

POLICY ON THE PREVENTION OF VILIFICATION AND HARASSMENT WITHIN THE UNITING CHURCH IN AUSTRALIA

During the meeting of the 9th Assembly in Adelaide the Assembly resolved “to request all councils of the church to take steps to ensure that any instances of vilification and harassment is dealt with effectively and consistently”, and requested “the Standing Committee to issue guidelines to assist councils to fulfil this request” (Assembly minute 00.25.04). In March 2003 the ASC issued the policies that follow (ASC minute 03.11.02). I encourage you to make yourself familiar with them so that we may all participate in the meeting of the Assembly in a way that shows respect and care for one another.

Terence Corkin
Assembly General Secretary

Introduction

The Uniting Church in Australia believes that Christ has called us to be witnesses for reconciliation in the world, reconciled both with God and with each other.

The foundational document for the Uniting Church in Australia, the Basis of Union, calls the church to be a “fellowship of reconciliation, a body within which the diverse gifts of its members are used for the building up of the whole, an instrument through which Christ may work and bear witness to himself.”

This affirmation recognises that we are on a journey of reconciliation with each other, and that in this journey we will encounter people with diverse gifts, which are used to build a church together.

The challenge to accept the diversity of gifts and talents within the church continues to be a struggle. Nevertheless, as a community of faith we are committed to providing a safe place for people to explore and express their faith in Jesus Christ.

UC Policy Statement

The Uniting Church in Australia commits itself to providing a safe place for people to explore and express their faith in Jesus Christ. The Church rejects all forms of harassment and vilification. It commits itself to a process of prevention of harassment and vilification, and of appropriate response to instances of harassment and vilification if they occur.

Expectations of the Church

The Uniting Church in Australia is committed to:

- modelling behaviour that values each individual as made in the image of God;
- ensuring that its worship, pastoral care, services and structures are free from harassment and vilification;
- recognising harassment and vilification when it occurs and dealing with it;
- ensuring that all UCA agencies have written policies and procedures in place for dealing with issues of harassment and vilification;
- ensuring that all congregations, councils and agencies of the church are able to implement such policies and procedures;
- ensuring that all members, employees and clients are aware of such policies and can access procedures easily;
- providing adequate training to assist in the prevention of harassment and vilification;
- encouraging the reporting of inappropriate and illegal behaviours;
- applying the principles of Natural Justice.

The Uniting Church in Australia rejects all activities or comments, which are:

- designed to harass a person or group of persons; or

- made or done in a deliberately malicious, or divisive manner and where the intent of such activities or comments are to discredit, or defame, or express hatred and animosity or inflict injury or incite hatred or contempt for a person, or group of people.

UC Policy Statement

It is not acceptable to harass or vilify a person or group of persons in any church or church agency activity or forum.

Sometimes a person is not harassed or vilified directly, but through the ways in which councils or other bodies of the Church exercise their powers and responsibilities. For example, when a council permits or encourages the same issue, previously determined, relating to a particular person or group of persons, to be repeatedly raised in its meetings (eg by repeatedly tabling letters of complaint singling out that person or group) that person or group of persons may experience this as either offensive, humiliating or intimidating.

UC Policy Statement

The Uniting Church commits itself to ensuring that it does not exercise its powers and responsibilities in ways that harass or vilify a person or group of persons.

Freedom of expression

This policy is not intended to prevent people from talking about such things as race, age, sexual orientation, gender identity, creed, marital status, pregnancy, physical or mental disability, political opinion, HIV / AIDS, trade union affiliation and criminal record.

Nor is it intended to censor religious, artistic, and political expression, even when offence and division might be an outcome.

However, it is expected that such activities are reasonable and in good faith and in the interests of the church community and the public interest generally. It is also expected that they take place in forums where all interested parties have an opportunity to fully and properly participate.

UC Policy statement

Public activities including discussions, conversations, debates, artistic works, and theological and religious reflections are expected and encouraged within the church and its agencies;

- *as long as they are in good faith and in the interests of the church community and the wider community as a whole; and*
- *in forums where all interested parties have an opportunity to participate.*

Understanding the legal implications

Federal and State Legislation

The Church is part of the wider community and the laws of our respective states and territories and the federal government bind us. Each jurisdiction has its own set of laws regarding harassment and vilification. The jurisdictions generally are in agreement about the issues that can trigger complaints of harassment and vilification. They are race, age, disability, marital status, parental status, pregnancy, trade union activity, religion, gender, sexual orientation, gender identity, political beliefs, HIV/AIDS status and criminal record.

Harassment may be associated with any of these matters, but may also not be associated with a particular issue at all. Vilification however, will generally be associated with a particular issue.

Anti Discrimination legislation may contain a set of exemptions for religious bodies. However these exemptions usually refer to employment within church institutions. Religious bodies are not exempted from harassment and vilification laws.

Harassment

Is repeated behaviour that is directed at a person or group of persons and that is:

- offensive, humiliating or threatening, and
- is unwelcome and unsolicited and
- a reasonable person would consider is offensive, intimidating, humiliating, or threatening to the person or group of persons.

Harassment includes bullying. This can include repeated behaviours such as:

- rude, foul and abusive language;
- constant criticism;
- humiliating and demeaning conduct in front of others;
- taunts and ridicule; and
- provision of offensive material.

Vilification

Is behaviour that

- happens publicly and
- occurs in order to discredit, or defame, or express hatred or animosity, or inflict injury, or incite hatred or contempt for a person or group of people.

*Assembly Standing Committee
March 2003*