, together with respect for privacy, is integral to preserving that trust.
- 5.2 The location of a pastoral interview should provide complete confidentiality.
- 5.3 In the pastoral relationship, Chaplains shall take care to establish the nature and limits of confidentiality to be observed. They will also be conscious of an individual's entitlement to privacy. Confidential information is not to be shared with the chaplain's spouse, family or friends or with anyone in the ADF chain of command or anyone in a subordinate relationship other than when there is a clear legal obligation to do so. (See note below).
- 5.4 It is acknowledged that for the purposes of professional accountability and development, chaplains may need to share information from specific situations with consultants or other colleagues. This may be done only after the prior consent of the person/s concerned has been obtained.
- 5.5 Confidentiality is basic for the protection of the counselled person.
- 5.6 The Canon Law of the Anglican Church of Australia provides for absolute silence on matters shared with a priest in the context of a formal confessional situation. While upholding the principle of confidentiality, chaplains must do so within the constraints of the law and with regard to statutory requirements.

By way of guidance, the Victorian *Evidence Act 1958*, section 28(1) provides:

- (1) No clergyman of any religious denomination shall without the consent of the person making the confession divulge in any suit action or proceeding whether civil or criminal any confession made to him in his or her professional character according to the usage of the church or religious denomination to which he belongs.

The *Canon Concerning Confessions 1989* (s.2) provides:

- (2) If a person confess his or her secret and hidden sins to an ordained minister for the unburdening of conscience and to receive spiritual consolation and ease of mind, such minister shall not at any time reveal or make known any crime or offence or sin confessed and committed to trust and secrecy by that person without the consent of that person.

Confidential information should never be disclosed to any third person without prior consultation with the Bishop to the Defence Force.

- 5.7 The mandatory reporting provisions in most State child protection laws do not generally apply to chaplains merely in their capacity as chaplains. It should be noted that most Acts permit voluntary reporting where a person believes a child is in need of protection. Any such reporting does not expose the person to a charge of unprofessional conduct, nor, if made in good faith, does it expose the person to liability.

**Note:** Section 5 should be read in conjunction with the *Anglican Defence Force Chaplaincy Privacy Policy* which follows this Code in the Handbook. Although it relates specifically to the operations of the Bishop's Office and the conduct of the Bishop's staff, Chaplains should also be aware of the force and effect of the National Privacy Principles in their pastoral dealings with ADF members and their families.

### **Professional Conduct in Relation to Colleagues**

- 6.1 Chaplains shall act in such a manner as to uphold and enhance the good standing of the Anglican Church of Australia and their professional colleagues in the pastoral care and well being of others. They shall not speak of another chaplain in a way that diminishes their standing or tarnishes their reputation as a priest or as a member of the ADF.
- 6.2 Chaplains shall work within the polity of the General Synod *Defence Force Ministry Canon* and that of the diocese in which they are posted.
- 6.3 Chaplains are to respect the ministerial authority and responsibility of their colleagues, which arises from the nature of the licence granted by the Primate through his delegate—the Bishop to the Defence Force.
- 6.4 Chaplains shall when necessary be open to challenge and correction by their colleagues, the Archdeacon and the Bishop to the Defence Force. This correction is to be offered in love with the sole intention of enhancing the efficiency and effectiveness of a chaplain's ministry.
- 6.5 When a chaplain has reason to believe that a colleague is acting unprofessionally, unethically, or that the colleague's standard of practice fails to meet standards required of this Code, an initial approach should be made to the colleague. If such action fails to resolve the point at issue and being mindful of ADF regulations and procedures, relevant information should be conveyed confidentially to the Archdeacon or the Bishop to the Defence Force.
- 6.6 Chaplains shall respect and support the ministry of both men and women with whom they are colleagues, honour the ministry of their predecessors, refrain from interfering in the ministry of their successors, and note the ecumenical environment in which all ADF chaplains operate.

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