

The C&MA Child Safety Policies and Procedures Evaluation by Dr. Dan Harvey

Introduction

The purpose of this document is to provide a review of C&MA's latest draft policy concerning child safety. In reading this document, I want to first congratulate C&MA for its serious effort to address the issue of protecting children from crimes of abuse. The Child Safety Policy demonstrates a strong desire by C&MA to protect children. For example, the document requires:

1. Local staff to immediately report, within twenty-four hours, any case of suspected abuse, neglect, or inappropriate behavior.
2. C&MA to inform relevant civil authorities of emotional, sexual, and physical abuse as required by law.
3. Field and team directors to be familiar with the applicable civil laws related to abuse.
4. All staff to be familiar with C&MA child abuse policies.
5. Annual and periodic training for all employees and volunteers; such training also to be made available to parents, with opportunities to observe.
6. Due vigilance by all parties to minimize the opportunities for abuse to take place.

Unfortunately, the effectiveness of this policy depends on the support documents, to which it refers. For example, Document E8, The Uniform Policy on Discipline, Restoration, and Appeal document, still contains the deficiencies which were itemized in our May 2009 review. The same holds true for the documents describing the role of the Sensitive Issues Consultative Group and the Therapy Process guidelines. Although these documents have their positive components, significant shortcomings remain.

In this document, I will not repeat all of the objections previously reported in the May 2009 review, which have not been addressed, but will focus on the objections that are particularly problematic. This document also suggests improvements to the Child Safety Policies and Procedure Document.

Child Safety Policies and Procedure Document Review

Screening

The document indicates that churches within the C&MA have the responsibility to screen all volunteers that wish to participate with C&MA International Ministries. It is implied, but not clearly stated, that other volunteers will be screened by their local churches, which will provide a statement of assurance. For a short term mission trip, this policy appears to be reasonable (assuming those volunteers do not have unfettered access to children). However, for a long term volunteer, in my opinion, C&MA should perform the screening, and not leave it up to an unrelated local church or organization. Furthermore, if local churches within the C&MA are to

screen potential volunteers, they should be trained on the importance of this step, and in the methodologies to effectively do the screening. C&MA must accept that they are responsible for criminal damage to children that are entrusted to their care; this is especially true when they are negligent in properly screening both employees and volunteers.

Reporting

Although the proposed policies commit to report instances of abuse to the civil authorities, I suggest that C&MA and associated ministries take a further step. Civil authorities have a nationwide registry for perpetrators of child abuse. The Christian community should have its own registry (in addition to the civil nationwide registry). In this way, a perpetrator would not easily be able to switch to another organization or congregation within the same organization. It would also reduce the perception of cover-up, where organizations simply transfer an abuser to another situation and thereby have unrestricted access to more potential victims.

Investigation Steps

The document indicates that in cases where investigations involve staff or children from other organizations, those organizations will be informed. It does not address what happens when C&MA policies differ from those of the other organizations, or when those organizations become uncooperative. I recommend that these issues be addressed in advance so all parties are aware of, and in agreement with, these policies should such situations arise.

Follow-up Procedures

The document states that victims and their families not willing to follow the action plan for healing are jeopardizing their relationship with C&MA. This statement seems harsh and is vague.

For example, how is such an action plan is devised? Will victims have any input into the plan's components? Will the victim have freedom to choose professional counselors of their choice? Does the plan recognize that healing is not often a quick and easy process, but in some cases the damage lingers for many decades? Is there opportunity to modify the plan, should valid concerns arise? Is there a mechanism where C&MA decisions can be overridden by independent entities? According to the C&MA Therapy Process Guidelines, the answer to all of these questions are no.

Supporting Documents

The C&MA Child Safety Policies are not self-contained, but refers to other supporting documents. These include documents describing therapy process guidelines, the guidelines for the Sensitive Issues Consultative Group, and the Uniform Policy on Discipline, Restoration and Appeal (Document E8). The Child Safety Policies and Procedures document has the potential to minimize crimes against children, but only if these supporting documents demonstrate the same

commitment to protect children. Unfortunately, all of these documents have glaring deficiencies that I will now address.

Document E8: Uniform Policy on Discipline, Restoration, and Appeal

The preamble of this document states that “any appeal to or other actions before a court or civil tribunal is not permitted.” Throughout the document, the ecclesiastical authority has final say over the process of investigation, discipline, restoration, and appeal. These statements are problematic on many levels and I would strongly recommend that victims of crimes never agree to these provisions. C&MA can never override a person’s constitutional prerogatives, and cannot be allowed to hide behind Paul’s letter, where he rebukes the Corinthians for bringing legal issues to the civil courts. Paul was addressing minor disputes, not crimes against children, and these warnings only apply when judges are impartial and do not pervert justice.

In the last decade, there were a number of deeply flawed investigations into allegations of abuse. Those handling victim appeals often were the same people that conducted the initial investigations. Clearly, this is inappropriate. Other times, appeals were not objective and fair, and legitimate concerns were either dismissed or given little attention. C&MA responded to these difficulties with a policy change that limits the number of appeals to one. Unfortunately, this revised policy does not address the core issue, (C&MA investigating itself), and is a significant step in the wrong direction. Allowing only one in-house appeal limits the possibility of justice and avoids accountability.

Another major concern regarding document E8 is the way it blurs its policies between issues that can legitimately be considered to be ecclesiastical and those that are more serious. The statements are written in such a way that denial and counterattack are possible at every step.

Guidelines for Sensitive Issues Consultative Group (SICG)

I have no objections to C&MA forming a SICG with the responsibility to proactively minimize child abuse and even to handle initial reports of such abuse. However, in the case of crimes against children, once the SICG ascertains that a serious investigation is needed, these guidelines are entirely inadequate. The investigative body must be entirely independent of C&MA and must contain respected professionals experienced in issues of abuse. Otherwise, the policy becomes one where the guilty is judging the victim. C&MA, as an organization, is not an innocent bystander; they must accept their responsibility for any child abuse that happens within their purview.

Therapy Process Guidelines

In reading this document, I am struck by its primary intent to limit the liability of C&MA. A child who has been abused often has to live with the damage for a lifetime. In some cases,

children are fundamentally changed at the cellular level, and will never become the persons they were created to be.

C&MA policy, on the other hand, focuses on limiting the number of professional visits, capping the cost of therapy to 80% of customary charges, funding only outpatient care, and restricting the list of therapists to those they approve. The focus is on obtaining ongoing feedback that documents continual progress. In practice, Mamou victims testify that these policies became so embroiled in bureaucratic red-tape that they impeded any significant measure of healing. Prescribed therapy, its progress, and its cost should be monitored by an independent group of trained professionals.

Summary

The C&MA draft policy on child abuse is essentially a strong document and I believe that these believe the policies, properly implemented, can be effective to minimize the chance that child abuse can occur within the C&MA. Unfortunately, the document depends on other policies that have serious deficiencies, the most problematic being listed above. It is also troublesome that C&MA can unilaterally alter any of these documents at any time. So, even if deficiencies are eliminated, there is no guarantee that they won't be reintroduced at a later point. I commend C&MA for its efforts, but significantly more needs to be done.