

**1<sup>st</sup> Ordinary Session  
of the 50<sup>th</sup> Synod**

**October 2014**

# ***Synod Proceedings***

**Anglican Church of Australia  
Diocese of Sydney**



# 2014 Report of the Standing Committee and other Reports and Papers

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**Reports not published in this Book but found on the SDS's website**

*The following reports can be found at [www.sds.asn.au](http://www.sds.asn.au). Click on “For Other Committees, Boards & Councils” and then click on the name of the relevant organisation.*

[ACPT Annual Report for 2013](#)

[SDS Annual Report for 2013](#)

[SDS Annual Financial Report for 2013](#)

[GAB Annual Report for 2013](#)

[GAB as trustee for the Diocesan Endowment Annual Financial Report for 2013](#)

## Archbishop's Presidential Address 2014

Members of Synod, brothers and sisters, saints of the Most High, welcome to the first session of the 50<sup>th</sup> Synod of the Diocese of Sydney.

As we gather together in the presence of God, I would like to acknowledge the traditional owners of the land upon which we meet. In his wisdom and love, our heavenly Father gave this estate to the Gadigal people of the Eora Nation. Upon this land they met for generations until the coming of British settlers. As we continue to learn to live together on these ancestral lands, we acknowledge and pay our respects to their elders, past and present, and pray that God will unite us all in a knowledge of his Son, in whom all things were created, in heaven and on earth, whether visible or invisible—all things have been created through him and for him.

We live in a very different world to the one in which Sydney Anglicans lived, when Bishop Frederic Barker presided over the first session of this Synod on 5<sup>th</sup> December 1866 at Church Society House in Phillip Street. It is hard to imagine gathering members of Synod so close to Christmas, and possibly even harder to imagine members sitting for seven days over two weeks, let alone the record sitting of 13 days over three weeks in 1868!

Yet the concerns of my predecessor and of yours in that first Synod are not so different from ours. We wish to see Christ honoured as Lord in our world as they did in theirs. Our circumstances may be different, but we both align ourselves with the invitation of King David to all people:

Shout for joy to God, all the earth!  
Sing the honour of his name.  
Give to him glory and praise! (Psalm 66:1-2)

Of course, it is Jesus, David's greater son, who deserves glory and honour and who receives it from God the Father (2 Peter 1:17). As honour and glory belong to God for ever and ever (1 Timothy 1:17), so honour and glory belong to the Lamb (Hebrews 2:9; Revelation 5:12). The vision of John in the Book of Revelation therefore sees every creature in heaven and on earth and under the earth and on the sea, and all that is in them, singing:

To him who sits upon the throne and to the Lamb be praise and honour and glory and power for ever and ever! (Revelation 5:13)

This is our eschatological vision. A vision that will be seen by all, when our Lord returns to usher in the new heavens and the new earth. Until that time Jesus' commission to his followers is to make and mature disciples from all nations, baptising them in the name of the Father and of the Son and of the Holy Spirit, and teaching them all that he has commanded.

### Mission 2020

At the last session of the previous Synod we asked Standing Committee to bring to this Synod a fresh iteration of our mission. This followed a report from the *What's Next?* Committee, whose survey of parishes and individuals indicated that a fresh formulation of a mission document would be a helpful tool for mission in their local situation. Mission 2020 is the result of this work and the current formulation in your Supplementary Papers is the result of feedback from members after the distribution of the first draft on 1<sup>st</sup> August of this year.

Mission 2020 is a document that spans the second half of this decade, rather than a ten-year mission. It proposes a **Vision Statement** (what we hope to see) as well as a **Mission Statement** (what we want to do), both of which are undergirded by the **Values** that flow from our identity in Christ and which we cherish as a Diocese. There follow four Priorities, each addressing three key factors that have been identified as requiring specific attention. For each priority, one or more specific goals are set, based upon data collected through the National Church Life Survey (NCLS). Each goal is therefore measurable, enabling us to determine whether or not we are achieving our goals, either at the local level or across the Diocese by the end of the decade. We recognise that the front line of mission is the local church, whether it be the parish church, the school chapel, the retirement village congregation, or the chapel services held in hospitals and prisons. The Standing Committee has set up a Strategic Research Group to develop some strategies over the coming months to support churches, congregations and organisations in achieving the goals for the Mission.

No document will cover everything that everyone believes should be incorporated in our Mission. This is the Diocese of Sydney after all! Some parishes and organisations will develop their own priorities for their local situation. However, I am hoping that the Synod will come to a common mind on the kind of vision, mission, priorities and goals that this document proposes for the Diocese as a whole. The Vision should be a memorable one: to see Christ honoured as Lord in every community. With the psalmists and the apostles we look forward to the day when every knee shall bow before the Lord Jesus, when the honour and glory that is due to him shall be acknowledged by the righteous and the unrighteous, by saints and sinners alike, and by both elect and fallen angels. The submission of all creatures, whether voluntarily with joy, or involuntarily with sorrow, will be universal before Christ the King on that last day, who will then deliver the kingdom to God the Father.

Sadly, not all honour Christ as Lord today. Not all honour the Father who sent his Son. For one cannot honour the Father without honouring the Son (John 5:23). To honour the Son is to honour the Father. Yet our vision for the next five years is to see Christ honoured as Lord in every community. That is, we want to penetrate every part of our society, every ethnic group, every tribe and tongue with the gospel of Jesus so that more and more from every part of our diocese come to put their trust in Jesus as Lord and Saviour. We have a mission, which is a matter of life and death. In the 2011 National Census 22.3% of people described themselves as having no religion, which when added to those who did not adequately respond to the question, results in over 31% of the population without any religious affiliation. Moreover, the number of such persons has risen by 3% over a ten-year period, whereas from 2001 to 2011 the percentage of Anglicans decreased from 21% to 17%. If one reflects upon the gaping differential between those who tick the Anglican box and those who are united to Christ by faith and incorporated into the fellowship of his people—a ratio of 10:1—the stark reality of our mission field becomes clear.

If we truly want to see Christ honoured as Lord in every community by 2020, we need to work together as partners in mission to bring the gospel to all who live in our Diocese. We need to mobilise ourselves in prayerful dependence upon the Holy Spirit to meet the challenges of being 'salt and light' in a world where Christ is not honoured as Lord. Our mission requires a fresh commitment to glorify God and to love our neighbour. Such a commitment, of course, is not new. It reflects what should mark out all Christians who are seeking to be faithful to the calling to which we have been called. To love the Lord our God with all our heart, soul and mind, and to love our neighbours as ourselves encapsulates Jesus' own summary of the Law and the Prophets. Yet how shall we love and glorify God? How shall we love our neighbour? By proclaiming the Lord Jesus Christ and by living lives worthy of him. Here is the inseparable twofold word and deed of Christian living, which was characteristic of Jesus' earthly ministry (Acts 10:36-38). Our opportunities for proclamation will differ from person to person, in accordance with our gifts, but we all have a part to play in promoting the gospel. In so doing we glorify God and show true love towards our neighbour. Likewise, as our lives express the obedience of faith, we not only glorify God but we demonstrate love to our neighbour by doing such good works, that God has prepared beforehand for us to walk in them.

It is no doubt the case that in the eyes of the general public, the revelations of child sexual abuse among the clergy of Christian denominations have had a severe impact upon our own reputation. The submissions to the Royal Commission regrettably provide ample evidence of the widespread abuse of power and authority in institutional environments, and the church has rightly not been exempt from this public scrutiny. While we cannot undo the past, we can declare our abhorrence that servants of Christ have acted in such un-Christlike ways and we can show compassion to the victims of abuse. Although our commitment to safe ministry among all church workers has a very high priority in our training and professional development, we must be ever vigilant, both institutionally and personally, so that our behaviour adorns the gospel and is pleasing in the sight of our Saviour.

If we are to embrace such a bold Vision and an enduring Mission that is being proposed at this Synod we shall need to reflect upon the areas that require attention and discover ways of measuring our effectiveness over the rest of this decade. Some items are always a priority, such as the need to reach the lost with the gospel of Christ. However, one of the more significant metrics from the 2011 National Church Life Survey (NCLS) indicates that across the Diocese we have an average of 9% of attendees who were newcomers to church life in the past five years. This proportion is lower than that measured in previous surveys. Therefore our goal is to raise this percentage of 'newcomers' to 12% over the coming years.

The following three priorities reflect the need for developing spiritual maturity among our members, the equipping of our members to exercise their gifts and the need to respond to the changing face of our society. Each of these priorities has goals attached, based upon the relevant NCLS data that will help us measure our progress over the next five years.

Although the next National Church Life Survey will not take place until 2016, with results known the following year, any parish can request a specific survey for themselves at a time of their own choosing. For a modest fee the NCLS researchers will provide a tailor-made survey for a parish so that they have up to date information as to how they are tracking. Parishes can also set their own percentages for the various mission goals, recognising that every parish serves a specific community and a local situation, which may or may not reflect the average parish statistics across the Diocese. Yet any increase in any congregation will improve our diocesan average.

I commend Mission 2020 to the Synod and I look forward to sharing the vision of seeing Christ honoured as Lord in every community.

### ***Jesus Brings***

While we await the adoption of a new mission document, it has been gratifying to see that parishes and organisations have continued to implement new strategies for proclaiming the Lord Jesus Christ in their local situations. One such strategy has been the creative ways in which the campaign *Jesus Brings* has been used—*Jesus brings life, Jesus brings forgiveness, Jesus brings peace* are some of the ways the campaign has been adapted for local settings.

The *Jesus Brings* Campaign has been a shared mission initiative across our Diocese, enabled by funds from the Synod. While not all our parishes have been involved, a great many have used the resources produced, with over 140,000 'Search' Luke's Gospels being distributed to churches, so that they might be read with friends or given away, together with 40,000 Quiz-Worx Children's DVDs, 550,000 'flyer' invitations to church events, 1000s of Christians trained to share Christ with others. Churches from other denominations have also been involved, and we rejoice in their partnership as local communities have seen Christians unified in their shared focus upon Jesus as the bringer of all blessings. Anglican churches from other Australian dioceses have also requested and begun using these resources.

Recently some parishes worked together in hosting nine different regional campaign events, and in partnership with other Sydney mission organisations, two citywide events were promoted with over 5,000 people attending these combined events, and hearing the good news that Jesus brings.

None of us will imagine this has been a 'break-through' campaign, or has seen significantly greater fruit than any other. There is much work in mission still to be done. However, it is our combined strength as a network that enables initiatives like this to take shape, and it is our combined strength as a network that will ensure we have a continued and powerful impact upon the cities of Sydney, Parramatta and Wollongong and their surrounds for the cause of Christ and the honour of his name. We praise God for his blessings on this initiative during the past year.

Within our organisations and schools the important role of chaplains as agents of mission ought not to be underestimated. While we can sometimes take our organisations for granted, the changing ethos of our schools and organisations as places where the love of Christ can be heard and experienced is a cause for much praise. In particular, in 2008 Anglican Retirement Villages appointed their first Director of Mission, then in 2012 Anglicare appointed the Reverend Dr Andrew Ford who is now Director of Pastoral Care and Mission Development, while Youthworks recently announced the appointment of the Reverend Dr Bill Salier as not only College Principal but as Director of Theology. These are very welcome developments in the lives of our organisations.

### **Georges River Region**

At last year's Synod I expressed my concern that the Georges River Region had no full time episcopal oversight, as did the other four regions of the Diocese. While I have been very grateful for the continued ministry of Bishop Peter Tasker and Archdeacon Ian Cox, both working for the Region in a voluntary capacity, I knew that this could only be a stopgap measure. I indicated last year that if I were not able to fund a full time Bishop of Georges River Region from the Endowment of the See then I might return this year with a request for funds from the Synod to enable this vital ministry to the most ethnically diverse region in the Diocese to continue. Georges River Region arguably faces the most missional challenges of our Diocese and I firmly believe that we should do all that we can to provide it with full time episcopal oversight. I have agonised and prayed over this situation.

It is therefore with great joy that I am pleased to announce, owing to the generosity of some businessmen whom I specifically approached to fund this project and who have committed themselves to do so for the

next three years, that I am able to appoint the next Bishop for the Georges River Region. While the funding is guaranteed for three years, it is not unreasonable to predict that the Endowment of the See will be able to sustain a fifth region beyond that time, owing to the likely increased distributions from St Andrew's House and the probable sale of Bishops Court in the next couple of years. This morning the Standing Committee held a special meeting to approve my appointment of the next Assistant Bishop in the Diocese. Having gained the necessary approval, I am therefore delighted to announce that I have this day appointed the Reverend Peter Robert Lin as the Bishop of Georges River Region from 2015. Peter has spent all of his stipendiary ministry in the parish of Fairfield with Bossley Park, as Catechist, Lay Stipendiary Worker, Assistant Minister and from 2001 as Incumbent. He has overseen the growth of the congregations during that time and he knows the region well. He is a trusted servant of Christ, an able minister of the gospel, a respected elder among his peers, and one who has contributed to the strategic direction of the Diocese through his subcommittee work as a member of Standing Committee. I believe that Peter will make a significant contribution as a Regional Bishop as well as an Assistant Bishop in the Diocese as a whole. I do commend him, Isobel and their family to your prayers as they make this transition. Peter will be consecrated on 30<sup>th</sup> May 2015.

### **The Training and Development of Ministers**

I am also delighted to announce that the Reverend Gary O'Brien has accepted my appointment to become the next Director of Ministry Training & Development (MT&D) from January 2015. This is a very strategic position in the life of the Diocese as the Director oversees the development of all clergy and lay ministers from their departure from Moore College to their retirement. Currently MT&D is largely focused on the first three years after College, due to limited resources, a situation that the Synod will need to address if MT&D is to fulfil its mandate under its Ordinance. Gary has been the rector of St Matthew's West Pymble for the last twenty-two years. During that time he has exercised a fruitful ministry which has seen God's blessing upon the growth of the congregation, an increase in ministry staff, a steady flow of members entering Moore College for full time ministry, and an ambitious building expansion on the property. Gary has a well deserved reputation for mentoring other ministers and these gifts will be invaluable in his new role. I commend Gary, Carol and their three daughters to your prayers for this new ministry.

It is fitting that I also acknowledge the significant contribution that Gary's predecessor has brought to MT&D over a ten-year period. Dean Phillip Jensen is unable to be with us this Synod, and while I note there is a motion of appreciation for his ministry in the Diocese over the past 40 years, I want to add my own appreciation for Phillip's ministry among us. Institutions like the Anglican Church need people like Phillip to challenge us, provoke us, unsettle us, disturb us and awaken us from our slumber so that we might be more effective Christians in the market place of ideas and arena of unbelievers. I do not think that anyone would deny that Phillip has fulfilled each of these characteristics. A definition of a maverick is an unorthodox, independently minded person. I think that captures Phillip's personality fairly well. His contribution to the Diocese has been far ranging and will continue to have an impact for many years to come. Not all will agree with Phillip on any number of issues; he and I have often been on opposite sides of a debate, but more often on the same side, as our love for the Saviour regularly unites us in common cause. However, few will deny that his passion for seeing people saved, his love of preaching the gospel and defending the truth together with his desire to see Christ's name honoured is undeniable. Retirement is not in Phillip's Christian vocabulary, so we wish him and Helen well as he enters their next phase of ministry with the establishment of Two Ways Ministries in 2015.

### **The Challenges of Growth**

One of the problems that besets large organisations is that of inertia, where we too quickly become content with the *status quo*. This symptom is often seen at the parish level as well, where often (but not exclusively) older members in response to the rapidity of change they encounter in society, cherish the security of a church experience that does not change! Yet we must always confront change: looking for ways to improve our church life; seeking new ways to interact with unbelievers and win them for Christ; and exploring ways to grow in the knowledge of our Saviour so that by his Spirit we might be changed from one degree of glory to another. The wise pastor will seek the common good for God's people and steer a congregation through the process of change, so that the more conservative-minded members are not disenfranchised, nor the more adventurous members disregarded. After all, the gifts of the Spirit are given to the church for the common good (1 Corinthians 12:7), not merely for the benefit of the individual to whom such gifts are given.

At General Synod this year a landmark report was received from the Viability and Structures Task Force. This report in its opening words highlights the reality of declining membership across the nation.

The Anglican Church of Australia is at a crossroad. For over 30 years it has been slowly declining and the time has come for a revolution if it is to be a strong and sustainable church for the future.<sup>1</sup>

The Report pulls no punches, with an abundance of statistical data that is chilling reading for those who think the Anglican Church of Australia is in good shape. Yet rather than proposing strategies to address the issues raised, it recommends a Steering Group be appointed to develop and implement such strategies.

By contrast, I am reminded of Bishop Barker's Presidential Address at the second session of our first Synod.

If the number and beauty of our churches, and the order and propriety of our services, and even of our large congregations and liberal subscriptions are regarded as the end of our efforts, we shall certainly fail of the great purpose the Church should have in view. The terms of our commission are not changed—"Preach the Gospel", "Preach the Word", that men may believe and be baptized and be saved. All our efforts are to have this in view, "that by all means we may save souls." Let this be our high and noble aim, and we shall find it giving a true direction to all our efforts, and animating us with constraining motives patiently to wait and labour even unto the end. If the clergy and laity are of this mind then the progress of our Church will be a national blessing.<sup>2</sup>

Nonetheless, the report is worth reading and since the General Synod has asked all dioceses to consider the report and send their responses to General Synod Standing Committee we should do so, as I believe we can make a significant contribution to the issues raised. Yet the unrealistic timeframe of responding by 31 December 2014 is counter productive to any considered reflection, if we are to address the matters raised with any seriousness.

Structurally, we have a greater responsibility to our own Province of New South Wales, as the Archbishop of Sydney is also the Metropolitan of NSW. This additional responsibility is not often acknowledged nor understood by the average Anglican in our Diocese, but it provides an important link to the other six dioceses in the Province. By the end of next month I shall have visited all six dioceses this year, including the opportunity to address two diocesan synods and one clergy conference. We have already placed the Viability and Structures Report on our agenda for the Provincial Standing Committee in November and are looking at ways in which we can harness our collective resources to see Christ honoured as Lord across the State.

In particular, I have had a number of discussions with the Bishop of Bathurst in light of the financial crisis facing his Diocese, which he inherited when he was consecrated in early 2013. Our Standing Committee has appointed a small committee to assist me in these discussions. Despite the grim future that the Diocese of Bathurst is facing, I am encouraged by the bishop's confidence in the gospel to change lives and to change structures. Without such a confidence all would be lost.

Two years ago this Synod took the courageous and costly step of agreeing to a levy on parish net receipts to raise \$2 million per year towards the purchase of new land in the areas of rapid population growth in our Diocese. The accumulated funds have already borne fruit with the recent purchase of land at Leppington, which will be on the South West rail link and is projected to have a population of 50,000 people over the next two decades. I am grateful to the Synod and the parishes for their sacrificial commitment to this levy, even when I know that such a financial contribution comes at a cost to local initiatives.

However, by purchasing land we are only part way there. The supply of godly ministers from Moore College provides the personnel, but land without buildings is of little help in the rain. I have therefore begun to draw together a small group of business people, under the chairmanship of Mr Philip Bell OAM, to become a fundraising committee for the erection of church buildings and rectories on land purchased by the Mission Property Committee. This is not unlike the Vision for Growth and Vision 2001 Appeals established by my predecessors. Although this group is in the early stage of formation, I am hoping to announce the launch an appeal for New Churches for New Communities early in the New Year.

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<sup>1</sup> *Report of the Viability and Structures Task Force*, The Sixteenth General Synod Papers, 2014, 8-005.

<sup>2</sup> *Proceedings of the Second Session of the First Synod of the Diocese of Sydney*, 1867, p. 14.

## **Iraq and Syria**

As we approach this first session of our Synod, we cannot be ignorant of the suffering of thousands of Christians in the Middle East as the militant forces of the so-called Islamic State attack any religious grouping that does not accord with their own particular and militant view of Islam, which impels them to slaughter Shi'ite Muslims, Christians and other religious adherents indiscriminately. The witness of such champions as Canon Andrew White in the city of Baghdad, itself under threat of invasion, should give us all cause to ponder how blessed we are in this country, even if we live under a heightened level of alert to the threats around us—as you will have experienced in the added security checks in arriving this afternoon. We are horrified at the barbaric behaviour and unadulterated evil of such militants and others like them in other countries, most notably, Boko Haram, who have kidnapped 200 schoolgirls and recently torched 185 churches in Nigeria.

I am grateful for the Archbishop of Sydney's Anglican Aid who among their many projects is raising money to assist the displaced Christians in Northern Iraq. I commend their appeal to you. I also commend to your prayers all those who are suffering due to the brutality of these vicious attacks upon the weak and vulnerable, especially our fellow Christians. I am also grateful for the Federal Government's decision to include displaced persons from Iraq in the intake of refugees, specifically including displaced Christians.

We pray for peace, as we should, in these regions of conflict. Yet we know the Prince of Peace who brings the peace that passes understanding. We know that while wars and rumours of wars will continue until the end, it is only the lasting peace that Jesus brings which will mend the broken hearted, restore fractured relationships and bring the conflict to an end.

Sunday, 2<sup>nd</sup> November has been designated Solidarity Sunday. Sponsored by the Australian Christian Lobby, November 2 provides an opportunity for churches around Australia to unite in prayer and solidarity with our brothers and sisters suffering persecution. Awareness Action Packs are available with information concerning the atrocities of persecution facing vulnerable people in specific locations. The wearing of T-shirts with the Arabic letter N is one example of expressing our solidarity with all those who follow the Nazarene.

I commend this initiative to your churches and the persecuted church to your prayers, as we address the many matters before us in this session in the relative safety and security that we, by God's grace, are privileged to enjoy in this country.

May the God of peace, who through the blood of the eternal covenant brought back from the dead our Lord Jesus, that great Shepherd of the sheep, equip you with everything good for doing his will, and may he work in us what is pleasing to him, through Jesus Christ, to whom be glory for ever and ever. Amen.

**Dr Glenn Davies**

**Archbishop of Sydney**

**13 October 2014**

## Proceedings

### Officers and committees appointed

1. Secretary of the Synod: Mr Robert Wicks
2. Chairman of Committees: Dr Robert Tong AM
3. Deputy Chairmen of Committees: Canon Phillip Colgan, Dr Karin Sowada and the Hon Peter Young AO QC
4. Elections and Qualifications Committee: Mr Michael Easton, Mr Doug Marr, Mr Ian Miller and Dr Karin Sowada
5. Order of Business Committee: The Rev Dane Courtney, Bishop Ivan Lee, Dr Robert Tong AM and Mr Robert Wicks
6. Minute Reading Committee: Dr Bryan Cowling, Mr Clive Ellis, Miss Jennifer Flower and Dr Claire Smith

### Documents tabled

1. List of clergy summoned to the Synod and list of representatives
2. Copy of a document appointing a Commissary
3. Minute book of the Standing Committee

### Accounts and reports etc tabled

#### *Diocesan Organisations - Audited Accounts and Annual Reports*

1. Abbotsleigh, The Council of
2. Anglican Church Property Trust Diocesan of Sydney as trustee for the Endowment of the See Capital Fund
3. Anglican Church Property Trust Diocesan of Sydney as trustee for the Long Term Pooling Fund
4. Anglican Education Commission
5. Anglican Media Council
6. Anglican Retirement Villages: Diocese of Sydney
7. Anglican Youth and Education Diocese of Sydney (Anglican Youthworks)
8. Arden Anglican School Council
9. Archbishop of Sydney's Anglican Aid (The)
10. Archbishop of Sydney's Anglican Aid (The) as trustee of the Archbishop of Sydney's Overseas Ministry Fund
11. Archbishop of Sydney's Anglican Aid (The) as trustee of the Archbishop of Sydney's Overseas Relief and Aid Fund
12. Arundel House Council
13. Barker College, The Council of
14. Campbelltown Anglican Schools Council
15. Department of Evangelism and New Churches, The Board of
16. Endowment of the See Committee – Expenditure Fund
17. Georges River Regional Council
18. Glebe Administration Board as trustee of the Diocesan Endowment
19. Glebe Administration Board as trustee of the St Andrew's House Trust
20. Illawarra Grammar School Council, The
21. Kings School, The Council of
22. Macarthur Anglican Church School Council, The
23. Ministry Training and Development Council
24. Moore Theological College Council
25. Northern Regional Council
26. St Andrew's Cathedral Chapter
27. St Andrew's Cathedral School, The Council of
28. St Catherine's School Waverley, Council of
29. St John's Regional Cathedral Chapter, Parramatta
30. St Michael's Regional Cathedral Chapter, Wollongong
31. South Sydney Regional Council
32. Sydney Anglican Home Mission Society (Anglicare)
33. Sydney Anglican Indigenous Peoples' Ministry Committee
34. Sydney Anglican Schools Corporation
35. Sydney Church of England Finance and Loans Board
36. Sydney Church of England Grammar School Council
37. Sydney Diocesan Secretariat

38. Tara Anglican School for Girls, Council of
39. Trinity Grammar School Grammar Council
40. Western Sydney Regional Council
41. William Branwhite Clarke College Council
42. Wollongong Regional Council

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66. Western Sydney Regional Council – Annual Report for 2013
67. Katoomba, Proposal to change the status of the provisional parish to a parish
68. Wollongong Regional Council – Annual Report for 2013
69. Explanatory statements and reports on Bills

**Synod Service**

The opening service on the first day of Synod was held in St Andrew's Cathedral and led by Archbishop Glenn Davies, with Bishop Peter Tasker preaching.

**Actions taken under the *Parishes Ordinance 1979***

The Synod assented to the following –

- (a) reclassification of Katoomba as a parish

**Petitions**

There were no petitions received by the Synod.

## Questions under business rule 6.3

### 1. Suspension of business rules

The Rev Joe Wiltshire asked the following question –

How many times in the past 5 years have the business rules of Synod been adjusted to increase the amount of votes needed to pass a motion? On what issues were the rules adjusted?

To which the President replied –

I am informed that the answer is as follows –

There has been no suspension of the Synod business rules in the last 5 years to accommodate the passing of a motion other than by simple majority.

### 2. Diocesan policy regarding preaching by women

Miss Elaine Peterson asked the following question –

Is there a diocesan policy which –

- (a) discourages the preaching or teaching by qualified women to adult congregations which include men? and
- (b) if so, on which Biblical texts is this policy based?

To which the President replied –

I am informed that the answer is as follows –

Except in the context of the approval of Ordinances from time to time which permit women to preach, Synod has never adopted a policy concerning preaching or teaching by women.

Women who are ordained receive a licence from the Archbishop.

Licences issued by me to women clergy include the following –

“... with reference to the pastoral responsibilities pertaining to a Deacon, including preaching sermons, subject to the principles of church order contained within the Holy Scriptures but not including the exercise of authority which the apostle forbids in 1 Timothy 2:12, assisting the presbyter ...”

All women clergy who hold a licence from the Archbishop are licensed to preach.

Lay women involved in preaching and teaching in Anglican congregations receive a licence in accordance with the *Deaconesses, Readers and Other Lay Persons Ordinance 1981*.

However the polity of our Diocese is to authorise rectors to decide who preaches in their church.

### 3. Ratios of parishes and clergy to population in each region

Mr Paul Fitzpatrick asked the following question –

Would the President please inform the Synod of –

- (a) the current ratio of –
  - (i) parishes to population, and
  - (ii) active clergy to population, and

(b) the equivalent statistics for ten years ago, for all five diocesan regions.

To which the President replied –

I am informed that the answer is as follows –

The figures will shortly appear on the screen, but some prior explanation is required.

Given population data is based on Census figures it is not possible to calculate ratios for 2014 and 2004. They have instead been calculated for 2011 and 2001 since these years coincide with the last two censuses.

The clergy numbers are based on 2010 registry data but applied to 2011 Census population figures. It has not been possible to compile clergy numbers by region for 2001 within the timeframe given the limitations of the Registry Database System.

All Census population data has been supplied by Anglicare’s Social Policy & Research Unit.

**Average Population**

	Per Parish		Per Active Clergy 2011
	2011	2001	
<b>Georges River</b>	22,314	18,788	12,037
<b>Northern</b>	12,098	11,310	5,739
<b>South Sydney</b>	14,757	13,126	5,506
<b>Western Sydney</b>	21,023	20,759	8,942
<b>Wollongong</b>	16,203	16,320	8,177
<b>Total Diocese</b>	16,900	15,760	7,674

**4. Notice period for termination of Assistant Ministers**

The Rev John Reid asked the following question –

In the past two years, how many Assistant Ministers have had their position terminated under the Assistant Ministers Ordinance which requires only three months of termination?

To which the President replied –

I am informed that the answer is as follows –

The Diocesan Registry is notified when an Assistant Minister’s licence comes to an end. However the Registry is not informed whether the termination is mutual or is the result of a notice issued under the *Assistant Ministers Ordinance 1990*.

**5. Gender balance on Moore College Council**

Ms Jill Faddy asked the following question –

In the Circular to the Members of the 50<sup>th</sup> Synod, dated 1/8/14, at page 19, it is stated that Moore College Council has the question of gender balance “under active consideration” –

- (a) What are the factors that need to be considered?
- (b) If not completed yet, when will the active consideration be concluded?
- (c) If completed, what was the outcome?

To which the President replied –

I am informed that the answer is as follows –

In accordance with the Moore *Theological College Ordinance 2009*, the Moore Theological College Council comprises the Archbishop, 4 lay persons elected by the Synod and 4 members of the clergy elected by the Synod, of whom 3 are to be incumbents of parishes within the Diocese.

The Moore College Governing Board is made up of the Council, the Principal, the chair of the College’s Academic Board (an external academic), a member nominated by Anglican Deaconess Ministries, a member elected by the faculty, a member elected by the 4th Year students of the College, and two lay members elected by the College Council.

The Council continues to consider a range of factors, including the need for an appropriate gender balance consistent with its stated value of gender complementarity, when seeking to fill the two Council-elected vacancies on the Governing Board. Other factors include the need for particular skills in educational, legal, financial and property development areas.

Currently three members of the Governing Board are women: an elected laywoman, the nominee of Anglican Deaconess Ministries, and the member elected by the 4th year students.

**6. Funding under ‘Work Outside the Diocese’ grants in 2014**

Ms Lyn Bannerman asked the following question –

- (a) What organisations or individuals are being funded under the Synod grants line “Work Outside the Diocese” in 2014?
- (b) How much is each receiving and what are the specific purpose(s) of each grant?
- (c) Has Standing Committee sought some form of acquittal, or reporting of outcomes, from each of the organisations or individuals receiving a grant, and if not, why not?

To which the President replied –

I am informed that the answer is as follows –

The answers to parts (a) and (b) are shown below.

	\$	
Diocese of Armidale	5,000	Ministry support
Diocese of North West Australia	47,000	Ministry support
Diocese of Tasmania	5,000	Support for Youth Ministry
Diocese of Northern Territory	38,000	Ministry support
NATSIAC	1,000	Indigenous ministry
Archbishop Davies, Bishop Jensen and Bishop Tasker	16,744	Overseas travel costs
Bishop Alfred Olwa + the Rev J Ramsay	8,220	African preaching conference in the Uganda
The Rev Alan Lukabyo	3,010	Mauritius & Madagascar preaching/training
Seychelles	2,730	Funding for Bibles for PTC training
General Synod Office	5,000	Faithfulness in Service in simple English specifically for indigenous persons

In addition, at its meeting in November, the Work Outside the Diocese Committee expects to consider further requests from –

Diocese of the Northern Territory	
Indigenous training workshops	\$45,000
Ministry Development Officer	\$30,000
Growing Hope	
Myanmar Women's Conference	\$15,000
Bishop Tasker	
Overseas travel costs	\$2,308

Part (c). The Standing Committee has delegated to the Work Outside the Diocese Committee the responsibility for administering these funds. Applicants are required to submit a standard application form specifying:

- Name of Project
- Description of Project
- Funding sought
- History of support
- Other sources of funding
- Outcomes/reasons expected
- Accountability/milestones proposed

These details are reviewed by the Work Outside the Diocese Committee on behalf of the Standing Committee.

#### **7. Moore College training in Pastoral Care**

Mrs Sally Kliffen asked the following question –

For those preparing for ordination to presbyteral ministry, what training is given at Moore College for equipment in Pastoral Care?

To which the President replied –

I am informed that the answer is as follows –

All students seeking ordination to the Presbyterate must complete four years of training at Moore College.

Every student at Moore College must complete an assessable unit in Ministry & Mission every year.

Issues of pastoral care covered are –

1. Developing in listening skills
2. An introduction to personal and pastoral ministry
3. Case studies: depression; stress and anxiety
4. Ministering to the whole person (affections & embodiment)
5. Personal issues related to sexuality
6. Ministering across boundaries created by specific contexts (selected from women's ministry, men's ministry, children's ministry, youth ministry, indigenous ministry, ethnic ministry, ministry to the disabled, senior's ministry, ministry to the marginalized, blue-collar ministry)
7. The principles for communication across cultural boundaries
8. The best ways of resolving conflict & handling and giving criticism
9. Pastoring areas of conflict in families (including domestic violence) & in church
10. What creates optimal teams, and the threats with particular focus on conflict and change
11. Understanding and ministering to people involved in Domestic Violence.
12. Four 'safe ministry modules' developed by the Professional Standards Unit.

Co-curricular input on pastoral care occurs in chaplaincy group settings, and personal conversations with students through their engagement in student ministry positions.

**8. Support for 'solo staff' parishes**

Mrs Sally Kliffen asked the following question –

Are there specialised support and resources given to the rectors of smaller, 'solo staff' parishes? If yes, what are they?

To which the President replied –

I am informed that the answer is as follows –

There are no support and resources specifically directly towards the rectors of 'solo staff' parishes. However there are forms of support for rectors that are generally available throughout the Diocese.

The Regional Bishops and their Executive Assistants meet with and provide support to the clergy in their regions, and will make the mentoring and support of rectors in challenging parishes, which often includes 'solo staff' situations, a priority where this is appropriate and accepted. For example in most regions, the Bishop meets one-to-one annually with all rectors in their first three years for support and the discussion of ministry.

Most regions also run annual conferences and seminars which cover matters of particular concern and interest to new rectors and rectors in 'solo staff' parishes.

For the last five years, the South Sydney Region has run a year long program on the basics of intentional systemic leadership of a parish, called Sauerkraut. More recently this has begun to be offered to rectors outside the South Sydney Region.

Mission Areas also focus on supporting and encouraging mission thinking, and the sharing of ideas and resources through regular fellowship with other rectors.

Other informal networks for fellowship, help and encouragement also exist throughout the Diocese. It is also common for larger churches to support smaller churches.

The Department of Evangelism and New Churches is specifically tasked with supporting and mentoring the leaders of new fellowships.

**9. Percentage of Large Receipts allocated for diocesan purposes**

Mr Peter M G Young asked the following question –

What percentages have been allocated (for diocesan purposes) to Large Receipts exceeding \$1,000,000 over the past ten years in accordance with paragraph 10.12 of the current Diocesan Large Receipts Policy?

To which the President replied –

I am informed that the answer is as follows –

The answer to the question is shown below in tabular form.

The following table lists, by year and Parish, properties sold for a price exceeding \$1,000,000 and the percentage of each sale allocated to non-parish purposes, according to the Large Receipts Policy.

The following should be noted –

- The table is based on properties authorised for sale by Ordinance in the period 2004 – 2014 rather than actual sales data.

- The sale price is based on the valuation information provided by the Parish in support of the Ordinance since this is what is taken into account in determining large receipts. The property may have sold for a higher or lower figure.
- Where a valuation gave a range, we have applied the higher end of the range in determining if the Large Receipt is above \$1 million for the purposes of the question.
- Some of these sales may have involved the sale of a residence to buy a replacement residence. The Large Receipts Policy would not usually be applied in such an instance.

Year	Parish	Sale Price	Large Receipts Policy Percentage Applied
2004	Glenbrook (Lower Mountains)	\$1,200,000 - \$1,400,000	No L.R.P applied
2004	Neutral Bay	\$2,400,000	No L.R.P. applied *
2004	Neutral Bay	\$3,750,000	Proceeds to MPC
2005	Panania	\$1,200,000	No L.R.P. applied
2006	Thornleigh – Pennant Hills	\$1,600,000	The balance after payments in subclause 4(1)(a)-(e) **
2007	Newport	\$1,100,000 - \$1,300,000	No L.R.P. applied
2008	Manly	\$3,500,000 - \$4,000,000	15% of surplus after purchase of 2 residential properties
2010	Bowral	\$3,000,000	15%
2010	Merrylands	\$1,100,000 - \$1,250,000	15%
2011	Darling Street	\$3,600,000 - \$4,100,000	15%
2011	East Sydney (Darlinghurst)	\$3,000,000 - \$4,250,000	No L.R.P. applied
2011	St James King Street	\$1,000,000 - \$1,200,000	No L.R.P. applied
2011	South Sydney	\$1,200,000 ***	20% ****
2012	Broadway	\$3,200,000	No L.R.P. applied
2012	Narellan	\$3,600,000	15%
2012	Riverstone	\$1,200,000 *****	No L.R.P. applied
2012	St James King Street	\$1,300,000	No L.R.P. applied
2013	Beecroft	\$1,000,000 - \$1,500,000	10% of 1 <sup>st</sup> \$1,000,000 and 25% of sale proceeds exceeding \$1,000,000
2014	Concord West	\$1,250,000 - \$1,350,000	No L.R.P. applied
2014	Gladesville	\$4,000,000 - \$5,500,000	No L.R.P. applied
2014	Jamberoo	\$800,000 - \$1,200,000	No L.R.P. applied

## Notes:

- \* This sale was part of a dual sale of the Rectory and Church Site, with the Parish relinquishing its interest in the Church Site to the Mission Property Fund.

- \*\* The balance was applied to advance the Diocesan Mission after loans totalling \$680,000 were repaid, a residence was acquired, and approx \$100,000 applied to refurbishments and extensions on the church site.
- \*\*\* Valuation of \$1,200,000 obtained in 2008, land not sold until at least 2011.
- \*\*\*\* 20% added to the capital of the funds held under the Sydney Anglican Indigenous Peoples' Ministry Ordinance 2002
- \*\*\*\*\* Valuation of \$1,200,000 obtained in 2010, land not sold until at least 2012.

**10. Attendance levels at Synod of clergy and laity**

Mr Peter M G Young asked the following question –

What were the approximate attendance levels of laity and clergy (separately) as the Sydney Anglican Diocesan Synod for all five days and for both afternoon and evening sessions for the years from 2005 until 2012 (inclusive)?

To which the President replied –

I am informed that the answer is as follows –

Only total Synod attendance is recorded. It is not practical to record the attendance of lay and clerical members separately.

A table showing the approximate number of total members present during the afternoon and evening on each day of each session of the Synod since 2005 is below –

		2005	2006	2007	2008	2009	2010	2011	2012	2013 Elect.	2013
Day 1	afternoon	514	500	510	515	558	499	556	538	663	526
	evening	1,286	534	437	487	493	437	440	451	767	500
Day 2	afternoon	517	470	430	514	486	474	514	501	?	453
	evening	628	521	468	472	556	467	575	569	?	522
Day 3	afternoon	479	423	401	461	418	465	466	463		421
	evening	607	479	386	497	500	498	519	498		452
Day 4	afternoon	430	452	409	493	458	480	467	?		
	evening	607	462	412	487	444	542	463	?		
Day 5	afternoon	477	542	384	434	431	452	438	?		
	evening	537	494	384	436	450	431	474	?		

\* Day 1 in 2005 was held in the Town Hall with additional parish invitees.

**11. Wearing of the surplice in parish churches**

Mr David Warren-Gash asked the following question –

What is the current legislation concerning the wearing of the surplice in parish churches?

To which the President replied –

I am informed that the answer is as follows –

*The General Synod – Use of the Surplice Canon 1977 Adopting Ordinance 1977.*

**12. New churches in the Diocese in the past 6 years**

The Rev Graeme Howells asked the following question –

What are the number and location of all of the known new churches begun or planted by parishes or diocesan organisations within the Diocese in the past 6 years?

To which the President replied –

I am informed that the answer is as follows –

The following church buildings have been licensed in the last 6 years –

Hoxton Park Anglican Church  
St John's Rockdale  
St Barnabas Broadway  
St Peter's Lower Mountains

The Department of Evangelism and New Churches has been fostering and promoting church planting since 2010. In that time the following new churches have been planted under the auspices of ENC –

SOMA, Marsfield  
New Life, Oran Park (now a provisional parish)  
Vine Church, Surrey Hills  
Berkley Life Centre, Berkley Vale  
Soul Revival, Kirrawee  
Point Church, Breakfast Point (now the provisional parish of Concord North)  
Living Water Community, Redfern  
Grace City Church, Green Square  
Grace Church, East Roseville  
Christ at the College, Penrith

Of these 10 church plants, it is expected that a further 2 will become independent of ENC by end 2014 (that is, either a Provisional Recognised Church or Provisional Parish).

Some schools and diocesan organisations also undertake church-like ministries within their communities, though we do not have formal records.

**13. SRG members' prior ministry in greenfield areas**

The Rev Graeme Howells asked the following question –

How many members of the SRG (Strategic Research Group) presently live and minister in the greenfields areas, or have lived and ministered in those areas in the past 5 years?

To which the President replied –

I am informed that the answer is as follows –

None.

**14. Potential church plants identified by the ENC**

The Rev Graeme Howells asked the following question –

What are the number and location of the future church plant sites that have been identified by ENC (Evangelism and New Churches) in the greenfields for new churches?

To which the President replied –

I am informed that the answer is as follows –

ENC has not been tasked with identifying locations for greenfield church plants. This is the task of the Mission Property Committee.

**15. Potential church plants identified by the MPC**

The Rev Graeme Howells asked the following question –

What are the number and location of the future church plant sites that have been identified by the MPC (Mission Property Committee) in the greenfields for potential land acquisitions?

To which the President replied –

I am informed that the answer is as follows –

The MPC has identified that the Diocese has inadequate land holdings in 33 of the 99 greenfield locations across the Diocese.

Land has already been acquired for construction of future ministry centres in the South West at Oran Park, Austral and Leppington, and in the North West at Stanhope Gardens and Riverstone.

The MPC has targeted 1 or more land acquisitions per annum and is actively searching for land in 6 identified priority areas of rapid population growth in the North West including Marsden Park and Box Hill, in the West at St Marys ADI, in the South West at Wilton Junction and North Bringelly/Badgerys Creek and in the Illawarra at West Dapto.

**16. Membership of the Sydney Diocesan Doctrine Commission**

Dr David Oakenfull asked the following question –

What is the current membership of the Sydney Diocesan Doctrine Commission?

How are members of the Commission appointed?

To which the President replied –

I am informed that the answer is as follows –

The current members are –

The Rev Dr Peter G Bolt	The Rev Anthony J Payne
Bishop Robert C Forsyth	The Rev Gavin Perkins
Archdeacon Kara L Hartley	The Rev Robert S Smith
Canon Ivan Head	The Rev Dr Mark D Thompson
The Rev Dr David A Hohne	Canon John W Woodhouse

The Commission is appointed by the Archbishop in consultation with the Standing Committee pursuant to a request from the Synod in resolution 19/81 which provides –

Synod requests the Archbishop, in consultation with the Standing Committee, to appoint a Diocesan Doctrine Commission to consider and report on issues which may be referred to it by the Synod, the Standing Committee or by boards and committees set up by the Synod. The Commission to be comprised of 10 persons.

Since 1981, the Commission has been reappointed following the first session of each Synod.

**17. Contents insurance valuations of parishes**

Mr Clive Ellis asked the following question –

- (a) Are the contents valuations for parishes the basis of insurance cover?
- (b) Was there a particular reason for the huge reductions in contents valuations for at least some parishes (reportedly as much as 75%) in the 2012 valuations?

- (c) What action does SDS or the Property Trust take to ensure that parishes are adequately covered for contents insurance?

To which the President replied –

I am informed that the answer is as follows –

- (a) The valuations are necessary to obtain insurance but are not solely determinative of the extent of cover. The policy wording of the industrial special risk policy provides a generous latitude for the replacement of contents as shown by the payments over and above the declared values made to several parishes over recent years that incurred total loss of contents through fire damage.
- (b) In 2012, the Property Trust engaged an industry specialist insurance valuation consultant to value buildings and contents of all parishes and some diocesan organisations for insurance purposes. This involved a physical inspection of every site. The consultant undertakes insurance valuations for the Roman Catholic Church and schools across Australia, Uniting Church properties in NSW, Victoria and Tasmania, various Anglican dioceses in Queensland and one in Victoria, and the Lutheran church and schools in Queensland.
- 2012 marked the first diocesan-wide robust insurance valuation undertaken for many decades, so it was anticipated that the values ascribed in 2012 would vary somewhat to historical values. Following the 2012 valuations, most building/contents insurance valuations changed by less than 10%.
- (c) Given the credentials of the insurance valuation consultant, the Property Trust has high confidence in the efficacy of the valuations. However if a parish considers that the contents value on a valuation report is understated or overstated, there is scope to revisit the values by contacting the Manager Insurance Services.

#### 18. Parish income from which Parish Cost Recoveries are levied

Mr Robert Gowing asked the following question –

Which elements of parish income are Parish Cost Recoveries (PCR) levied on and is income from the sale or rent/licence of properties included?

To which the President replied –

I am informed that the answer is as follows –

The variable charge component of PCR applies to a parish's "net operating receipts" in a calendar year.

A parish's "net operating receipts" is the product of its "gross operating receipts" minus certain exclusions and deductions.

The items which comprise the "gross operating receipts" of a parish, and the exclusions and deductions therefrom, are set out in clauses 12, 13 and 14 of the Cost Recoveries Framework Ordinance 2008.

I don't propose to recite the full list of items, but in relation to property income –

- Income from leasing parish property is included (but reduced by any expenses of that leased property),
- Income from licensing parish property is included, and
- Income from the sale of property is excluded.

#### 19. Jesusbrings financial report

The Rev Peter Tong asked the following question –

Could we have a financial report for *Jesusbrings* including how many parishes participated financially and how the money was spent?

To which the President replied –

I am informed that the latest figures for this answer are as follows –

147 Sydney Parishes participated in the campaign, along with some diocesan organisations and a number of churches from other dioceses and denominations.

There was an initial allocation from the Mission Board/Standing Committee of \$90,000, which was the balance of the left over funds from Connect 09.

A comparison of income to expenses is shown on the screen as follows -

<u>Income</u>	
Allocation from the balance of Connect 09 funds	\$90,000
Contribution from parishes and participating organisations	\$366,000
Total Income	\$456,000
<u>Expenses</u>	
Campaign & resource development, promotion & events	\$94,000
Resource production & distribution	\$299,000
Staffing & Administration	\$41,000
Total Expenses	\$434,000
<u>Surplus</u>	\$22,000

As per Synod resolution, Evangelism and New Churches has been asked to quarantine any surplus funds from *Jesusbrings* for a future diocesan evangelistic campaign.

**20. Regional prayer days for *Mission 2020***

Mr Tom Mayne asked the following question –

Given that without prayer we can achieve little, would the 2020 Mission's SRG consider having venues in each of the five regions set apart for a special prayer day and night each year commencing in 2015 to saturate the Diocese in prayer as was done during the Billy Graham crusades?

To which the President replied –

I thank Mr Mayne for this proposal and encourage him with the knowledge that many prayer meetings have been taking place in Mission Areas. However I shall draw this to the attention of my Regional Bishops, who in consultation with their Regional Councils and their Mission Areas, will no doubt give this the priority it deserves.

**21. Reference to Aboriginal and Torres Strait Islander ministry in *Mission 2020***

Mr Tom Mayne asked the following question –

Could there not be a reference to Aboriginal and Torres Strait Islander ministry in the mission statement?

To which the President replied –

Yes. The questioner could consider moving an amendment.

**22. Year that Large Receipts Policy thresholds were determined**

Mrs Susan Hooke asked the following question –

In what year were the amounts referred to in paragraph 10.10 of the Large Receipts Policy determined?

To which the President replied –

I am informed that the answer is as follows –

The sale proceeds threshold of \$500,000 was determined on 26 July 2004.

The lease income threshold of \$50,000 was determined on 12 November 2012.

**23. Synod consideration of the Statement of Funding Principles 2016-2018**

Mrs Susan Hooke asked the following question –

When is this Synod to be given the opportunity to approve, disapprove or amend the Statement of Funding Principles and Priorities 2016-2018?

To which the President replied –

I am informed that the answer is as follows –

The Synod Estimates Ordinance 1998 requires the Standing Committee to prepare, for the first ordinary session of the 50<sup>th</sup> Synod and the first ordinary session of each Synod thereafter, a Statement of Funding Principles and Priorities to guide the Synod estimates process.

While the Ordinance does not provide for the Synod to “approve, disapprove or amend” the Statement, the Synod is able to express its mind on the Statement at any time by resolution.

**24. Greenfields land acquisition levy ordinance**

The Rev Nigel Fortescue asked the following question –

With regard to the greenfields land acquisition levy ordinance:

- (a) How much money is it anticipated to secure in 2014?
- (b) How much of this will be spent on acquiring new church sites?
- (c) How much will be spent on acquiring co-located or nearby school or retirement village sites?
- (d) How much money is anticipated being given by SASC or ARV for acquiring church sites?
- (e) Is SASC paying the entire cost of future school sites?
- (f) Is ARV paying the entire cost of future retirement village sites?

To which the President replied –

I am informed that the answer is as follows –

- (a) \$2 million
- (b) 100%, though the timing depends on the identification of suitable sites.
- (c) Nil. By way of explanation, the Sydney Anglican Schools Corporation utilised its own funding to independently acquire the land adjoining the Mission Property Committee site in Leppington. Opportunities for cost savings such as shared use of car parking areas will be considered in future planning. Anglican Retirement Villages currently has no specific plans to acquire a greenfields site for the co-location of a retirement village and church.
- (d) Nil
- (e) Yes
- (f) Yes

**25. Industries excluded by the Diocese in its ethical equities portfolio**

Mr David Flakelar asked the following question –

In determining its ethical equities portfolio, which specific industries does the Diocese exclude?

To which the President replied –

I am informed that the answer is as follows –

The Investment of Church Trust Property Ordinance 1990 (the “1990 Ordinance”) contains general provisions for the investment of church trust property.

The 1990 Ordinance does not generally authorise investments in shares, but it authorises investments in managed investment schemes through which share investments are commonly made.

In relation to investments in such schemes the 1990 Ordinance further provides that an investment is not permitted if the scheme or an underlying pooled product –

- (a) conducts as its main business, or one of its main businesses, a “disapproved business”, or
- (b) invests mainly in the securities of a corporation or scheme which conducts a “disapproved business” as its main business or one of its main businesses.

The Synod or the Standing Committee can by resolution declare a business to be a disapproved business.

Currently, the Standing Committee has disapproved the following businesses –

- the manufacture, promotion, distribution or sale of armaments,
- a business which is illegal or immoral,
- the manufacture, promotion, distribution or sale of tobacco,
- the business of gambling or betting or directly connected therewith,
- the manufacture, promotion, distribution or sale of liquor,
- the production, sale or distribution of 'X' or 'R' rated video or digital images, videos or films.

Specific diocesan organisations may have additional investment powers specified in their ordinance. For example, in relation to the Diocesan Endowment, the Glebe Administration Ordinance 1930 gives Glebe Administration Board wide powers to invest in shares, units and other interests and securities, provided that such shares, units interests or securities are not those of a corporation or trust which the Synod or the Standing Committee may by resolution disapprove. Under the 1930 Ordinance, GAB does not invest in a corporation or trust which conducts a “disapproved business” declared under the 1990 Ordinance.

**26. Students becoming Christians whilst enrolled at Sydney Anglican Schools Corporation schools**

The Rev Barry Macalister asked the following question –

Are there any statistics being recorded, showing the number of students enrolled in the Sydney Anglican Schools Corporation group of schools, who have begun to profess Jesus Christ as Lord and Saviour during their time enrolled in those schools?

If so, how many?

If not, are there any plans to do so?

To which the President replied –

I am informed that the answer is as follows –

The first two (and principal) Strategic Objectives in the Sydney Anglican Schools Corporation Strategic Plan 2020 are –

1. To provide high quality education within a Christian worldview shaped by the Bible, and
2. To communicate in word and deed the gospel of Jesus Christ to students, staff, parents and the wider community.

The current Strategic Plan also includes the following measurable goals which are directly pertinent to these Strategic Objectives –

- The proportion of enrolled students who identify as professing Christians is increased.
- The proportion of families involved in Bible-based Churches is increased.

These two goals were introduced as part of a review of all the Strategic Plan's goals in 2013.

At present no statistics are held by the Corporation about the number of students across the Corporation who have begun to profess Jesus Christ as Lord and Saviour during their time enrolled in its schools. Individual schools may complete such statistics about themselves but if they do it is likely that each one does so in a different way – such that at this time it would not be possible to consolidate them.

Nevertheless as these two goals have been recently adopted after the 2013 review of the Strategic Plan, the Corporation schools need now to be working together to produce such statistics that are meaningful across the Corporation so that the achievement or otherwise of these goals can be measured.

Despite the current lack of statistical evidence there is much non-statistical evidence that students enrolled in Corporation schools have begun to profess Jesus Christ as Lord and Saviour during their time enrolled.

One anecdote: A family with two children recently left a Corporation school because the father's work moved them interstate. At their exit interview the parents explained that they had enrolled their children in order for them to receive a high quality education, which they were most pleased that the children had received. One more thing, they said:

“When we enrolled the children we did not know that as a family we would leave Christian.”

## **27. Electronic lodgement of questions, amendments and motions for Synod**

Mr Glenn Murray asked the following question –

- (a) Could the Secretariat provide an electronic interface (or app for iPhone and Android equipment) to permit members to lodge questions, amendments and motions just before and during Synod sittings?
- (b) Are there modifications to Synod rules and ordinances to permit the above to occur so as to maintain the procedures and good practices for Synod sessions?

To which the President replied –

I am informed that the answer is as follows –

The Secretariat is always looking for ways to streamline the Synod process. This may include the use of an electronic interface for the lodgement of material.

## **28. Amendment of the Statement of Funding Principles and Priorities in light of *Mission 2020***

The Rev Alistair Seabrook asked the following question –

If “Mission 2020” passes as a policy of the Synod, how will the “Statement of Funding Principles and Priorities” for the next triennium be amended to reflect how the Synod has decided to focus our Mission for the next 5 years?

To which the President replied –

I am informed that the answer is as follows –

The Synod Estimates Ordinance 1998 provides that the statement of principles and priorities is for the purpose of guiding the Synod estimates process “for the purposes of the Diocesan Mission”.

If “Mission 2020” is passed it will constitute the Diocesan Mission for the purposes of the Ordinance and the Statement of Funding Principles and Priorities for the next triennium will reflect “Mission 2020”.

**29. Payment of full stipends to Rectors**

The Rev Robert Happer asked the following question –

- (a) How many parishes/provisional parishes within the Diocese do not pay their Rector/Minister in Charge a full stipend?
- (b) What provisions are in place to assist Rectors/Ministers in Charge who are not receiving a full stipend?
- (c) How many parishes within the Diocese are struggling with viability?
- (d) What strategies are in place to assist parishes that are struggling with viability to grow and blossom?

To which the President replied –

I am informed that the answer is as follows –

- (a) Payment of clergy stipends are a matter for the relevant Parish Council. Usually the only time when the stipend paid to the rector is notified to the Registry is when a parish falls vacant. Accordingly it is not possible to determine how many rectors do not receive a full stipend at other times.
- (b) Unlike some Australian diocese, the expectation in the Diocese of Sydney is that each parish is responsible for the payment of the stipend and emoluments of its rector. There are no funds generally available to support rectors who do not receive a full stipend.
- (c) The net operating receipts of parishes in the Diocese are shown on pages 81 to 86 of the report of the Standing Committee. The 2014 local revenues threshold to qualify for parish status is \$83,215.
- (d) The Regional Bishops and Regional Councils take an interest in struggling parishes and help in whatever ways they can.

**30. Church attendance statistics**

The Rev Zac Veron asked the following question –

- (a) What purposes are the annual church attendance statistics, gathered by the Diocesan Registrar, used for?
- (b) How can Synod members access the statistical data gathered?
- (c) Since 2005, what are the average total attendance figures for the Diocese in these groups:
  - (i) adults
  - (ii) teenagers
  - (iii) children

To which the President replied –

I am informed that the answer is as follows –

- (a) Attendance statistics collected each year by the Registrar enable analysis of attendances not only for the parish concerned but also for the Region and the Diocese as a whole.
- (b) Each parish has online access to its own historical statistical data. Statistics for other parishes or groups of parishes are available for research or other appropriate purposes on application to the Registrar.

The statistics for the Diocese as a whole are published in the year book (see page 147 of current Year Book).

- (c) Statistics collected each year are only split between those over and under 18 years of age. Attendance at weekly services for the years 2005 to 2013 is shown below.

	<b>Adult 18+</b>	<b>Children/Youth Under 18</b>	<b>Total</b>
2005	46,884	7,698	54,582
2006	47,388	7,719	55,107
2007	47,001	8,489	55,490
2008	44,855	6,372	51,227
2009	46,862	5,797	52,659
2010	47,082	6,670	53,752
2011	46,509	6,653	53,162
2012	46,649	6,332	52,981
2013	46,679	6,629	53,308

### 31. Expectation of communicant membership for senior Diocesan staff and clergy

The Rev Dr Roger Chilton asked the following question –

Is it a requirement or an expectation of the Archbishop that heads of Diocesan organisations, principals of Diocesan schools, and senior members of the clergy appointed to Diocesan positions, attend and are communicant members of an Anglican church in the Diocese?

To which the President replied –

As Archbishop I would expect Heads of Diocesan organisations and Heads of Diocesan schools to be regular church-attending members of a Bible-based church, which is preferably Anglican. All my episcopal colleagues are regularly involved in preaching and teaching across the churches of their region, and as such may not have a particular home church. While clearly communicant members of the Anglican Church of Sydney, they would not necessarily be eligible to vote in an AGM of any one Anglican parish. The Archdeacon of Women's Ministry, when not visiting other Anglican churches, is a communicant member of St John's Sutherland.

### 32. Excess borrowing by parishes

The Rev Philip Wheeler asked the following question –

Noting Standing Committee report item 3.19, how many parishes have engaged in excess/unwise borrowing as evidenced by the parish requiring financial assistance from the Diocese or foreclosure by a lender in the last 10 years?

To which the President replied –

I am informed that the answer is as follows –

There have been no instances of a bank or other lender commencing legal action to force a parish to sell assets to reduce or clear its debts.

However, several parishes have been noticeably impacted by high levels of debt that has caused financial distress. Anecdotally, this has resulted in parishes obtaining regional council support, voluntarily selling parish property assets, reducing ministry staffing levels, requesting temporary relief from loan repayments, payments to creditors being held back (including payments from MEAs) and ongoing financial appeals to parishioners to meet debt obligations.

Currently, parishes that seek a mortgage ordinance are now subject to a credit review process of the borrowing proposal, with the review forming part of the Standing Committee consideration of that mortgage ordinance.

### 33. Voting at board meetings

The Rev Joe Wiltshire asked the following question –

In board meetings of Sydney Anglican organisations, if less members vote on an issue than constitute a quorum of that meeting (due to abstentions), is the vote valid? In the case where the majority of present members abstain from voting on an issue is the meeting considered competent to Sydney Anglican standards to decide on the issue?

To which the President replied –

This question is out of order under business rule 6.3(4)(f) as it seeks a legal opinion.

### 34. Requirements for rectories

The Rev Bruce Stanley asked the following question –

Regarding parish rectories –

- (a) What are the current requirements for rectories in the Sydney Diocese?
- (b) Are these requirements uniform across the Diocese or do they differ across regions?
- (c) Currently, the SDS website refers wardens to the Regional Archdeacon. To whom should these enquiries about requirements now be made, and is it possible for these requirements to be made accessible on the SDS website?
- (d) How many parishes currently do not own a rectory meeting Diocesan requirements?

To which the President replied –

I am informed that the answer is as follows –

- (a) The *Nominations Ordinance 2006* requires a minister be "provided with the free use of a residence or otherwise housed in accommodation approved as suitable by the Archbishop". The *Parishes Ordinance 1979* also stipulates a similar criterion for status as a parish. While there are no longer any formal guidelines on the standard of accommodation that is considered suitable, the former guidelines are still used as a reference for determining suitability.
- (b) Yes
- (c) Each Regional Bishop is also licensed as Regional Archdeacon so enquiries should be addressed to the relevant regional Bishop or his assistant.
- (d) It is not known how many parishes do not own a suitable residence. The proposed housing arrangements are considered each time a rector is licensed, so the arrangements are reassessed each time a parish falls vacant.

### 35. SRE teacher accreditation

The Rev Bruce Stanley asked the following question –

Regarding SRE teacher accreditation –

- (a) Who is currently responsible for the writing and development of the training modules for SRE teacher accreditation?
- (b) Who is responsible for reviewing and overseeing this material?
- (c) How often are these modules reviewed?

To which the President replied –

I am informed that the answer is as follows –

- (a) The Rev Jon Thorpe, the Director of Youthworks Ministry Support Team, is responsible for overseeing the development of the SRE Accreditation Training modules. The modules are written and updated by Youthworks Ministry Support staff. The staff responsible for developing the training have qualifications in education and theology with one staff member currently completing doctorate level study in SRE Pedagogy.
- (b) Mr Thorpe is also responsible for overseeing the material and ensuring the material is reviewed regularly by the Ministry Support Team. He has been developing and delivering training for local ministries and diocesan organisations for 10 years. The material is reviewed on the basis of the following criteria –
  - Skills necessary for preparing our 2500 teachers to deliver quality SRE.
  - Government guidelines pertaining to SRE.
  - Diocesan guidelines pertaining to SRE.
  - Critical reflection by staff delivering the training to assess the current strengths and weaknesses of the training methodology used in the material.
  - Youthworks actively seeks written and verbal feedback from Local SRE Accreditation Trainers, Senior Accreditation Trainers and SRE teachers participating in the training.
- (c) The modules are under constant review with minor changes incorporated annually. The Youthworks Ministry Support Team has completed one major review of the material since accreditation was first launched in 2010.

### **36. Non-proselytisation agreements**

Mrs Kristen Young asked the following question –

Are there diocesan bodies, organisations or parishes which have current signed, non-proselytisation agreements or other contracts which restrict verbal witness? If yes, how many?

For these organisations, how many have signed such agreements in relation to receiving government funding?

To which the President replied –

I am informed that the answer is as follows –

So far as we can ascertain there are none, subject to a couple of exceptions, though it has not been practical to seek a direct answer from every diocesan body, organisation or parish within the timeframe.

The exceptions are as follows –

Firstly, in respect to Anglicare –

Principle 4 of the Memorandum of Understanding between the Civil Chaplaincies Advisory Committee (CCAC) and the Ministry of Health states: "The primary focus of Chaplaincy and Pastoral Care is the needs of patients, families and staff for spiritual care. Active proselytising is not a function of Chaplaincy and Pastoral Care Services."

Anglicare is not a signatory to this MOU and is not the recognised member of the CCAC. The Anglican Church of Australia, NSW Province, is the Member Organisation. However Anglicare Chaplains operating in public hospitals are expected to operate under the provisions of this MOU.

There is a similar provision in the MOU between the CCAC and Corrective Services NSW.

There are many examples of how Anglicare Chaplains in prisons and hospitals are not restricted in their 'verbal witness', while not proselytising; in the blog 'Good News in Hard Places' on the website [sydneyanglicans.net](http://sydneyanglicans.net).

Secondly, in respect to Anglican Aid –

The Australian Council for International Development (ACFID) Code of Conduct requires Anglican Aid to clearly delineate between aid and development and non-aid and development (including religious purposes) in its fundraising, programs and other activities.

Anglican Aid requires its overseas partners who are undertaking aid and development to sign an Activity Agreement which limits the partner's use of funds to the purposes and activities outlined in the project proposal. To the extent funds are for aid and development purposes, they cannot be used for evangelism or any religious activity.

It should be noted that all overseas partners of Anglican Aid are evangelical churches or non-government organisations which have an evangelical focus. These churches and NGOs are in regions of the world where both the spiritual and physical needs of people are acute.

Whilst Anglican Aid does not use or direct aid and development funds for evangelistic purposes, it is well aware that the Gospel of Jesus Christ is preached to project beneficiaries by its project partners and their church members in other contexts. A significant number of project beneficiaries are non-Christian.

Anglican Aid also operates a non tax deductible Ministry Fund which provides which provides theological education for clergy in training and the support of Bible Colleges. The ACFID Code of Conduct does not apply to this aspect of Anglican Aid's work.

### 37. Church planting in greenfields areas

The Rev Jonathan Squire asked the following question –

With regard to the Mission Property Committee's purchase of church sites in greenfields areas –

- (a) What was the cost of acquiring the land in Leppington for a future church building?
- (b) Approximately how many other similar new church sites are the MPC anticipating to purchase in greenfields areas by 2020?
- (c) If church plants are started on each of these sites by 2020, will this meet the 'Mission 2020' goal to "plant 15 new churches in Greenfield areas by 2020"?
- (d) Have other models of MPC property support for new churches in Greenfield areas been considered by the MPC? If so, what are they?

To which the President replied –

I am informed that the answer is as follows –

- (a) \$2.8 million

- (b) Subject to availability of funds, the MPC has targeted the acquisition of one site per year, so 6 sites over the next 6 years (2015-2020).
- (c) The MPC's current acquisition program will not achieve this goal on its own.
- (d) Several alternative models have been considered, the most notable of which are -

Firstly, the option of provision of ministry housing to support a church planter who would conduct church services in buildings owned by others, for example land owned by other Anglican organisations (ARV, SASC, Anglicare) or public school and community halls. In comparison to the provision of ministry housing, the construction of new ministry centres is relatively more expensive and beyond the reach of most parishes, and as such is a relatively higher priority. In the context of limited funding, the MPC has determined to provide ministry housing only in those greenfield locations where land has also been acquired for the construction of a new ministry centre.

Secondly, consideration has also been given to leasing or acquiring relatively cheaper land in industrial areas for use as a mid-week ministry hub or for Sunday services. However given the relatively larger population catchments proposed for each ministry centre of between 25,000 to 50,000 persons, the preference is for a relatively more prominent geographical location for each ministry centre on the fringe of the proposed town centres, and within the residential community.

Other models may also be considered by Regional Bishops, Regional Councils and Evangelism and New Churches.

### 38. **Bishopscourt**

Miss Michele Willsmore asked the following question –

With reference to Item 3.13 in the Report of the Standing Committee, and the Report from the Property Trust on page 104, is it intended that Archbishop Davies will move into Bishopscourt pending the sale of the property?

To which the President replied –

In October 2012 Synod passed the *Bishopscourt Sale Ordinance 2012* giving the Property Trust the authority to sell Bishopscourt at any time before October 2017. Following the retirement of Archbishop Jensen, the Property Trust arranged for the property to be put up for sale but two marketing programs have not yet produced an offer at a price which the Property Trust considers appropriate. Bishopscourt remains on the market and it is intended that it be sold in accordance with the Synod ordinance.

Earlier this year the matter of the housing of the Archbishop was discussed by the Endowment of the See Committee and it was agreed that, after some relatively minor renovations, I would move into Bishopscourt. The necessary approvals for the planned changes have recently been received from the local council and work has commenced. It is currently expected I will move into Bishopscourt before the end of this year. I have willingly given an undertaking to relocate whenever Bishopscourt is sold.

### 39. **Recognising traditional custodians of land**

The Rev Dr Roger Chilton asked the following question –

At the start of your Presidential Address, you recognised the traditional custodians of the land on which the Wesley Centre stands. Is there a diocesan policy concerning such recognition of Indigenous custodians at diocesan events? Is it your desire that parishes and clergy observe such recognition at local events, meetings and services?

To which the President replied –

There is no diocesan policy concerning an Acknowledgment of Country, as it has come to be known, whereby one recognises the original custodians of the land wherein we live and minister. Such a policy would need to be determined by the Synod.

My reason for including it in my Presidential Address was to model how such an acknowledgment might be made. I consulted the Sydney Anglican Indigenous Peoples' Ministry Committee, who appreciated the inclusion of such an acknowledgment, as well as the form of words which I was proposing to use. In my opinion, any Acknowledgment of Country in a Christian context should include an acknowledgment that the land belongs to God, as Creator, and that in his goodness he has given it to human custodians to be used for his glory. Those who have responsibility for leading public events must make their own decisions as to the appropriateness of delivering an Acknowledgment of Country in their own setting and particular context. My chief desire is that when such an Acknowledgment is made, it be distinctively Christian, so that we might honour Christ as Lord in every community.

**40. Moore Theological College External Studies Correspondence course**

Mrs Marguerite Robson asked the following question –

What were the student enrolment numbers in Moore College External Studies Correspondence course, for those students living within the Diocese –

- (a) for 2013 in –
  - (i) Preliminary Theological Certificate
  - (ii) Intermediate Theological Certificate
  - (iii) Advanced Theological Certificate
  
- (b) for 2014 in –
  - (i) the new revised Preliminary Theological Certificate
  - (ii) Introduction to Theological Studies (ITS)

To which the President replied –

I am informed that the answers are as follows -

- (a) Based on postcode there were 2,196 enrolments in total from within the geographical area of the Sydney Diocese. The introduction of changes in the distance education program in 2012/2013, including the size of each stage and the difference between core and elective subjects, make a precise number in each stage difficult to calculate.
  
- (b)(i) 615 enrolments from students within the geographical area of the Sydney Diocese.
  
- (ii) 66 different people have been enrolled in a unit of the Introduction to Theological Studies course over the three terms of this year from students within the geographical area of the Sydney Diocese. Over the same period there were an additional 1,018 enrolments in the Theology Certificate course.

**41. Theology Certificate**

Mrs Marguerite Robson asked the following question –

How many students living within the Diocese, who were previously enrolled in Theology Certificate (ThC) studies –

- (a) successfully transitioned to ITS and continued with Moore College External Studies?
- (b) did not successfully transition to ITS?

To which the President replied –

This question is difficult to answer as the transition is still in process for some. For the same reason it is difficult to identify those who did not successfully transition to the Introduction to

Theological Studies course. Some people are still considering which of the new available options suit them the best.

At this point in time (with an entire academic term to go in 2014) the following gives the number of PTC/ITC students from 2013 who are enrolled in one of the new programs -

Introduction to Theological Studies	8
Moore Access	116
New PTC	49
Continuing PTC	324

#### 42. Work Outside the Diocese Committee

Ms Lynette Bannerman asked the following question –

In 2012, 2013 and 2014 the Dioceses of Armidale, North West Australia, Tasmania and the Northern Territory received grants from the Synod fund “Work Outside the Diocese”.

- (a) Are all Australian Dioceses given the opportunity to apply for assistance from Sydney Diocese?
- (b) Specifically has Bathurst Diocese been considered for assistance?
- (c) Have any Dioceses applied for assistance and been refused, and if so, which?
- (d) Will all Dioceses, including Bathurst, be given an opportunity to apply for 2015 grants?

To which the President replied –

I am informed that the answer is as follows –

- (a) There is no restriction on applications for funding for work outside the Diocese. The Work Outside the Diocese Committee welcomes all applications for funding from dioceses, organisations and individuals.
- (b) The Work Outside the Diocese Committee has not received any application from the Diocese of Bathurst.

The Bathurst Bishop in Council and Property Trust and the individual members of these bodies are currently defendants in legal proceedings before the Supreme Court of NSW. The key issues in the court cases concern amounts in excess of \$20 million owed to the Commonwealth Bank. As Archbishop, I have frequent and extensive contact with the Bishop of Bathurst about these matters. The Standing Committee continues to monitor the situation as mentioned in item 6.4 of the Report of the Standing Committee.

There are complex legal, financial and pastoral issues involved in this matter. Together with the Standing Committee, I am seeking to do what is best for all involved. The Bishop of Bathurst has expressed his appreciation of our support and fellowship on a number of occasions.

- (c) All applications for funding are considered by the Work Outside the Diocese Committee in the context of the limited funds made available by the Synod. Every application from a Diocese is considered but it is not uncommon for the amount approved to be lower than the amount sought in the application.
- (d) All Dioceses, including Bathurst have the opportunity to apply for 2015 grants.

#### 43. Affiliated churches

Dr Alan Watson asked the following question –

The Standing Committee has declared Flooding Creek Community Church, Sale, Victoria, affiliated with the Diocese of Sydney (2014 Report 4.11).

- (a) What other churches outside our geographical boundaries have thus affiliated with our Diocese since 2005 (*Affiliated Churches Ordinance 2005*)?
- (b) What do we know about the effect such affiliation has had on the church(es) involved?
- (c) What pastoral oversight do we offer?
- (d) What do we know about the response of the local Diocese in which they are located to such an affiliation?

To which the President replied –

I am informed that the answer is as follows –

- (a) Since 2005, we have affiliated with the following 9 churches –

Albury Bible Church	(Albury, NSW)
Crossroads Christian Church	(Lyneham ACT)
Flooding Creek Community Church	(Sale, VIC)
Maitland Evangelical Church	(East Maitland, NSW)
Northern Lakes Evangelical Church	(Woongarra, NSW)
Stanthorpe Evangelical Community Church	(Stanthorpe, QLD)
Stromlo Christian Church formerly Central Evangelical Church	(Chapman, ACT)
The Lakes Evangelical Church	(Berkeley Vale, NSW)
The Point Community Church	(Port Macquarie, NSW)

A current list of affiliated churches is published in each Year Book.

- (b) The feedback received from our affiliated churches from time to time indicates that they value this relationship. First and foremost, I believe they value our prayers and partnership in the gospel. Beyond this, the feedback points to a number of other things which are valued, including –
  - The information available from the Diocese on a wide range of matters, for example professional standards and remuneration of ministry staff, and the willingness of Diocesan staff to speak with them about such matters.
  - The commendation given by affiliation that they are Bible-based churches and the natural referral effect this has for those of our members who move or are visiting outside Sydney.
  - The assurance we give in the ordinance that Anglican clergy who pastor an affiliated church will suffer no prejudice if they decide to return to a position in the Diocese.

Perhaps the best way to gain a sense of the significance of affiliation, at least for one church, is to read a note received earlier this year from a pastor of one affiliated church. He writes –

“We have very much appreciated the generosity of your Diocese in extending affiliation to our church.

Over the last 8 years the biggest help has been through your Professional Standards Unit, OH&S matters and fellowship. We are also intending to send our pastoral staff to one of the Faithfulness in Services conferences this year.

It is difficult to imagine how a young, small church like ours would keep abreast of professional standards etc without your help.

Your prayers and encouragement are also wonderful!”

- (c) It is important to note that our affiliates are non-Anglican churches which are and remain independent from us. Our relationship with these churches is one of mutual support and encouragement. We do not offer pastoral oversight.
- (d) Under the processes adopted by the Standing Committee for considering requests for affiliation, we notify the bishop of the diocese in which the church is situated of our intention to affiliate. We do this as a courtesy. In most cases, the bishop has expressed some unhappiness with our intention to affiliate, usually based on an incorrect belief that such churches are somehow Anglican or at least a church plant of this Diocese.

#### 44. Archbishop of Canterbury and GAFCON

Dr Alan Watson asked the following question –

I note that the Archbishop of Canterbury, Justin Welby, recently welcomed the role of GAFCON in challenging the wider Anglican Communion and thereby creating “healthy discomfort”; could you inform the Synod of the –

- (a) relationship of the Diocese to the leadership of the Archbishop of Canterbury, and
- (b) the role our participation in GAFCON is playing to create “healthy discomfort” to the wider communion?

To which the President replied –

- (a) The Anglican Diocese of Sydney, like the Anglican Church of Australia, is in communion with the Church of England.

The Archbishop of Canterbury occupies a unique historical role in the worldwide Anglican Communion which continues to the present time. In May this year I had the considerable pleasure of sharing a meal with Archbishop Welby and his family in their private apartment in Lambeth Palace. I then had a private time of bible study and prayer with the Archbishop. I met Archbishop Welby again when he visited Melbourne in August.

- (b) The Diocese of Sydney as a whole, and individual members of our Diocese, are active in GAFCON, as noted in several motions of our Synod. It is not clear what is encompassed by the term “healthy discomfort”. I trust that any discomfort we cause is helpful and godly.

#### 45. Frequency and cost of Tribunals

Mr Clive Ellis asked the following question –

- (a) How many tribunals have been conducted in each of the last 5 years?
- (b) What were the lowest, highest and average costs of these tribunals?
- (c) What are the major components of the costs?
- (d) How are the tribunals funded?

To which the President replied –

I am informed that the answer is as follows –

Since October 2009 there have been 3 matters which could be considered as "Tribunals". Two matters were concluded in 2011 and one is currently in process.

Financial details of the two concluded matters are -

Matter A - Ordained person

Investigation costs	\$48,940
Legal costs	\$11,459
Transcription services	\$5,236
Total external payments	\$65,635

Matter B - Ordained person

Investigation costs	\$46,155
Legal costs	\$17,378
Total external payments	\$63,533

Matter C - Lay person

Tribunal currently in process  
 Minimal costs to date but significant costs expected in due course

Additional costs not included above are –

- Each Tribunal matter involves substantial PSU and other staff time which is estimated at \$20,000 to \$40,000 for each matter.
- It is common for a matter before a Tribunal to also involve counselling costs for both the complainant and respondent and their immediate families.
- Subject to the outcome, a Pastoral Care and Assistance payment is usually made to the complainant.

The cost of staff time is included in the operating costs of the PSU and other relevant departments. The external payments are funded from Synod resources.

**46. Transfers from the Northern Region to the Georges River Region**

Mr Rodney Cosier asked the following question –

Between 1 January 2004 and the present time how many rectors of parishes in the Northern Region have resigned to take up a cure of souls in the Georges River Region?

To which the President replied –

I am informed that the answer is as follows –

Of the 34 current Rectors in the Georges River Region, 2 were rectors of parishes in the Northern Region immediately prior to their appointment. As a point of interest, this is twice the rate of the other regions.

**47. Synod and Standing Committee members under 30 years of age**

Mrs Tara Jane Sing asked the following question –

How many members of Synod and also Standing Committee are under thirty years of age?

How does this compare to the last three Synods?

What steps, if any, have been taken to encourage participation by younger members?

To which the President replied –

I am informed that the answer is as follows –

This Synod is the first time comprehensive information has been collected about the age of Synod members. There are currently 29 members of Synod aged 18 to 29. As a point of interest, the youngest member is 18 and the oldest member is 86.

There are no current members of Standing Committee aged under 30.

Few formal steps have been taken to encourage the election of younger members, though renewal is at the forefront of the leadership of the Diocese. One example has been the establishment of the Sydney Anglican Lawyer's Network which has a considerable number of younger members.

Parishes may also wish to give consideration to this matter in the election of their Synod representatives.

#### 48. Social Issues Committee

Mr Richard Glover asked the following question –

- (a) What is the current membership of the Diocesan Social Issues Executive?
- (b) How are members of SIE appointed?
- (c) How may Synod members go about requesting that particular issues be investigated by SIE?

To which the President replied –

I am informed that the answer is as follows –

- (a) The Social Issues Committee, previously known as the Social Issues Executive, is currently comprised of the following members –

Mr Angus Belling, Dr Megan Best, the Rev Andrew Errington, the Rev Dr Andrew Ford, Mr Darren Mitchell and Dr Karin Sowada.

- (b) The members are appointed by the Standing Committee.
- (c) The Social Issues Committee provides advice to the Archbishop and to the Standing Committee on matters referred to it by them, but may also identify and initiate study and discussion on other social issues. Members of Synod could write to the secretary of the Social Issues Committee with any suggestions.

#### 49. Pastoral Care training

Mrs Sally Kliffen asked the following question –

Stemming from the generous and detailed answer to my question at 3.7 of yesterday's Business Paper (14<sup>th</sup> October) and acknowledging that currently the four years of training at Moore College for those seeking ordination to the Presbyterate includes an assessable unit in Ministry and Mission where at least 12 issues of Pastoral Care are covered –

What Pastoral Care training is provided for current parochial ministers who graduated from Moore College before some or all of those 12 issues were covered?

To which the President replied –

I am informed that the answer is as follows –

Ministry Training and Development run a Ministry Development Program for new parochial ministers in the first 3 years after their graduation from theological college. Training in pastoral care is integrated throughout the whole program.

Moore Theological College also launched a new Centre for Ministry Development in the first half of 2013, which is headed by the Rev Archie Poulos. The Centre offers a highly tailored individual ministry development program to ministers. The Program involves consideration of the particular skills and needs of the minister, and also their ministry context, in order to focus on specific areas of development. For example, if a minister needs assistance with grief counselling, a program of coaching and assistance can be tailored accordingly.

**50. Greenfields land purchases**

Mr Nathan Heyer asked the following question –

In regard to the greenfields land purchase –

Is there is a time limit in which a building must be placed?

How could the funds be raised?

Also from where would the funds be raised?

To which the President replied –

I am informed that the answer is as follows –

Development consents issued by Local Councils typically require physical commencement of the construction of the church building within 2 to 5 years from obtaining development approval. In certain locations there is also a time limit imposed by the developer. For example at Oran Park the church building was required to be constructed within 5 years of acquisition, and in Stockland developments buildings are required to be constructed within 2 years of acquisition. The town planning background of the MPC's executive manager greatly assist in mitigating the risks associated with compliance with developments consents.

The Archbishop has proposed the launching of a Capital Fundraising Campaign through his office. Other possible sources are the sale of surplus lands held by the Mission Property Committee and the proposed sale of 'large receipts' properties by parishes.

**51. Contingency plans for changes in Local Government Rules**

Mr Nathan Heyer asked the following question –

In relation to the greenfields area is there a contingency plan if the Local Government Rules change in relation to the building, zoning and length of time before completion?

To which the President replied –

I am informed that the answer is as follows –

Prior to any strategic land acquisition, the MPC conducts robust due diligence which includes an exit strategy to mitigate the risk that a site may no longer suitable for a church building at the time development consent is sought. The due diligence process includes meetings with the NSW government (including the relevant Minister or their department heads) and local council representatives and independent specialist advice from property professionals (valuation, architectural, town planning, engineering, environmental, traffic etc).

## Elections

### Uncontested elections

In accordance with rule 4.1(1) of the Schedule to the *Synod Elections Ordinance 2000*, I hereby certify that the following nominations of persons do not exceed the number of persons to be elected for the offices shown –

1.	<p><b>STANDING COMMITTEE</b> (Standing Committee Ordinance 1897)</p> <p><b>8 qualified lay persons to be elected for 3 years by the members of the Synod</b> Mr Neil M Cameron Mr Michael Easton Mr Stephen W Hodgkinson Mr John S Pascoe Dr Laurie A Scandrett Dr Claire Smith Dr Robert Tong AM The Hon Peter W Young AO QC</p>
2.	<p><b>STANDING COMMITTEE – Persons from the Georges River Region elected by regional electors of the Georges River Region</b> (Standing Committee Ordinance 1897)</p> <p><b>2 qualified ministers, who are not ex-officio members of Standing Committee, to be elected for 3 years by the regional electors of the Georges River Region</b> Canon Phillip J Colgan The Rev Peter R Lin</p> <p><b>4 qualified lay persons to be elected for 3 years by the regional electors of the Georges River Region</b> Mr Robert Bradfield Dr Bryan S Cowling Mr Clive G Ellis Mr James W Flavin</p>
3.	<p><b>STANDING COMMITTEE – Persons from the Northern Region elected by regional electors of the Northern Region</b> (Standing Committee Ordinance 1897)</p> <p><b>2 qualified ministers, who are not ex-officio members of Standing Committee, to be elected for 3 years by the regional electors of the Northern Region</b> The Rev Craig W Roberts Canon Richard J Smith</p> <p><b>4 qualified lay persons to be elected for 3 years by the regional electors of the Northern Region</b> Mr John Driver Miss Jennifer S Flower Mr Phillip R Shirriff Ms Nicola Warwick-Mayo</p>

4.	<p><b>STANDING COMMITTEE – Persons from the South Sydney Region elected by regional electors of the South Sydney Region</b> (Standing Committee Ordinance 1897)</p> <p><b>4 qualified lay persons to be elected for 3 years by the regional electors of the South Sydney Region</b> Mrs Elisabeth A Boyce Mrs Gillian Davidson Ms Michelle England Dr Karin N Sowada</p>
5.	<p><b>STANDING COMMITTEE – Persons from the Western Sydney Region elected by regional electors of the Western Sydney Region</b> (Standing Committee Ordinance 1897)</p> <p><b>2 qualified ministers, who are not ex-officio members of Standing Committee, to be elected for 3 years by the regional electors of the Western Sydney Region</b> The Rev Rajeev Gupta The Rev Gavin M Poole</p> <p><b>4 qualified lay persons to be elected for 3 years by the regional electors of the Western Sydney Region</b> Mr Jeremy Freeman Mr Malcolm J Purvis Mrs Janette Thambyrajah Mr Lyall A Wood</p>
6.	<p><b>STANDING COMMITTEE – Persons from the Wollongong Region elected by regional electors of the Wollongong Region</b> (Standing Committee Ordinance 1897)</p> <p><b>4 qualified lay persons to be elected for 3 years by the regional electors of the Wollongong Region</b> Mr Peter J Evans Mr Geoff R S Kyngdon Dr David Nockles Mr Tony J Willis</p>
7.	<p><b>ST ANDREW'S CATHEDRAL CHAPTER</b> (Cathedral Ordinance 1969)</p> <p><b>1 clerical canon to be elected for 4 years</b> Canon Richard J Smith</p> <p><b>1 lay canon to be elected for 4 years</b> Mr Neil M Cameron</p>
8.	<p><b>THE COUNCIL OF ABBOTSLEIGH</b> (Abbotsleigh Ordinance 1924)</p> <p><b>1 clergyman to be elected for 4 years</b> The Rev Ian A Millican</p> <p><b>2 laymen to be elected for 4 years</b> Mr Euan F Campbell Mr Denis C Pontin</p>

Continued...

Continued...

	<p><b>1 laywoman to be elected for 4 years</b> Mrs Elizabeth Robinson</p>
9.	<p><b>ANGLICAN AID</b> (The Archbishop of Sydney's Anglican Aid Ordinance 2011)</p> <p><b>1 member of the clergy to be elected for 3 years</b> The Rev Robert J Stewart</p> <p><b>1 person to be elected for 3 years</b> Canon Peter Rodgers</p>
10.	<p><b>ANGLICAN CHURCH PROPERTY TRUST DIOCESE OF SYDNEY</b> (Anglican Church Property Trust Diocese of Sydney Ordinance 1965)</p> <p><b>2 lay persons to be elected for 6 years</b> Mr David J Nelson Dr Robert Tong AM</p>
11.	<p><b>ANGLICAN EDUCATION COMMISSION</b> (Anglican Education Commission Ordinance 2006)</p> <p><b>2 persons to be elected for 3 years</b> Mrs Julie Mathews Miss Wendy Philpott</p>
12.	<p><b>SYDNEY ANGLICAN HOME MISSION SOCIETY COUNCIL (ANGLICARE)</b> (Sydney Anglican Home Mission Society Ordinance 1981)</p> <p><b>1 member of the clergy to be elected for 3 years</b> The Rev John S Reid</p> <p><b>2 persons to be elected for 3 years</b> Mr Benjamin J Meikle Mr William D Wallace</p>
13.	<p><b>ANGLICAN RETIREMENT VILLAGES DIOCESE OF SYDNEY</b> (Anglican Retirement Villages Diocese of Sydney Constitution Ordinance 1961)</p> <p><b>2 persons to be elected for 3 years</b> Mrs Anita Barnett Mr Ian J Steward</p>
14.	<p><b>COUNCIL OF ANGLICAN YOUTH AND EDUCATION DIOCESE OF SYDNEY (YOUTHWORKS)</b> (Anglican Youth and Education Diocese of Sydney Ordinance 1919)</p> <p><b>1 member of the clergy to be elected for 3 years</b> Canon Stephen R Gibson</p> <p><b>1 lay person to be elected for 3 years</b> Mrs Naomi Wilkins</p>

15.	<p><b>ARDEN ANGLICAN SCHOOL COUNCIL</b> (Arden Anglican School Council Ordinance 1962)</p> <p><b>4 persons to be elected for 3 years</b> Mr Santino J Dimarco Mr Ross W Lamb Mr Lachlan May Mr David Sietsma</p>
16.	<p><b>THE COUNCIL OF BARKER COLLEGE</b> (The Barker College Ordinance 1978)</p> <p><b>1 member of the clergy to be elected for 3 years</b> Archdeacon Kara L Hartley</p> <p><b>2 lay persons to be elected for 3 years</b> Mr David G Charles Ms Catherine M Crouch</p>
17.	<p><b>BOARD OF ENQUIRY</b> (Discipline Ordinance 2006)</p> <p><b>1 member of the clergy to be elected for 3 years</b> Canon Phillip J Colgan</p> <p><b>2 lay persons to be elected for 3 years</b> Mr Ian C Miller Dr Laurie A Scandrett</p>
18.	<p><b>COUNCIL OF MINISTRY TRAINING AND DEVELOPMENT</b> (Ministry Training and Development Council Ordinance 1989)</p> <p><b>1 lay person to be elected for 3 years</b> Mr Allan M Dodd</p>
19.	<p><b>DIOCESAN REPRESENTATIVES ON COUNCIL OF CHURCHES IN NSW</b> (Constitution of the Council)</p> <p><b>17 persons to be elected for 3 years</b> The Rev Marshall S Ballantine-Jones The Rev Gordon C M Boughton The Rev Dr Andrew L Ford Mrs Lesley K Hicks Miss Delma H Porter The Rev Michael G Robinson Mr Eric C Wallis</p>
20.	<p><b>DEPARTMENT OF EVANGELISM AND NEW CHURCHES BOARD</b> (Department of Evangelism and New Churches Ordinance 2010)</p> <p><b>1 lay person to be elected for 3 years</b> Mr Andrew J Mitchell</p>

21.	<p><b>DIOCESAN TRIBUNAL</b> (Discipline Ordinance 2006)</p> <p><b>5 members of the clergy, being clergy for not less than 10 years, to be elected for 3 years</b> The Rev Mark D Charleston The Rev Hugh T Cox Canon Stephen R Gibson The Rev Jacqueline E Stoneman The Rev Dr Mark D Thompson</p> <p><b>5 lay persons to be elected for 3 years</b> Mr Tim Breakspear Mrs Victoria Brigden Miss Stephanie M Cole Dr Cassandra Sharp Dr Robert Tong AM</p>
22.	<p><b>DIOCESAN REPRESENTATIVES ON GENERAL SYNOD</b> (General Synod Representation Ordinance 1986)</p> <p><b>33 lay persons to be elected for 3 years</b> Mr Rowen Atkinson Mr Garth O Blake SC Mr Lachlan Bryant Mrs Gillian Davidson Mrs Kathy Driver Mr Clive G Ellis Ms Michelle England Mr James W Flavin Mr Philip Gerber Miss Caitlin R Hurley Mr Geoff R S Kyngdon Mr Stephen Lucas Mr Douglas S Marr Mr Michael K Meek SC Mr Ian C Miller Mr Craig Moore Mrs Michele Morrison Mr Glenn R Murray Dr Barry C Newman Mr Malcolm J Purvis Ms Nicola Ramsay Dr Laurie A Scandrett Ms Leanne Slade Mrs Fiona E Smark Dr Claire Smith Dr Karin N Sowada</p>

Continued...

Continued...

	<p>Ms Emma Thornett          Dr Andrew R Tong          Mr Stephen N Tong          Dr Robert Tong AM          Mrs Nicola Warwick-Mayo          Mr Robert J Wicks          The Hon Peter W Young AO QC</p>
23.	<p><b>GEORGES RIVER REGIONAL COUNCIL</b>          (Regions Ordinance 1995)</p> <p><b>1 minister from each Mission Area in the Georges River Region to be elected for 3 years by the regional electors of the Region</b>          The Rev Stephen M B Frederick - Liverpool          The Rev Dr Margaret A Powell - Canterbury-Bankstown          The Rev Jason Veitch - St George</p> <p><b>1 lay person from each Mission Area in the Georges River Region to be elected for 3 years by the regional electors of the Region</b>          Mrs Lisa Bateup - St George          Dr David G Power - Canterbury-Bankstown          Mr Michael J Toull - Liverpool</p>
24.	<p><b>THE COUNCIL OF THE ILLAWARRA GRAMMAR SCHOOL</b>          (The Illawarra Grammar School Ordinance 1958)</p> <p><b>1 clergy man to be elected for 4 years</b>          The Rev Stephen J Stanis</p> <p><b>2 lay persons to be elected for 4 years</b>          Mrs Vanessa Goodhew          Mr Karl Taylor</p>
25.	<p><b>THE COUNCIL OF THE KING'S SCHOOL</b>          (The King's School Council Constitution Ordinance 1922)</p> <p><b>3 clergy men to be elected for 6 years</b>          Canon David Claydon          The Rev Dr Hugh T Cox          Canon Bruce H Morrison</p> <p><b>3 lay persons to be elected for 6 years</b>          Mr Mark Bradford          Mr James D Lane          Dr Robert Mackay</p> <p><b>1 lay person to be elected for 3 years</b>          Mrs Rosemary A Abrahams</p>

26.	<p><b>MACARTHUR ANGLICAN SCHOOL COUNCIL</b> (Macarthur Anglican School Ordinance 1982)</p> <p><b>2 persons to be elected for 3 years</b> Mrs Annabel L Michie Mrs Catherine A Rich</p>
27.	<p><b>THE MISSION TO SEAFARERS, SYDNEY PORT COMMITTEE</b> (Synod Resolution 10/63)</p> <p><b>5 persons to be elected for 3 years</b> The Rev Philip J Bradford The Rev Robert C Cameron Commodore Nicholas F Helyer MBE</p>
28.	<p><b>MOORE THEOLOGICAL COLLEGE COUNCIL</b> (Moore Theological College Ordinance 2009)</p> <p><b>2 members of the clergy to be elected for 3 years at least one of whom is to be an incumbent</b> The Rev Gary Koo The Rev Jason L Ramsay</p> <p><b>1 lay person to be elected for 3 years</b> Dr William J Hurditch</p>
29.	<p><b>NORTHERN REGIONAL COUNCIL</b> (Regions Ordinance 1995)</p> <p><b>1 minister from each Mission Area in the Northern Region to be elected for 3 years by the regional electors of the Region</b> The Rev Terrance R Bowers - Warringah The Rev Ian A Millican – Upper North Shore The Rev Peter M Tong – Lower North Shore The Rev Malcolm B York - Ryde</p> <p><b>1 lay person from each Mission Area in the Northern Region to be elected for 3 years by the regional electors of the Region</b> Mr Frederick J Chilton - Lower North Shore Miss Stephanie M Cole - Ryde Mr Bruce W Ginn - Warringah Mr Ian J Steward - Upper North Shore</p>
30.	<p><b>PARISH RELATIONSHIPS ORDINANCE PANELS</b> (Parish Relationships Ordinance 2001)</p> <p><b>PANEL</b> <b>4 persons to be elected for 3 years</b> Mrs Deborah L Blackwell Canon Andrew Grant The Rev Michael G Robinson</p>

*Continued...*

*Continued...***APPEAL GROUP****5 members of the clergy to be elected for 3 years (who are or have been incumbents)**

The Rev Neil A Flower

Canon Andrew Grant

The Rev Peter J Hutchinson

The Rev Stuart G E Smith

**5 lay persons to be elected for 3 years (who are or have been wardens for at least 2 years)**

Mr Frederick J Chilton

Mr Clive G Ellis

Mr Stephen W Hodgkinson

Miss Alicia J Watson

**LICENSING REVIEW GROUP****4 members of the clergy to be elected for 3 years (at least 2 in presbyter's orders)**

The Rev Michael G Robinson

**4 lay persons to be elected for 3 years**

Mrs Deborah L Blackwell

Miss Stephanie M Cole

Mr Ian C Miller

Ms Naomi M Spencer

**2 persons to be elected for 3 years**

Mrs Jennifer M Everist

Mr Andrew J McLachlan

31.

**NOMINATION BOARD**

(Nomination Ordinance 2006)

**2 members of the clergy being members of Synod to be elected for 3 years**

The Rev Terence R Bowers

The Rev Mark Charleston

**2 lay persons being members of Synod to be elected for 3 years**

Mr Stephen W Hodgkinson

Dr Robert Tong AM

**1 alternate member of the clergy being a member of Synod to be elected for 3 years**

The Rev Philip Wheeler

**1 alternate lay person being a member of Synod to be elected for 3 years**

Dr Barry C Newman

32.

**DIOCESAN REPRESENTATIVES ON PROVINCIAL SYNOD**

(Provincial Synod Representation Ordinance 1986)

**12 members of the clergy to be elected for 3 years**

The Rev Marshall S Ballantine-Jones

The Rev Scott M Blackwell

*Continued...*

Continued...

The Rev Dane H Courtney  
 The Rev Nigel E J Fortescue  
 The Rev Rajeev Gupta  
 Archdeacon Deryck K Howell  
 Bishop Ivan Y Lee  
 The Rev David Ould  
 The Rev Baden P Stace  
 The Rev Dr Mark D Thompson  
 The Rev Peter M Tong  
 The Rev Matthew A B Whitfield

**12 lay persons to be elected for 3 years**

Mr Lachlan Bryant  
 Dr Rodney K James  
 Mr Stephen Lucas  
 Mr Douglas S Marr  
 Mr Grant Millard  
 Mr Ian C Miller  
 Mr Glenn R Murray  
 Dr Laurie A Scandrett  
 Dr Karin N Sowada  
 Dr Robert Tong AM  
 Mr Robert J Wicks  
 The Hon Peter W Young AO QC

**33. SOUTH SYDNEY REGIONAL COUNCIL**  
 (Regions Ordinance 1995)

**1 minister from each Mission Area in the South Sydney Region to be elected for 3 years by the regional electors of the Region**

The Rev David J Rogers - Eastern Suburbs  
 The Rev Dominic Steele - Inner West  
 The Rev Mark Wormell - Sydney City

**1 lay person from each Mission Area in the South Sydney Region to be elected for 3 years by the regional electors of the Region**

Mrs Elisabeth A Boyce - Inner West  
 Mr Robert J Freeman – Sydney City  
 Miss Alicia J Watson - Eastern Suburbs

**34. COUNCIL OF ST CATHERINE'S SCHOOL, WAVERLEY**  
 (St Catherine's School Waverley Ordinance 1922)

**1 member of the clergy to be elected for 3 years**

The Rev Richard A Lane

**2 lay persons to be elected for 3 years**

Ms Danusia Cameron  
 Mr Roger Z A Collison

35.	<p><b>SYDNEY CHURCH OF ENGLAND FINANCE AND LOANS BOARD</b> (Sydney Church of England Finance and Loans Board Ordinance 1957)</p> <p><b>1 member of the clergy to be elected for 3 years</b> The Rev Stephen Cook</p> <p><b>2 lay persons to be elected for 3 years</b> Mr Mark Boyd Mr Michael D Jones</p>
36.	<p><b>SYDNEY ANGLICAN SCHOOLS CORPORATION</b> (Sydney Anglican Schools Corporation Ordinance 1947)</p> <p><b>3 persons to be elected for 3 years</b> Mrs Jennifer M Everist Mr William J Shields Mr Ronald Webb</p>
37.	<p><b>SYDNEY CHURCH OF ENGLAND GRAMMAR SCHOOL COUNCIL (SHORE)</b> (The Sydney Church of England Grammar School Constitution Consolidation and Amendment Ordinance 1923)</p> <p><b>3 clergy men to be elected for 6 years (in presbyters orders)</b> The Rev Dr Paul D Dale The Rev Stuart J Holman</p> <p><b>3 lay persons to be elected for 6 years</b> Mrs Katharine K Bayliss Mrs Kirsten Bucknell Mr Lyndon Tam</p>
38.	<p><b>BOARD OF SYDNEY DIOCESAN SUPERANNUATION FUND</b> (Sydney Diocesan Superannuation Fund Ordinance 1961)</p> <p><b>3 persons who are representatives of employees to be elected for 6 years</b> Mr Michael Blaxland Mr John C A Cross Mr Stephen G Poucher</p> <p><b>3 persons who are representatives of employers to be elected for 6 years</b> Mr David Cannings Mr Andrew Frankling Mr John S Wenden</p>
39.	<p><b>COUNCIL OF TARA ANGLICAN SCHOOL FOR GIRLS</b> (Tara Anglican Girls' School Ordinance 1956)</p> <p><b>3 persons to be elected for 3 years</b> Dr Irmgard Pascoe Ms Margaret Stuart</p>

40.	<p><b>COUNCIL OF TRINITY GRAMMAR SCHOOL</b> (Trinity Grammar School Constitution Ordinance 1928)</p> <p><b>2 clergy men to be elected for 3 years</b> The Rev Christopher S Braga The Rev Alan J M Lukabyo</p> <p><b>2 lay persons to be elected for 3 years</b> Dr Robert C Claxton Mr John C Rudd</p> <p><b>1 lay person to be elected for 1 year</b> Mr Peter Bakunowicz</p>
41.	<p><b>WESTERN SYDNEY REGIONAL COUNCIL</b> (Regions Ordinance 1995)</p> <p><b>1 minister from each Mission Area in the Western Sydney Region to be elected for 3 years by the regional electors of the Region</b> The Rev Roger J Cunningham - Penrith The Rev Trevor J W Oakley - Blue Mountains The Rev Gregory Peisley - Hawkesbury Canon Mark H Williamson - Blacktown</p> <p><b>1 lay person from each Mission Area in the Western Sydney Region to be elected for 3 years by the regional electors of the Region</b> Mrs Vicki A Brasington - Blue Mountains Mr Ken Fairfax - Hawkesbury Mr Rodney K James – Penrith Mr Andrew J McLachlan - Parramatta Mr Ross W A Pendlebury - Hills</p>
42.	<p><b>WILLIAM BRANWHITE CLARKE COLLEGE COUNCIL</b> (The William Branwhite Clarke College Ordinance 1987)</p> <p><b>1 lay person to be elected for 3 years</b> Mrs Bronwyn A Wake</p>
43.	<p><b>WOLLONGONG REGIONAL COUNCIL</b> (Regions Ordinance 1995)</p> <p><b>1 minister from each Mission Area in the Wollongong Region to be elected for 3 years by the regional electors of the Region</b> Canon Michael R Blake - Camden-Campbelltown The Rev Stephen J Carlisle - Sutherland The Rev Robert J Copland - Wollongong The Rev Anthony W Douglas - Shoalhaven The Rev Stephen S Fifer - Southern Highlands The Rev Stephen A Swanepoel - Wollongong South</p> <p><b>1 lay person from each Mission Area in the Wollongong Region to be elected for 3 years by the regional electors of the Region</b> Mr Mark A Cottom - Wollongong</p>

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	<p>Mr Peter J Evans - Southern Highlands          Mrs Amanda Garlato - Sutherland          Mr Andrew C Guile - Shoalhaven          Mr Geoff R S Kyngdon - Wollongong South          Mr Ronald A Webb - Camden-Campbelltown</p>
44.	<p><b>ST JOHN'S CATHEDRAL PARRAMATTA CHAPTER</b>          (The St John's Regional Cathedral Parramatta Ordinance 1969)</p> <p><b>2 clerical canons being licensed by the Archbishop to a specific ministry in the Western Sydney Region, to be elected for 3 years by the regional electors of the Region</b>          The Rev Thomas G Harricks          Canon Mark Huon Williamson</p> <p><b>2 lay canons being residents or parishioners of a Parish in the Western Sydney Region, to be elected for 3 years by the regional electors of the Region</b>          Mr Allan L Piper          Mr Stephen Poucher</p>
45.	<p><b>ST MICHAEL'S REGIONAL CATHEDRAL WOLLONGONG CHAPTER</b>          (The St Michael's Regional Cathedral Wollongong Ordinance 1969)</p> <p><b>2 clerical canons being licensed by the Archbishop to a specific ministry in the Wollongong Region, to be elected for 3 years by the regional electors of the Region</b>          Canon Stephen R Gibson          Canon Sean W Heslehurst</p> <p><b>2 lay canons being residents or parishioners of a Parish in the Wollongong Region, to be elected for 3 years by the regional electors of the Region</b>          Mr Tony J Willis</p>

J B CHAPMAN  
 Returning Officer

23 September 2014  
 Date

I HEREBY DECLARE the persons named above to be elected to the offices shown.

G N DAVIES  
 Archbishop of Sydney

23 September 2014  
 Date

### Contested elections

To the President, Archbishop Glenn Davies

In accordance with rule 5.4(6)(b) of the Schedule to the *Synod Elections 2000*, I hereby report as follows –

- (i) The following is a complete list of names of the nominees for the office, together with the number of votes recorded for each nominee, and indicates the name of the person or persons to be declared elected, and
- (ii) The number of formal and informal ballot papers in the election is as shown below.

**1. STANDING COMMITTEE**  
(Standing Committee Ordinance 1897)

Formal ballot papers	522
Informal ballot papers	8
<b>Total</b>	<b>530</b>

***FOUR (4) qualified ministers, who are not ex-officio members of Standing Committee, elected for 3 years by the members of the Synod***

	Votes Recorded
The Rev Nigel E J Fortescue	450
Canon Stephen R Gibson	434
The Rev Dr Michael Stead	452
The Rev Zachary Veron	373

***Not elected***

The Rev Andrew J Sempell	170
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**2. STANDING COMMITTEE – Persons from the South Sydney Region elected by regional electors of the South Sydney Region**  
(Standing Committee Ordinance 1897)

Formal ballot papers	120
Informal ballot papers	0
<b>Total</b>	<b>120</b>

***TWO (2) qualified ministers, who are not ex-officio members of Standing Committee, elected for 3 years by the regional electors of the South Sydney Region***

	Votes Recorded
The Rev Andrew P Katay	65
The Rev Justin M Moffatt	72

***Not elected***

The Rev Dominic Steele	52
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**3. STANDING COMMITTEE – Persons from the Wollongong Region elected by regional electors of the Wollongong Region**  
(Standing Committee Ordinance 1897)

Formal ballot papers	108
Informal ballot papers	1
<b>Total</b>	<b>109</b>

***TWO (2) qualified ministers, who are not ex-officio members of Standing Committee, elected for 3 years by the regional electors of the Wollongong Region***

	Votes Recorded
Canon Andrew Grant	89
The Rev Stephen C Semenchuk	78

**Not elected**

The Rev Michael J Williamson	43
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**4. DEPARTMENT OF EVANGELISM AND NEW CHURCHES BOARD**  
 (Department of Evangelism and New Churches Ordinance 2010)

Formal ballot papers	507
Informal ballot papers	21
<b>Total</b>	<b>528</b>

**ONE (1) member of the clergy elected for 3 years**

	Votes Recorded
The Rev Matthew Russell Yeo	280

**Not elected**

The Rev Mark J Gilbert	227
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**5. DIOCESAN REPRESENTATIVES ON GENERAL SYNOD**  
 (General Synod Representation Ordinance 1986)

Formal ballot papers	513
Informal ballot papers	16
<b>Total</b>	<b>529</b>

**THIRTY THREE (33) members of the clergy elected for 3 years**

	Votes Recorded
The Rev Marshall S Ballantine-Jones	401
The Rev Scott M Blackwell	399
The Rev Dr Peter G Bolt	421
Canon Phillip J Colgan	421
The Rev Dane H Courtney	406
Bishop Chris Edwards	459
The Rev Dr Andrew Ford	420
Bishop Robert C Forsyth	457
The Rev Nigel E J Fortescue	436
Canon Stephen R Gibson	422
Canon Andrew Grant	430
The Rev Rajeev Gupta	444
The Rev Kate Haggard	387
Archdeacon Kara L Hartley	433
Bishop Peter L Hayward	441
The Rev Dr David A Hohne	392
Bishop Ivan Y Lee	457

Continued...

<i>Continued...</i>	Votes Recorded
The Rev Peter R Lin	452
The Rev Alison M Napier	414
The Rev Kerrie Newmarch	417
The Rev David Ould	405
The Rev Gavin E Parsons	400
The Rev Gavin M Poole	394
The Rev Jason L Ramsay	406
The Rev Craig W Roberts	408
The Rev Simon J Roberts	387
Canon Richard J Smith	415
The Rev Dr Michael R Stead	442
Bishop Peter J Tasker	453
The Rev Dr Mark D Thompson	447
The Rev Danielle E Treweek	406
The Rev Zachary Veron	396
The Rev James C B Warren	391
<b><i>Not elected</i></b>	
The Rev Andrew J Sempell	217

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J B CHAPMAN  
Returning Officer

15 October 2014  
Date

I HEREBY DECLARE the persons named above to be elected to the office shown.

G N DAVIES  
Archbishop of Sydney

15 October 2014  
Date

## Resolutions passed

### 1/14 Amendments to the *Faithfulness in Service* definition of bullying

Synod, noting the report *6/13 Amendments to the Faithfulness in Service definition of bullying* –

- (a) adopts as an amendment to *Faithfulness in Service* the General Synod Standing Committee's proposed definition of "bullying" incorporating the amendments marked up on the Annexure to the report, and
- (b) recommends that the General Synod Standing Committee adopt these additional amendments to the *FIS* definition of "bullying".

(Canon Sandy Grant 13/10/2014)

### 2/14 Review of School Chapels and Chaplains Ordinance 1975

Synod, noting the report *4/13 Review of School Chapels and Chaplains Ordinance 1975*, requests the Standing Committee to consult with Chaplains and Heads of Diocesan Schools in respect to the exposure draft and to bring a bill for an ordinance to the 2015 session of the Synod having regard to any comments that are received.

(Mr Tony Willis 13/10/2014)

### 3/14 Deaconess Margaret Rodgers

Synod records its thanks to God for the life and witness of Margaret Rodgers who devoted her life to serve her Saviour and Lord particularly within the context of the Anglican Church of Australia.

As a student at Deaconess House she completed a Th.L with first class honours and then went on to earn a BA and BD (Hons) at Sydney University. Archbishop Marcus Loane invited her to become Principal of Deaconess House in 1976. She modernised the institution following the iconic tenure of Deaconess Mary Andrews AM. Educational standards were lifted and a fresh vision for women's ministry was articulated.

The appointment to the position of Research Officer for the General Synod in 1985 allowed Margaret to combine her training in theology and history and apply this to national questions of policy and practice in the Anglican Church of Australia and beyond. Her final two positions as CEO, Anglican Media, Sydney in 1994 and subsequently in 2004, Archbishop's Media Officer, enabled her personal skills, wide circle of friends and many years of Anglican networking to be harnessed in service to her home diocese and its Archbishop.

Within the Diocese of Sydney she served as a member of the Standing Committee for some 30 years, lay canon of the Cathedral Chapter, Chair of New College in the University of New South Wales and Director of Anglican Deaconess Ministries. Nationally, there were two decades of membership of the General Synod Standing Committee and membership of the Board of Electors for the Primate and the National Council of Churches.

International Anglican ministry included substantial media involvement with several Anglican Consultative Councils, the tumultuous 1998 Lambeth Conference and the Christian Conference of Asia.

Margaret was appointed a Member of the Order of Australia on Australia Day 2014.

(Dr Robert Tong 13/10/2014)

### 4/14 Bishop John McIntyre

Synod records its gratitude to God for the life and ministry of John Charles McIntyre, the Eleventh Bishop of Gippsland from 2006 to 2014.

John was trained in London and at Ridley College in Melbourne, where he continued to serve as lecturer until 1990. He was Rector of South Sydney from 1990 from where he was appointed to the position of Bishop of Gippsland in 2006. John also served on the Sydney Diocesan Standing Committee and Social Issues Committee until 2001.

Synod prays for his widow Jan and their three children and with God's people in Gippsland, as they mourn the untimely death of Bishop McIntyre.

(Bishop Robert Forsyth 13/10/2014)

#### **5/14 Jesusbrings Campaign**

Synod –

- (a) gives thanks to God for our united evangelistic campaign *Jesusbrings*,
- (b) asks Evangelism and New Churches to work with the Standing Committee to propose a new campaign to further our working together in evangelistic mission (drawing from lessons learned in the initiatives of *Jesusbrings*), and
- (c) asks Evangelism and New Churches to quarantine any funds left over from *Jesusbrings* for this purpose.

(The Rev Archie Poulos 13/10/2014)

#### **6/14 The Rev Peter Clark**

That this Synod on the eve of his retirement from full time Parish ministry recognises the long, faithful and effective ministry of the Reverend Peter and Heather Clark who have served the Lord Jesus for eight years in the Diocese of Armidale and for the last twenty-eight years in the Diocese of Sydney, in the Parishes of Wilberforce, Newport, Hunters Hill and Waverley and for some years as a part-time Chaplain with the RAAF. We pray that Peter and Heather's retirement ministry will be rewarding and fruitful.

(Bishop David Mulready 13/10/2014)

#### **7/14 Doctrine Commission report on fellowship meals for the proclamation of the Lord's death**

This Synod –

- (a) records its appreciation of the conscientious and diligent manner in which the members of the Standing Committee carry out their responsibilities on behalf of the Synod,
- (b) respectfully requests Standing Committee to forward to the Synod any report requested by the Synod of a committee or a commission, without seeking to have that report altered by that committee or commission, where that committee or commission is not required to have that report referred to Standing Committee for its consideration other than for distribution,
- (c) thanks the members of the Doctrine Commission for its report to the Synod in response to Synod resolution 38/07, concerning fellowship meals for the proclamation of the Lord's Death, tabled and discussed at the meeting of the Standing Committee on February 25, 2013,
- (d) notes that the Standing Committee having thanked the Doctrine Commission for its work on that report then requested "that the Doctrine Commission reconsider the report in the light of any comments received from members of the Standing Committee", and
- (e) respectfully requests Standing Committee to forward to the Synod at its earliest convenience the original report.

(Dr Barry Newman 13/10/2014)

#### **8/14 Thanksgiving for the life and ministry of Mrs Ailsa Knox**

Synod gives thanks to God for the life and ministry of Mrs Ailsa Knox. We rejoice in her faithful witness to Christ, and her service to the kingdom of God, noting especially her role at Moore Theological College, where she ministered alongside her husband, Dr Broughton Knox, during his 26 years as principal, and at George Whitfield College in Capetown, South Africa, where he was founding principal.

Under God's hand, Ailsa's care and prayerful concern for generations of students and faculty, and their families, made a considerable contribution to progress of the gospel in the Diocese of Sydney and beyond.

Synod extends our condolences to her family, and yet rejoices with them in the resurrection hope of the gospel, and that we, along with Ailsa, will find eternal rest with Christ in the new creation.

(The Rev Dr Mark Thompson 13/10/2014)

#### **9/14 Overseas aid**

This Synod, recognising that Australian government aid and development assistance, according to the 2012-13 AusAid Annual Report, helped to –

- (i) vaccinate more than 3 million children against killer diseases,
  - (ii) provide safe water to more than 2 million people,
  - (iii) provide access to decent sanitation and better hygiene information for almost 2 million people,
  - (iv) enrol 1 million children in school, and
  - (v) provide almost 12 million people, caught in conflict or crisis, with life-saving assistance,
- (a) regrets the cuts of over \$600 million to overseas aid and development in the Federal budget presented in May 2014, and
- (b) calls on the Federal Government to increase its overseas aid and development to 0.5% GNI as a matter of priority, to announce a timetable by which this will be achieved, and to reaffirm its commitment to reach 0.7% GNI for overseas aid and development.

(The Rev Paul Perini 13/10/2014)

#### **10/14 Social housing**

This Synod, recognising that –

- (i) availability of affordable housing, including social housing, is essential to the wellbeing of individuals, families and communities, and
- (ii) lack of stable, secure and affordable housing may lead to housing insecurity, rental stress, food insecurity, relationship breakdown, mental or physical ill-health, reduced employment or educational opportunities and other adverse outcomes for low income households, as identified in Anglicare Sydney's authoritative research and advocacy over the last five years,

recommends –

- (a) that the State Government commits to an increase of social housing stock across NSW with a numerical target of an additional 8000 social housing dwellings by 2020,
- (b) that the State Government and Local Governments ensure no net loss in social housing stock in any Local Government Area (LGA) and that new stock be located across LGAs consisting of low, medium and high socio-economic indexes, and
- (c) that Federal, State and Local Governments commit to developing, funding and implementing a five-year strategy to increase the supply of affordable, safe and sustainable housing.

(The Rev Paul Perini 13/10/2014)

#### **11/14 Appointment of The Rev Peter Lin as Bishop of the Georges River Region**

Synod –

- (a) gives thanks to God for the godly, Bible-based and wise leadership provided by the bishops of this diocese,
- (b) thanks Bishop Peter Tasker and Archdeacon Ian Cox for their continued oversight of the Georges River Region in their retirement,
- (c) records its gratitude to the Archbishop for his concern for the Georges River Region, and his work in securing funding for a bishop for the Region,
- (d) thanks those bodies and individuals whose contributions have made this possible,
- (e) warmly welcomes the appointment of the Rev Peter Lin to the position of Bishop of Georges River Region, and

- (f) congratulates the Rev Peter Lin on his appointment, and assures him and Isobel and their family of our prayers for him and his family.

(Mr Clive Ellis 13/10/2014)

#### **12/14 Katoomba: Reclassification as a Parish**

Synod assents to the reclassification of Katoomba as a parish with effect from 1 January 2015.

(The Rev Ray Robinson 13/10/2014)

#### **13/14 NSW Ecumenical Council**

Synod –

- (a) sends its prayerful good wishes to the New South Wales Ecumenical Council as it seeks to serve the churches and bear witness to Christ,  
(b) commends the Council's website [nswec.org.au](http://nswec.org.au) to members, and  
(c) commends to churches the Parish Workbook on Receptive Ecumenism entitled "The Gift of Each Other – Learning From Other Churches".

(The Rev Dr James Collins 13/10/2014)

#### **14/14 Theology of Baptism**

This Synod requests the Doctrine Commission to consider a theology of baptism with particular reference to the Scriptures and the Anglican formularies and to bring a report on this matter to the Synod at a convenient time.

(Dr Barry Newman 14/10/2014)

#### **15/14 Global Anglicanism**

Synod –

- (a) gives God thanks for the success of GAFCON 2013 (Global Anglican Future Conference) being made up of 1358 delegates from 39 countries including the 99 delegates from Australia,  
(b) recognises that GAFCON is an emerging instrument of communion when others have failed to provide the well needed leadership at a time of growing liberalism within Anglicanism, aggressive secularism, militant Islamism and seductive syncretism,  
(c) encourages and supports GAFCON/FCA (Fellowship of Confessing Anglicans) in its desire to expand its membership, develop networks, authorise and affirm those who have been excluded by their dioceses or provinces,  
(d) recognising Synod's desire to be in full communion with the ACNA (Synod resolution 46/09), Synod congratulates the Most Reverend Foley Beach on his consecration as Archbishop to the ACNA (Anglican Church of North America),  
(e) encourages the development of FCA Australia and its inaugural conference, "The Anglican Future Conference" to be held in Melbourne next year,  
(f) looks forward to the next GAFCON as a principal gathering of leaders in the Anglican Communion, and  
(g) requests the Secretary to write to The FCA Primates' Council, The ACNA and FCA Australia informing them of this.

(The Rev Gavin Poole 14/10/2014)

#### **16/14 Yoga and other such activities**

Synod –

- (a) notes that in multi-cultural Australia there are many activities available for public participation which are based on, or derived from, Eastern religious practices and beliefs, including yoga, tai chi, some martial arts, and dragon boating,

- (b) notes that some of our Diocesan churches and organisations offer such activities or allow them to be held on their premises,
- (c) notes that some Christians believe such activities are contrary to the gospel, and lead those involved in them to inadvertently worship idols and false gods, and access evil spiritual forces; and accordingly,
- (d) requests the Social Issues Committee of the Diocese to report back to the next Session of Synod as to whether such activities are inconsistent with the gospel, and if so, should not be offered by our churches or Diocesan organisations, or allowed to be held on their premises.

(The Rev Ian Millican 14/10/2014)

#### **17/14 The Rev Dr Gregory Anderson**

Synod records its thankfulness to God for the election of the Rev Dr Gregory Anderson to become Bishop of the Northern Territory and assures Dr Anderson of its continued interest and prayerful support for him as he takes on this important post.

(Bishop Robert Forsyth 14/10/2014)

#### **18/14 Sydney Diocesan Secretariat**

This Synod –

- (a) commends the Sydney Diocesan Secretariat (SDS) and the Glebe Administration Board for their excellent Annual Reports for 2013, which include their full audited Financial Reports, and
- (b) notes that these are publicly available on the internet, through the SDS website, and encourages other Diocesan organisations also to make their Annual Reports and full audited financial reports publicly available through an appropriate website.

(Ms Lyn Bannerman 14/10/2014)

#### **19/14 Pastoral care of same-sex attracted persons**

Synod requests that the Standing Committee establish a committee of lay and clergy representatives to bring recommendations to the 2015 session of Synod on ways of providing pastoral care to people attracted to others of the same sex.

(Mrs Pamela Shaw 14/10/2014)

#### **20/14 Tertiary Education Ministry Oversight Committee**

Synod –

- (a) notes that the report from TEMOC on Ministry to TAFE and CVET students is in partial fulfilment of its charter to “prepare for Synod’s consideration a diocesan policy framework, measurable goals and strategies of ministry” for the sector,
- (b) endorses the recommendation to trial different ministry initiatives,
- (c) encourages individual parishes and Mission Areas to select and trial an initiative and share outcomes with TEMOC,
- (d) notes that TEMOC proposes to collate and report outcomes of such trials to Synod in 2018, and
- (e) requests Standing Committee to consider modest additional funding to TEMOC for TAFE/CVET ministry grants in the 2016-2018 triennium.

(Professor Christopher Bellenger 14/10/2014)

#### **21/14 Reconciliation Action Plans**

That Synod –

- (a) notes the launch of Anglicare Sydney’s inaugural Reconciliation Action Plan (RAP) in May 2014 as a significant indication of the organisation’s commitment to the development of deeper understanding and closer relationships with Aboriginal and Torres Strait Islander people,

- (b) welcomes progress made to date as a result of Anglicare's Reconciliation Action Plan through direct service delivery, increased cultural awareness amongst staff and the provision of employment opportunities for Aboriginal and Torres Strait Islander people, and
- (c) encourages individual parishes as well as diocesan organisations and schools to develop their own Reconciliation Action Plans aimed at enhancing relationships, respect and opportunities for Aboriginal and Torres Strait Islander people in the Sydney Diocese.

(The Rev John Reid 14/10/2014)

### **22/14 Problem Gambling in NSW**

Synod welcomes the report of the NSW Legislative Council's Select Committee on the Impact of Gambling published in August 2014.

Synod grieves that NSW has above-average expenditure on gambling on a per capita basis compared to national averages.

Therefore Synod commends its recommendations and calls on the NSW Government to implement effective harm minimisation measures, in particular –

- (a) introducing a \$1 maximum bet limit for poker machines in New South Wales,
- (b) stopping the disproportionate concentration of poker machines in lower socioeconomic areas, where they create greater harm,
- (c) implementing a freeze on the transfer of machine entitlements between venues and the creation of any new entitlements,
- (d) implementing a third-party exclusion scheme in the state's clubs and hotels by 2017,
- (e) developing a scheme that requires venues to intervene to assist problem gamblers,
- (f) launching an awareness campaign specific to the risks of online gaming,
- (g) responding to research on the relationship between gaming machine design features and gambling harms, and
- (h) approaching the Australian Government to request that a set of standards be established for online wagering websites.

Synod calls on Sydney Anglican affiliated organisations to divest themselves of any investments in any company whose revenue from gambling exceeds either 10% of revenue or \$50 million per annum by December 31, 2014, or to report to the Synod the mission imperatives of owning shares in gambling companies.

(Canon Sandy Grant 14/10/2014)

### **23/14 Signing of statement of personal Christian faith by alumni representatives**

Synod –

- (i) recognising that alumni associations are significant stakeholders in a number of diocesan schools constituted or regulated by ordinance of the Synod, and
- (ii) recognising that the constituting ordinance for some of these diocesan schools make provision for representatives of the alumni association to be elected or appointed as members of the school's governing board or council, and
- (iii) recognising that at present some alumni representatives, while able to express support for the Christian ethos and charter of the school, may not be able to profess a personal Christian faith in the form of a statement determined by the Synod,

declares its view that –

- (a) each diocesan school must have at its heart the object of advancing the purposes of the Diocese and ultimately, therefore, promoting the kingdom of Christ and giving glory to God, and
- (b) each member of the governing board or council of a diocesan school must, as a matter of good governance, be personally committed to such object of the school, and
- (c) such personal commitment should be demonstrated, among other ways, through the profession of a personal Christian faith in the form of a statement determined by the Synod, and

- (d) in order to accommodate the current position of alumni associations, any person elected, or appointed as an alumni representative on the governing board or council of a diocesan school until 30 June 2020 should have the option of signing a statement of support for the Christian ethos and charter of the school in a form determined by the Synod as an alternative to signing the statement of personal Christian faith provided that no person may become chair of the board or council without signing the statement of personal Christian faith, and
- (e) from 1 July 2020 any person elected or appointed, as an alumni representative on the governing board or council of a diocesan school must sign the statement of personal Christian faith,

and agrees to give effect to the declared view of the Synod by inserting the matter “before 1 July 2020” before the words “may sign a statement of support for the Christian ethos and charter of the school” in paragraph 10 of Appendix 2 of the Governance Policy for Diocesan Organisations and by suspending so many of the business rules as would prevent this.

(Dr Laurie Scandrett 14/10/2014)

#### **24/14 Ministry of Anglican schools and Christians in government schools**

Synod –

- (a) notes that in the Diocese of Sydney around 40,000 students are enrolled in Anglican schools which engage students for 30 hours per week, for 40 weeks per year and for up to 14 of the most formative years of their life,
- (b) recognises the growing demand for Anglican schooling as an opportunity for bringing the whole counsel of God to bear on all areas of life,
- (c) recognises the importance of supporting the ministry of Christian principals, teachers, students and voluntary SRE teachers in government schools,
- (d) calls on our churches to support the Christian ministry of Anglican schools, and
- (e) calls on our churches to encourage Christian young people to consider teaching as a strategic vocation and commends the Anglican Education Commission for its work in recruiting Christians into teaching.

(The Rev Andrew Katay 14/10/2014)

#### **25/14 Theology of communion and catholicity**

In light of the Primate’s Address at the 16<sup>th</sup> General Synod of the Anglican Church of Australia in Adelaide and recent comments made by the Archbishop of Canterbury on what constitutes membership of the Anglican Communion (in an interview with the editor of the *Church of Ireland Gazette*), this Synod requests the Sydney Diocesan Doctrine Commission to prepare a report on the theology of communion and catholicity with special reference to contemporary Anglicanism in Australia and to report back to the next session of this Synod.

(Bishop Chris Edwards 15/10/2014)

#### **26/14 Moore College learning and teaching centre**

Synod –

- (a) gives thanks to God for the generous provision that has made possible commencement on the Moore College learning and teaching centre,
- (b) recognises that Synod has itself contributed substantially to this project over many years, as have many members of its churches, and
- (c) commits to continued support and prayer, asking particularly that the Lord would provide the necessary funds to complete this strategically important initiative.

(Dr Karin Sowada 15/10/2014)

### **27/14 General Synod 2014 Legislation**

Synod receives the report on General Synod 2014 Legislation and adopts the recommendations made in that report.

(Dr Robert Tong 20/10/2014)

### **28/14 Ministries of Christ-like compassion**

Synod notes –

- (i) the imperative to love our neighbour as ourselves,
  - (ii) that Jesus urges us to do good works so that those around us will praise our Father in heaven,
- (a) affirms its commitment to ministries of Christ-like compassion that seek to not only love those in need but, as a matter of priority, seek to do so in a manner that provides every opportunity to proclaim the gospel,
  - (b) commends the work of Anglicare in its mission of good works and gospel proclamation through Christ-centred services, which are conducted in partnership with parishes wherever possible,
  - (c) commends the upcoming “Festival of Just Ideas” hosted by Anglican Aid on Saturday 25 October, and
  - (d) encourages parishes and other organisations to consider and enact ways in which they may love their neighbours and be involved in such ministries of Christ-like compassion.

(The Rev David Mansfield 20/10/2014)

### **29/14 Sydney Diocesan Doctrine Commission membership and reports**

That Synod requests that –

- (a) the membership of the Sydney Diocesan Doctrine Commission be posted on the Diocesan website, and
- (b) links to the full texts of the Commission’s reports since the year 2000 be provided at the same web location.

(Dr David Oakenfull 20/10/2014)

### **30/14 Church Land Acquisitions Levy**

Synod requests the Standing Committee to provide the 2015 Synod session with a report of the mid and long term views of the need for the Mission Property Committee (MPC) “Church Land Acquisitions Levy”.

Synod requests that this report should also outline possible future strategies for raising these funds from parishes and other sources so that parishes may be informed of expected financial commitments for mid and long term planning purposes.

(Mr Glenn Murray 20/10/2014)

### **31/14 Retention of marriage licence and same sex marriage**

Synod requests Standing Committee to establish a working party to consider the wisdom of clergy keeping their marriage licence if same sex marriage becomes a reality.

(The Rev Ramon Robinson 20/10/2014)

### **32/14 Medical Services (Dying with Dignity) Bill**

Synod notes the exposure draft of the Medical Services (Dying with Dignity) Bill 2014 currently being considered in the Australian Senate.

Consistent with its previous resolutions, Synod advises all federal senators from NSW that it would oppose passing into law in Australia this bill or any similar bill permitting euthanasia or physician-assisted suicide.

Synod urges legislators to put their efforts into funding the improved provision of palliative care.

(Canon Sandy Grant 20/10/2014)

### **33/14 Ministry progress and brownfields' grants**

Synod rejoices in the ministry progress of the 10 brownfields churches which received grants from the \$20 million taken out of the Diocesan Endowment last decade for various church building projects, and Synod gives thanks to God for the 28% growth in church members in total for the 9 of those churches which have reliable attendance statistics spanning the years 2004 to 2013, lifting diocesan offertories in 2013 by \$2,722,588 more than what was received by those 9 churches in total in 2004 (121% increase in offertories from those 9 churches).

Synod requests the Standing Committee to investigate what conclusions can be drawn from these statistics, including whether adequate church building facilities is an important strategy in assisting growing brownfields churches to grow further and introduce Jesus to more people, and whether more resources raised from parishes and/or the Diocesan Endowment, and then applied to similar projects that the \$20million was applied to, will assist further and accelerated growth in church attendance across the Diocese. Synod further requests that Standing Committee's investigation be reported to the Synod in 2015, together with any possible recommendations flowing from the investigation on how more capital funds could be raised for brownfields church building enhancement projects.

(The Rev Zac Veron 20/10/2014)

### **34/14 Thanksgiving for the ministry of Dean Phillip Jensen**

This Synod, recognising that this will be the last session at which Dean Phillip Jensen will be present, thanks God for the long and valuable ministry of Phillip Jensen in this Diocese. Phillip's ministry at the Department of Evangelism, the University of New South Wales, St Matthias Centennial Park, and most recently at St Andrews Cathedral, and at the Department of Ministry, Training and Development, as well as on many boards and as a member of many organisations in the Diocese has been outstanding. His energy, his single-minded devotion to Christ and his gospel, his passion for evangelism, fuelled by that of the Lord Jesus himself, have all contributed to a ministry of extraordinary faithfulness and extraordinary effectiveness. He revitalised the Katoomba Conventions ministry and created both the Ministry Training Strategy and Matthias Media. Under his leadership, a generation of men and women were mobilised for ministry both here and around the world. Phillip is recognised by evangelicals all over the world as one of the most significant Christian leaders to have emerged from Sydney in the last fifty years and this Diocese has been blessed by God through him. Many in this Synod can give more personal thanks to God for Phillip's ministry, by which they were brought to faith or deepened in faith or challenged to give their lives to the proclamation of Christ to a needy world. As he moves into another sphere of ministry, this Synod thanks God for both Phillip and Helen and commits ourselves to pray for them and for the work they will continue to do to see the Lord Jesus honoured in this city and around the world.

(The Rev Ray Galea 20/10/2014)

### **35/14 Thanksgiving for the ministry of Bishop Peter Tasker**

Synod gives thanks to God for the ministry of the Right Reverend Peter Tasker, to this Synod, our Diocese and world mission, and in particular –

- (a) his indefatigable commitment to the Georges River Region as Bishop of Liverpool from 2002-09;
- (b) his willingness to continue as Acting Bishop for the Georges River Region from 2009 onwards, while he exercised his role as Archbishop of Sydney's Bishop for International Relations from 2009;
- (c) his tireless commitment to and promotion of cross-cultural mission in the Synod as well as through his role as CMS NSW General Secretary (1978-92);
- (d) his faithful decade of ministry as rector of Dapto (1992-2001);
- (e) his missionary service in the Diocese of Singapore and West Malaysia when he served with CMS in Penang (1969-76);
- (f) his commitment to the work of the gospel and the glory of God over 50 years of ordained ministry.

Synod expresses its gratitude to Peter and wishes him and his wife, Joan, God's blessing upon them as they continue to serve the risen Christ in their 'retirement'.

(Mr Clive Ellis 20/10/2014)

### **36/14 Further review of the Discipline Ordinance 2006**

Synod requests the Standing Committee to appoint a committee consisting of three lay persons and three members of the clergy together with a person to be appointed by the Archbishop with the following terms of reference –

- (a) to review the *Discipline Ordinance 2006* and related disciplinary ordinances,
- (b) to consult with the other Dioceses in the Province with a view to exploring the feasibility of a uniform disciplinary regime in the Province,
- (c) to bring a report and any proposed amending or replacement ordinance or ordinances to the 2<sup>nd</sup> ordinary session of the 50<sup>th</sup> Synod.

(Mr Garth Blake SC 20/10/2014)

### **37/14 Immigration policy and child detention**

Synod, noting –

- (i) the life, death and resurrection of Jesus Christ for us, compels us to love neighbours and even enemies, and
  - (ii) the difficulty of framing a just refugee policy in a war torn and poverty stricken world, and
  - (iii) the intention of political leaders to achieve a just outcome in trying circumstances, and
  - (iv) the concern of bodies like the AMA for the mental health of children of asylum seekers in immigration detention, and
  - (v) that there remain many hundreds of such children in detention, and
  - (vi) recognising that, as with the lawyer's question to Jesus in Luke 10:29 our sinful evasion of responsibility for siblings and neighbours continues –
- (a) calls on the Australian government to end the immigration detention of children, and
  - (b) commits to pray for the Prime Minister and for the Minister for Immigration in their work.

(The Rev Dr Michael Jensen 20/10/2014)

### **38/14 Implementation of the Governance Policy for Diocesan Organisations**

Synod –

- (a) requests each diocesan organisation to review the Governance Standards and Policy Guidelines in the Governance Policy and to take appropriate action to achieve conformity with the Governance Standards and, where appropriate, the Policy Guidelines, including through the promotion of amendments to the ordinance by which the diocesan organisation is constituted or otherwise regulated by the Synod, and
- (b) requests the Standing Committee to amend the *Accounts, Audits and Annual Reports Ordinance 1995* to require the chair of each organisation to include as part of its annual report to the first ordinary session of each Synod a statement which –
  - (i) assesses the extent to which the organisation's governance arrangements conform with the standards and guidelines in the Governance Policy, and
  - (ii) explains any areas of non-conformity, and
- (c) authorises the Standing Committee to make amendments to the Governance Policy unless before such amendment is made, any 3 members of the Standing Committee request in writing that the amendment be referred to the Synod and provided any amendment made by the Standing Committee is reported to the next ordinary session of the Synod.

(Dr Laurie Scandrett 20/10/2014)

**39/14 Solidarity and support for Christians in Iraq and Syria**

Synod, remembering that our Lord said –

“If the world hates you, keep in mind that it hated me first” (John 15:18),

- (a) expresses its dismay at the horrific persecution of Christians throughout Iraq and Syria in recent months,
- (b) commits to pray for Christians throughout the region, including Canon Andrew White (St George's Anglican Church Baghdad), for protection, provision and perseverance,
- (c) encourages all Christians in Iraq and elsewhere in the Middle East to stand firm in the faith, to proclaim the Gospel, to trust in God, who is our constant strength and refuge, and to pray, and
- (d) calls upon all Sydney Anglicans and Christians everywhere to support these persecuted brothers and sisters by –
  - (i) continuing faithfully in prayer, asking God to give them peace and assurance and a renewed commitment to forgiveness along with a passion to share the Gospel of hope,
  - (ii) warmly welcoming them into our churches and communities and considering what practical steps can be taken to assist them in their strife,
  - (iii) giving generously to the Archbishop of Sydney's Anglican Aid Iraq Relief Appeal,
  - (iv) increasing awareness of their plight by sharing accurate reports from the region (to promote prayer and concern),
  - (v) considering the use in social media and other contexts of the Arabic letter 'N' which has been painted on the doors of Christians throughout the region, thus making them targets of persecution,
  - (vi) calling on our Australian Government to act wisely and compassionately in light of this crisis, and
  - (vii) keeping our own eyes fixed on the living hope we have in Christ, despite the persecution of Christians throughout the world.

(The Rev Michael Williamson 20/10/2014)

**40/14 Christians and other persecuted minority groups in Iraq and Syria**

Synod –

- (a) expresses its deep sorrow and dismay at the extreme religious and political persecution currently being faced by Christians and other minority groups in northern Iraq and Syria,
- (b) prays that God might graciously impart compassion and profound wisdom on all those involved in responding to alleviate the plight of such peoples, and
- (c) commends the Federal Government on its actions to date in setting aside 4,400 places in the Special Humanitarian Program in 2014-15 for Iraqi and Syrian people facing persecution,
- (d) noting that other Western democracies including Germany, Norway and Sweden have increased their overall intake of asylum-seekers in order to accept additional numbers of Iraqi and Syrian refugees, calls on the Federal Government to –
  - (i) temporarily increase the places available in the 2014-15 and 2015-16 Special Humanitarian Program to allow for additional resettlement of Christians and other persecuted groups of people from Iraq and Syria, and
  - (ii) take any necessary steps to process all applications for asylum in Australia as expeditiously as possible, and
- (e) respectfully requests the Archbishop to thank the Minister for Immigration and Border Protection for the many times he has taken an interest in refugees who have been in our own church communities, and
- (f) respectfully requests the Archbishop to convey the above terms of this resolution to the Prime Minister and the Minister for Immigration and Border Protection.

(Bishop Robert Forsyth 20/10/2014)

#### **41/14 Bishop Ken Short**

This Synod notes with great sorrow the death of Bishop Ken Short last Sunday evening. We give thanks to God for the extraordinary ministry of Ken, who has faithfully served his Lord and Saviour throughout his life and has been a blessing to others in his various ministries as an elder statesman of the Diocese of Sydney, missionary in Tanganyika, evangelist, parish rector, military chaplain, regional bishop, Dean of Sydney and Bishop of the Defence Forces. We pray for his widow Gloria and the family as they grieve their loss; yet rejoice with them in the sure and certain knowledge that our brother Ken is now “at home with the Lord”.

(Bishop Peter Tasker 21/10/2014)

#### **42/14 The Rev Barry Lee**

Synod recalls that “God has combined the members of the body and has given greater honour to the parts that lacked it” (1 Corinthians 12:24), gives great thanks to God for the “unsung heroes” of the ministry in our Diocese, and express our gratitude for their quiet and faithful service.

We note especially that this is the last Synod of the Reverend Barry Lee, after almost 40 years of ordained ministry in our Diocese, as Curate at Camden, Lalor Park with Seven Hills, Normanhurst, Rector of Ashbury, Assistant Minister at St Philip's Castle Cove in the parish of Roseville East, and as Curate-in-Charge, then Rector of Robertson for the last 15 years.

(Canon Sandy Grant 21/10/2014)

#### **43/14 Former Prime Minister Gough Whitlam**

Synod notes with sadness the death of former Prime Minister of Australia, Gough Whitlam, acknowledges his diverse and significant contribution to our national life, and assures all those who are mourning his death of its prayers for them.

(The Rev Bob Cameron 21/10/2014)

#### **44/14 Mission 2020 document**

Synod welcomes the *Mission 2020* document and agrees to adopt *Mission 2020* set out in that document.

(The Rev Peter Lin 21/10/2014)

#### **45/14 Strategic Research Group**

Synod –

- (a) welcomes the establishment of the Strategic Research Group (SRG),
- (b) encourages the SRG to identify, research, evaluate and develop high level vision, strategy and structure which optimise the capacity of the diocesan network to achieve the Mission goals,
- (c) encourages the SRG to investigate ways of church gathering and mission that may prove effective in reaching those people who are unlikely to attend the majority of our current churches,
- (d) encourages the SRG to develop strategies to assist parishes to clarify, research, evaluate and implement ways to achieve the Mission goals as appropriate to their local context, and
- (e) invites all Anglican organisations within the Diocese, including schools, to embrace the vision of seeing Christ honoured as Lord and Saviour in their communities and to partner with parishes in light of the four Priorities of the Mission.

(Bishop Ivan Lee 21/10/2014)

#### **46/14 Synod attendance**

Synod, noting the report on Synod attendance and the desirability of seeking ways to increase the attendance and participation of members at Synod sessions –

- (a) requests the Standing Committee to ensure, as far as possible, that the business it promotes to the Synod focuses on significant issues of policy and strategic direction and that it avoids promoting to

the Synod technical or administrative business which can be dealt with by the Standing Committee under its delegated authority,

- (b) requests members who are likely to be unable to attend and participate in any part of the 2<sup>nd</sup> ordinary session of the Synod in 2015 to take early action to investigate and pursue options and arrangements that will enable them to attend and participate in the whole of the session,
- (c) requests members who, after exhausting such avenues, are still unable to attend and participate in any part of the 2<sup>nd</sup> ordinary session of the Synod in 2015 to consider, in the case of parochial ministers and parochial representatives, appointing an alternate for the session or, in the case of elected or appointed members, resigning their membership to enable the election or appointment of those who can, and
- (d) requests the Standing Committee to review the procedures and ordinances relating to alternate and replacement synod representatives with a view to streamlining the process and removing obstacles.

(Ms Nicola Warwick-Mayo 21/10/2014)

#### **47/14 Report of the Viability and Structures Task Force**

Synod, noting –

- (i) the Report of the Viability and Structures Task Force (the “Viability Report”) considered at this year’s session of General Synod, and
  - (ii) the response of the General Synod to the Viability Report in resolution 65/14 (the “Viability resolution”), particularly the referral of the Viability Report to the dioceses for their consideration and response to the Standing Committee of the General Synod by 31 October 2014,
- (a) expresses its preliminary view that changing the structures, policies and leadership of the Anglican Church of Australia (the “ACA”) will not, of itself, adequately address the underlying challenges faced by the ACA, although agrees that the focus of work in these areas may best be pursued on a provincial basis,
  - (b) calls on the Standing Committee of the General Synod to ensure that clarity and confidence in the content of the gospel message and its faithful proclamation in word and deed across the ACA, particularly in the context of local Anglican churches, are at the fore of any proposal to respond to these challenges,
  - (c) affirms its commitment to the diocese as the unit of organisation of the ACA and therefore calls on the Standing Committee of the General Synod to ensure that it consults widely with dioceses about the Viability Report and the Viability Resolution over a reasonable time frame before formulating any significant proposals which may require the support of dioceses,
  - (d) opposes as a matter of principle any proposal which would involve an increase in the central powers of the General Synod as a means by which the challenges faced by the ACA are sought to be addressed,
  - (e) considers that the expectation of a considered response from dioceses to the Viability Report by 31 October 2014 is unrealistic,

and invites Synod members to send any comments on the Viability Report and Viability resolution to the Diocesan Secretary by 31 December 2014 and requests our Standing Committee to respond to the Viability Report and the Viability Resolution taking any comments from Synod members into account.

(Dr Robert Tong 21/10/2014)

## 2014 Report of the Standing Committee

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### 1. Introduction

#### 1.1 Charter

The Standing Committee is constituted under the *Standing Committee Ordinance 1897*. Its duties arise under a number of ordinances and include the following –

- (a) making arrangements for the meetings of the Synod and preparing the Synod's business, and
- (b) acting as a council of advice to the Archbishop (the "Archbishop-in-Council"), and
- (c) considering and reporting upon matters referred to it by the Synod and carrying out the Synod's resolutions, and
- (d) deliberating and conferring upon all matters affecting the interests of the Church, and
- (e) making ordinances under delegated powers, and
- (f) preparing and administering parochial cost recoveries and Synod appropriations and allocations, and
- (g) appointing persons to fill casual vacancies among persons elected by the Synod to boards etc, and
- (h) monitoring the finances of diocesan organisations.

#### 1.2 Access

Meetings are held in the Chapter House, St Andrew's Cathedral. Mail should be addressed to "The Diocesan Secretary, Standing Committee of Synod, PO Box Q190, QVB Post Office NSW 1230" (telephone (02) 9265 1555; email [rjw@sydney.anglican.asn.au](mailto:rjw@sydney.anglican.asn.au)). Office hours are 9 am to 5 pm.

A report on each meeting is published a few days after the meeting on the website of Sydney Diocesan Secretariat at [www.sds.asn.au](http://www.sds.asn.au).

#### 1.3 Meetings and members

Since October 2013 we have met 11 times. The names of the members will be listed in the 2013 Diocesan Year Book and on the website of Sydney Diocesan Secretariat at [www.sds.asn.au](http://www.sds.asn.au).

During the year, the following changes took place in the membership of the Standing Committee –

- Bishop Chris Edwards became a member *ex-officio* upon his appointment as the Bishop of North Sydney.
- Dr Philip Selden ceased being a member *ex-officio* upon his retirement as the Diocesan Registrar. Mr Doug Marr became a member *ex-officio* upon his appointment as the new Registrar.
- A vacancy arose in the position of a minister elected by the whole Synod upon the resignation of the Rev Gary Koo. The Synod elected Canon Stephen Gibson to fill the vacancy.
- A vacancy arose in the position of a minister elected by the whole Synod upon the resignation of the Rev Chris Moroney. We elected the Rev Dr Michael Stead to fill the vacancy.

#### 1.4 Management and structure

Each meeting of the Standing Committee is like a small Synod meeting. During the year we reconstituted our subcommittee structure. Our permanent subcommittees are –

Affiliated Churches Committee	Royal Commission Steering Committee
Diocesan Resources Committee	Service Review Committee

Finance Committee	Social Issues Committee
General Synod Relations Committee	Stipends and Allowances Committee
Ordinance Reviewers and Panels	Strategic Research Group
Religious Freedom Reference Group	Work Outside the Diocese Committee

Other committees are appointed from time to time for special tasks. We thank God for the faithfulness and expertise of the people who serve on our committees.

### 1.5 Discontinuance of the Mission Board and constitution of the Strategic Research Group

We agreed to discontinue the Mission Board as one of our subcommittees. In its place we constituted a new subcommittee called the "Strategic Research Group". The terms of reference of the Strategic Research Group are –

- (a) to be an advisory group for the Archbishop and the Standing Committee in their formulation of missional goals for consideration and adoption by the Synod,
- (b) to identify, research, evaluate and develop for Standing Committee's consideration a high level vision, strategy and structure which optimises the capacity of the diocesan network to achieve missional goals adopted by the Synod, and
- (c) to oversee the objective measurement of and reporting to the Standing Committee on progress toward achieving those missional goals.

### 1.6 Governance of the Standing Committee

Following a review of our governance arrangements, we made a number of changes to the way we operate. In particular –

- We indicated a general expectation that all members of the Standing Committee should be willing to serve on one or more of our subcommittees.
- We requested that during the process of nominating persons for appointment or election as members of the Standing Committee, consideration be given to ensuring that our membership retains an appropriate number of persons with the relevant skills and experience for service on our permanent subcommittees.
- We expressed a desire to make greater use of our subcommittees, particularly in the exercise of our functions under executive delegations where possible and appropriate.
- We agreed that the terms of reference for subcommittees which exercise non-executive delegations should require at least one-third of subcommittee members to also be Standing Committee members.
- We revised the terms of reference for a number of our permanent subcommittees including the General Synod Relations Committee, the Finance Committee, the Work Outside the Diocese Committee, the Religious Freedom Reference Group and the Social Issues Committee.
- We agreed that, unless an ad-hoc subcommittee indicates that it does not require any secretarial support from the Sydney Diocesan Secretariat (SDS), an amount of \$1,500 be paid to SDS upon the establishment of any ad-hoc subcommittee.
- We asked for an induction program to be run every 3 years following the election of members of the Standing Committee at the first session of each Synod and, as appropriate, to offer on a periodical basis more limited briefing sessions on the workings of Standing Committee for persons elected to fill casual vacancies.

We also amended the *Standing Committee Ordinance 1897* –

- (a) to require that at least half of the members of any of our subcommittees exercising executive delegations must be members of the Standing Committee,
- (b) to enable subcommittees which exercise functions under delegation from the Standing Committee to sub-delegate those functions to another person or body subject to such terms and limitations as we may determine,
- (c) to provide for certain categories of materials that may be excluded from the form of minutes tabled at Synod,
- (d) to provide for a quorum of not less than half of our members for the purposes of our meetings, and
- (e) to make provision for the passing of resolutions without a meeting.

Further, we made regulations under clause 6(5) of the *Standing Committee Ordinance 1897* for the use of agendas and supplementary agendas and in relation to the disclosure of conflicts of interest by Standing Committee members during our meetings.

### **1.7 Bishop Chris Edwards**

We congratulated the Rev Chris Edwards on his appointment as Bishop of North Sydney and extended our prayers and best wishes to him and his wife in their future ministry in the Northern Region and beyond.

### **1.7A Dean Phillip Jensen**

In view of the pending retirement of Dean Phillip Jensen as Dean of the Cathedral in December, we gave thanks for Phillip's service on the Standing Committee since 1994 and for his significant ministry of over 40 years.

### **1.8 The Rev Chris Moroney**

Following the resignation of the Rev Chris Moroney, we gave thanks to God for his service on the Standing Committee and in other diocesan roles over the years.

### **1.9 Archdeacon Terry Dein**

We invited Archdeacon Terry Dein to attend our meetings as if he were a member (without the right to move or vote on any motion) until a new Bishop of North Sydney was appointed.

### **1.10 Bishop Peter Tasker**

We noted that Bishop Peter Tasker had accepted the Archbishop's invitation to exercise unpaid Episcopal ministry within the Georges River region during 2014. We invited Bishop Tasker to attend our meetings as if he were a member (without the right to move or vote on any motion) during this time.

### **1.11 Appointment of Mr Michael Easton as Deputy Chancellor**

We noted Archbishop Davies' appointment of Mr Michael Easton as Deputy Chancellor and congratulated Mr Easton on his appointment.

### **1.12 Appointment of the Rev Dr Gregory Anderson as Bishop of the Northern Territory**

We congratulated the Rev Dr Gregory Anderson on his appointment as the Sixth Bishop of the Northern Territory and extended our prayers and best wishes to Greg and his wife for their future ministry.

### **1.13 Death of Deaconess Margaret Rodgers**

We noted with sadness the death of Deaconess Margaret Rodgers and gave thanks to God for her life and ministry. In doing so, we noted her long and distinguished service to the Diocese, including as a prominent member of the Standing Committee from 1982 to 2011, and to the Anglican Church of Australia and wider Christian community. We requested that a motion of thanks be moved at Synod.

### **1.14 Death of Bishop Peter Chiswell**

We noted with sadness the death of Bishop Peter Chiswell, gave thanks to God for his ministry in the Diocese of Armidale over 55 years and extended our condolences to his wife and family.

### **1.15 Death of Bishop John McIntyre**

We noted with sadness the death of Bishop John McIntyre, Bishop of Gippsland and a former Rector of South Sydney and member of the Standing Committee. We requested that a motion of thanks be moved at the forthcoming session of Synod, gave thanks to God for John's life and ministry and sent our condolences to his wife and family.

### **1.16 Death of Mrs Marie Robinson**

We noted with sadness the death of Mrs Marie Robinson and sent our condolences to Bishop Donald Robinson and their children. In doing so we gave thanks to God for the long and devoted service which Mrs Robinson gave to the Diocese.

### **1.17 Death of Mr David Woodrow**

We noted with sadness the death of Mr David Woodrow who was a financial administrator of the Diocese during the 1970's.

### **1.18 Death of Mr Stephen Sawyer**

We noted with sadness the death of Mr Stephen Sawyer and expressed our condolences to the Rev Kimberly Sawyer on her loss.

## 2. Actions with the Archbishop

### 2.1 Estate of Late M.A. Grant (Sisters' Endowment)

The Archbishop-in-Council appropriated \$27,650 from this Estate for distribution by the Archbishop to assist clergy, clergy widows and clergy children or orphans who are in need.

### 2.2 Appointment of the Rev Christopher Edwards as a new Assistant Bishop

Under clause 5 of the *Assistant Bishops Ordinance 1947* we approved the appointment of the Rev Christopher Edwards as an Assistant Bishop, to be the next Bishop of North Sydney to succeed Bishop Glenn Davies in April 2014.

### 2.2A Appointment of the Rev Peter Lin as a new Assistant Bishop

Under clause 5 of the *Assistant Bishops Ordinance 1947* we approved the appointment of the Rev Peter Lin as an Assistant Bishop, with the title of Bishop of Georges River Region.

### 2.3 Extension of the retirement age of Bishop Robert Forsyth

Under clause 5 of the *Retirements Ordinance 1993* we agreed to extend the retirement age of Bishop Robert Forsyth as Bishop of South Sydney until 31 December 2015.

### 2.4 Archbishop's policy on Women in Presbyterate and Episcopate

Following the consecration of women as Assistant Bishops and Diocesan Bishops in the Province of New South Wales, we noted the policy of the Archbishop on Women in the Presbyterate and Episcopate. In particular, the policy indicated that while there is a liturgical restriction on the ministry of women who are presbyters or bishops within the Diocese of Sydney, the bonds of love enable the Archbishop and Assistant Bishops to join in fellowship with bishops who are women in meetings of the National Bishops convened by the Primate, or of Provincial Bishops convened by the Metropolitan.

### 2.5 Parish of St Marys – right of nomination

The parish of St Marys became vacant during the year but the Archbishop was unable to declare that the parish had complied with clause 5 of the *Nomination Ordinance 2006*. The matter was referred to the Archbishop-in-Council which determined that, in the circumstances, the parish should have the benefits under the Ordinance.

## 3. Financial and Property Administration

### 3.1 Accounts, Audits and Annual Reports Ordinance 1995

Organisations of the Synod which manage church trust property must report annually to the Synod. These reports include information in relation to members, structure, activities and a summary of the financial results, together with audited financial statements, a liquidity report and a risk management report. The reports must be lodged by 30 June each year. A later lodgement date has been approved for three organisations, Anglicare, Anglican Retirement Villages and Anglican Aid whose financial year ends on 30 June.

Organisations are also required to provide us with certain internal management financial information during the year.

The annual reports and audited financial statements for about 40 organisations will be tabled in the Synod. Any major problems found by the Finance Committee from a review of these financial statements and the additional internal management financial information will be reported.

### 3.2 Annual Financial Statements for the Synod Funds and Parish Funds

The annual financial statements for the Amalgamated Synod Funds and Amalgamated Parish Funds have been prepared and the auditors have reported according to an agreed review of procedures instead of an audit.

These reports are printed separately.

### 3.3 Ordination training fund

This Fund provides a book allowance of \$1,000 to first year candidates studying through Moore Theological College or Youthworks College for ordination or commissioning as Diocesan Lay Workers in Sydney. In exceptional cases the Fund may also provide bursaries or financial assistance to some of the students.

In 2013, \$40,000 was paid (\$37,000 in 2012).

During the year we extended the type of payments that can be made from the Fund to include a number of specific costs associated with preparing candidates for ordination.

### 3.4 Ordinances

The following table shows the number of ordinances passed and assented to in 2008 to 2013 and in 2014 up to 16 September –

	2008	2009	2010	2011	2012	2013	2014
Standing Committee	38	27	36	40	53	39	31
Synod	6	13	4	10	3	6	0
	44	40	40	50	56	44	31

A separate report lists the ordinances passed by us since the 2013 session of the Synod. There are 17 ordinances of particular interest.

The *Parish Declarations and Qualifications Amendment Ordinance 2013* updated the declarations and qualifications required to hold certain offices in a parish by replacing the concept of “prohibited person” with the concept of “disqualifying offence” to reflect changes made by the *Child Protection (Working with Children) Act 2012*.

The *Parochial Cost Recoveries and Church Land Acquisitions Levy (Exemption of St Andrew’s Cathedral) Ordinance 2013* exempted St Andrew’s Cathedral from the obligation to pay the variable charge for parochial network costs and the obligation to pay the church land acquisitions levy.

The *Synod (General Synod Assessment) Special Application Ordinance 2013* authorised the application of funds under the control of the Synod to meet a \$27,332 shortfall in funding to pay for the General Synod assessment in 2013.

The *Sydney Anglican Schools Corporation 1947 Amendment Ordinance 2013* changed the governance requirements of the *Sydney Anglican Schools Corporation 1947* by replacing its previous “3-tier” governance structure with a “2-tier” structure and by implementing changes consistent with the proposed Governance Policy for Diocesan Organisations approved in principle by the Synod last year.

The *Accounts, Audits and Annual Reports Ordinance 1995 Amendment Ordinance 2013* altered the reporting requirements of diocesan organisations to Synod to accommodate the findings of a review of audit requirements for centrally administered diocesan organisations, to align the annual reporting requirements with the reporting requirements of the Australian Charities and Not-for-profits Commission and to update the diocesan organisations required to report to the Synod.

The *Parish Financial Statements Amendment Ordinance 2013* aligned the financial reporting requirements of parishes to the Synod more closely with the applicable Australian Accounting Standards.

The *Manly Corso Property Ordinance 2013* redeclared the trusts of The Corso property at Manly, specified the powers of the Property Trust and the wardens to manage that property and provided for the distribution of the income from the property for the years 2014 to 2017. See item 3.16.

The *Concord North (Special Arrangements) Ordinance 2013* provided for special arrangements to transition to administration under the *Parish Administration Ordinance 2008* upon the creation of the new provisional parish of Concord North.

The *Concord West Land Sale and Variation of Trusts Ordinance 2014* permitted the sale of a residence at Concord North and varied the trusts of St Mary’s, Concord North to be held for the new provisional parish of Concord North.

The *Standing Committee Amendment Ordinance 2014* made changes to the provisions regulating the conduct of the Standing Committee’s business and related matters. See item 1.6.

The *Anglican Church Property Trust Diocese of Sydney (Financial Reporting) Amendment Ordinance 2014* made provision for the financial and other reporting requirements of the Property Trust to the Synod, including in relation to the Mission Property Fund and the Community Building Partnership Grant Fund. See item 3.14.

The *Endowment of the See (Chatswood) Land Sale Ordinance 2014* authorised the sale of a residence at Chatswood held on trust for the Endowment of the See.

The *Anglican Education Commission and Anglican Youthworks (Special Religious Education) Amendment Ordinance 2014* amended the objects of the Anglican Education Commission and Anglican Youth and Education Diocese of Sydney, principally with respect to the provision of special religious education.

The *Regional Cathedrals (Amendment) Ordinance 2014* provided for regionally-elected canons of the Chapters of St Michael’s Regional Cathedral, Wollongong and St John’s Regional Cathedral, Parramatta

to be elected during sessions of the Synod rather than by each Chapter, and for related governance purposes.

The *Synod Appropriations and Allocations Ordinance 2014* provided for the distribution of Synod funds during 2015.

The *Parochial Costs Recoveries and Church Land Acquisitions Levy Ordinance 2013 Further Amendment Ordinance 2014* provided for the cost recoveries charge and church land acquisitions levy to be paid by parishes during 2015.

*The Mission Property (Oran Park) Variation of Trusts Ordinance 2014* varied the trusts of land on which the Oran Park ministry centre and residence are situated so that it is held on trust for the purposes of the provisional parish of Oran Park and specified payments from the provisional parish to the Mission Property Fund in accordance with Synod resolution 30/13.

### 3.5 Parochial cost recoveries - arrears

The following table compares the arrears of cost recovery charges as at 30 June 2013 and 2014 –

	2013	2014
Cabramatta	-	6,424
Chester Hill with Sefton	1,627	1,895
Figtree	1,379	-
Glenmore Park	-	28,360
Greenacre	-	4,472
Hornsby Anglican Chinese Church	-	6,120
Hoxton Park	3,961	-
Richmond	7,251	5,202
Rouse Hill	-	3,778
St George	-	2,566
Shellharbour City Centre	7,190	-
Windsor	2,511	5,702
	<u>23,919</u>	<u>64,518</u>

### 3.6 Annual financial statements from parishes

Under the *Parish Administration Ordinance 2008*, parochial units are required to lodge their audited financial statements within 7 days after their annual general meeting of parishioners.

As at 30 April 2014, 81 parochial units (30%) had not lodged a set of prescribed financial statements (compared with 88 at the same time in 2013). By 28 July 2014 this had improved so that only 1 parochial unit had not lodged their financial statements, although 1 other parish had only lodged unsigned financial statements. This situation remained unchanged as at 25 August 2014.

The Finance Committee has processes in place to remind parochial units of their obligations under the Ordinance, assist with any enquiries and review the statements lodged. The Finance Committee also works with the Regional Bishops to investigate and report to us on the status of the audited financial statements for parochial units that are late in lodging the required information.

### 3.7 Local revenues test for parish status

The parish of Auburn (St Philips) had local revenues below the requisite amount for the 3<sup>rd</sup> consecutive year in 2013 and accordingly will cease to be a parish and become a provisional parish on 31 December 2014 unless the Western Sydney Regional Council determines otherwise. The parishes of Willoughby East, Leichhardt and South Sydney also had local revenue below the requisite amount in 2013 and accordingly these parishes have been advised of the importance of ensuring their 2014 and future revenues meet the relevant threshold figures in order to retain their parish status.

### 3.8 Recommended distribution from the Diocesan Endowment for 2015

We noted the advice of Glebe Administration Board that, for the purposes of clause 5(1) of the *Diocesan Endowment Ordinance 1984*, \$4 million could prudently be distributed from the Diocesan Endowment in 2014 for spending by the Synod in 2015.

### 3.9 Statement of Funding Principles and Priorities for 2016-2018

Under clause 3 of the *Synod Estimates Ordinance 1998* we are required to prepare for the 1<sup>st</sup> ordinary session of the 50<sup>th</sup> Synod a Statement of Funding Principles and Priorities to guide estimates for 2016 to 2018 of –

- the amount required for meeting the cost of sittings of the Synod, the maintenance of diocesan offices and the expenses of such other diocesan activities and commitments as, in our opinion, should be supported, and
- the amount which, in our opinion, should be granted to organisations under the control of Synod or to other organisations, and
- the amount of income available from endowments or other trusts for meeting the amounts referred to above in the relevant financial year.

A Statement of Funding Principles and Priorities is printed separately.

### **3.10 Work Outside the Diocese**

In the 6 months to 30 June 2014, the Work Outside the Diocese Committee had applied \$128,568 from a total Synod allocation in 2014 of \$190,000. It is expected that further amounts will be applied during the 6 months to 31 December 2014 from the 2014 allocation, and the reserves of \$87,531.

### **3.11 Gilbulla Memorial Conference Centre Sale Ordinance 2001**

Under the *Gilbulla Memorial Conference Centre Sale Ordinance 2001*, we are required to provide an annual report to the Synod on progress in acquiring, constructing, adapting and/or renovating a property or building to be used as a conference centre and retreat house for the Diocese.

Following several reviews and reports received during the 1990's, we determined that the Gilbulla Memorial Conference Centre was no longer a suitable conference site for the Diocese and recommended to the Synod that it be sold. The Synod authorised the sale of the Gilbulla Memorial Conference Centre in 2001. The site was sold in 2002 and the proceeds from the sale were set aside for the future purchase of a conference centre, where adult members of the Church might be able to go for retreat and spiritual refreshment. At the time the sale was authorised by the Synod it had been anticipated that the Synod would contribute further funds to assist with the purchase of a replacement property.

In December 2007, we agreed to release to the Council of Youthworks, upon the request of the Council to the Property Trust, the invested proceeds from the sale of Gilbulla in order to purchase a new conference centre.

Of the total invested funds, \$1,072,160 has now been released by the Property Trust towards the funding of the recent purchase and renovation of two large retreat/conference houses in the Shoalhaven area. The Property Trust has indicated that the balance of \$1,360,000 will be released for another yet to be purchased retreat/conference house north of Sydney. Youthworks intends to purchase a property north of Sydney within 12 months and is currently pursuing options. The purchase and renovation of these three properties will be funded through the Gilbulla sale money and a large donation from a benefactor.

Youthworks has determined that the type of properties that best fulfil the requirements of the ordinance are large houses that can be converted into small group venues (for up to 30 people). These are ideal for leadership teams, small conferences and large Bible study groups. Youthworks considers there are several benefits to such an approach –

- There is significant market demand for venues that accommodate groups of 15-30 people. This is currently the size group that Youthworks turns away most often, as they are too small for the majority of their sites.
- Larger centres require full-time staffing, where multiple smaller facilities will get more use and can be managed more cost-effectively.
- The two new venues in the Shoalhaven area are adjacent to each other and are able to be booked together to enable larger groups to confer and be accommodated.

**3.12** The provision of the properties pursuant to the *Gilbulla Memorial Conference Centre Sale Ordinance 2001* will provide the Diocese with appropriate conference and retreat facilities for many years to come. In accordance with the Ordinance a plaque will be erected at each of these sites in memory of Navy, Army and Air Force Chaplains.**Large Property Receipts Policy**

During the year we completed a review of our policy concerning large property receipts arising from the sale or leasing of parish property. However as reported last year, our intention is that the operation of any new policy concerning large property receipts will be referred to the Synod for its endorsement.

We also noted proposed guidelines for determining the reasonable property needs of a parish prepared for the purposes of the new policy and agreed to consider our approval of the guidelines subject to the Synod endorsing the policy.

A report about this matter is printed separately.

### 3.13 Sale of Bishopscourt

The *Bishopscourt Sale Ordinance 2012* authorised the sale of Bishopscourt at any time within 5 years after the date of assent to the ordinance, at such price as we, acting on the recommendation of the Property Trust, approve by resolution.

From March 2013 we have received regular reports from the Property Trust about the progress of the sale. We also appointed a subcommittee to liaise with the Property Trust on a day to day basis about the progress of the sale.

A report about this matter is printed separately.

### 3.14 Financial oversight of the Property Trust

Following a review of the financial oversight of the Property Trust, we made a number of changes to the financial and other requirements of the Property Trust. These included –

- requiring the Property Trust to submit to us for tabling at Synod each year a report about its membership, structure and activities for the year, and
- preparing and tabling at Synod financial reports in relation to the Mission Property Fund and the Sydney Community Building Partnership Grant Fund.

We passed the *Anglican Church Property Trust Diocese of Sydney (Financial Reporting) Amendment Ordinance 2014* to give effect to these changes.

### 3.15 Reserves for Synod

Last year we agreed to establish a Reserve Fund for the Synod to be used if there was a material external liability or the imminent risk of such a liability which affects the Diocese as a whole and which is not properly met by other diocesan organisations or funds. We also agreed if there was an urgent need to replenish this reserve, that this be done by way of a combination of a contribution from the funds of the Synod and a levy on parishes.

This year we agreed that whenever the balance of the Reserve Fund as at 30 June falls below a certain level, an ordinance should be passed by the end of the year to replenish the reserve to an appropriate level no later than the end of the following year.

### 3.16 Management of the property at The Corso, Manly

We reviewed the arrangements that should be put in place to manage commercial property on The Corso at Manly, being property held for the purposes of the parish of Manly. The review was undertaken in response to a lack of clarity under the *Manly Leasing and Variation of Trusts Ordinance 2006* concerning the division of management responsibility between the Property Trust and the parish.

Following the review, we passed an ordinance to specify the powers of the Property Trust and the parish as managers of the property.

In the course of considering this matter, we also declared our view that the polity of this Diocese generally gives precedence to parishes over the affairs of the Diocese, including in relation to the management of property held for the parish and the benefit of income from such property.

### 3.17 Management of the property of the parish of Epping

We noted that the Property Trust had given advice to the parish of Epping concerning proposed planning controls for the Epping Town Centre. In doing so, we noted that –

- as regards the property held by the Property Trust in trust for the Parish of Epping, it is a mere “bare” trustee and remains such until a sale, mortgage or lease authorised by ordinance is to be granted, and that it has no powers under the *Anglican Church Property Trust Diocese of Sydney Ordinance 1965*, relative to that property, by virtue of clause 10(3) of that Ordinance, and
- by virtue of rule 3.7 of Schedule 1 of the *Parish Administration Ordinance 2008*, the persons responsible for managing that property are the Parish Wardens of St Alban's Church, Epping.

We expressed appreciation for the actions of the Property Trust in giving advice to parishes as regards their property and encouraged it to continue doing so. However we reminded the Property Trust that it must accept that the recipients may decide not to act in accordance with such advice.

### **3.18 Special distribution from St James' Hall**

We noted that the Board of Management for St James' Hall approved a special distribution of \$300,000 in November 2013 from the net lease income earned from the property held under the *St James' Sydney Phillip Street Property Ordinance 1962*. In accordance with that ordinance, 20% of that distribution (\$60,000) was paid to the Synod to be taken into account for allocations made during the period 2016-2018.

### **3.19 Review of external parish borrowing proposals**

We invited the Sydney Church of England Finance and Loans Board to consider whether it would review proposals by parishes to borrow money from external lenders. Having received recommendations from the Board, we made a regulation which required the Board to review proposals for external borrowing by parishes where an ordinance is needed to authorise the grant of a mortgage as security over parish property.

### **3.20 Financial sustainability of the Cathedral's ministries**

We appointed a working group to address the issues of the sustainability of the Cathedral's ministries including preliminary analysis of the Cathedral's long term property maintenance needs. During the year we also asked the working group to consider how the housing of the Dean may be funded since neither the Endowment of the See Committee nor the Cathedral Chapter can currently continue to provide funding.

Having received recommendations from the working group, we –

- (a) recognised the Diocesan nature of the Cathedral ministry and the implication that this has for funding the ministry,
- (b) agreed in principle that, excluding any allowance for long term property maintenance needs, recurrent Diocesan funding of approximately \$250,000 per annum may be needed in order to adequately address the issue of the sustainability of the Cathedral's ministries,
- (c) requested the Diocesan Resources Committee to recommend how any Diocesan contribution may be funded in 2016 and beyond, and
- (d) agreed that any Diocesan funding arrangement for the Cathedral be subject to review after 3 years.

We requested that the working group provide a further report in relation to the Cathedral's long term property maintenance needs. We have not yet received this further report.

### **3.21 Resourcing the Professional Standards Unit**

We received a report from the Professional Standards Unit (the PSU) advising that the current financial resources of the PSU appear insufficient to meet the future demands placed on the PSU, particularly as a result of the potential for increased legal costs associated with Tribunals. We agreed that Tribunals and the other proper work of the PSU should not be abandoned because of lack of funding and requested the Diocesan Resources Committee to recommend possible sources of funding for the non-standard annual expenses of the PSU.

Having considered the recommendations of the Diocesan Resources Committee, we agreed as a matter of policy –

- (a) to extend the use of the Synod Reserve as a temporary source of funds to cover any unexpected increase in the PSU's non-standard expenses, and
- (b) that any amounts drawn from the Synod Reserve to meet these expenses should be replenished through an appropriate increase in the PSU's component of the variable parochial cost recoveries charge.

### **3.22 Pastoral Care and Assistance Scheme**

The Pastoral Care and Assistance Scheme (PCAS) was commenced with a resolution of the Standing Committee in March 2004. The PCAS was set up as an alternative to the civil litigation pathway. It seeks to engage pastorally with and assist those who have (or claim to have) suffered from child sexual abuse or sexual misconduct as an adult, perpetrated against them by a member of the clergy or a church worker.

Over the 10 year period of its operations, no adjustment has been made to the level of assistance offered under the PCAS, with assistance being capped at a maximum amount of \$75,000. Although the dollar value of payments has remained constant, given inflation the amount of assistance and services that can be accessed with that money has decreased significantly in real terms.

Accordingly, we agreed to increase the maximum amount payable under the PCAS to \$100,000.

### 3.23 Blue Mountains Grammar School

We settled a claim made against former school council members and other diocesan entities in relation to allegations of sexual abuse in the early 1970s involving a former student of Blue Mountains Grammar School.

## 4. General Administration

### 4.1 Elections

The appointment of persons to serve on committees etc. continued to be a major part of our business. Some appointments are to fill casual vacancies among Synod appointees, and these appointments fall vacant at this coming Synod session. Other appointments are made by the Standing Committee in its own right.

From November 2013 to June 2014, 82 such positions were filled (54 for the same period in 2012 – 2013).

### 4.2 Membership of the Synod

Under Part 7 of the *Synod Membership Ordinance 1995*, the Archbishop is entitled to nominate a number of ministers to be members of the 50<sup>th</sup> Synod. The maximum number of ministers who may be nominated cannot exceed 10% of the total number of “parochial ministers” (as defined in the ordinance) determined on 1 January 2014. The Registrar has advised that this number is 25.

The Archbishop advised that he intends nominating 25 ministers as members of the 50<sup>th</sup> Synod under Part 7.

For every nominated minister proposed to be nominated by the Archbishop, we can elect a lay person to be a member of the 50<sup>th</sup> Synod under Part 8 of the Ordinance. We have elected 25 lay persons to be members under Part 8.

In addition, under Part 6 of the Ordinance, we may declare up to 7 diocesan boards, departments or organisations to be “nominated organisations” for the purposes of the 50<sup>th</sup> Synod. The effect of such declaration is that the Chief Executive Officer of the nominated organisation is a member of the 50<sup>th</sup> Synod. We have declared the following organisations to be “nominated organisations” –

- Anglican Media
- Anglican Retirement Villages Diocese of Sydney
- Evangelism and New Churches, Department of
- Moore Theological College
- Sydney Anglican Home Mission Society (Anglicare)
- Sydney Anglican Schools Corporation
- Sydney Diocesan Secretariat

### 4.3 Business rules of the Synod

We requested that a bill to amend the business rules of the Synod be promoted to the Synod.

A bill and explanatory statement are printed separately.

### 4.4 Reports from Regional Councils

Under clause 9 of the *Regions Ordinance 1995* each regional council must give us an annual report for inclusion in our report to the Synod. The annual reports are printed separately, together with any reports for reclassification of provisional parishes under the *Parishes Ordinance 1979*.

### 4.5 Review of the services of Sydney Diocesan Secretariat to the Synod and Standing Committee

We undertook a review of the services provided by the Sydney Diocesan Secretariat (SDS) during 2013 and confirmed that the services had been provided in a satisfactory manner. We agreed the revised form of the service level standards to be provided by SDS in 2014 and reviewed the services under the revised standards during the first 4 months of 2014. Those services will be reviewed again later in 2014.

### 4.6 Governance Oversight Committee

In 2012 we established the Governance Oversight Committee (the Committee) to monitor the compliance, governance and risk management processes of central diocesan organisations (Sydney Diocesan Secretariat, Glebe Administration Board, the Property Trust, St Andrew’s House Corporation and Endowment of the See Committee). The Committee was also to monitor the way in which conflicts of interest of members of those organisations are managed. For the purposes of exercising this function,

the Committee received enhanced reports provided by these organisations about those matters.

Having considered a report from the Committee about its role in receiving enhanced reports, we decided to discontinue this reporting as a duplication of effort which is no longer necessary in view of governance arrangements adopted by these organisations. We also agreed to place the Committee into abeyance until its role can be redefined in accordance with any Synod approved Governance Policy of Diocesan Organisations.

#### **4.7 Jesusbrings Mission Campaign**

We received reports concerning progress in the *Jesusbrings* Mission Campaign. As at August 2014 we noted that the remaining balance from the Mission Campaign was \$55,000 after taking into account recovery of expenses from partner churches and the initial allocation of \$90,000 for administration expenses. We requested that a motion be moved at the Synod thanking God for the *Jesusbrings* campaign, and proposing the establishment of a new evangelistic campaign utilising the remaining balance of funds from the *Jesusbrings* campaign.

#### **4.8 Community Chaplains**

We received a report from Evangelism and New Churches about the concept of community chaplains. We gave our positive endorsement to this concept and supported community chaplains operating from a separately identifiable unit within the organisational structure of Evangelism and New Churches.

#### **4.9 Establishment of the school councils for Macquarie Anglican Grammar School and Orange Anglican Grammar School**

We noted, pursuant to clause 25(2)(a) of the *Sydney Anglican Schools Corporation Ordinance 1947*, that school councils had been established for Macquarie Anglican Grammar School at Dubbo and Orange Anglican Grammar School.

#### **4.10 NSW Council of Churches**

We expressed support for continuing discussions for a proposed approach to reconstitute the NSW Council of Churches. To this end we authorised the payment of \$14,822 from Synod Fund Contingencies to pay the 2014-2015 NSW Council of Churches' Affiliation Fee in recognition of the continuation of discussions concerning the proposed reconstitution.

#### **4.11 Affiliated Churches**

We declared Flooding Creek Community Church, Sale, Victoria to be affiliated with the Diocese under the *Affiliated Churches Ordinance 2005*.

We also agreed as a matter of principle that applications for affiliation by independent churches operating within the Diocese will be considered provided that –

- (a) under the procedures for affiliation, the relevant regional bishop should be notified of the proposed affiliation instead of the bishop of the diocese in which the church is situated, and
- (b) under the procedures for affiliation, the rector of the parish in which the church is situated should also be notified of the proposed affiliation, and
- (c) the form of affiliation agreement is amended to make clear that any church which is affiliated with the Diocese and which uses or intends using Anglican parish property for the purposes of its ministry must comply with the usual requirements for the leasing or licensing of such property to non-Anglican churches notwithstanding the affiliation.

#### **4.12 Sydney Anglican Master Privacy Policy**

In view of amendments to the *Privacy Act 1998*, we noted that organisations which had adopted the Sydney Anglican Master Privacy Policy will –

- be informed that the Master Privacy Policy is no longer compliant with the *Privacy Act*, and
- be encouraged to take responsibility for developing their own policy and documentation around privacy practices, procedures and systems.

We also agreed to abolish the Master Privacy Policy with effect from 1 October 2014.

#### **4.13 Synod attendances**

In view of the levels of attendance at the Synod, we asked the Sydney Diocesan Secretariat to make recommendations about ways to increase the attendance and participation of members at Synod sessions.

A report about this matter is printed separately.

#### 4.14 Guidelines for Remuneration of Parish Ministry Staff in 2015

We approved guidelines for the remuneration of parish ministry staff in 2015. In approving the guidelines, we agreed to increase the maximum level of stipend sacrifice to a MEA from 30% to 40% of the stipend allocated to the Minister from 1 January 2015.

### 5. Relations with Government

#### 5.1 Royal Commission into Institutional Responses to Child Sexual Abuse

On 12 November 2012, the then Prime Minister announced that she would be recommending to the Governor-General the establishment of a Royal Commission into Institutional Responses to Child Sexual Abuse in Australia. The Royal Commission was subsequently established by letters patent.

A report about the progress of the response of the Diocese to the Royal Commission is printed separately.

#### 5.2 Working with children check

In June 2013, the State Government introduced a new Working with Children Check clearance (WWCC clearance) under the *Child Protection (Working with Children) Act 2012*. The new WWCC clearance covers a broader range of people and is more comprehensive in the matters checked.

In relation to our parishes, the new WWCC clearance requires –

- All new persons employed after 15 June 2013 who will be engaged in child related work to obtain a WWCC clearance number.
- All existing clergy and lay ministers (paid or unpaid) working in a staff ministry team must obtain a WWCC clearance number by 31 March 2014.
- All other persons who are in child related work, including volunteers, must obtain a WWCC clearance number by 31 March 2015.

Last year a circular was sent to ministers and wardens explaining the requirements for obtaining a WWCC clearance number and providing advice about implementation and administration.

In order to provide some assurance in relation to compliance with these requirements within parishes, we agreed that the rector and wardens of each parish should be asked to provide a certification regarding compliance with working with children check requirements at the same time as prescribed financial statements for the parish are provided.

We also requested that a bill be promoted to the Synod to provide for the suspension or revocation of the licence of any member of the clergy who has not complied with current and future WWCC clearance requirements. The reason why such a bill needs to be promoted to the Synod is that our delegations from Synod do not enable us to pass an ordinance in relation to this matter.

A bill for the *Working with Children Check (Clerical Licences) Ordinance 2014* together with an explanatory report are printed separately.

#### 5.3 Taxation of unrelated commercial activities of charities and not-for-profit entities

Last year we reported that we had made a submission in response to a consultation paper about a proposal in the 2011 budget announcement by the previous Federal Government to remove tax concessions for unrelated commercial activities undertaken by not-for-profit entities.

This year the Coalition Government announced that it will not be proceeding with this proposal.

#### 5.4 Changes to the “In Australia” and other requirements for tax concession status

Last year we made a submission in response to exposure draft for legislation proposing changes to the “In Australia” and other special conditions that apply to tax exempt or deductible gift recipient entities. The other special conditions (requiring tax exempt and gift deductible gift recipient entities to comply with all the substantive requirements of their governing rules and to apply their income and assets solely for the purpose for which they were established) were enacted. However the “In Australia” reforms were deferred.

This year the Federal Government announced that it intends proceeding with the “In Australia” reforms and released a further exposure draft for comment. We made further submissions in response to this exposure draft.

The “In Australia” reforms are still being considered by the Government.

### **5.5 Not-for-profit Sector Tax Concession Working Group report**

In February 2012, the previous Federal Government established the Not-for-profit Sector Tax Concession Working Group. The terms of reference of the working group were to consider ideas for better delivering support currently provided through tax concessions to the not-for-profit sector. While the report of the working group provided to the Government in May 2013 it only became public this year as a consequence of a Freedom of Information application.

Some of the recommendations in the report have merit. However there are others which, if acted on by the Government, could be problematic for churches and other religious charities. For example there is a proposal to remove the current fringe benefits tax exemption for ministry residences. Other recommendations propose that religious charitable purposes be treated less favourably than other charitable purposes, for example the recommendation that all charities, except those for the advancement of religion, charitable child care and primary and secondary education, be given DGR status. The stated rationale for excluding religious charities from DGR status is –

“In the case of charities for the advancement of religion, it is the view of the Working Group that given the pluralist nature of our society, additional support through deductible donations is not warranted.”

We sought clarification from the current Government as to whether it is likely to act on any of the recommendations in the report.

The Government has indicated that it has not responded to the report but will instead produce a comprehensive Tax White Paper outlining a longer-term approach to tax reform. It will invite comments from the public on any proposed reforms before taking them to the Australian people at the next election.

### **5.6 Australian Charities and Not-for-profits Commission**

Prior to the last Federal election, the Coalition announced its intention to abolish the Australian Charities and Not-for-profits Commission (ACNC), being the body established under the former Labor Government in December 2012 to regulate charities. In March 2014, the Federal Government introduced the first of two bills to repeal the ACNC Act. The repeal bill will not come into force until a second bill is enacted that provides for replacement arrangements for the ACNC.

While we are broadly supportive of abolishing the ACNC, at least in its current form, we believe there are risks in returning its functions back to the ATO. The particular risk relates to the ATO's primary role of collecting revenue for the Commonwealth and the ability of the ATO to combine this role with assessing the charitable status of organisations in an independent manner. We made a brief submission to the Senate Inquiry raising these concerns and identifying those aspects of the ACNC which might usefully be retained in the regulation of the not-for-profit sector going forward.

The Government subsequently released an Options Paper outlining its proposed arrangements for the regulation of the not-for-profits sector upon the abolition of the ACNC. At our request, the Religious Freedom Reference Group prepared and lodged submissions on our behalf in response to the Options Paper.

In the meantime, there is an on-going need to comply with the requirements of the ACNC Act. In particular we noted that a number of parishes had not submitted to the ACNC their 2013 Annual Information Statement. Accordingly, we asked the Regional Bishops to contact parishes in their region which had not done so to underline the importance of complying with ACNC obligations for maintaining their income tax exempt status and to seek assurances that any outstanding statements will be submitted by 30 June 2014.

### **5.7 Anglican Education Commission response to the review of the Australian Curriculum**

We noted a submission made by the Anglican Education Commission in response to the review of the Australian Curriculum.

### **5.8 Christian Youth Camps Limited v Cobaw Community Health Service Limited**

We received a report about a Victorian Court of Appeal decision handed down in April in the matter of *Christian Youth Camps Limited v Cobaw Community Health Services Limited*. The decision concerned Christian Youth Camps Limited's refusal to allow Cobaw to hire a camping resort owned and operated by CYC for the purposes of a weekend called "WayOut" to provide support and suicide prevention services to same sex attracted young people. CYC is connected to the Christian Brethren denomination. The Court upheld the decision of the Victorian Civil and Administrative Tribunal that CYC's refusal amounted to unlawful discrimination on the basis of the sexual orientation of those who would be attending the proposed camp.

Although the decision related to provisions in the *Victorian Equal Opportunity Act 1995*, there are equivalent provisions in the *NSW Anti-Discrimination Act 1997* in relation to certain aspects of the case.

We are considering the implications of this case for our Diocese and what additional steps might be taken to avoid similar issues arising in our context.

### **5.9 Persecution of Christians and other minority groups in Iraq and Syria**

We requested that motions be moved at the Synod expressing solidarity with Christians in Iraq and Syria and calling on the Australian Government to temporarily increase the places available in the Special Humanitarian Program to allow for the additional resettlement in Australia of Christians and other persecuted groups from Iraq and Syria.

### **5.10 Social Issues Committee**

The Social Issues Committee (SIC), previously known as the Social Issues Executive (SIE), comprises the following members –

The Rev Dr Andrew Cameron (Chair) (resigned 21 May 2014)

Mr Angus Belling

The Rev Dr Andrew Ford

Dr Megan Best

Mr Darren Mitchell

The Rev Andrew Errington

Dr Karin Sowada

Over the last year, the SIE farewelled its Chair, the Rev Dr Andrew Cameron, who resigned to take up the role of Director of St Mark's National Theological Centre in Canberra, commencing in July 2014. For 12 years, Dr Cameron made an outstanding contribution to the work of the SIE in the task of connecting Christian thought shaped by Christ-centred Biblical theology with public policy. His departure, combined with resourcing issues and leadership changes within the Diocese, placed the work of the SIE in hiatus. Mr Darren Mitchell was appointed as Acting Chair.

Within this more limited sphere of activity, the SIE/SIC met six times since the last Synod and progressed several matters. In February 2014 SIE drafted a submission on behalf of the Archbishop to the Social Impact of Gambling Inquiry by the New South Wales Legislative Council. In March 2014 the SIE prepared a submission in conjunction with the Archbishop in relation to a Code of Conduct for members of Parliament, the interest disclosure regime and Parliamentary investigator. In August 2014, a major submission on euthanasia was prepared for an inquiry of the Senate Standing Committee on Legal and Constitutional Affairs into the Medical Services (Dying with Dignity) Bill 2014. The SIC will continue to monitor progress of this legislation and other developments on this issue in the ACT.

The SIE has recently been focused on re-structuring its membership and terms of reference in line with our revised governance arrangements. As a consequence the SIE now operates as the SIC, with new Terms of Reference which we adopted in August. Under these new operating guidelines, the SIC has commenced monthly meetings again. The SIC looks forward to a renewed period of activity in 2015 and beyond. For briefings on current issues, please refer to its web site <http://www.sie.org.au/>.

## **6. The International, National and Provincial Church**

### **6.1 16<sup>th</sup> Session of the General Synod of the Anglican Church of Australia**

The 16<sup>th</sup> Session of the General Synod was held in Adelaide from 30 June to 4 July 2014.

A report about the proceedings of the General Synod is printed separately.

### **6.2 General Synod Canons**

The General Synod passed a number of canons at its session in 2014. We requested that bills to assent to or adopt the following canons be promoted to our Synod –

- *Constitution Amendment (Membership of the Diocesan Tribunal) Canon 2014*
- *Constitution Amendment (Membership of the Provincial Tribunal) Canon 2014*
- *Use of Church Names Canon 1989 Amendment Canon 2014*

The initial impetus for the *Use of Church Names Canon 1989 Amendment Canon 2014* was to remove from Schedule 2 of the principal canon the reference to "Church of England Children's Home Burwood" since the authority of this body to use the church name was withdrawn by the Archbishop in 2012. However the opportunity was taken to prepare further amendments to the principal canon to enable the list of bodies authorised to use the church name to be updated in the future without the need for a canon of the General Synod.

A report about the canons passed by the General Synod and bills to adopt or assent to relevant canons are printed separately.

### **6.2A Report of the Viability and Structures Task Force**

We requested that a motion be moved at the Synod to enable it to consider and provide an initial response to the Report of the Viability and Structures Task Force as requested by the General Synod in resolution 65/14.

A copy of the Viability Report can be found at –

<http://www.anglican.org.au/general-synods/2014/Documents/books/Book%20for%20website.pdf>

### **6.3 Meaning of marriage in the context of *Faithfulness in Service***

We recalled resolutions 33/04, 62/04, 63/04 and 64/04 from the 13<sup>th</sup> General Synod in 2004 along with the Report of the Children Protection Committee (particularly page 2A.34 in Book 3 of that Synod). In doing so we noted that the General Synod recognised marriage as only occurring between a man and a woman when it adopted the standards expressed in *Faithfulness in Service* as our national Anglican code of conduct.

We drew this matter to the Primate's attention.

### **6.4 Diocese of Bathurst**

We were informed about the serious financial difficulties of the Bathurst Diocese Anglican Development Fund. In particular we noted the inability of the Fund to meet its loan obligations to the Commonwealth Bank of Australia and that legal proceedings had been commenced against the former directors of the Fund, the Bathurst Property Trust and the Bathurst Bishop-in-Council for the repayment of the loan. A group comprising the Chancellor and other members of the Standing Committee are keeping a watching brief on this matter and will report to us from time to time about developments.

We also encouraged the Archbishop to continue to walk in fellowship on this matter with the Bishop of Bathurst and bring further reports to us on the situation for our consideration.

### **6.5 Circular Canons**

During the year we were informed by the General Secretary that amendments to the Constitution of the Anglican Church of Australia which enable canons to be made by obtaining the assent of diocesan synods by circulation had come into force. The amendments enable the synod of a diocese to delegate its authority to assent to a bill for a canon to its diocesan council.

We requested that a bill for the *Delegation of Powers Ordinance 1998 Amendment Ordinance 2014* be promoted to the Synod by which it can delegate to us its authority to assent to bills for canons.

The bill and an explanatory statement are printed separately.

## **7. Sydney Synod Matters**

### **7.1 38/07 Fellowship Meal for the proclamation of the Lord's Death**

By resolution 38/07, the Synod requested that the Diocesan Doctrine Commission consider the appropriateness, with respect to the teaching of scripture and the Anglican formularies, of Anglican churches having a fellowship meal for the proclamation of the Lord's death, and to bring a report to the Synod at a convenient time.

Last year we received a report from the Doctrine Commission but requested that the Commission reconsider the report in light of comments received from members of the Standing Committee.

We await further advice from the Doctrine Commission.

### **7.2 41/10 Amendments to the *Anglican Church of Australia Trust Property Act 1917***

By resolution 41/10, the Synod requested a number of amendments to the *Anglican Church of Australia Trust Property Act 1917* concerning various governance matters relevant to the proper functioning of the Property Trust.

During the year a draft bill to make these amendments was prepared by the Parliamentary Counsel's office. Since the proposed amendments have potential application to the corporate trustees of the other dioceses in NSW, the bill was circulated to the other dioceses in the Province of NSW for approval. To date only the Diocese of Newcastle has given its approval to the bill.

### **7.3 43/10 Governance policy for diocesan organisations**

Last year the Synod approved in principle a proposed Governance Policy for Diocesan Organisations. The Policy was prepared in response to resolution 43/10, and reflected changes made during 2012 following an extensive review of feedback from Synod members and diocesan organisations and to take

into account the ACNC governance standards which came into effect on 1 July 2013.

Before considering a motion that the Policy pass as a policy of the Synod, the Synod referred the motion to its session in 2014.

A report proposing a process by which the Synod might pass a revised form of the Policy is printed separately.

#### **7.4 14/12 Special Religious Education**

By resolution 14/12, the Synod, noting the report on *Special Religious Education in Government Primary Schools – the Challenge over the next Ten Years* –

- (a) affirmed its commitment to the sustaining of high quality Special Religious Education within all Government primary schools within the Diocese, and
- (b) requested that we address the need for sufficient funds for this ministry in the 2014-2015 budget.

We responded to this resolution in two ways. Firstly, we promoted to the Synod in 2013 as part of the Synod's funding arrangements for 2014 and 2015 an ordinance providing for a new allocation of \$100,000 in 2014 rising to \$200,000 in 2015 for "SRE Office – SRE Primary Upgrade". This is to address the need for sufficient funds to sustain high quality Special Religious Education in all Government primary schools within the Diocese. Secondly, we appointed a committee last year to commission a professional evaluation of the Diocese's SRE program in 2013. We allocated \$70,000 for this purpose.

We understand that the evaluation will be ready for our consideration in late 2014. In the meantime we made the allocation of \$200,000 in 2015 conditional upon our being satisfied with the structure and responsibilities of the SRE Office established within Youthworks following consideration of the recommendations in the evaluation.

#### **7.5 4/13 Review of School Chapels and Chaplains Ordinance 1975**

By resolution 4/13, the Synod –

- (a) noted the report summarising submissions received from Synod members, school councils and others in response to Synod resolution 1/12, and
- (b) requested the Standing Committee to appoint a committee, with appropriate representation from chaplains and heads of schools (or their nominees), to consider the submissions received with a view to bringing an ordinance to the next ordinary session of Synod to amend the *School Chapels and Chaplains Ordinance 1975*.

The committee we appointed to undertake the work in resolution 4/13 prepared an ordinance which would constitute a significant departure from the way chaplaincy and other ministry within schools is currently regulated. We recommended that this ordinance be provided to the Synod as an exposure draft.

The exposure draft and an accompanying report are printed separately.

#### **7.6 6/13 Amendments to the Faithfulness in Service definition of bullying**

By resolution 27/12, Synod resolved to approve amendments to *Faithfulness in Service* with the exception of a new definition of "bullying" and deferred consideration of this definition until the 2013 session of the Synod.

By resolution 6/13, the Synod noted –

- the terms of resolution 27/12,
- that Safe Work Australia is yet to finalise its model code on workplace bullying, and
- that the Diocesan Grievance Policy is due for review after July 2014,

and deferred again consideration of the new definition until the 2014 session of Synod.

The committee we appointed to consider the new definition of "bullying" made a number of recommendations.

A report about this matter is printed separately.

#### **7.7 9/13 Protecting, strengthening and promoting freedom of religion and related freedoms**

By resolution 9/13, the Synod –

- (i) recognising the importance of freedom of religion and its manifestation in the related freedoms of speech, association and conscience for a healthy and mature society,
- (ii) declaring its opinion that such freedoms are at risk of being undermined in Australian society due to a focus on other, sometimes competing, rights,

- (a) called on the Federal and State governments to take steps to ensure that the freedoms of religion, speech, association and conscience are protected, strengthened and promoted,
- (b) respectfully requested the Archbishop to convey the above terms of this resolution to the Prime Minister, the Premier and their respective Attorneys General, and
- (c) requested the Standing Committee of the General Synod to promote by its request a motion for a resolution in similar terms to the above at the forthcoming session of the General Synod in 2014.

In response to paragraph (c) of the resolution, the General Synod subsequently passed resolution R38/14 on human rights.

### **7.8 14/13 Goal of a paperless Synod**

By resolution 14/13, the Synod, noting the initial steps towards reducing the distribution of materials to Synod members in printed form by the passing of the *Synod (Electronic Communications) Amendment Ordinance 2013* (the “Electronic Communications Ordinance”), adopted the goal of operating on an essentially paperless basis by the 51<sup>st</sup> Synod (in 2017) and to this end –

- (a) requested the Standing Committee to make regulations under clause 6B(4) of the *Synod Membership Ordinance 1995* along the lines outlined in the Explanatory Statement for the Electronic Communications Ordinance and to review the scope of those regulations from time to time, and
- (b) encouraged members, where possible, to download electronic forms of Synod documents on tablets or laptops for use during Synod sessions in preference to using printed forms, and
- (c) requested the Registrar to ask the members of the 50<sup>th</sup> Synod whether they opt to continue receiving printed forms of the Synod book and other large documents for use during sessions of this Synod and to report this information to the first session of this Synod, and
- (d) requested the Secretariat, in light of this information, to consider and report to the Standing Committee on further steps that might be taken to achieve the goal of a paperless Synod, and
- (e) requested the Standing Committee, when choosing a venue for sessions of the 51<sup>st</sup> Synod, to take into account the provision of recharging points and the capacity of the venue to support Synod members accessing and downloading Synod documents by Wi-Fi during these sessions.

We made the regulation referred to in paragraph (a) of the resolution.

For the purposes of paragraph (c) of the resolution, the Registrar has informed us that, as at 7 August 2014, of the 734 members of the 50<sup>th</sup> Synod who have notified the Registry of their details, 238 (or 32.4%) opted to receive printed Synod documents and 377 (or 51.4%) opted to receive electronic documents. No response was provided by the remaining 119 members (or 16.2%).

We recommended that, as an interim step in addressing the goal of a paperless Synod by 2017, consideration be given to making printed forms of the Synod Book and other large documents available for collection at St Andrew’s House or the venue for sessions of the Synod from 2015 for those Synod members who opt to continue receiving such documents in printed form.

### **7.9 18/13 Review of *Discipline Ordinance 2006* and *Relinquishment of Holy Orders Ordinance 1994***

By resolution 18/13, the Synod requested the Standing Committee to review the *Discipline Ordinance 2006* and the *Relinquishment of Holy Orders Ordinance 1994*, with particular regard to their interaction with the *Child Protection (Working With Children) Act 2012* (NSW), and to bring a report and any proposed amending ordinance or ordinances to the 1<sup>st</sup> ordinary session of the 50<sup>th</sup> Synod.

The committee we appointed to undertake the review requested in resolution 18/13 has completed its work. A bill and explanatory report are printed separately.

### **7.10 19/13 Review of the Diocesan Mission and the next phase of the Mission**

By resolution 19/13, the Synod noted the report on the review of the Diocesan Mission and the next phase of Mission and requested its members to provide comment on the draft early exposure of a possible new Diocesan Mission outlined in the report.

Having considered comments made about the exposure draft, we prepared a *Mission 2020* document with the Archbishop.

The new Mission document is printed separately, however an early copy was circulated to Synod members on 1 August for consideration at the 2014 session of Synod. We requested that a motion be

moved at Synod to enable, among other things, the Synod to welcome and adopt the *Mission 2020* set out in that document.

### **7.11 20/13 Church planting models for Greenfields Areas**

By resolution 20/13, the Synod noted a report on the strategy for ministry in Greenfield and Brownfield areas of the Diocese and invited its members to submit comments on the holistic strategy for promoting ministry in Greenfield and Brownfield areas of the Diocese to the Church Planting Task Force (CPTF) by 31 December 2013.

Having received comments on the strategy, the CPTF provided us with a report which requested that we –

- adopt the strategic goal of planting 11 new congregations per year, and
- allocate or raise at least \$400,000 pa for seed funding these new initiatives, including funding for property and buildings, and
- require the CPTF (and partner organisations) to manage the allocation of these funds on behalf of the Standing Committee, and
- request the Archbishop to promote the plan with the Mission Areas,

The funding proposals have been taken into account by the Diocesan Resources Committee in preparing the *Statement of Funding Principles and Priorities for 2016-2018* (see item 3.9) and by the Strategic Research Group in the advice it has provided in the formulation of missional goals for consideration by the Synod (see item 7.10).

### **7.12 22/13 The Diocesan Mission and Baby Boomers**

By resolution 22/13, Synod requested the Missions Committee to explore and report back to Synod on how the Diocesan Mission plan for the next 10 years will be directed toward –

- (a) ensuring that Baby Boomers in the Diocese are evangelised, nurtured in their faith, reaching out to their peers with the Gospel, and exercising their spiritual gifts and godly wisdom in vital ministry within churches and the wider community, and
- (b) raising the awareness of parishes and the Diocese concerning the needs and potential of Baby Boomers and inspiring, training, and encouraging them in ministry to their peers and others.

This resolution was considered in the context of developing the next phase of the Diocesan Mission. See item 7.10.

### **7.13 23/13 Transparency of Synod funding**

By resolution 23/13, the Synod, in order to improve the transparency of Synod funding, requested we consider, as part of its review of the document “Statement of Funding Principles and Priorities for 2013” (the Statement) –

- (a) requiring all potential recipients of Synod grants (under the Appropriation headings *Long Term Mission Commitments* and *Current Mission Activities*) to provide the Standing Committee, for the purposes of formulating the Synod budget for the next triennium, with information about their ongoing funding requirements for the triennium, including information similar to that referred to on page 21 of the Statement, and
- (b) making this information available to Synod members.

This resolution was considered in the context of developing the Statement of Funding Principles and Priorities for Synod in 2014 (see item 3.9). Our response is detailed in the Annexure to that document.

### **7.14 33/13 Domestic violence and educating clergy**

By resolution 33/13, the Synod requested Moore College and Ministry Training and Development, in consultation with the Safe Ministry Board and appropriate experts as required, having reviewed the input they already provide, to investigate and, as needed, develop an effective approach to educating ordinands and clergy in regards to domestic violence and how to respond when it comes up as an issue in marriage (and other relationships). In such training, consideration ought to be given to ensuring that upholding the Bible's good teaching on submission and sacrificial love – both in preaching and teaching, and in marriage education or counselling – is not easily twisted as a cover for abuse. Synod requested that Moore College and Ministry Training and Development report back with a progress report by the next session of Synod.

We have not yet received a report in relation to this matter.

**7.15 Further use of Synod venue during Synod session**

In response to a suggestion from a Synod member, we agreed to consider making further use of the Synod venue during Synod sessions. To this end we sought expressions of interest from a number of diocesan organisations to use the Synod venue on any of the days nominated for the 2014 session. None of the organisations contacted expressed an interest in doing so and, accordingly, we agreed that no further action should be taken in relation to this matter.

**7.16 Resolutions made by the Synod in 2013 and not mentioned in this report**

Circulars were sent to parishes and organisations about the matters arising from the 2013 Synod session. Copies of Synod resolutions were sent to appropriate persons and organisations.

**7.17 Ordinances for this session**

The bills for ordinances for this session of the Synod are printed separately, together with accompanying reports or explanatory statements.

For and on behalf of the Standing Committee.

ROBERT WICKS

*Diocesan Secretary*

17 September 2014

## Synod Funds – Amalgamated

### Annual financial report – 31 December 2013

Incorporating –

- Sydney Diocesan Synod Fund Funds 127 – 131 (unaudited)
- Standing Committee of Synod Sydney Diocesan Account Funds 153 – 189 (unaudited)

### Discussion and Analysis report for the year ended 31 December 2013

The Synod Funds' (the Fund) Discussion and Analysis report provides an overview of the Fund's financial activities for the calendar year ended 31 December 2013. The Discussion and Analysis should be read in conjunction with the unaudited annual report for the same period, and the notes thereto, beginning on page 1.

The Fund is an amalgamation of the individual funds listed below. At 31 December 2013 the Synod Funds comprised of 7 funds (2012: 6 funds):

- Fund 127 Sydney Diocesan Synod Fund - Work Outside the Diocese
- Fund 128 Sydney Diocesan Synod Fund – Mission Areas Fund
- Fund 129 Synod Appropriation and Allocation Fund
- Fund 130 Sydney Representative at General Synod
- Fund 131 Sydney Diocesan Synod Fund
- Fund 153 The Archbishop's Professional Standards Unit
- Fund 189 Sydney Diocesan Ordination Training Fund

During 2013 the Standing Committee established Fund 0131 "Sydney Diocesan Synod Fund" to hold monies to assist in managing the risk of material and imminent external liabilities which affect the Diocese as a whole, and are not properly met by other Diocesan organisations or funds. The capital of Fund 0131 was contributed by transfers of \$385,000 from the Synod Appropriation and Allocation Fund (0129) and \$600,000 from the PCR Clergy Benefits Fund (0952). Fund 0129 was re-named as the Synod Appropriation and Allocation Fund to reflect its activities.

The main sources of funds during 2013 were distributions from the Diocesan Endowment and various parish ordinances. A distribution from the Diocesan Endowment of \$3,335,000 (2012: \$3,642,000) was made available to the Fund for spending in 2013. The amount distributed to the Fund by various parish ordinances totalled \$1,494,772 (2012: \$1,147,823). In addition Work Outside the Diocese received donations of \$75,974 (2012: \$27,230). The Fund also received contributions under Parochial Cost Recoveries Ordinance to support the Professional Standards Unit, the Safe Ministry program and the costs associated with membership of the Anglican Church in Australia, the Province of New South Wales and the NSW Council of Churches. Also interest is earned on surplus cash held on deposit with the Glebe Administration Board.

The Fund's total revenues decreased by \$464,284 or 7.69% from \$6,040,436 (2012) to \$5,576,152 (2013) due to the reduction in PCR contributions to the PSU and lower distributions from the Diocesan Endowment.

The application of funds is divided between:

- grants appropriated by the Standing Committee in the Synod Appropriations and Allocations Ordinance 2012,
- grants as appropriated under the delegations of the various committees of the comprising funds, and
- administrative expenses of the Professional Standards Unit.

The Fund's total outgoings increased by \$435,564 or 7.00% from \$6,224,397 (2012) to \$6,659,961 (2013).

The Net Assets of the Fund declined by 21.00% (2013: \$1,744,717 compared to 2012: \$2,208,526). The assets of the Fund are composed mainly of cash and receivables. Liabilities of the Fund represent accrued expenses and provisions for legal matters and staff leave entitlements.

The Equity of each Fund represents accumulated surpluses from operations and capital contributed to Fund 0131, with \$600,000 of capital from outside of the Synod Funds amalgamation.

There are no matters that have arisen since 31 December 2013 which are likely to have a significant effect on the Fund.

This report has been adopted at a duly constituted and convened meeting of the members of the Finance Committee of the Standing Committee of Synod on 17 April 2014.

### Standing Committee of Synod - Synod Funds

#### Income Statement for the 12 months ended 31 December 2013

	Fund 127	Fund 128	Fund 129	Fund 130	Fund 131	Fund 153	Fund 189	Elimination	Total	Actual
	SDSF Work Outside the Diocese	SDSF Mission Areas Fund	Synod Approp. & Allocation Fund	Sydney Reps at General Synod	Sydney Diocesan Synod Fund (SDSF)	SDA ABP's PSU	SDA Ordin- ation Train. Fund			12 Months ending 31 December 2012
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Income</b>										
Distributions - Diocesan Endowment	-	-	3,335,000	-	-	-	-	-	3,335,000	3,642,000
Distributions - Anglican Church Property Trust - Refer to Note 2	-	-	992,131	-	-	-	-	-	992,131	1,006,822
Distributions - St James Hall	-	-	190,000	-	-	-	-	-	190,000	141,001
Distributions - 1 York Street	-	-	312,641	-	-	-	-	-	312,641	-
Interest	1,404	4,616	6,073	1,027	16,516	1,282	896	-	31,814	63,449
PCR Contributions	-	-	-	-	-	592,512	-	-	592,512	908,590
Synod Grants	175,000	80,000	-	20,000	-	17,566	-	(292,566)	-	-
Donations	75,974	-	-	-	-	-	-	-	75,974	-
Other Income	-	10,002	60	-	-	36,018	-	-	46,080	278,574
<b>Total income</b>	<b>252,378</b>	<b>94,618</b>	<b>4,835,905</b>	<b>21,027</b>	<b>16,516</b>	<b>647,378</b>	<b>896</b>	<b>(292,566)</b>	<b>5,576,152</b>	<b>6,040,436</b>
<b>Expenses</b>										
Staff & Related	-	-	-	-	-	306,822	-	-	306,822	264,424
Professional Fees	-	-	157,931	-	-	101,728	2,295	-	261,954	75,123
SDS Fees	15,000	5,004	630,000	9,996	-	28,356	1,884	-	690,240	729,252
Computer & Software	-	-	-	-	-	824	-	-	824	40
Rent & Occupancy	-	-	-	-	-	26,122	-	-	26,122	26,032
Printing & Stationery	-	-	-	-	-	9,802	-	-	9,802	6,568
Entertainment & Travel	-	-	-	-	-	10,133	-	-	10,133	8,230
Depreciation	-	-	-	-	-	2,095	-	-	2,095	1,827
Advertising	-	-	-	-	-	10,155	-	-	10,155	10,295
Office	-	-	-	-	-	7,066	-	-	7,066	14,862
Miscellaneous	493	6,766	590	-	-	480	-	-	8,329	39,978
Grants and Subsidies	285,911	277,605	4,458,713	-	415,000	120,391	40,000	(292,566)	5,305,054	5,055,001
Bad Debts	-	-	1,365	-	-	-	-	-	1,365	(7,235)
<b>Total Expenses</b>	<b>301,404</b>	<b>289,375</b>	<b>5,248,599</b>	<b>9,996</b>	<b>415,000</b>	<b>623,974</b>	<b>44,179</b>	<b>(292,566)</b>	<b>6,639,961</b>	<b>6,224,397</b>
<b>Net Surplus/(Deficit)</b>	<b>(49,026)</b>	<b>(194,757)</b>	<b>(412,694)</b>	<b>11,031</b>	<b>(398,484)</b>	<b>23,404</b>	<b>(43,283)</b>	<b>-</b>	<b>(1,063,809)</b>	<b>(183,961)</b>

**Standing Committee of Synod - Synod Funds**  
**Balance Sheet as at 31 December 2013**

	Fund 127 SDSF Work Outside the Diocese	Fund 128 SDSF Mission Areas Fund	Fund 129 Synod Approp. & Allocation Fund	Fund 130 Sydney Reps at General Synod	Fund 131 Sydney Diocesan Synod Fund (SDSF)	Fund 153 SDA ABP's PSU	Fund 189 SDA Ordin- ation Training Fund	Elimination	Total	Actual 31 December 2012
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Assets</b>										
Cash	87,456	339,358	421,356	100,784	910,486	206,182	47,590	-	<b>2,113,212</b>	2,260,142
Receivables	-	9,088	-	-	16,030	-	-	-	<b>25,118</b>	2,168
Fixed Assets	-	-	-	-	-	4,161	-	-	<b>4,161</b>	4,536
Other	75	15	4,657	-	-	411	-	-	<b>5,158</b>	924
<b>Total assets</b>	<b>87,531</b>	<b>348,461</b>	<b>426,013</b>	<b>100,784</b>	<b>926,516</b>	<b>210,754</b>	<b>47,590</b>	-	<b>2,147,649</b>	<b>2,267,770</b>
<b>Liabilities</b>										
Payables	-	-	27,981	-	-	7,173	2,295	-	<b>37,449</b>	45,141
Provisions	-	-	-	-	340,000	25,483	-	-	<b>365,483</b>	14,103
<b>Total liabilities</b>	-	-	<b>27,981</b>	-	<b>340,000</b>	<b>32,656</b>	<b>2,295</b>	-	<b>402,932</b>	<b>59,244</b>
<b>Net assets</b>	<b>87,531</b>	<b>348,461</b>	<b>398,032</b>	<b>100,784</b>	<b>586,516</b>	<b>178,098</b>	<b>45,295</b>	-	<b>1,744,717</b>	<b>2,208,526</b>
<b>Equity</b>										
Capital	-	-	-	-	985,000	-	-	-	<b>985,000</b>	-
Accumulated Funds	136,557	543,218	810,726	89,753	-	154,694	88,578	-	<b>1,823,526</b>	2,392,487
Current year	(49,026)	(194,757)	(412,694)	11,031	(398,484)	23,404	(43,283)	-	<b>(1,063,809)</b>	(183,961)
<b>Total Equity</b>	<b>87,531</b>	<b>348,461</b>	<b>398,032</b>	<b>100,784</b>	<b>586,516</b>	<b>178,098</b>	<b>45,295</b>	-	<b>1,744,717</b>	<b>2,208,526</b>

**Notes to the financial report for the year ended 31 December 2013**

**1. Summary of significant accounting policies**

The principal accounting policies adopted in the preparation of the financial report are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

**(a) Basis of preparation**

This is a special purpose financial statement that has been prepared for the sole purpose of providing amalgamated financial information to Synod and for distribution to the members of Synod and must not be used for any other purpose. The Finance Committee of Standing Committee has determined that the accounting policies adopted are appropriate to meet the needs of Synod.

The income statement and balance sheet are submitted as amalgamated statements for administrative purposes. The process of amalgamation consists of adding all the balances of the individual funds on a line by line basis. There is no consideration of beneficial interests, which is involved or implied in the preparation of the amalgamated financial report. Material transactions have been eliminated between the funds.

The net assets at the date of exit of funds exiting the amalgamated accounts are debited to the relevant category of equity. The items of the statement of income for a fund that has exited the amalgamated accounts during the period are only included in the amalgamated accounts until the date of exit. When a fund is joining the amalgamated accounts a credit to equity is generally recognised to record the net assets that have been included in the amalgamated accounts.

**Historical cost convention**

These financial statements have been prepared under the historical cost convention.

**(b) Revenue recognition**

Revenue and other income is measured at the fair value of the consideration received or receivable. Amounts disclosed as revenue are net of taxes paid. Revenue and other income is recognised for the major business activities as follows:

**Grants and donations**

Grants and donations are recognised to the extent they have been deposited in the bank, which is the point at which the entity gains control of the grant or donation.

**Disposal of plant and equipment**

Income from the disposal of plant and equipment is measured at fair value of the consideration received or receivable less the carrying value of the fixed asset or group of assets sold. Gain or loss arising from the sale is recognised at net amount in the income statement.

**Distributions**

Distributions are recognised on an accruals basis when the right to receive payment is established.

**Interest**

Interest revenue is recognised on a time proportion basis using the effective interest method.

**(c) Grants and donations expense**

Grants and donations are generally recognised upon payment.

**(d) Acquisitions of assets**

The purchase method of accounting is used to account for all acquisitions of assets regardless of whether equity instruments or other assets are acquired. Cost is measured as the fair value of the assets given, shares issued or liabilities incurred or assumed at the date of exchange.

**(e) Cash and cash equivalents**

Cash and cash equivalents includes cash on hand, deposits held at call with financial institutions, other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value, and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities on the balance sheet.

**(f) Receivables**

Receivables are recognised initially at fair value and subsequently measured at amortised cost, less provision for doubtful debts. Receivables are due for settlement no more than 30 days from the date of recognition.

The collectability of receivables is reviewed on an ongoing basis. Debts, which are known to be uncollectible, are written off. A provision for doubtful receivables is established when there is objective evidence that the entity will not be able to collect all amounts due according to the original terms of receivables. The amount of the provision is recognised in the income statement.

**(g) Fair value estimation**

The fair value of financial assets and financial liabilities must be estimated for recognition and measurement or for disclosure purposes.

**(h) Plant and equipment**

Plant and equipment is stated at historical cost less depreciation. Historical cost includes expenditure that is directly attributable to the acquisition of the items.

Depreciation is calculated using the straight-line method to allocate their cost or re-valued amounts, net of their residual values, over their estimated useful lives as follows:

- Computer hardware and printers	3 years
- Furniture and fittings	10 years

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at each balance sheet date.

**(i) Payables**

These amounts represent liabilities for goods and services provided prior to the end of financial year that are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

**(j) Provisions**

Provisions are recognised when there is a present legal or constructive obligation as a result of past events; it is probable that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations may be small.

Provisions are measured at the present value of management's best estimate of the expenditure required to settle the present obligation at the balance sheet date. The discount rate used to determine the present value reflects current market assessments of the time value of money and the risks specific to the liability. The increase in the provision due to the passage of time is recognised as interest expense.

**(k) Employee benefits*****Wages, salaries, annual leave and sick leave***

Liabilities for wages and salaries including non-monetary benefits and annual leave expected to be settled within 12 months of the reporting date are recognised either in payables or current provisions in respect of employees' services up to the reporting date and are measured at the amounts expected to be paid when the liabilities are settled.

No liability has been recognised for sick leave, as there is no provision made for sick leave and it is not considered that any sick leave taken will incur in additional costs.

***Long service leave***

The liability for long service leave expected to be settled more than 12 months from the reporting date is recognised as a provision and measured at the present value of expected future payments to be made in respect of services provided by employees up to the reporting date. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity that match, as closely as possible, the estimated future cash outflows.

Employee benefit on-costs are recognised and included in employee benefit liabilities and costs when the employee benefits to which they relate are recognised as liabilities.

**(l) Goods and Service Tax (GST)**

The funds are members of the Sydney Diocesan Secretariat GST group.

Revenues, expenses and assets are recognised net of the amount of GST, unless the GST incurred is not recoverable from the Australian Taxation Office (ATO). In these circumstances, it is recognised as part of the cost of acquisition of the asset or as part of the expense.

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with other receivables or payables in the balance sheet.

**(m) Income tax**

The funds are exempt from income tax under Section 50-5 of the Income Tax Assessment Act 1997.

**2. Distributions – Anglican Church Property Trust – Sydney Diocesan Synod Fund**

	2013	2012
	\$	\$
C.E.N.E.F Ordinance 1978	86,097	68,185
Hunters Hill (Woolwich) Ordinance 1994	3,900	1,531
Narellan (Elderslie) Land Sale Ordinance 1980	32,301	36,605
Ryde (Kirkby Gdns. & Archbold) Ordinance 2000	526,968	429,053
Sydney St Phillip (Resumption) Ordinance 19/1983	5,977	7,019
St Philip's Sydney York St Property Lease Ordinance 1966	77,994	72,934
Manly Leasing and Variation of Trusts Ordinance 2006	220,496	391,495
Retained net income from ACPT Fund 0400 for year ended 31/12/2011	38,398	-
	<b>992,131</b>	<b>1,006,822</b>



## MEMBERS DECLARATION

The members of the Finance Committee of Standing Committee of Synod declare that the financial statements and notes set out on pages 86 to 91:

- (a) comply with the accounting policies summarised in note 1;
- (b) give a fairly presented view of the Fund's financial position as at 31 December 2013 and of its performance, as represented by the results of its operations and its cash flows, for the year ended on that date.

In the members' opinion there are reasonable grounds to believe the individual funds will be able to pay its debts as and when they become due and payable.

This declaration is made in accordance with a resolution of the members.

This declaration is made in accordance with a resolution of the members.

JOHN PASCOE  
Member

NICOLA WARWICK-MAYO  
Member

28 April 2014

## Synod Funds Amalgamated Report of factual findings to the members of the Finance Committee of the Standing Committee

Report on Agreed Upon Procedures for the following funds –

Fund 127	SDSF Work Outside the Diocese
Fund 128	SDSF Mission Areas Fund
Fund 129	Sydney Diocesan Synod Fund
Fund 130	Sydney Representatives at General Synod
Fund 131	Sydney Diocesan Synod Fund (SDSF)
Fund 153	SDA ABP's Professional Standards Unit
Fund 189	SDA Ordination Training Fund

We have performed the procedures agreed with you as detailed in the written instructions of 18 December 2013 and described below with respect to validity, accuracy and authorisation of transactions [in the entities listed above].

### The members of the Finance Committee of the Standing Committee's Responsibility for the Procedures Agreed

Management and the members of the Finance Committee of the Standing Committee are responsible for the adequacy or otherwise of the procedures agreed to be performed by us. You are responsible for determining whether the factual findings provided by us, in combination with any other information obtained, provide a reasonable basis for any conclusions which you wish to draw on the subject matter.

### Assurance Practitioner's Responsibility

Our responsibility is to report factual findings obtained from conducting the procedures agreed. We conducted the engagement in accordance with Standard on Related Services *ASRS 4400 Agreed-Upon Procedures Engagements to Report Factual Findings*. We have complied with ethical requirements equivalent to those application to Other Assurance Engagements, including independence.

Because the agreed-upon procedures do not constitute either a reasonable or limited assurance engagement in accordance with AUASB standards, we do not express any conclusion and provide no assurance on validity, accuracy and authorisation of transactions of the entities listed above. Had we performed additional procedures or had we performed an audit or a review of the entities listed above in accordance with AUASB standards, other matters might have come to our attention that would have been reported to you.

### **Factual findings**

The procedures were performed solely to assist you in evaluating the validity, accuracy and authorisation of transactions. Please refer to Appendix 1 and Appendix 2 [*not reproduced here*] for the procedures performed and the factual findings obtained.

### **Restriction on Distribution and Use of Report**

This report is intended solely for the purpose set out above. As the intended user of our report, it is for you and other intended users to assess both the procedures and our factual findings to determine whether they provide, in combination with any other information you have obtained, a reasonable basis for any conclusions which you wish to draw on the subject matter. As required by ASRS 4400 *Agreed-Upon Procedures Engagements to Report Factual Findings*, distribution of this report is restricted to those parties that have agreed the procedures to be performed with us and other intended users identified in the terms of the engagement (since others, unaware of the reasons for the procedures, may misinterpret the results). Accordingly, we expressly disclaim and do not accept any responsibility or liability to any party other [than] you for any consequences of reliance on this report for any purpose.

PricewaterhouseCoopers

FRANCOIS BRUDER  
Principal

Sydney  
10 April 2014

## Parish Funds – Amalgamated

### Annual financial report – 31 December 2013

Incorporating –

- Parish Funds Funds 951 – 955 (unaudited)

#### Discussion and Analysis report for the year ended 31 December 2013

The Parish Funds' Discussion and Analysis provides an overview of the Parish Funds' financial activities for the calendar year ended 31 December 2013. The Discussion and Analysis should be read in conjunction with the unaudited annual report for the same period, and the notes thereto, beginning on page 1.

The Parish Funds is a group of funds amalgamated in 2006 to administer clergy entitlements under the oversight of the Finance Committee of the Standing Committee of Synod.

This is a special purpose financial statement that has been prepared for the sole purpose of providing amalgamated financial information to Synod and for distribution to the members of Synod and must not be used for any other purpose.

At 31 December 2013 the Parish Funds amalgamation is comprised of 5 funds (2012: 5):

Fund 951	Sydney Diocesan Parish Fund
Fund 952	Clergy Benefits Fund
Fund 953	Long Service Leave Clearing Fund
Fund 954	Sydney Diocesan Sickness & Accident Fund
Fund 955	Clergy Removals Fund

The source of funds during 2013 were mainly from Parochial Cost Recoveries Charges on Parochial units as determined in the Parochial Cost Recoveries, Parochial Network Costs and Church Land Acquisitions Levy Ordinance 2012 passed by the Synod of the Diocese of Sydney on 15 October 2012 and given assent to by the Archbishop on 18 October 2012. In addition interest is earned on cash held on deposit with the Glebe Administration Board through at call Glebe Income Accounts. The Parish Funds total revenues increased by \$2,574,948 or 22.77% from \$11,307,172 (2012) to \$13,882,120 (2013). The components of the 2013 variable charge recoveries were restructured by increasing the allowance for ACPT insurance costs by 12.4%, or \$374,600, including contributions to SDS fees for managing the Fund, \$185,000, and a contribution to the acquisition of land for future church sites, \$2,000,000, but removing support for membership and affiliation costs, \$313,582.

The application of funds is divided predominately between fixed "ministry costs" and variable "parochial network costs". Ministry costs are a fixed cost per minister, being comprised of contributions to superannuation funds, the Long Service Leave Fund, the Sydney Diocesan Sickness and Accident Fund and cost of effecting stipend continuance insurance.

Under the Parochial Cost Recoveries Ordinance 2012 parochial network costs during 2013 were comprised of –

- the property and liability insurance program,
- the parish risk management program,
- the parish related work of the Professional Standards Unit,
- the safe ministry training, and
- the Church Land Acquisition levy.

Funds were also applied to expenses such as Sydney Diocesan Secretariat fees and consulting in relation to the Special Religious Education Program Evaluation. The Parish Fund's total outgoings increased by \$2,417,728, or 20.94%, from \$11,544,912 (2012) to \$13,962,640 (2013).

The Net Assets of the Parish Funds declined by 27.6% (2013: \$1,832,609 compared to 2012: \$2,513,131). This reflects the transfer of \$600,000 to the Synod amalgamated funds for establishment of

a "risk reserve" fund 0131. The assets of the Parish Funds are composed of cash and receivables. Liabilities of the Parish Funds represent accrued expenses and other payables.

The Equity of each Parish Fund represents accumulated surpluses from operations.

There are no matters that have arisen since 31 December 2013 which are likely to have a significant effect on the Funds.

This report has been adopted at a duly constituted and convened meeting of the members of the Finance Committee of the Standing Committee of Synod on 17 April 2014.

### Standing Committee of Synod – Parish Funds

#### Amalgamated income and expenditure statement for the period ending 31 December 2013

	FUND 951 PARISH COSTS RECOVERY	FUND 952 CLERGY BENEFITS FUND	FUND 953 LONG SERVICE LEAVE	FUND 954 SICKNESS & ACCIDENT	FUND 955 CLERGY REMOVALS FUND	ELIMIN- ATIONS	TOTAL	Dec-12 TOTAL
	\$	\$	\$	\$	\$	\$	\$	\$
<b>INCOME</b>								
Interest on cash	12,399	3,820	1,962	4,142	722	-	23,045	52,868
Moorebank Estate - Distribution	-	-	-	-	24,714	-	24,714	28,942
PCR Variable Charge Recovery	3,375,085	-	-	-	-	-	3,375,085	3,016,460
PCR Superannuation Recovery	4,701,794	-	-	-	-	-	4,701,794	4,453,836
PCR LSL Recovery	601,371	-	562,947	-	-	(601,371)	562,947	539,231
PCR Risk Management Recovery	206,138	-	-	-	-	-	206,138	230,001
PCR Professional Standards Unit Recovery	492,932	-	-	-	-	-	492,932	495,004
PCR Safe Ministry Recovery	99,581	-	-	-	-	-	99,581	100,004
PCR Church Land Acquisition Levy	1,988,415	-	-	-	-	-	1,988,415	-
PCR Administration Fee	184,230	-	-	-	-	-	184,230	-
PCR Archives Recovery	49,790	-	-	-	-	-	49,790	50,002
PCR SAPAS Recovery	10,954	-	-	-	-	-	10,954	11,000
PCR Relief or Remission Recovery	19,920	-	-	-	-	-	19,920	20,000
PCR General Synod Recovery	-	-	-	-	-	-	-	313,582
AXA Stipend Continuance receipts	-	514,805	-	-	-	-	514,805	360,072
PCR Stipend Continuance Recovery	495,566	459,947	-	-	-	(495,566)	459,947	424,978
PCR Stipend Continuance Admin Fees	-	35,598	-	-	-	-	35,598	36,770
Stipend Continuance Organisations	-	67,750	-	-	-	-	67,750	56,792
Stipend Continuance Orgs - Admin Fees	-	5,243	100	-	-	-	5,343	4,724
PCR LSL - Admin Fees	-	-	38,174	-	-	-	38,174	35,918
LSL - Buy-backs	-	-	24,147	-	-	-	24,147	19,313
LSL - Claims - Anglican LSL Fund	-	-	865,654	-	-	-	865,654	928,327
LSL - Organisations	-	-	100,372	-	-	-	100,372	98,941
LSL - Organisations - Admin Fees	-	-	6,958	-	-	-	6,958	6,616
PCR S&A Recovery	23,828	-	-	23,827	-	(23,828)	23,827	23,791
Sundry Income	-	-	-	-	-	-	-	-
<b>TOTAL INCOME</b>	<b>12,262,003</b>	<b>1,087,163</b>	<b>1,600,314</b>	<b>27,969</b>	<b>25,436</b>	<b>(1,120,765)</b>	<b>13,882,120</b>	<b>11,307,172</b>

	FUND 951 PARISH COSTS RECOVERY	FUND 952 CLERGY BENEFITS FUND	FUND 953 LONG SERVICE LEAVE	FUND 954 SICKNESS & ACCIDENT	FUND 955 CLERGY REMOVALS FUND	ELIMIN- ATIONS	TOTAL	Dec-12 TOTAL
	\$	\$	\$	\$	\$	\$	\$	\$
<b>EXPENSES</b>								
Interest Expense	-	1	-	-	-	-	1	59,250
Accounting, Audit & Secretarial Fees	185,004	45,360	45,360	11,340	5,004	-	292,068	297,504
Audit Fees	9,180	-	-	-	-	-	9,180	9,000
Bad Debts Expense	-	-	-	-	-	-	-	-
Claims Paid	-	514,805	865,654	79,148	24,682	-	1,484,289	1,327,483
Consulting Costs	15,433	-	-	-	-	-	15,433	2,725
LSL - Buy-backs to the Anglican LSL Fund	-	-	-	-	-	-	-	19,313
LSL - Payments to the Anglican LSL Fund	-	-	687,949	-	-	-	687,949	638,653
Moorebank Estate - Management Fees	-	-	-	-	-	-	-	-
PCR Insurance	3,374,796	-	-	-	-	-	3,374,796	3,014,400
PCR Superannuation	4,701,794	-	-	-	-	-	4,701,794	4,453,836
PCR LSL	601,371	-	-	-	-	(601,371)	-	-
PCR S&A	23,828	-	-	-	-	(23,828)	-	-
PCR Stipend Continuance	495,566	-	-	-	-	(495,566)	-	-
Operating Costs	2,186	-	-	-	-	-	2,186	818
Professional Standards Unit	492,932	-	-	-	-	-	492,932	495,004
Church Land Acquisition Levy	1,988,415	-	-	-	-	-	1,988,415	-
PCR Archives Charges	-	-	-	-	-	-	-	50,002
PCR SAPAS Charges	10,954	-	-	-	-	-	10,954	11,000
PCR General Synod Charges	-	-	-	-	-	-	-	313,582
Parish Risk Management Program	255,928	-	-	-	-	-	255,928	230,001
Return of funds to Diocesan Endowment	-	-	-	-	-	-	-	-
Safe Ministry Training Program	99,581	-	-	-	-	-	99,581	100,004
Stipend Continuance Insurance Expense	-	547,134	-	-	-	-	547,134	522,337
<b>TOTAL EXPENSES</b>	<b>12,256,968</b>	<b>1,107,300</b>	<b>1,598,963</b>	<b>90,488</b>	<b>29,686</b>	<b>(1,120,765)</b>	<b>13,962,640</b>	<b>11,544,912</b>
<b>NET SURPLUS/(DEFICIT)</b>	<b>5,035</b>	<b>(20,137)</b>	<b>1,351</b>	<b>(62,519)</b>	<b>(4,250)</b>	<b>-</b>	<b>(80,520)</b>	<b>(237,740)</b>

## Amalgamated Balance Sheet as at 31 December 2013

	FUND 951 PARISH COSTS RECOVERY	FUND 952 CLERGY BENEFITS FUND	FUND 953 LONG SERVICE LEAVE	FUND 954 SICKNESS & ACCIDENT	FUND 955 CLERGY REMOVALS FUND	ELIMINATIONS	TOTAL	Dec-12 TOTAL
	\$	\$	\$	\$	\$	\$	\$	\$
<b>Assets</b>								
Cash	1,064,313	107,803	332,158	342,974	76,692	-	1,923,940	2,826,135
Fund 951 - Receivable	-	-	-	-	-	-	-	-
PCR Receivables - Parishes	46,275	-	-	-	-	-	46,275	13,713
Less: Provision for Doubtful Debts	-	-	-	-	-	-	-	-
Organisations Receivable	-	-	18,111	-	-	-	18,111	5,155
Prepayments	-	-	-	-	-	-	-	-
Other receivables	299	26,023	-	-	5,699	-	32,021	24,886
<b>TOTAL Assets</b>	<b>1,110,887</b>	<b>133,826</b>	<b>350,269</b>	<b>342,974</b>	<b>82,391</b>	<b>-</b>	<b>2,020,347</b>	<b>2,869,889</b>
<b>Liabilities</b>								
LSL Fund Payable	-	-	-	-	-	-	-	-
S&A Fund Payable	-	-	-	-	-	-	-	-
Stipend Continuance Fund Payable	-	-	-	-	-	-	-	-
Superannuation Clearing Account	(14,242)	-	-	-	-	-	(14,242)	4,956
Other Payables	10,750	27,290	163,940	-	-	-	201,980	351,802
<b>TOTAL Liabilities</b>	<b>(3,492)</b>	<b>27,290</b>	<b>163,940</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>187,738</b>	<b>356,758</b>
<b>Net Assets</b>	<b>1,114,379</b>	<b>106,536</b>	<b>186,329</b>	<b>342,974</b>	<b>82,391</b>	<b>-</b>	<b>1,832,609</b>	<b>2,513,131</b>
<b>Equity</b>								
Accumulated Surplus - Prior Year	1,109,344	126,673	184,978	405,493	86,641	-	1,913,129	2,750,871
Net Surplus/(Deficit) - Current Year	5,035	(20,137)	1,351	(62,519)	(4,250)	-	(80,520)	(237,740)
<b>TOTAL Equity</b>	<b>1,114,379</b>	<b>106,536</b>	<b>186,329</b>	<b>342,974</b>	<b>82,391</b>	<b>-</b>	<b>1,832,609</b>	<b>2,513,131</b>

## Notes to the financial report for the year ended 31 December 2013

## 1. Summary of significant accounting policies

The principal accounting policies adopted in the preparation of the financial report are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

## (a) Basis of preparation

This is a special purpose financial statement that has been prepared for the sole purpose of providing amalgamated financial information to Synod and for distribution to the members of Synod and must not be used for any other purpose. The Standing Committee has determined that the accounting policies adopted are appropriate to meet the needs of Synod.

The statement of income and balance sheet are submitted as amalgamated statements for administrative purposes. The process of amalgamation consists of adding all the balances of the individual funds on a line by line basis. There is no consideration of beneficial interests, which is involved or implied in the preparation of the amalgamated financial report. Material transactions have been eliminated between the funds.

The net assets at the date of exit of funds exiting the amalgamated accounts are debited to the relevant category of equity. The items of the statement of income for a fund that has exited the amalgamated accounts during the period are only included in the amalgamated accounts until the date of exit. When a fund is joining the amalgamated accounts a credit to equity is generally recognised to record the net assets that have been included in the amalgamated accounts.

**Historical cost convention**

These financial statements have been prepared under the historical cost convention.

**(b) Revenue recognition**

Revenue and other income is measured at the fair value of the consideration received or receivable. Amounts disclosed as revenue are net of taxes paid. Revenue and other income is recognised for the major business activities as follows:

***Grants and donations***

Grants and donations are recognised to the extent they have been deposited in the bank, which is the point at which the entity gains control of the grant or donation.

***Distributions***

Distributions are recognised on an accruals basis when the right to receive payment is established.

***Interest***

Interest revenue is recognised on a time proportion basis using the effective interest method.

***Recoveries***

Personnel cost recoveries from parochial and non-parochial units have been accounted for as income received in respect of certain clergy entitlements to cover superannuation contributions, insurances and other premiums paid on behalf of parochial and non-parochial units.

Diocesan program costs recovered from parochial units have been accounted for as income received in respect of insurances and other centrally managed programs.

Recognition is on an accruals basis.

**(c) Grants and donations expense**

Grants and donations are generally recognised upon payment.

**(d) Acquisitions of assets**

The purchase method of accounting is used to account for all acquisitions of assets regardless of whether equity instruments or other assets are acquired. Cost is measured as the fair value of the assets given, shares issued or liabilities incurred or assumed at the date of exchange.

**(e) Cash and cash equivalents**

For cash flow statement presentation purposes, cash and cash equivalents includes cash on hand, deposits held at call with financial institutions, other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value, and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities on the balance sheet.

**(f) Receivables**

Receivables are recognised initially at fair value and subsequently measured at amortised cost, less provision for doubtful debts. Receivables are due for settlement no more than 30 days from the date of recognition.

The collectability of receivables is reviewed on an ongoing basis. Debts, which are known to be uncollectible, are written off. A provision for doubtful receivables is established when there is objective evidence that the entity will not be able to collect all amounts due according to the original terms of receivables. The amount of the provision is recognised in the income statement.

**(g) Fair value estimation**

The fair value of financial assets and financial liabilities must be estimated for recognition and measurement or for disclosure purposes.

**(h) Payables**

These amounts represent liabilities for goods and services provided prior to the end of financial year that are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

**(i) Provisions**

Provisions are recognised when there is a present legal or constructive obligation as a result of past events; it is probable that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations may be small.

Provisions are measured at the present value of management's best estimate of the expenditure required to settle the present obligation at the balance sheet date. The discount rate used to determine the present value reflects current market assessments of the time value of money and the risks specific to the liability. The increase in the provision due to the passage of time is recognised as interest expense.

**(j) Goods and Service Tax (GST)**

The funds are members of the Sydney Diocesan Secretariat GST group.

Revenues, expenses and assets are recognised net of the amount of GST, unless the GST incurred is not recoverable from the Australian Taxation Office (ATO). In these circumstances, it is recognised as part of the cost of acquisition of the asset or as part of the expense.

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with other receivables or payables in the balance sheet.

**(k) Income tax**

The funds are exempt from income tax under Section 50-5 of the Income Tax Assessment Act 1997.

**2. Events occurring after the end of the reporting period**

The members are not aware of any events occurring after the reporting period that impact on the financial report as at 31 December 2013.

The financial statements were authorised for issue on 17 April 2014 by the Finance Committee of Standing Committee of Synod.

**MEMBERS DECLARATION**

The members of the Finance Committee of Standing Committee of Synod declare that the financial statements and notes set out on pages 94 to 98:

- (a) comply with the accounting policies summarised in note 1;
- (b) give a fairly presented view of the Fund's financial position as at 31 December 2013 and of its performance, as represented by the results of its operations and its cash flows, for the year ended on that date.

In the members' opinion there are reasonable grounds to believe the individual funds will be able to pay its debts as and when they become due and payable.

This declaration is made in accordance with a resolution of the members.

JOHN PASCOE  
**Member**

NICOLA WARWICK-MAYO  
**Member**

28 April 2014

**Parish Funds Amalgamated  
Report of factual findings to the members of the Finance Committee of the Standing Committee**

Report on Agreed Upon Procedures for the following funds –

Fund 951	Sydney Diocesan Parish Fund
Fund 952	Clergy Benefits Fund
Fund 953	Long Service Leave Fund
Fund 954	Sydney Diocesan Sickness & Accident Fund
Fund 955	Clergy Removals Fund

We have performed the procedures agreed with you as detailed in the written instructions of 18 December 2013 and described below with respect to validity, accuracy and authorisation of transactions [in the entities listed above].

**The members of the Finance Committee of the Standing Committee’s Responsibility for the Procedures Agreed**

Management and the members of the Finance Committee of the Standing Committee are responsible for the adequacy or otherwise of the procedures agreed to be performed by us. You are responsible for determining whether the factual findings provided by us, in combination with any other information obtained, provide a reasonable basis for any conclusions which you wish to draw on the subject matter.

**Assurance Practitioner’s Responsibility**

Our responsibility is to report factual findings obtained from conducting the procedures agreed. We conducted the engagement in accordance with Standard on Related Services *ASRS 4400 Agreed-Upon Procedures Engagements to Report Factual Findings*. We have complied with ethical requirements equivalent to those application to Other Assurance Engagements, including independence.

Because the agreed-upon procedures do not constitute either a reasonable or limited assurance engagement in accordance with AUASB standards, we do not express any conclusion and provide no assurance on validity, accuracy and authorisation of transactions of the entities listed above. Had we performed additional procedures or had we performed an audit or a review of the entities listed above in accordance with AUASB standards, other matters might have come to our attention that would have been reported to you.

**Factual findings**

The procedures were performed solely to assist you in evaluating the validity, accuracy and authorisation of transactions. Please refer to Appendix 1 and Appendix 2 [*not reproduced here*] for the procedures performed and the factual findings obtained.

**Restriction on Distribution and Use of Report**

This report is intended solely for the purpose set out above. As the intended user of our report, it is for you and other intended users to assess both the procedures and our factual findings to determine whether they provide, in combination with any other information you have obtained, a reasonable basis for any conclusions which you wish to draw on the subject matter. As required by *ASRS 4400 Agreed-Upon Procedures Engagements to Report Factual Findings*, distribution of this report is restricted to those parties that have agreed the procedures to be performed with us and other intended users identified in the terms of the engagement (since others, unaware of the reasons for the procedures, may misinterpret the results). Accordingly, we expressly disclaim and do not accept any responsibility or liability to any party other [than] you for any consequences of reliance on this report for any purpose.

PricewaterhouseCoopers

FRANCOIS BRUDER  
Principal

Sydney  
10 April 2014

## **6/13 Faithfulness in Service: Amendments to the definition of “bullying”**

(A report from the Standing Committee.)

### **Purpose**

1. The purpose of this report is to comment on, and make recommendations about, the definition of “bullying” in *Faithfulness in Service* (“FIS”) proposed by the General Synod Standing Committee (the “proposed definition”).

### **Recommendations**

2. The Standing Committee recommends that the Synod –
  - (a) receive this report,
  - (b) adopt, as an amendment to *FIS*, the General Synod Standing Committee’s proposed definition of “bullying” incorporating the amendments marked up on Annexure 1 to this report, and
  - (c) recommends that the General Synod Standing Committee adopt these additional amendments to the *FIS* definition of “bullying”.

### **Background**

3. The General Synod Professional Standards Commission has recommended changes to *FIS*. In April 2011, the changes (including a new definition of “bullying”) were adopted by the General Synod Standing Committee.

4. The changes to *FIS* do not take effect in this Diocese unless they are ratified by a resolution of the Synod. The amendments were ratified by Synod at its 2012 session, except for the proposed definition of “bullying”. At the 2013 session of Synod, consideration of the proposed definition was deferred because –

- (a) Safe Work Australia was consulting about a model code on workplace bullying, and
- (b) a review of the Diocesan Grievance Policy and Procedure was due to start in July 2014.

5. In late 2013 Safe Work Australia declined to issue a model code on workplace bullying. Instead, it issued a guide titled *Preventing and Responding to Workplace Bullying*. Relevant extracts from the Guide are included in Annexure 2.

6. On 23 June 2014, the Standing Committee appointed Bishop Chris Edwards, Canon Sandy Grant, Ms Michelle England, Mr Michael Easton and Ms Stephanie Cole (as the appointee of the Safe Ministry Board’s chairman) to a subcommittee to review and make recommendations on –

- (a) the *FIS* definition of “bullying” adopted by the General Synod Standing Committee, and
- (b) the Diocesan Grievance Policy and Procedure.

7. The Subcommittee appointed Canon Sandy Grant as its chairman.

8. The Subcommittee anticipates completing its review of the Diocesan Grievance Policy and Procedure in time for the Standing Committee to make recommendations to Synod for consideration at its 2015 session. The Subcommittee considers that the *FIS* definition of “bullying” can be considered independently.

### **Definition of “bullying”**

#### *Current definition*

9. The current definition of “bullying” in *FIS* (as in force in our Diocese) is –

*Bullying means the repeated seeking out or targeting of a person to cause them distress and humiliation or to exploit them. It includes –*

- *exclusion from a peer group;*
- *intimidation; and*
- *extortion.*

10. This definition is very narrow. It has a number of limitations. First, it gives little indication of the conduct that may constitute bullying. Second, it also gives little indication of the forms of legitimate conduct that are not bullying. Third, the definition requires an intention on the part of the bully to cause distress, humiliation or exploitation (in contrast to the model definition of “bullying”, where the emphasis is on the unreasonableness of the conduct and its likely effect on the victim).

*The proposed definition*

11. The proposed definition incorporates a ‘reasonable person’ test as to whether behaviour would be expected to victimise, humiliate, undermine or threaten the person or persons to whom the behaviour is directed. It also requires consideration of the context in which the behaviour occurred.

12. The proposed definition has regard to risk to the health and safety of the person or persons to whom the behaviour is directed. ‘Cyberbullying’, which would include bullying through the use of social media, is specifically mentioned in the proposed definition. The proposed definition also contains an inclusive list of conduct that is not bullying.

*Subcommittee comments*

13. The Subcommittee’s view is that the proposed definition does not have any fundamental flaws. However, the Subcommittee considers that the marked up changes in Annexure 1 would improve the definition by –

- (a) Shifting the emphasis from the *effect* of the conduct to the *nature* of the conduct (that is, by making the definition more objective). This follows from the Subcommittee’s proposed reference to ‘unreasonable behaviour’ rather than a ‘reasonable person’ test, and would be more consistent with the definition of “bullying” in the Safe Work Australia bullying guidelines. In this way, reasonable behaviour – which may be perceived to be victimising, humiliating, undermining or threatening a person – is excluded from the definition;
- (b) Expanding the exclusions at the end of the definition, to give the exclusions less of a workplace emphasis. The expanded exclusions would also capture instructions, and so forth, that may be given in the course of regular ministry activities (such as rebuking a person for aspects of their lifestyle).

14. The Subcommittee considered at length whether the definition proposed by the General Synod Standing Committee could have the effect of causing any regular ministry activities to be construed as bullying (such as rebuking a person for aspects of their lifestyle, excluding an unrepentant sinner or preaching on matters of human sexuality).

15. The Subcommittee’s view is that the proposed definition does not prevent a workplace or community from setting boundaries about acceptable personal conduct for that workplace or community. Although bullying could still arise in the way disagreements are resolved, the key question will be whether the behaviour was unreasonable having regard to all of the circumstances (and subject to consideration of the exclusions at the end of the definition).

16. The Subcommittee recognises that if our Synod does not adopt the proposed definition of “bullying”, or adopts it in a slightly amended form, this would be the first time we have departed from the version of *FIS* that has been recommended by the General Synod Standing Committee. The Subcommittee considers the benefits of the proposed changes to the definition to outweigh the risk to uniformity. The Subcommittee also recommends that representations be made to the General Synod Standing Committee to adopt the proposed changes to the definition, so that the possibility of a uniform improved definition of “bullying” might be pursued.

For and on behalf of the Standing Committee.

CANON SANDY GRANT  
*Subcommittee Chairman*

26 August 2014

## Amendments Summary

1. Amendments section 2 “**Key Terms**” by deleting the definition of “bullying” and substituting the following definition:

“**bullying** means repeated and unreasonable behaviour directed to a person or persons which ~~a reasonable person~~, having regard to all the circumstances, would be expected to victimise, humiliate, undermine or threaten the person or persons, and which creates a risk to their health and safety. Where it involves the use of information and communication technologies, it is often called cyberbullying. It can include:

- making derogatory, demeaning or belittling comments or jokes about someone’s appearance, lifestyle, background, or capability;
- communicating in an abusive manner;
- spreading rumours or innuendo about someone or undermining in other ways their performance or reputation;
- dismissing or minimising someone’s legitimate concerns or needs;
- inappropriately ignoring or excluding someone from information or activities;
- touching someone threateningly or inappropriately
- invading someone’s personal space or interfering with their personal property;
- teasing, or making someone the brunt of pranks or practical jokes;
- displaying or distributing written or visual material that degrades or offends.

Behaviour which is not bullying includes:

- respectfully disagreeing with or criticising someone’s beliefs or opinions or actions;
- setting reasonable performance goals, standards or deadlines;
- giving reasonable directives instructions, feedback or assessments of ~~performance or behaviour~~ someone’s conduct;
- taking legitimate disciplinary action.”

## Extracts from Safe Work Australia’s *Guide for Preventing and Responding to Workplace Bullying*

### 1.1 What is workplace bullying?

**Workplace bullying** is defined as *repeated* and *unreasonable behaviour* directed towards a worker or a group of workers that *creates a risk to health and safety*.

**Repeated behaviour** refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

**Unreasonable behaviour** means behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Examples of behaviour, whether intentional or unintentional, that may be considered to be workplace bullying if they are **repeated, unreasonable** and **create a risk to health and safety** include but are not limited to:

- abusive, insulting or offensive language or comments
- unjustified criticism or complaints
- deliberately excluding someone from workplace activities
- withholding information that is vital for effective work performance
- setting unreasonable timelines or constantly changing deadlines
- setting tasks that are unreasonably below or beyond a person’s skill level
- denying access to information, supervision, consultation or resources to the detriment of the worker
- spreading misinformation or malicious rumours
- changing work arrangements such as rosters and leave to deliberately inconvenience a particular worker or workers.

A single incident of unreasonable behaviour is not considered to be workplace bullying, however it may have the potential to escalate and should not be ignored.

If workplace bullying behaviour involves violence, for example physical assault or the threat of physical assault, it should be reported to the police.

### 1.2 What is not considered to be workplace bullying?

#### Reasonable management action taken in a reasonable way

Persons conducting a business or undertaking may take reasonable management action to direct and control the way work is carried out. It is reasonable for managers and supervisors to allocate work and give feedback on a worker’s performance. These actions are not considered to be workplace bullying if they are carried out lawfully and in a reasonable manner, taking the particular circumstances into account. Examples of reasonable management action include but are not limited to:

- setting reasonable performance goals, standards and deadlines
- rostering and allocating working hours where the requirements are reasonable
- transferring a worker for operational reasons
- deciding not to select a worker for promotion where a reasonable process is followed
- informing a worker about unsatisfactory work performance in an honest, fair and constructive way
- informing a worker about inappropriate behaviour in an objective and confidential way
- implementing organisational changes or restructuring
- taking disciplinary action, including suspension or terminating employment.

### **Discrimination and sexual harassment**

Unreasonable behaviour may involve discrimination or sexual harassment which in isolation is not considered to be bullying.

Discrimination occurs when someone is treated less favourably than others because they have a particular characteristic or belong to a particular group of people. For example, it would be discriminatory not to hire or promote a woman because she is pregnant or may become pregnant.

Sexual harassment is associated with unwelcome sexual advances, requests for sexual favours or other unwelcome conduct of a sexual nature.

Discrimination and sexual harassment in employment is unlawful under anti-discrimination, equal employment opportunity, workplace relations and human rights laws.

The WHS Act includes specific protections against discriminatory conduct for people raising health and safety concerns or performing legitimate safety-related functions.

It is possible for a person to be bullied, sexually harassed and discriminated against at the same time.

### **Workplace conflict**

Differences of opinion and disagreements are generally not considered to be workplace bullying. People can have differences and disagreements in the workplace without engaging in repeated, unreasonable behaviour that creates a risk to health and safety. However, in some cases conflict that is not managed may escalate to the point where it meets the definition of workplace bullying.

## General Synod 2014 Session

(A report from the Standing Committee.)

### Introduction

1. The 16<sup>th</sup> General Synod was held in Adelaide from 29 June to 3 July 2014.
2. The 16<sup>th</sup> General Synod consisted of 245 members of whom 67 were from the Diocese of Sydney. A number of resolutions, canons and rules were passed at the session. A number of elections also took place for General Synod boards and committees.

### Resolutions

3. Many of the resolutions related to formal matters concerning the business of General Synod. Others were of more significance. The resolutions that may be of particular interest are extracted in the Appendix. The report of the Viability and Structures Taskforce referred to in *Resolution R65/14* can be accessed on the website of the Anglican Church of Australia via –

<http://www.anglican.org.au/general-synods/2014/Documents/books/Book%20for%20website.pdf>

### Canons

4. The following canons were passed –

*National Aboriginal and Torres Strait Islander Anglican Council Canon 2014*

*Financial Protection Canon 1995 Amendment Canon 2014*

*Special Tribunal Canon 2007 Amendment Canon 2014*

*Primate Canon 1985 Amendment Canon 2014*

*Use of Church Names Canon 1989 Amendment Canon 2014*

*Holy Orders Relinquishment and Deposition Canon 2004 Amendment Canon 2014*

*Special Tribunal Canon 2007 (s 52) Amendment Canon 2014*

*National Register Canon 2007 (Amendment) Canon 2014*

*Protocol for access to and disclosure of Information in the National Register 2007 (Amendment) Protocol 2014*

*Canon concerning confessions 1989 Amendment Canon 2014*

*Constitution Amendment (Membership of the Diocesan Tribunal) Canon 2010*

*Constitution Amendment (Membership of the Provincial Tribunal) Canon 2010*

5. Some of these canons have already taken effect, others will not take effect unless the requisite number of diocesan synods report their assent by ordinance, and still others will not take effect in Sydney until they are adopted by our Synod. The canons are, or will be, the subject of a further report prepared for the Synod.

### Rules

6. The following rules were passed –

*A Rule to amend Rule II for the Conduct of Elections ordered to be made by the General Synod*

*A Rule to amend Rule 1 – Standing Orders (Standing Order 42A)*

*A Rule to amend Rule 1 – Standing Orders (Standing Order 66)*

### Elections

7. The following persons from Sydney were elected to the following General Synod boards and committees –

*Council of the Australian College  
of Theology*

The Rev Dr Peter Bolt  
The Rev Philip Bradford  
The Rev Dane Courtney  
Archbishop Glenn Davies  
Bishop Robert Forsyth  
The Rev Dr Mark Thompson  
Mr Garth Blake SC  
Mrs Susan Hooke  
Dr Stuart Pigginn

*The Board Electors of the  
Primate*

The Rev Dr Peter Bolt  
The Rev Dr Michael Stead  
The Rev Dr Mark Thompson  
Mr Garth Blake SC  
Dr Karin Sowada  
Dr Robert Tong AM  
*Elected as a Reserve*  
Mr Robert Wicks

*Defence Force Board*

The Rev Tim Booker  
The Rev Andrew Nixon

*Long Service Leave Board*

Mr James Flavin

*Standing Committee*

The Rev Dr Andrew Ford  
Bishop Robert Forsyth  
The Rev Dr Michael Stead  
Mr Garth Blake SC  
Dr Robert Tong AM  
The Hon Peter Young AO QC

*The Board of Assessors (Appellate Tribunal)*

The Rev Dr Peter Bolt  
The Rev Dr Andrew Ford  
The Rev Dr Michael Stead  
The Rev Dr Mark Thompson

For and on behalf of the Standing Committee

ROBERT WICKS  
*Diocesan Secretary*

26 August 2014

## General Synod 2014 – Selected resolutions

### *R23/14 A Motion relating to Child Protection Measures*

The General Synod:

- (a) commends the National Council of Churches in Australia for organising the *Safe as Churches? 2011 and the Safe as Churches? 2013* conferences on sexual misconduct and abuse in the Australian churches, and supports ongoing joint action by member churches and other participating Australian churches to promote the welfare and safety of all people within their communities; and requests the General Secretary to convey this resolution to the National Council of Churches in Australia;
- (b) recommends that the Commonwealth Government promote a national system that provides for:
  - (i) the mandatory reporting of child abuse by persons including ministers of religion to the police and the government child protection authorities;
  - (ii) the screening of all persons seeking to work with children in a paid or voluntary capacity;
  - (iii) the mutual recognition of clearances for persons to work with children in all States and Territories: and

requests that the General Secretary conveys this resolution to the Prime Minister, the Premier or Chief Minister of each State and Territory and the Royal Commission into Institutional Responses to Child Sexual Abuse.

### *R26/14 A Motion relating to The Revd Dr Leon Morris*

General Synod notes that the 100th anniversary of the birth of Leon Morris occurred this year on 15 March 2014, and gives thanks to God for his life and ministry and its ongoing impact. This includes his various parish ministries, particularly in the South Australian outback with BCA in the Diocese of Willochra during World War Two (1940- 45). We celebrate his contribution to theological education, most notably in Australia as Vice-Principal (1945-1959) and Principal (1964-1979) of Ridley College in Melbourne, also as Warden of Tyndale House (1960-63) in Cambridge, England, and as visiting lecturer elsewhere. And we recognise his contribution to Australian biblical scholarship and publishing, most notably his first major work, *The Apostolic Preaching of the Cross*, alongside numerous Bible commentaries and other publications. We rejoice in the example of Dr Morris' work, which was marked by integrity of scholarship, clarity of expression, humility of spirit, reverence for the teachings of Scripture, and devotion to the Lord and his saving work.

### *R27/14 A Motion relating to Christ Died for Our Sins: Essays on the Atonement*

General Synod notes the circulation to its members of the General Synod Doctrine Commission's book *Christ died for our sins: essays on the atonement*, and commends the further study of this important book of essays.

### *R28/14 Anglican Communion Covenant*

That this General Synod:

1. Affirms the commitment of the Anglican Church of Australia to the Anglican Communion;
2. Affirms its openness to participating in any further consideration of a covenant proposal; and
3. Urges upon the Instruments of Communion a course of action that continues to seek reconciliation and the preservation of the Communion as a family of interdependent but autonomous churches.

### *R29/14 Vale The Right Reverend John McIntyre*

The General Synod of the Anglican Church of Australia records its gratitude to God for the life and witness of John Charles McIntyre, the Eleventh Bishop of Gippsland from 2006 to 2014.

Throughout his ministry John McIntyre identified with the powerless and marginalised and both the Church and wider community are richer for his example of Christian vocation.

Synod prays for his widow Jan and their three children and with the people of God in Gippsland as they mourn the untimely death of their much loved Bishop.

*R30/14 The Province of New South Wales Ordinance*

That General Synod:

- (a) notes that the Provincial Synod Constitution Amendment Ordinance 2011 was passed by the NSW Provincial Synod in May 2011;
- (b) notes that the NSW Anglican Church of Australia Constitution Act 1902 requires changes to the NSW Provincial Constitution to be ratified by, or made in accordance with, a canon of the General Synod;
- (c) notes that this ordinance has received the assent of most of the dioceses in NSW;
- (d) notes it is expected that in the near future the ordinance will have received the assent of all dioceses of NSW;
- (e) asks the Standing Committee of General Synod, once the proposed change has been approved by all dioceses in NSW, to seek approval by General Synod canon by implementing the procedures of a circular canon as provided in section 28A of the Constitution NSW, to seek approval by General Synod canon by implementing the procedures of a circular canon as provided in section 28A of the Constitution.

*R35/14 Deaconess Margaret Amelia Rodgers AM (1939-2014)*

This Synod records its thanks to God for the life and witness of Margaret Rodgers who devoted her life to serve her Saviour and Lord particularly within the context of the Anglican Church of Australia.

As a student at Deaconess House she completed a ThL with first class honours and then went on to earn a BA and BD (Hons) at Sydney University. Archbishop Marcus Loane invited her to become Principal of Deaconess House in 1976. She had the unenviable task of modernising the institution following the iconic tenure of Deaconess Mary Andrews AM. Educational standards were lifted and a fresh vision for women's ministry was articulated. The appointment to the position of Research Officer for the General Synod in 1985 allowed Margaret to combine her training in theology and history and apply this to national questions of policy and practice in the Anglican Church of Australia and beyond. Her final two positions as CEO, Anglican Media, Sydney in 1994 and subsequently in 2004, Archbishop's Media Officer, enabled her personal skills, wide circle of friends and many years of Anglican networking to be harnessed in service to her home diocese and it's Archbishop.

Margaret's extensive 'extracurricular' activities were largely undertaken in Margaret's own time, during periods of annual leave or in some instances where her employer decided it would be beneficial for all concerned for Margaret to be involved as, part of her employment. Within the Diocese of Sydney there was membership of the Standing Committee for some 30 years, the cathedral chapter and Chair of New College in the University of New South Wales. Nationally, there were two decades of membership of the Standing Committee and the National Council of Churches.

International Anglican ministry included substantial media involvement with several Anglican Consultative Councils and the tumultuous 1998 Lambeth Conference. There was also the Joint Presidency of the Christian Conference of Asia.

Margaret was appointed a Member of the Order of Australia on Australia Day 2014.

*R38/14 Human Rights*

That the General Synod:

- (i) affirms the importance of freedom of religion and its manifestation in the related freedoms of speech, association and conscience for a healthy and mature society; and
- (ii) declaring its opinion that such freedoms are at risk of being undermined in Australian society due to a focus on other, sometimes competing, rights, calls on the Federal, State and Territory governments to take steps to ensure that the freedoms of religion, speech, association and conscience are protected, strengthened and promoted; and
- (iii) calls on the Federal Government to continue its advocacy of such freedoms internationally through diplomatic channels and other appropriate instruments of global engagement; and
- (iv) respectfully request the Primate to convey the above terms of this resolution to the Prime Minister, the Premiers of the States, the Chief Ministers of the Territories and their respective Attorneys General.

*R39/14 Professional Standards Audit*

That the General Synod:

- (a) noting the recommendation of the Professional Standards Commission in its Report to the General Synod that each diocese conduct a regular audit of the implementation of its professional standards and safe ministry policies and procedures;
- (b) noting the resolution of the National Bishops' Meeting held from 30 March to 3 April 2014 to support the participation of their dioceses in a professional standards audit process that aims at continuing quality improvement;
- (c) recommends that each diocese implements a professional standards audit process that contains the following elements:
  - (i) the Bishop informs the General Secretary that he or she requests an audit of the diocese's professional standards performance against its own policies and procedures which provides recommendations for continuing quality improvement of its practices, policies and procedures noting any recommendations from the General Synod or the Standing Committee;
  - (ii) the General Secretary liaises with the Bishop and the diocese engages an auditor and makes the necessary arrangements for the audit;
  - (iii) the auditor visits the diocese and conducts the audit in conjunction with diocesan staff and officers;
  - (iv) at the conclusion of the audit, the auditor prepares a full report for the Bishop and Diocesan Council which may include recommendations for further action;
  - (v) at the invitation of the diocese the auditor may assist with implementing any recommendations and review progress;
  - (vi) the Bishop will send a copy of the report and any diocesan response to the General Secretary within four months of the completion of the report.

*R41/14 Safe Ministry Policies and Practices*

The General Synod:

- (a) receives the report of the Professional Standards Commission; and
- (b) requests the Professional Standards Commission
  - (i) to prepare a report identifying barriers to change in the areas of safe ministry and professional standards in the Church and strategies to address them; and
  - (ii) to consult with the Primate with regard to preparing pastoral guidelines for Private Confessions with special reference to Child Sexual Abuse; and
  - (iii) to report to the 17<sup>th</sup> General Synod as to the progress of the Church in the development and implementation of safe ministry policies and structures.

*R42/14 Hospitality*

That this General Synod:

reaffirms its encouragement to every diocese to encourage parishes, schools and agencies to reaffirm their commitment to welcoming and including people in the life of the Church by investigating factors which may prevent people from participating fully, especially people with lived experience of disability, and initiating improvements which enhance accessibility and participation.

*R44/14 General Synod Discussion Groups Follow-up*

This General Synod, recognising the value of the group discussions at this session and the importance of ongoing discussions between its members on matters affecting the Anglican Church of Australia and on matters affecting spiritual, moral and social welfare, requests the General Secretary to put in place arrangements to enable members of the General Synod to exchange their views freely with one another on such matters before, during and after sessions of the General Synod.

*R45/14 Being Together*

The General Synod:

- (a) adopts *Being Together* as the statement of expectations regarding the behaviour of members of Church communities;
- (b) authorises the revision of *Being Together* by the Standing Committee subject to any proposed revision being circulated to dioceses for comment before being made;
- (c) directs the Standing Committee to table any revision of *Being Together* at the following session of the General Synod; and

recommends that each diocese adopt *Being Together* as the statement of expectations regarding the behaviour of members of Church communities in the diocese.

*R46/14 Faithfulness in Service*

That the General Synod:

- (a) notes that the Standing Committee has been authorised by resolution 33/04 to make revisions to *Faithfulness in Service*;
- (b) notes the retabling of *Faithfulness in Service* as adopted by the General Synod in 2004;
- (c) notes the tabling of the revisions of *Faithfulness in Service* made by the Standing Committee since General synod adopted *Faithfulness in Service* in 2004;
- (d) notes the tabling of the current version of *Faithfulness in Service* incorporating all revisions made by the Standing Committee since 2004; and
- (e) directs the Standing Committee to table any further revisions at the following session of the General Synod.

*R47/14 Adoption of a Model Episcopal Standards Ordinance*

That this Synod:

- (a) commends for enactment by every diocese the proposed Model Episcopal standards Ordinance attached to the Supplementary Report of the Standing Committee concerning a Model Episcopal Standards Ordinance;
- (b) requests that where a diocesan synod enacts or proposes to enact an Ordinance which departs in any matter of substance from the Model Ordinance, the Standing Committee be notified of the proposal or enactment; and
- (c) requests the Standing Committee to appoint a group to review such notifications, to discuss, where appropriate, the proposal or enactment and, where appropriate, to make recommendations for amendment of the Model Ordinance.

*R52/14 Encourage Church Unity*

This General Synod endorses the following Statement and commends it to dioceses inviting each diocese to commit itself to fulfil to the best of its ability the expectations described in paragraphs 4, 5 and 6 following. The General Synod further acknowledges the importance of the serious internal issues raised in the Church Unity Task Force Supplementary Report and requests to the Standing Committee the continuation of work of this Task Force in a reconstituted form, to report to the next General Synod.

## FOUNDATIONS

- 1 The Anglican Church of Australia is a fellowship within the One Holy Catholic and Apostolic Church in which each member diocese recognises loyalty to Christ and in particular, a common faith and order, a shared inheritance in worship, life and mission and a readiness to live in an interdependent life.
- 2 The members of this Church are incorporated into the one body of Christ and are called by Christ to pursue all things that make for peace and unity.
- 3 This Church is constituted by the consent of its members and ratified by the Acts of Parliament of the several states and territories of Australia as the Anglican Church of Australia Act 1961 or 1962.

## EXPECTATIONS

- 4 The dioceses of this church look to each other to spend time with openness and patience to listen pray and study together in order to discern the will of God for this Church and its people as we seek to be led by the Holy Spirit into all truth and to proclaim the Gospel afresh in each generation.
- 5 Each diocese expects that all dioceses will support each other and co-operate in a process of discernment and seeking direction for the spread of the Gospel throughout Australia and beyond.

The dioceses expect each other to act with diligence care and caution in respect of any action which may provoke controversy, which by its intensity, substance or extent could threaten the unity of this Church.

*R55/14 Responses to Refugees and Asylum Seekers*

That, acknowledging the Federal Government's constitutional authority to administer orderly immigration policy; recognising the moral complexities of the task; remembering the daily difficulties endured by defence force personnel; and accepting that "people trafficking" is an insidious social evil:

- 1 this Synod nonetheless affirms the basic human right to seek asylum as expressed in the UN Convention, and affirms Australia's past positive record of providing refuge and asylum;
- 2 urged by the compassion of God the Synod, therefore respectfully calls upon the Federal Government to honour Australia's international obligations, and urges Government and Opposition to reconsider and revise some aspects of their current policy, including:
  - arbitrary treatment of people under the Migration Act ( 1958) depending on their mode of arrival, not upon their status as asylum seekers;
  - emotive use of the term 'illegal' to describe asylum seekers whose refugee status has yet to be determined;
  - continuing recourse to off-shore detention facilities;
  - continuing instances of immigration detention of women and children;
  - continuing instances of periods of detention greater than three months, which put detainees at clear risk of serious mental illness;
  - imbalance of fiscal priorities toward border patrol and detention services, and away from diplomacy, regional capacity building and international refugee foreign aid;
  - arbitrary and retrospective discrimination against family stream applicants who have received permanent visa, passed the relevant tests and paid the relevant fees, but who were maritime arrivals;
  - the suppression of information about maritime operations involving refugees;
  - the secrecy surrounding the operation of offshore detention centres;
  - risk of alienation, and barriers to integration, from lack of access to government services under limited visa conditions; and
  - the rapidly changing policy environment that often leaves asylum seekers and their advocates uncertain of how to proceed.
- 3 the Synod urges Government and Opposition to work with regional neighbours and the UNHCR to develop a compassionate and workable regional response to refugees and asylum seekers, also to enable quicker processing and acceptance of greater numbers of refugees located in UN refugee camps close to the countries of origin they have left and to develop immigration policies that are more just and compassionate, so that they can be remembered with pride by future generations of Australians, while appropriately protecting the current generation of Australians;
- 4 the Synod also recognizes with gratitude the work of Anglican auspiced refugee agencies; existing refugee ministries of local churches: it encourages more local churches to engage in loving refugees with practical care and sharing Christ's love, and commends study resources and work of the Australian Churches Refugee Taskforce (ACRT – [www.australianchurchesrefugeetaskforce.com.au](http://www.australianchurchesrefugeetaskforce.com.au));
- 5 requests the Primate to advise the Prime Minister, Minister of Immigration and Border Protection, and the Leader of the Opposition of the contents of the motion.

*R58/14 Mr Max Horton OAM*

That:

This General Synod notes that this Synod is probably the last at which Mr Max Horton OAM will be a representative for the Diocese of Northern Territory.

This Synod profusely thanks Max for this work for the General Synod over 41 years, including time as the Deputy President of the Appellate Tribunal, as the Lay Secretary of General Synod and as an Australian representative on the Anglican Consultative Council, and wishes him God's every blessing for the future.

*R60/14 Resourcing the Royal Commission Working Group*

That:

- 1 This General Synod welcomes the Interim Report of the Royal Commission into Institutional Responses to Child Sexual Abuse. The General Synod expresses its commitment to continuing the work with the Royal Commission so that child sexual abuse can find no place within Australia society in the Anglican Church of Australia.
- 2 That the General Synod authorise the General Secretary to employ a Royal Commission Officer to perform the functions set out in the report on page 7-250 in Book 7 of the Synod papers, in consultation with the Metropolitans, on a contract basis for a total remuneration package of up to \$120,000 per annum, and that the expenditure so incurred be recouped from the Statutory Fund by an additional assessment over and above 3.5% cap resolved by the Standing Committee in November 2013 (Resolution SC2013/2/40).
- 3 That the General Synod authorise the Royal Commission Working Group, in consultation with the Metropolitans, to incur costs in relation to the hearing by the Royal Commission into Institutional Responses to Child Sexual Abuse as the Working Group deems appropriate up to a limit of \$300,000 to be paid from the Reserve Fund.

*R64/14 Gambling in Australia*

This Synod notes the Federal Parliament's inactivity in terms of responding effectively to the Productivity Commission's recommendations in its 2010 report into gambling. Synod grieves for the hundreds of thousands of Australians damaged by pervasive problem gambling throughout our community.

Therefore Synod again urges Federal, State and Territory parliaments to enact effective measures – as recommended by experts independent of the gambling industry – to reduce the impact and incidence of problem gambling, especially via poker machines, but also in the rapidly growing area of online gambling.

In addition, Synod calls on all levels of government to take long-term steps to reduce their reliance on revenue raised by taxation on gambling.

Synod also refers the issue of gambling and associated problems to the Public Affairs Commission for its careful consideration and requests a report in response by the next General Synod.

*R65/14 Report of Viability and Structures Task Force*

That Synod:

1. Welcomes the Report of the Viability and Structures Task Force.
2. Resolves to:
  - (a) Refer the Report to the dioceses for their consideration and response to the Standing Committee of General Synod by 31 October 2014,
  - (b) Commend the Diocesan Financial Advisory Group (DFAG) for their work on the financial well-being of dioceses and request all dioceses to co-operate with DFAG as they continue with that task,
  - (c) Request the Provincial bodies within the Anglican Church of Australia to each institute an urgent review of the number and boundaries of dioceses in their respective Province including consideration of boundaries across current provincial borders, using as a guide the viability criteria outlined in this Report,
  - (d) Request the Australian Bishops' Meeting to develop a protocol for the training of new bishops in the Anglican Church of Australia,

- (e) Refers the Report to the Fresh Expressions Australia Task Force, Anglicare Australia, the Anglican School's Network and other organisations within the Church with a request that they report to the Standing Committee of General Synod and to the Dioceses as to how they can best assist in responding to the issues raised,
  - (f) Requests the Ministry Commission of General Synod to examine the issues from the Report related to the provision and training for ordained ministry, and the various current models of non-stipendiary ministry in the Anglican Church of Australia and the development of appropriate standards of selection, training and professional development, and to report to the Standing Committee of General Synod and to the Dioceses,
  - (g) Requests the Fresh Expressions Australia Task Force to consider the questions of diocesan vitality and viability together.
3. Requests the Standing Committee of General Synod to:
    - (a) Establish a Steering Group of seven persons:
      - to plan and coordinate the dissemination of the Report and the responses of the dioceses
      - to develop and implement strategies to address the issues raised in the report.
    - (b) Establish DFAG as a Task Force of General Synod under the Strategic Issues, Commissions, Task Forces and Networks Canon 1998 and establish its Terms of Reference.
    - (c) Establish, through the Australian Registrar's Network, a programme of ongoing training for Registrars and senior diocesan administration staff.
    - (d) Seek agreement from the dioceses on a comprehensive and holistic way in which General Synod can address the needs of Dioceses seeking help with financial difficulties, risk management, governance concerns professional standards and operational viability.
  4. Receives the report from the Diocesan Financial Advisory Group (DFAG).
  5. Refers the matters raised therein for further consideration by the Standing Committee.
  6. Synod reaffirms its confidence in the future of the Anglican Church of Australia (Synod resolution 12-01) and calls upon all Diocesan Synods to examine the Matthew 28 text containing the Great Commission, and encourages all Anglican ministries to make disciples of Christ, from peoples of all nations, baptizing them, and teaching them from the Bible to observe all the words of Christ; and consider what cultural and ministry emphasis changes need to occur, within every Diocese, in order to increase each Diocese' effectiveness in raising up disciple-making disciples of Christ.
  7. With respect to the strategies referred to in paragraph 3(a), the following matters be referred to the Standing Committee for consideration and for report to each diocese as soon as possible:
    - (a) legislation or other actions which the Standing Committee recommends to implement the strategies developed by the Steering Group;
    - (b) the convening of a special general synod as soon as practicable for the sole purpose of considering such strategies and any necessary legislation;
    - (c) whether the special general synod should involve small groups discussions prior to any legislation or other actions being debated in the special general synod; and
    - (d) ways to minimize the cost the special general synod.

#### *R66/14 Conversation on Marriage*

That this Synod:

- 1 acknowledges the conversation continuing in this Church about the celebration of marriage with respect to eligibility of persons who have not been baptised to be married in Anglican churches, and
- 2 requests the Liturgy and Doctrine Commissions to consider ways in which they may inform and support that conversation after this Session, such as:
  - the possibility of a joint meeting focusing on this topic in the next two years;
  - preparation and publication of a volume of essays;
  - holding one or more workshops or consultations enabling communication and conversation on key issues of sacramental theology, liturgical practice, and related missiological and pastoral considerations.

*R67/14 Resources for Hearing Confessions*

That the General Synod requests the National Bishops' Meeting to provide suitable resources for use by those hearing confessions which address the issues surrounding penitence, contrition and amendment of life in the light of contemporary expectations concerning transparency and disclosure.

*R70/14 The Revd Canon Dr Bruce Ballantine-Jones OAM*

That this Synod, recognising this is likely to be the last synod at which The Revd Canon Dr Bruce Ballantine-Jones OAM will be present.

Thanks God for Bruce's service of the crucified and risen Christ and in particular for his contributions to the General Synod ever since he was first elected as a representative of the Diocese of Sydney in 1985. Bruce's energetic participation in a variety of committees serving the General Synod has enriched our life and we wish to thank him and pray for God's blessing on his future life and ministry.

*R71/14 Mr Neil Cameron*

That this Synod notes that this will be the last General Synod that Mr Neil Cameron will be a representative for the Diocese of Sydney.

This Synod gives great thanks to Neil's pithy and sententious service to the Anglican Church of Australia through his continuous membership of this Synod from the Fourth General Synod in 1973 to the Sixteenth General Synod in 2014.

This Synod particularly notes his insightful time on the General Synod Standing Committee and his perceptive service on the Church Law Commission during the period when the Canons of 1603 were revised for Australian use.

Finally this Synod wishes Neil and Marcia, God's every blessing for the future.

## Governance Policy for Diocesan Organisations

(A report from the Standing Committee.)

*The version of the Governance Policy for Diocesan Organisations following the report is the form passed by the Synod on 20 October 2014.*

### Purpose

1. The purpose of this report is to propose a process by which the Synod might adopt the Governance Policy for Diocesan Organisations as a policy of the Synod having further considered the question of whether alumni representatives on school councils should, as a matter of policy, be required to profess a personal Christian faith in the form of a statement determined by the Synod.

### Recommendations

2. The Synod receive this report.
3. The Synod consider the procedural motions set out in Annexure 1 during formalities on the first day of the forthcoming session of the Synod.
4. The Synod consider the motion set out in Annexure 2 to be moved at the forthcoming session of the Synod "by request of the Standing Committee".

### Background

5. At its last ordinary session in 2013, the Synod commenced consideration of the proposed Governance Policy for Diocesan Organisations (the "Governance Policy"). For this purpose, the Synod adopted special arrangements to treat the Governance Policy as if it were an ordinance subject to some minor modifications. This enabled the Synod to approve the proposed Governance Policy in principle and consider the text of the Governance Policy in Committee.

6. During the Committee stage, a number of amendments to the text of the Governance Policy were made including the removal of the provision which gave alumni appointed representatives on school councils the option of signing a statement of support for the Christian ethos and charter of the school instead of a statement of personal faith. The vote for the removal of this provision was carried with 210 Synod members voting for the removal and 204 voting against.

7. Before finalising consideration of the Governance Policy, the Synod passed the following resolution –

‘That the motion –

“That the Governance Policy for Diocesan Organisations pass as a policy of the Synod”

be referred to the first session of the next Synod.’

8. The decision to refer the passing of the Governance Policy to the next Synod session in 2014 was primarily triggered by the contentious nature of the debate surrounding the question of whether alumni representatives should be required to sign a statement of personal Christian faith and, in particular, the very narrow margin of majority support for the decision to remove the option for alumni representatives to sign an alternative statement of support for the Christian ethos and charter of the school.

9. At its meeting in February 2014, the Standing Committee asked the remaining members of the committee who initially drafted the Governance Policy, namely Dr Laurie Scandrett (chair), Dr Robert Tong, Mr Bruce York and the Diocesan Secretary, Mr Robert Wicks together with Dr Rob Mackay and Emeritus Professor John Clark –

- (a) to draft a suitable question regarding whether alumni representatives on school councils should, as a matter of policy, be professing Christians to be considered in a set-piece debate at the first session of the next session of Synod, and
- (b) to draft a possible transition timetable for existing alumni representatives on school councils to be considered as part of this debate, and
- (c) to provide any other advice to facilitate the adoption by the Synod of the proposed Governance Policy.

10. This report addresses the matters in the committee’s terms of reference.

### **Proposed way forward**

11. At present the Synod's Policy on Education gives alumni representatives on school councils the option of signing a statement of support for the Christian ethos and charter of the school as an alternative to signing a statement of personal Christian faith.

12. The form of Governance Policy approved in principle at the last session of the Synod would, if passed in its current form, change this policy position by removing the option for alumni representatives to sign the alternative statement.

13. The committee considered that it would be undesirable for the Synod to change its policy position on this matter with the support of only a very narrow majority of Synod members.

14. In order to address this issue, it is proposed that the following process be adopted for resuming consideration of the Governance Policy at the session of Synod in 2014.

15. Firstly, the form of the Governance Policy which gives alumni representatives on school councils the option of signing a statement of support for the Christian ethos and charter of the school council as an alternative to a statement of personal faith should be reinstated. The first procedural motion set out in Annexure 1 achieves this outcome by proposing that the Synod agree to incorporate in the form of Governance Policy amendments to paragraph A of the Governance Standards in Appendix 1 of the Policy and paragraphs 10, 11(j) and 16 of the Policy Guidelines in Appendix 2.

16. The first procedural motion also proposes the following secondary matters –

- (a) to incorporate into the Governance Policy a number of other amendments aimed at improving the drafting of the Governance Policy rather than changing any issue of substance, and
- (b) to set a time to consider the motion that the Governance Policy pass as a policy of the Synod at 8.00 pm Monday 20 October 2014, and
- (c) if the Governance Policy is passed as a policy of the Synod, to enable the mover of the Governance Policy to move a further motion to deal with a number of consequential issues to facilitate the implementation of the Governance Policy.

17. A form of the Governance Policy marked to show all the amendments proposed to be made by the first procedural motion is set out in Annexure 3.

18. Secondly, it is proposed there be a set-piece debate on Tuesday 14 October to enable the Synod to reconsider its decision to move to a policy which requires all members of a school council, including alumni representatives, to sign a statement of personal Christian faith. The second procedural motion set out in Annexure 1 puts in place arrangements to reconsider this decision.

19. The substantive motion for the set-piece debate is set out in Annexure 2. The key element of this motion is a proposed transition period of approximately 6 years before alumni representatives will be required to sign a statement of faith prior to being elected or appointed to a school council. Prior to the expiry of the transition period on 30 June 2020, alumni representatives would continue to have the option of signing a statement of support for the Christian ethos and charter of the school. If this motion is passed, the Governance Policy will be amended to reflect these arrangements.

20. Regardless of the outcome of the set-piece debate, it is proposed that the Synod proceed to consider a motion that the Governance Policy pass as a policy of the Synod on Monday 20 October.

For and on behalf of the Standing Committee

ROBERT WICKS  
*Diocesan Secretary*

31 July 2014

**Procedural motions to be moved during formalities on the first day of the session**

Synod agrees to the following arrangements for the purposes of resuming consideration of the Governance Policy for Diocesan Organisations (the "Governance Policy") –

- (a) to incorporate into the Governance Policy the amendments shown in marked form in Annexure 3 of the report to the Synod on the Governance Policy, and
- (b) to consider the motion "that the Governance Policy for Diocesan Organisations pass as a policy of the Synod" at 8.00 pm on Monday 20 October 2014, and
- (c) if the motion referred to in paragraph (b) is carried, the mover of the motion may forthwith move the following –

"Synod –

- (a) requests each diocesan organisation to review the Governance Standards and Policy Guidelines in the Governance Policy and to take appropriate action to achieve conformity with the Governance Standards and, where appropriate, the Policy Guidelines, including through the promotion of amendments to the ordinance by which the diocesan organisation is constituted or otherwise regulated by the Synod, and
- (b) requests the Standing Committee to amend the *Accounts, Audits and Annual Reports Ordinance 1995* to require the chair of each organisation to include as part of its annual report to the first ordinary session of each Synod a statement which –
  - (i) assesses the extent to which the organisation's governance arrangements conform with the standards and guidelines in the Governance Policy, and
  - (ii) explains any areas of non-conformity, and
- (c) authorises the Standing Committee to make amendments to the Governance Policy unless before such amendment is made, any 3 members of the Standing Committee request in writing that the amendment be referred to the Synod and provided any amendment made by the Standing Committee is reported to the next ordinary session of the Synod."

and suspends so many of the business rules as would prevent these arrangements.

Synod agrees to the following arrangements for the purposes of considering the motion at item X (the "Motion") on today's business paper –

- (a) to commence consideration of the Motion at 7.00 pm on Tuesday 14 October 2014, and
  - (b) to conduct the vote on the final form of the Motion by ballot,
- and suspends so many of the business rules as would prevent these arrangements.

**Motion concerning the profession of a personal Christian faith by all members of the governing council or board of a diocesan school**

Synod –

- (i) recognising that alumni associations are significant stakeholders in a number of diocesan schools constituted or regulated by ordinance of the Synod, and
- (ii) recognising that the constituting ordinance for some of these diocesan schools make provision for representatives of the alumni association to be elected or appointed as members of the school's governing board or council, and
- (iii) recognising that at present some alumni representatives, while able to express support for the Christian ethos and charter of the school, may not be able to profess a personal Christian faith in the form of a statement determined by the Synod,

declares its view that –

- (a) each diocesan school must have at its heart the object of advancing the purposes of the Diocese and ultimately, therefore, promoting the kingdom of Christ and giving glory to God, and
- (b) each member of the governing board or council of a diocesan school must, as a matter of good governance, be personally committed to such object of the school, and
- (c) such personal commitment should be demonstrated, among other ways, through the profession of a personal Christian faith in the form of a statement determined by the Synod, and
- (d) in order to accommodate the current position of alumni associations, any person elected, or appointed as an alumni representative on the governing board or council of a diocesan school until 30 June 2020 should have the option of signing a statement of support for the Christian ethos and charter of the school in a form determined by the Synod as an alternative to signing the statement of personal Christian faith provided that no person may become chair of the board or council without signing the statement of personal Christian faith, and
- (e) from 1 July 2020 any person elected or appointed, as an alumni representative on the governing board or council of a diocesan school must sign the statement of personal Christian faith ,

and agrees to give effect to the declared view of the Synod by inserting the matter “before 1 July 2020” before the words “may sign a statement of support for the Christian ethos and charter of the school” in paragraph 10 of Appendix 2 of the Governance Policy for Diocesan Organisations and by suspending so many of the business rules as would prevent this.

# Governance Policy for Diocesan Organisations

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## Background

1. Representative members of the Anglican Church of Australia in New South Wales meet in synods to attend to governance needs arising from membership in the unincorporated association known as The Anglican Church of Australia. The New South Wales Parliament has provided a legislative framework for the seven New South Wales Anglican Diocesan Synods to carry out responsible and effective governance. The *Anglican Church of Australia Constitutions Act 1902* empowers each Anglican synod in New South Wales to make ordinances for the order and good government of the Anglican Church of Australia within that diocese. The *Anglican Church of Australia Trust Property Act 1917* gives a synod the power –

- (a) to vary the trusts on which church trust property is held,
- (b) to appoint and remove trustees of such property, and
- (c) to constitute councils and committees to govern and control the management and use of such property.

In addition the *Anglican Church of Australia (Bodies Corporate) Act 1938* gives an extraordinary power to a Synod in New South Wales to constitute such councils and committees as bodies corporate for the management and governance of an organisation of the Anglican Church or for holding, managing or dealing with church trust property.

2. In the context of the Diocese of Sydney, there are currently about 60 diocesan organisations constituted by the Synod. There are also a number of bodies not constituted by the Synod in respect of whose organisation or property the Synod is nonetheless empowered to make ordinances. These organisations pursue diocesan purposes through a wide range of activities, including welfare, aged care, schooling, youth work, theological education, and administrative, secretarial and investment services. About 20 of these are incorporated by or under legislation including the *Anglican Church of Australia Trust Property Act 1917* or the *Anglican Church of Australia (Bodies Corporate) Act 1938*.
3. The Synod acknowledges that diocesan organisations have taken steps on their own boards to ensure proper and effective board governance. Nevertheless, the Synod as the 'parliament of the diocese' also has a responsibility to the wider community to facilitate proper and effective governance as part of its oversight of all diocesan organisations.
4. Currently, the Synod seeks to discharge this responsibility by electing a majority of the board members of diocesan organisations and requiring diocesan organisations which manage church trust property to provide an annual report to the Synod including its financial statements and auditor's report.

## Purpose of this document

5. The adoption of a Synod Policy on the governance of diocesan organisations will enable the Synod to articulate more clearly how it intends exercising its powers to better achieve two broad expectations in the area of governance.
6. The first expectation is that those responsible for governing diocesan organisations will seek the highest standards of governance appropriate to the size and nature of each organisation.
7. The second expectation addresses the reason for pursuing the highest standards of governance, namely, to maximise the extent to which a diocesan organisation meets the object for which it is constituted. The object of any diocesan organisation is to advance one purpose or another of the Diocese. Ultimately such purposes seek to promote the kingdom of Christ and give glory to God.

## The nature of Christian leadership

8. Leadership is a gift of God for the purposes of order and good government. Among the people of God, church leaders are gifted by God for the teaching, discipline and modelling of godliness to those under their care. Secular leaders are likewise accountable to God for their governance, which is for the good of the community they serve, since they also act as “God’s servants” (Rom 13:4). Boards of Christian organisations should therefore have similar standards of integrity, truth and commitment with respect to their governance responsibilities. In particular, Jesus’ use of the imagery of both shepherd and servant for his own ministry, as well as that of his apostles, ought to characterise those who would govern Christian organisations.
9. Scripture states: “We aim at what is honourable not only in the Lord’s sight but also in the sight of others” (2 Cor. 8:21). In light of this, it is appropriate that Christian organisations take pains to ensure the appearance (as well as the substance) of propriety and accountability. This includes abiding by the highest governance standards observed by secular organisations, e.g. corporations, where they are applicable.
10. The Synod acknowledges and gives thanks for the board members of diocesan organisations who give generously of their time, energy and skills to exercise the governance responsibilities with which they have been entrusted.
11. The Synod encourages board members of diocesan organisations to work in partnership with the Synod in seeking the highest standards of governance. Such standards are to be underpinned by prayer, sacrificial service, a dependence upon God for wisdom and a proper regard to best practice so that decisions made will enhance the organisation’s effectiveness to promote the kingdom of Christ and give glory to God.

## Application of this Policy

12. In this Policy –
  - “board” means the body of persons responsible for governing a diocesan organisation.
  - “chief executive officer” means the person who is responsible to the board for the leadership and management of the diocesan organisation.
  - “Diocese” means the Anglican Church of Australia in the Diocese of Sydney.
  - “diocesan organisation” means a body –
    - (a) constituted by ordinance or resolution of the Synod, or
    - (b) in respect of whose organisation or property the Synod may make ordinances,but excludes the Synod, the Standing Committee and any of their subcommittees.
  - “Governance Standards” means the standards referred to in Appendix 1.
  - “Policy Guidelines” means the guidelines referred to in Appendix 2.
  - “Synod” means the Synod of the Diocese and includes, when the Synod is not in session, the Standing Committee of the Synod.
13. In support of the mission of the Diocese, this policy sets out the Governance Standards and Policy Guidelines that the Synod considers should apply to diocesan organisations.
14. The Synod will use these Governance Standards and Policy Guidelines as the basis for assessing and, as appropriate, changing (or seeking changes to) the ordinances, policies and procedures that apply to diocesan organisations.
15. The Governance Standards and Policy Guidelines are also intended to align with and give appropriate expression to the governance standards for registered entities made under the *Australian Charities and Not-for-profits Commission Act 2012*.
16. The Synod anticipates that it will amend this policy from time to time in order to better align the Governance Standards and Policy Guidelines with the purposes of the Diocese and to reflect any changes to the ACNC governance standards. For this purpose the Synod encourages on-going input from boards.

## Appendix 1: Governance Standards

The Synod regards the following Governance Standards as applicable to all diocesan organisations and expects diocesan organisations to implement each of the Governance Standards in an appropriate and demonstrable way.

### A. **Christian leadership shaped by the Bible**

- (a) The board members of a diocesan organisation elected by the Synod, the chair of the board and the chief executive officer must profess a personal Christian faith shaped by the Bible.
- (b) Other board members should profess a personal Christian faith shaped by the Bible.
- (c) The Archbishop must be able to address the board of a diocesan organisation on any pastoral or policy issue concerning the Anglican Church of Australia as it applies to the diocesan organisation, including the appointment of a chief executive officer for the organisation.
- (d) The board of a diocesan organisation should include members with formal theological training.

### B. **Mission clarity**

*(cf. ACNC governance standard 1 – purposes and not-for-profit nature of a registered entity)*

- (a) The purpose of a diocesan organisation must be clearly expressed in its constituting ordinance, must align with the religious, educational or other charitable purposes of the Diocese whether such purposes are within or beyond the Diocese or the State and must ultimately promote the kingdom of Christ and give glory to God.
- (b) Information about the purpose of a diocesan organisation must be made available to the public, including any members, donors, employees and volunteers, as well as those that benefit from its activities.
- (c) A diocesan organisation must comply with its purpose and ensure that all its activities are demonstrably linked either directly or incidentally to the pursuit of its purpose.

### C. **Not-for-profit character**

*(cf. ACNC governance standard 1 – purposes and not-for-profit nature of a registered entity)*

- (a) The property of a diocesan organisation must not be distributed for the private benefit of individuals either during the operation of the organisation or on its winding-up.
- (b) A diocesan organisation must comply with its not-for-profit character and take reasonable steps to ensure compliance.

### D. **Accountability and transparency**

*(cf. ACNC governance standard 2 – accountability to members)*

- (a) A diocesan organisation must maintain an adequate level of accountability and transparency to the Synod and its members.
- (b) A majority of the board members of a diocesan organisation must be elected by the Synod.
- (c) A diocesan organisation which manages church trust property must submit to the Synod for tabling an annual report and such other reports as Synod requires and must take reasonable steps to ensure such reports are accurate, complete and provided on a timely basis.
- (d) Members of the Synod must have reasonable access to the annual reports of diocesan organisations tabled at the Synod and must have an adequate opportunity to ask and have answered questions about the governance of diocesan organisations.
- (e) A diocesan organisation which has a class of members which is distinct from the members of its governing board must maintain similar levels of accountability and transparency for such members.

### E. **Corporate responsibility**

*(cf. ACNC governance standard 3 – compliance with Australian laws)*

- (a) A diocesan organisation must ensure its on-going operations, the safety of people in its care and the safety of its assets through compliance with applicable Australian laws and ordinances of the Synod.

- (b) A diocesan organisation must maintain as a reference for its board members a record, preferably in the form of a handbook, of the ordinances by which it is constituted or regulated and any other documents or policies by which it is governed.

**F. Suitability of board members**

*(cf. ACNC governance standard 4 – suitability of responsible entities)*

- (a) The board of a diocesan organisation must develop effective processes to ensure –
  - (i) the collective qualifications, skills, experience and gender balance of its members are adequate having regard to its purpose and the activities it undertakes in pursuit of its purpose, and
  - (ii) the induction of new members and the ongoing training and development of existing members, and
  - (iii) board renewal under the direction of the chair.
- (b) A person who is –
  - (i) disqualified from managing a corporation within the meaning of the *Corporations Act 2001*, or
  - (ii) disqualified by the ACNC Commissioner, at any time during the preceding 12 months, from being a responsible entity of a registered entity under the *Australian Charities and Not-for-profits Commission Act 2012*,is not eligible to be a board member of a diocesan organisation.

**G. Board member responsibility**

*(cf. ACNC governance standard 5 – duties of responsible entities)*

- (a) A diocesan organisation must take reasonable steps to ensure that its board members are subject to and comply with the following duties –
  - (i) to exercise the powers and discharge the duties of the diocesan organisation with the degree of care and diligence that a reasonable individual would exercise as a board member of a diocesan organisation, and
  - (ii) to act in good faith in the best interests of the diocesan organisation and to further the purposes of the diocesan organisation, and
  - (iii) not to misuse their position as a board member, and
  - (iv) not to misuse information obtained in the performance of their duties as a board member of a diocesan organisation, and
  - (v) to disclose perceived or actual material conflicts of interest of the board member, and
  - (vi) to ensure that the financial affairs of the diocesan organisation are managed in a responsible manner, and
  - (vii) not to allow the diocesan organisation to operate while insolvent.
- (b) A diocesan organisation must take reasonable steps to ensure compliance with these duties and to remedy any non-compliance.

## Appendix 2: Policy Guidelines

The Synod considers that the constituting ordinances of diocesan organisations which are bodies corporate should usually conform to the following Policy Guidelines. However the Synod recognises that for some diocesan organisations it may not be appropriate to conform to all these Policy Guidelines. This will be the case particularly for those Policy Guidelines which go beyond the Governance Standards. Where it is proposed to amend the constituting ordinance of a diocesan organisation to conform with the Policy Guidelines, a full consultation process will be undertaken with the board of the organisation before any such amendments are made. Where a board of a diocesan organisation believes that a particular Policy Guideline should not apply, it would usually be appropriate for the board to provide a brief explanation of its position as part of the consultation process.

### *Purpose*

1. The purpose of the diocesan organisation should be clearly expressed. Such purpose must align with the religious, educational or other charitable purposes of the Diocese whether such purposes are within or beyond the Diocese or the State and must ultimately promote the kingdom of Christ and give glory to God.

### *Board size and composition*

2. The total number of board members should be no less than 9 and no more than 14.
3. A majority of board members must be elected by the Synod.
4. The membership of the board should not include the Chief Executive Officer.
5. The membership of the board should include at least two clergy or other members with formal theological training.
6. The membership of the board may include no more than two persons appointed by the board.
7. Where a significant majority of members are elected by the Synod, the membership of the board may include persons appointed by any representative alumni association.

### *Role of the Archbishop*

8. The Archbishop should usually not be a board member but should be entitled –
  - (a) to receive board papers, and
  - (b) to attend board meetings, and
  - (c) to address the board on any pastoral or policy issue concerning the Anglican Church of Australia as it applies to the diocesan organisation including the appointment of a chief executive officer for the organisation.

The Archbishop should be able to appoint a nominee to exercise these entitlements on his behalf.

### *Election, appointment and term of office of board members*

9. A board member should be elected or appointed for a term not exceeding 3 years. One third of Synod elected members should therefore retire at each ordinary session of the Synod or, in the case of members elected by the Standing Committee, at the first meeting of the Standing Committee following each ordinary session.
10. Any person who wishes to be elected, appointed or to remain as a board member must sign a statement of personal faith in a form determined by the Synod except that a person who is elected or appointed as an alumni representative on a school board before 1 July 2020 may sign a statement of support for the Christian ethos and charter of the school as an alternative to signing a statement of personal faith. The initial forms of such statements are set out in Appendices 3 and 4.
11. A casual vacancy should arise in the office of a board member if the member –
  - (a) dies,
  - (b) resigns in writing to the chairman of the board or to the Diocesan Secretary,
  - (c) is an insolvent under administration,
  - (d) is of unsound mind or whose person or estate is liable to be dealt with in any way under the laws relating to mental health or is otherwise incapable of acting,
  - (e) is disqualified from managing a corporation within the meaning of the *Corporations Act 2001*;
  - (f) has at any time during the preceding 12 months been disqualified from being a responsible entity of a registered entity by the Commissioner of the Australian Charities and Not-for-profits Commission;

- (g) is convicted of an offence punishable by imprisonment for 12 months or longer,
- (h) is subject to a recommendation from a tribunal or body under the Discipline Ordinance 2006 (or from a comparable tribunal or body in any other diocese or church) that he or she be prohibited from holding office or should be removed from office as a board member,
- (i) is absent without leave for 3 consecutive meetings of the board and the board resolves that the person's membership should cease,
- (j) fails to sign the statement of personal faith or statement of support for the Christian ethos and charter of the school, as applicable, or declares that he or she is no longer able to subscribe to the applicable statement, or
- (k) fails to disclose his or her actual material conflict of interest in any matter brought for the consideration of the board which, in the opinion of the board, resulted in a resolution of the board which would not have been made if the actual material conflict of interest had been disclosed, and the board resolves by at least a three-quarters majority that the person's membership should cease as a result of this failure,

and a person should be disqualified from being elected or appointed as a board member if any of the circumstances referred to in paragraphs (c) to (h) and (j) apply to the person.

12. Casual vacancies arising for Synod elected members should be filled by the Standing Committee. The person who fills the casual vacancy should hold office until the day on which the person whose vacancy he or she has filled would have retired had the vacancy not occurred.
13. In the absence of an alternative methodology in the constituting ordinance of a diocesan organisation which achieves effective board renewal in the context of that organisation under the direction of the chair, a retiring board member should only be eligible for re-appointment or re-election where such re-appointment or re-election would not in the normal course result in that member being a board member for more than 14 consecutive years. For this purpose, years are consecutive unless they are broken by a period of at least 12 months.
14. Board members should not to be remunerated for their service as board members except by way of reimbursement for reasonable out-of-pocket expenses.

#### *Chair and other office holders*

15. The chair and any other officer of the board should be elected by board members for a term not exceeding 3 years. Such persons are eligible to stand for re-election but should not serve in the same office for more than 9 consecutive years.
16. A person is not eligible to be appointed or elected as the chair of a board unless he or she has first signed a statement of personal faith in a form determined by the Synod. The initial form of such a statement is set out in the Appendix 3.
17. A person should not be the chair of the board of a diocesan organisation if a member of the person's immediate family is employed by the diocesan organisation, unless the board has considered the circumstances and unanimously agreed to it by secret ballot.

#### *The Chief Executive Officer*

18. The board should have the power to appoint and remove the Chief Executive Officer.
19. The Chief Executive Officer is responsible to the board for the leadership and management of the diocesan organisation.
20. A person is not eligible to be appointed as the Chief Executive Officer unless he or she has first signed a statement of personal faith in a form determined by the Synod. The initial form of such a statement is set out in the Appendix 3.

#### *Board meetings*

21. Meetings of the board may be convened by the chair or a specified number of board members.
22. Board members should be able to attend meetings either personally or by suitable electronic means.
23. A quorum for meetings of the board should be no less than one half of its members.
24. The board should be able to pass resolutions without a meeting if –
  - (a) a copy of the proposed resolution is sent to all board members and a reasonable timeframe within which members may indicate their support for or objection to the proposed resolution being passed is specified, and

- (b) at least 75% of board members indicate within the specified timeframe that they support the proposed resolution being passed, and
  - (c) no board member objects within the specified timeframe either to the proposed resolution being passed or the proposed resolution being passed without a meeting.
25. The Chief Executive Officer should have the right to attend and speak at board meetings unless the board determines that he or she should not be present for a particular meeting, or part thereof.
26. The board must cause minutes to be made of –
- (a) the names of the persons present at all board meetings and meetings of board committees;
  - (b) all disclosures of perceived or actual material conflicts of interest; and
  - (c) all resolutions made by the board and board committees.
27. Minutes must be signed by the chair of the meeting or by the chair of the next meeting of the relevant body following an agreed resolution to do so. If so signed the minutes are conclusive evidence of the matters as between the members stated in such minutes.

*Duties, powers and limitations*

28. The diocesan organisation should have such powers as are necessary for the diocesan organisation to fulfil its purpose.
29. The board should, in governing the diocesan organisation, exercise all the powers of the diocesan organisation.
30. Board members are subject to and must comply with the following duties –
- (a) to exercise the powers and discharge the duties of the diocesan organisation with the degree of care and diligence that a reasonable individual would exercise if they were a board member of a diocesan organisation, and
  - (b) to act in good faith in the best interests of the diocesan organisation and to further the purposes of the diocesan organisation, and
  - (c) not to misuse their position as a board member, and
  - (d) not to misuse information obtained in the performance of their duties as a board member of a diocesan organisation, and
  - (e) to disclose perceived or actual material conflicts of interest of the board member, and
  - (f) to ensure that the financial affairs of the diocesan organisation are managed in a responsible manner, and
  - (g) not to allow the diocesan organisation to operate while insolvent.
31. A board member who has an actual or perceived material conflict of interest in a matter that relates to the affairs of the board must disclose that interest to the board and should not participate in any consideration of that matter by the board unless the board, by resolution, notes the interest and permits the member to participate.
32. The board should maintain records of applicable eligibility criteria for board membership and conflicts of interest disclosed by board members.
33. The board should have the power to delegate the performance of any of its functions to one or more committees provided any such committee is chaired by a board member and reports the exercise of its delegated functions to the next board meeting.
34. Any mortgage, charge, debenture or other negotiable instrument given by the diocesan organisation over property vested in or held by it (other than a cheque drawn on a bank account held by the diocesan organisation) should include a provision limiting the liability of the diocesan organisation to the amount available to be paid in the event it is wound up.
35. The borrowing limit of the diocesan organisation should be specified and any increase of the limit should be approved by the Synod from time to time.
36. The authority of the diocesan organisation to invest should be restricted in a manner consistent with any restrictions determined by the Synod from time to time.

*Not-for-profit*

37. There should be a provision which affirms that because the property of the diocesan organisation is church trust property within the meaning of the *Anglican Church of Australia Trust Property Act 1917*, it

must not as a matter of law be distributed for the private benefit of individuals, either during the operation of the organisation or on its winding-up.

*Winding up*

38. There should be a provision which affirms that if, on the diocesan organisation's winding up or dissolution, there remains after satisfaction of all its liabilities any property, such property must be applied for such purposes of the Diocese as the Synod may determine or, where appropriate, such purposes of the Diocese as the Synod may determine which are similar to the organisation's purposes. Where the diocesan organisation has been endorsed as a deductible gift recipient, there should be a provision which affirms that on the winding-up or dissolution of the organisation, the Synod must transfer the remaining property of the organisation to one or more deductible gift recipients which, in any case, is either a fund which comprises church trust property or another diocesan organisation.

### Appendix 3: Statement of Personal Faith

#### Statement of personal faith

1. I believe and hold to the truth of the Christian faith as set forth in the Nicene Creed, as well as the Apostles' Creed as set out below –

*I believe in God, the Father Almighty,  
maker of heaven and earth;  
and in Jesus Christ, his only Son our Lord,  
who was conceived by the Holy Spirit,  
born of the virgin Mary, suffered under Pontius Pilate,  
was crucified, dead, and buried.*

*He descended into hell.  
The third day he rose again from the dead  
He ascended into heaven,  
and is seated at the right hand of God the Father almighty;  
from there he shall come to judge the living and the dead.*

*I believe in the Holy Spirit;  
the holy catholic church;  
the communion of saints;  
the forgiveness of sins;  
the resurrection of the body,  
and the life everlasting.*

2. In particular I believe –
- (a) There is only one way to be reconciled to God which is through his Son, Jesus Christ, who died for our sins and was raised for our justification; and
  - (b) That we are justified before God by faith only.
  - (c) That God's word written, the canonical Scriptures of the Old and New Testaments, is the supreme authority in all matters of faith and conduct.
3. I shall endeavour to fulfil my duties as a member/the Chief Executive Officer [*delete whichever is not applicable*] of the [*insert name of board*] in accordance with its Christian ethos and its constituting ordinance.
4. I agree that my continuance as a member/the Chief Executive Officer [*delete whichever is not applicable*] of the [*insert name of board*] is dependent upon my continuing agreement with this statement and I undertake to resign if this ceases to be the case.

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Signature

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Full name (in block letters)

Date:

## Appendix 4: Statement of Support for Christian Ethos

### Statement of support for the Christian ethos and charter of the School

1. I acknowledge that the School to whose Council I am elected aims to educate young people in ways consistent with the teaching of the Bible and the gospel of Jesus Christ, and to this end I support the Council's commitment to maintain and uphold the Christian faith in teaching and practice.
2. I shall endeavour to fulfil my duties as a member of the School Council to which I am elected in accordance with its Christian ethos and its constituting ordinance.
3. I agree that my continuance as a Council member is dependent upon my continuing agreement with this statement and I undertake to resign if this ceases to be the case.

---

Signature

---

Full name (in block letters)

Date:

I Certify that the Policy as printed is in accordance with the Policy as reported.

R TONG  
Chairman of Committee

I Certify that this Policy was passed by the Synod of the Diocese of Sydney on 20 October 2014.

R WICKS  
Secretary of Synod

## Large Property Receipts Policy

(A report from the Standing Committee.)

### Purpose

1. The purpose of this report is to present a proposed Large Property Receipts Policy for endorsement by the Synod.

### Recommendations

2. The Synod receive this report.

3. The Synod pass the Large Property Receipts Policy set out in Annexure 2 of this report as a policy of the Synod.

4. The Synod pass the following procedural motion moved “by request of the Standing Committee” to facilitate consideration of the Policy –

‘Synod agrees, for the purposes of considering the motion appearing at item X (the “In Principle Motion”), to the following arrangements –

- (a) the In Principle Motion will be taken to have been moved and seconded, and
- (b) the mover may speak up to 15 minutes about the In Principle Motion, and
- (c) the seconder may speak up to 5 minutes about the In Principle Motion, and
- (d) the procedures for the making of ordinances under Part 5 of the business rules (from and including rule 5.5(2) but excluding rules 5.7(3)(b), 5.9 and 5.10) are to apply as if the Large Property Receipts Policy were an ordinance,

and suspends so many of the business rules as would prevent these arrangements.’

### Background

5. The Standing Committee established a “Special Receipts Committee” in 1960 at the request of the Property Trust which recommended –

“That in cases where parishes are to have greatly enhanced receipts and such amounts are, in fact beyond the reasonable needs of the parish, then the surplus should be allocated for other parishes etc and/or diocesan objectives.”

6. This policy position was ultimately reflected in regulations made by the Standing Committee and became known as the Large Receipts Policy. A copy of the current Large Receipts Policy is set out Annexure 1.

7. In broad terms, the Large Receipts Policy provides that where the expected sale proceeds from parish property will exceed \$500,000 or where the expected lease proceeds will exceed \$50,000 pa, the normal expectation is that 15% of the proceeds will be made available for the broader purposes of the Diocese. The policy also provides that a higher percentage may be appropriate if the large receipt from a sale exceeds \$1 million.

8. The rationale for the sharing of parish property in this way arises from the character of the trusts on which such property is held for the parish. In particular, church trusts are not private trusts for the benefit of individual beneficiaries or any group of persons who may have the right to use such property for the time being. Rather, they are charitable trusts under which the property (subject to a power to vary those trusts under section 32 of the *Anglican Church of Australia Trust Property Act 1917*) is devoted to designated purposes of the Diocese in perpetuity.

9. While efforts have been made in recent years to give proper effect to the Large Receipts Policy, history has shown that the Large Receipts Policy has often been observed ‘in the breach’, that is, there has been a tendency for parishes to apply for and be granted relief from the prescribed operation of the policy as a matter of course. Equally, the Standing Committee’s granting or refusal of such relief has tended to rely on factors which have not always been clear. Therefore, there existed and, to a degree still exists, a sense of unpredictability and lack of transparency around the operation of the current policy.

10. At its meeting in June 2012, the Standing Committee commenced a review of its policies concerning parish property, including the Standing Committee’s Large Receipts Policy. The review was completed in February 2014. During the course of considering this matter, the Standing Committee agreed that the operation of any new policies concerning large receipts should be deferred until after the Synod has endorsed them as policies of the Synod.

11. Set out in Annexure 2 is the new policy concerning large receipts proposed by the Standing Committee. It has been renamed the Large Property Receipts Policy.

## **Commentary on the proposed Large Property Receipts Policy**

### *Rationale for proposed policy*

12. The rationale for the proposed policy is to ensure that a large property receipt arising from the sale or leasing of parish property is shared with the rest of the Diocese only after the reasonable property needs of the parish have been met. For this purpose, "reasonable property needs" means that combination of land, buildings and associated infrastructure (and the means to maintain such property) that is reasonably required by the parish to effectively undertake its ministry both currently and into the foreseeable future.

13. The proposed policy is similar to the existing policy in some respects. It retains the expectation that in certain circumstances it is appropriate for proceeds of the sale or leasing of parish property to be shared for broader diocesan purposes. It also retains a large receipts threshold (namely \$500,000 in the case of sales and \$50,000 per annum in the case of leases) under which the policy will have no application. Further, it continues to provide for some scope for a grant of relief from the application of the policy in exceptional circumstances.

14. However the proposed policy differs from the current policy in a number of important respects. These are outlined as follows.

### *Reasonable property needs of a parish to be met as a first priority*

15. Firstly, if the expected proceeds from the sale or lease of parish property exceeds the relevant large property receipts threshold (ie. a large property receipt), the question under the proposed policy is whether the large property receipt is beyond the reasonable property needs of the parish. This question is not relevant under the current policy which is interested simply in whether the large receipts threshold will be exceeded.

16. If the parish identifies that its reasonable property needs are not currently met, the proposed policy provides that the sale or lease proceeds must, as a first priority under the ordinance, be applied toward meeting those property needs. Once a sufficient amount has been set aside under the ordinance to meet the reasonable property needs of the parish, a proportion of the remaining balance is to be applied for broader diocesan purposes.

17. In many cases, the priority given to meeting the reasonable property needs of a parish will result in the entire net sale or leasing proceeds being applied to meet those needs. However the parish must satisfy the Standing Committee that its property needs are reasonable. To this end the proposed policy enables the Standing Committee to make guidelines to assist parishes in identifying their reasonable property needs for the purposes of the policy.

18. On the other hand, if the reasonable property needs of the parish are currently met or the parish is not able to adequately identify its reasonable property needs, the policy provides that a proportion of the sale or lease proceeds in excess of the relevant large receipts amount (ie \$500,000 for sales and \$50,000 pa for leases) is to be applied for broader diocesan purposes. In these circumstances the proposed policy operates in a similar way to the existing policy.

### *Amount of diocesan contribution based on sliding scale*

19. Secondly, the amount to be applied for broader diocesan purposes is not a fixed percentage of the net sale or lease proceeds (currently 15%) but is a proportion in excess of the parish's reasonable property needs determined in accordance with tables set out in the policy. These tables provide for a sliding scale of contributions.

### *Application of diocesan contribution to Mission Property Fund or Synod Fund*

20. Thirdly in the case of diocesan contributions arising from sale ordinances, the policy provides for such contributions to be paid to the Mission Property Committee as an addition to the Mission Property Fund. If the parish has a preference for a particular Mission Property project to which such contributions should be applied, this preference can be set out in the statement of evidence which accompanies the sale ordinance.

21. In the case of leasing ordinances, any diocesan contribution is to be paid to the Synod for distribution as part of the Synod's annual budgeting process or, upon special application, to other diocesan beneficiaries to further the Diocesan Mission.

For and on behalf of the Standing Committee

ROBERT WICKS  
*Diocesan Secretary*

2 June 2014

## Extract from the Regulations and Committees of Standing Committee of Synod

### 10. Ordinance Procedures

#### Large Receipts

##### *Church Trust Property*

- 10.4 Property is "church trust property" if it is subject to any trust for or for the use, benefit or purposes of the Anglican Church in the Diocese of Sydney or any parochial unit or diocesan organisation in the Diocese.
- 10.5 All church property in this Diocese has been donated to trustees, or has been acquired with money placed in the hands of trustees, for the purposes of parochial units or diocesan organisations or for specific or general purposes within the Diocese.
- 10.6 Church trusts are not private trusts for the benefit of individual beneficiaries but are charitable trusts under which the property (subject to the power to vary those trusts under section 32 of the Anglican Church of Australia Trust Property Act 1917) is devoted to designated purposes in perpetuity. It is not held on trust solely for a group of persons who may have the right to use it for the time being and the obligation to maintain it.
- 10.7 When an Ordinance is promoted to provide for the sale or lease of church trust property the Standing Committee represents the interest of the Diocese as a whole and has established these guidelines to assist promoters in an appropriate sharing with the Diocese.

##### *Large Receipts*

- 10.8 The Synod and the Standing Committee have recognised that many sale ordinances (and some leasing ordinances) may contain a "windfall" element.
- 10.9 Among several Synod and Standing Committee resolutions on this subject, 3 can be summarised as –
- (a) Where parishes have greatly enhanced receipts which are beyond their reasonable needs, then the surplus should be shared with the rest of the Diocese.
  - (b) It is not in the interests of any parish to be in a position where free-will offerings of the people are not needed to maintain its work.
  - (c) Parishes should review their resources and incomes to identify any which might be allocated to new housing areas.
- 10.10 A bill for an ordinance involves a "Large Receipt" if –
- (a) expected sale proceeds exceed \$500,000; or
  - (b) expected leasing income exceeds \$50,000 pa.

##### *Sharing with the rest of the Diocese*

- 10.11 The normal expectation for a large receipt is that 15% of the proceeds will be added to the capital of the Diocesan Endowment and benefit the Diocese generally by helping to increase distributions of income available to the Synod. Notwithstanding this, upon special application, 15% of the proceeds may be allocated to other Diocesan beneficiaries to further the Diocesan Mission.
- 10.12 A higher percentage may be appropriate if the large receipt exceeds \$1 million.
- 10.13 In addition to any allocation under 10.11 or 10.12 the promoters of an ordinance may recommend specific allocations for parochial or extra-parochial purposes.
- 10.14 A bill for an ordinance meeting these guidelines would not normally be referred to an ordinance review panel.
- 10.15 The promoters of a bill involving a large receipt may give reasons why these guidelines should not be followed for their bill.

## Large Property Receipts Policy

### Church Trust Property

1. Property is "church trust property" if it is subject to any trust for the use, benefit or purposes of the Anglican Church in the Diocese of Sydney or any parochial unit or diocesan organisation in the Diocese.
2. All church trust property in this Diocese has been donated to trustees, or has been acquired with money placed in the hands of trustees, for the purposes of parochial units or diocesan organisations or for specific or general purposes within the Diocese.
3. Church trusts are not private trusts for the benefit of individual beneficiaries but are charitable trusts under which the property (subject to the power to vary those trusts under section 32 of the Anglican Church of Australia Trust Property Act 1917) is devoted to designated purposes in perpetuity. It is not held on trust solely for a group of persons who may have the right to use it for the time being and the obligation to maintain it.

### Rationale for this Policy

4. The Synod considers that it is the responsibility of each parish to ensure, as far as possible, that its reasonable property needs for effectively undertaking ministry are met.
5. The Synod recognises that in order to meet a parish's reasonable property needs it is sometimes necessary or desirable to sell or lease church trust property held for the parish.
6. The Synod also recognises that sometimes the sale and leasing of parish property will give rise to a large property receipt which is beyond the reasonable property needs of the parish.
7. In these circumstances, the Synod considers that a portion of the large property receipt in excess of the reasonable property needs of the parish should be shared with the rest of the Diocese.

### What is a large property receipt?

8. For the purposes of this policy, a large property receipt will arise if –
  - (a) the net sale proceeds of parish property is expected to exceed \$500,000, or
  - (b) the net leasing income from parish property is expected to exceed \$50,000 pa.

### What are the reasonable property needs of a parish?

9. The reasonable property needs of a parish means that combination of land, buildings and associated infrastructure (and the means to maintain such property) as is reasonably required by the parish to effectively undertake its ministry both currently and into the foreseeable future.
10. The Standing Committee may make guidelines to assist in identifying the reasonable property needs of a parish in more detail.

### Promotion of bills which give rise to a large property receipt

11. The statement of evidence accompanying a bill for the sale or lease of parish property which gives rise to a large property receipt should identify the reasonable property needs of the parish. If those reasonable property needs are currently not met –
  - (a) the statement of evidence should also include a plan to ensure the parish meets those needs, and
  - (b) the bill should provide, as a first priority, for the application of the large property receipt in or toward meeting those needs in accordance with that plan and in conformity with any policy of the Standing Committee concerning the application of sale proceeds and property income.

12. If the large property receipt is beyond the reasonable property needs of the parish, a portion of the large property receipt in excess of the reasonable needs of the parish should be shared with the rest of the Diocese.
13. If –
- (a) the reasonable property needs of the parish are currently met, or
  - (b) the parish does not adequately identify its reasonable property needs,
- the amount necessary to meet the reasonable property needs of the parish is, for the purposes of this policy, taken to be \$500,000 in the case of a bill to sell parish property and \$50,000 pa in the case of a bill to lease parish property.

**Sharing with the rest of the Diocese**

14. The normal expectation for a large property receipt arising from a bill for an ordinance to sell parish property is that where the receipt is beyond the reasonable property needs of the parish, an amount in accordance with the following table will be paid from the net proceeds of sale to the Mission Property Committee as an addition to the Mission Property Fund –

<b>Progressive Contribution Bands</b>	
<b>Balance of net sale proceeds in excess of reasonable property needs</b>	<b>Contribution</b>
\$0-\$1m	25c for each \$1 over \$500k
\$1m-\$3m	\$125,000 plus 50c for each \$1 over \$1m
\$3m+	\$1,125,000 plus 67c for each \$1 over \$3m

15. Any preference that the parish wishes to express concerning the application of a large property receipts payment to a particular Mission Property Committee project should be expressed in the Statement of Evidence which accompanies the bill rather than in the bill itself.
16. The normal expectation for a large receipt arising from a bill for an ordinance to lease property is that where the receipt is beyond the reasonable property needs of the parish, an amount in accordance with the following table will be paid from the net rental proceeds to the Synod Fund for allocation by the Synod as part of its annual budgeting process or, upon special application, to other Diocesan beneficiaries to further the Diocesan Mission –

<b>Progressive Contribution Bands</b>	
<b>Balance of net rental proceeds (pa) in excess of reasonable property needs</b>	<b>Contribution</b>
\$0-\$100k	34c for each \$1 over \$50k
\$100k-\$500k	\$17,000 plus 25c for each \$1 over \$100k
\$500k+	\$117,000 plus 80c for each \$1 over \$500k

**Review of bills for large property receipts ordinances**

17. A bill for an ordinance which gives rise to a large receipt but is promoted on the basis that the reasonable property needs of the parish are currently met (under paragraph 13 above) will not usually be referred to an Ordinance Review Panel provided the bill makes provision for the sharing of a portion of the large property receipt in accordance with this policy.

**Grant of relief from policy**

18. The Standing Committee will consider any request for relief (in part or whole) from the payment of an amount in accordance with the relevant large property receipts table. Such relief will not be granted unless the promoters of a bill involving a large property receipt give sufficient reasons for an exception.

**Reports concerning payments made under Large Property Receipts Policy**

19. A report will be provided to the Synod each year identifying all payments under the Large Property Receipts Policy made to the Mission Property Fund and to other diocesan beneficiaries in the preceding year and to the Synod Fund for the purposes of Synod allocations in the following year.

**Amendment of Large Property Receipts Policy**

20. The Standing Committee may make amendments to this Large Property Receipts Policy provided such amendments are reported to the next ordinary session of the Synod.

## Mission 2020

(A report from the Standing Committee.)

*The version of the Mission 2020 document following this report is the form passed by the Synod on 21 October 2014.*

### Purpose

1. The purpose of this report is to provide Synod members with some background to, and brief explanation of, the *Mission 2020* document.

### Recommendation

2. Synod receive this report and pass the motions referred to in paragraphs 7 and 8.

### Background

3. At the last session of the previous Synod we received a report from the *What's Next?* Committee, which had been given the task of formulating a draft of the next iteration of the Diocesan Mission. Their preliminary report was tabled at Synod in October last year and Synod resolved as follows –

“Synod, noting the report on the review of the Diocesan Mission and the next phase of Mission, requests its members to provide comment on the draft early exposure of a possible new Diocesan Mission outlined in the report by 30 November 2013, with a view to a new Diocesan Mission being prepared by the Archbishop and Standing Committee, and circulated to Synod members by 1 August 2014 for consideration at the 2014 session of Synod.”

*(19/13 Review of the Diocesan Mission and the next phase of Mission)*

4. In his Presidential Address last year, the Archbishop stressed the fact that there is no need for mission to be put on hold while we await the next form of our Diocesan Mission to come to Synod. Our Risen Lord has given us our marching orders to make disciples of all nations, baptising them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey all that Jesus has commanded (Matthew 28:19-20). The making and maturing of disciples is our great mission.

5. However, there was substantial feedback from parishes and individuals to the *What's Next?* Committee's survey indicating that people wanted a fresh iteration of this mission for the Diocese as a whole and that such a formulation was helpful in their local situation.

6. At the end of last year Standing Committee formed a subcommittee, the Strategic Research Group (SRG) to further this work. The *Mission 2020* document is the fruit of the SRG's labours in relation to the first of its three specific responsibilities, which are –

- (a) To be an advisory group for the Archbishop and the Standing Committee in their formulation of missional goals for consideration and adoption by the Synod.
- (b) To identify, research, evaluate and develop for Standing Committee's consideration high level vision, strategy and structure which optimise the capacity of the diocesan network to achieve missional goals adopted by the Synod.
- (c) To oversee the objective measurement of and reporting to the Standing Committee on progress toward achieving those missional goals.

7. The *Mission 2020* document is attached to this report.

### Consideration of *Mission 2020* at Synod

8. Consideration by the Synod of the *Mission 2020* document and related matters at its session in October 2014 will be undertaken in the context of the following motions which are being moved by request of the Standing Committee –

#### *Motion 1*

Synod welcomes the *Mission 2020* document circulated to Synod members on 1 August 2014 and agrees to adopt *Mission 2020* set out in that document.

#### *Motion 2*

Synod –

- (a) welcomes the establishment of the Strategic Research Group (SRG),

- (b) encourages the SRG to identify, research, evaluate and develop high level vision, strategy and structure which optimise the capacity of the diocesan network to achieve the Mission goals,
- (c) encourages the SRG to develop strategies to assist parishes to clarify, research, evaluate and implement ways to achieve the Mission goals as appropriate to their local context, and
- (d) invites all Anglican organisations within the Diocese, including schools, to embrace the vision of seeing Christ honoured in their communities and to partner with parishes in light of the four Priorities of the Mission.

9. Suitable procedural arrangements will also be proposed to facilitate consideration of these motions.

**Overview of *Mission 2020***

10. The *Mission 2020* spans the second half of this decade, rather than a ten year period. The document sets out a **Vision Statement** (what we hope to see), a **Mission Statement** (what we want to do) and a **Values Statement** (flowing from our identity in Christ and which undergirds the Mission). There follow four priorities, each addressing three key factors that have been identified as requiring specific attention. For each priority, one or more specific goals are set, based upon data collected through the National Church Life Survey (NCLS). Each goal is therefore measurable, enabling us to determine whether or not we are achieving our goals, either at the local level or across the Diocese.

11. We recognise that the front line of mission is the local church, whether it be the parish church, the school chapel, the retirement village congregation, or the chapel services held in hospitals and prisons. It is therefore our intention that the SRG develop some strategies over the coming months to support churches and congregations in achieving the goals for the Mission.

12. We commend this document to you and to the members of your parish council or diocesan organisation. No document will cover everything that everyone believes should be incorporated in our Mission. Some parishes and organisations will develop their own priorities for their local situation. However, we hope that the Synod will come to a common mind on the kind of vision, mission, priorities and goals that this document proposes for the Diocese as a whole.

13. Our prayer is that this will help Synod formulate a clear Mission for the Diocese, which by God's grace will enable us to see Christ honoured in every community.

For and on behalf of the Standing Committee

ROBERT WICKS  
*Diocesan Secretary*

17 September 2014

## MISSION 2020

### DIOCESE OF SYDNEY

**Our Vision**            **To see Christ honoured as Lord and Saviour in every community**

**Our Mission**        **We commit ourselves afresh, in prayerful dependence on the Holy Spirit, to glorify God and love our neighbour by proclaiming the Lord Jesus Christ, calling people to repent and living lives worthy of him.**

#### **Our Values**

Our values flow from our identity in Christ. We are created in God's image and redeemed by Christ's blood for the glory of our Heavenly Father.

We therefore value and cherish:

- God's Word, the Bible, as our ultimate authority and guide
- The reading and explanation of the Bible as the basic method of our ministry
- The centrality of the cross of Christ and his resurrection in our proclamation and in our lives
- Lives of holiness and humility that adorn the gospel
- Prayerful dependence on the Holy Spirit for power to speak and hearts to change
- An urgent love for people who, apart from faith in Christ Jesus, face certain condemnation under the righteous judgment of God
- Selfless flexibility and creativity to reach the many different peoples in our communities with the gospel
- Partnerships between and among individuals, churches, Anglican schools, diocesan organisations and faithful members of the Anglican Communion
- Repentant hearts and renewal by God's grace

#### **Our Priorities**

##### **Priority 1            Reach all the lost in our Diocese with the life-giving gospel of Christ**

Key factors include

- 1.1 Engaging with our local community and creating opportunities for evangelism at the local and diocesan level
- 1.2 Mobilising more people to share Christ's love in word and deed
- 1.3 Strengthening our invitation, welcoming and integration

*Our first goal is to increase our members reporting their willingness to talk intentionally about their faith from 18% (NCLS 2011 statistic) to 22% across the Diocese by 2020.*

*Our second goal is to increase our members reporting that they have invited someone to church in the last 12 months from 40% (NCLS 2011 statistic) to 45% across the Diocese by 2020.*

*Our third goal is to increase newcomers\* in church from 9% (NCLS 2011 statistic) to 12% across the Diocese by 2020.*

*\* Newcomers are members aged 15 or more who were not regularly attending any church five years ago, as defined by the National Church Life Survey (NCLS).*

##### **Priority 2            Deepen spiritual maturity among our members**

Key factors include

- 2.1 Ensuring congregational gatherings are significant places for spiritual growth
- 2.2 Enriching Christian fellowship through small groups
- 2.3 Strengthening personal and family devotions through prayer and Bible reading

*Our first goal is to increase our members reporting 'much growth' in faith from 47% (NCLS 2011 statistic) to 60% across the Diocese by 2020.*

*Our second goal is to increase our members reporting time spent in prayer, Bible reading, meditation, every day/most days from 43% (NCLS 2011) to 50%.*

**Priority 3 Equip our members to exercise their gifts**

Key factors include

- 3.1 Strengthening leadership skills of clergy, especially rectors
- 3.2 Identifying and unleashing the gifts of church members
- 3.3 Encouraging risk-taking and new initiatives in outreach and discipleship

*Our goal is to increase our members reporting their use of gifts 'to a great extent' from 21% (NCLS 2011 statistic) to 27% across the Diocese by 2020.*

**Priority 4 Respond to the changing face of our society**

Key factors include

- 4.1 Loving our neighbours in local and cultural communities
- 4.2 Reaching children and youth
- 4.3 Connecting with people over 60 years of age
- 4.4 Planting new churches in rapid growth areas

*Our first goal is to increase our members born in non-English speaking countries from 15% (NCLS 2011 statistic) to 20% across the Diocese by 2020.*

*Our second goal is to increase the retention of our members' children in church from 65% (NCLS 2011 statistic) to 70% across the Diocese by 2020.*

*Our third goal is to plant 15 new churches in greenfield areas by 2020.*

*Our fourth goal is to plant at least two new churches per Mission Area by 2020.*

I Certify that the Mission 2020 document as printed is in accordance with the document as reported.

R TONG  
Chairman of Committee

I Certify that this Mission 2020 document was welcomed and adopted by the Synod of the Diocese of Sydney on 21 October 2014.

R WICKS  
Secretary of Synod

## Mission Property Committee

(A progress report from the Mission Property Committee.)

### Strategic Land acquired in Leppington, NSW

1. Following an intensive land search and due diligence program since 2013, the Mission Property Committee ("MPC") acquired a strategically located site at 30 Heath Road in the growth suburb of Leppington in Sydney's South West in August 2014.
2. The cost of \$2.75 million was materially funded by all parishes across the Diocese through the Synod approved greenfields land acquisition levy ordinance (the "Ordinance") that commenced in 2013 to promote the Diocesan Mission by enabling all parishes to support the establishment of church sites in new growth areas. In addition to acknowledging the crucial support of parishes, the MPC also especially thanks the parishes of Parramatta and Robertson which have both made important financial contributions to the mission over and above those contemplated by the Ordinance.
3. The 2-hectare site has sufficient land area on which to construct a new ministry centre with car parking areas and room for future expansion in the coming decades.
4. MPC encourages Synod to support an initiative to expand the scope of the Ordinance so that funds contributed may also be used to construct church buildings on the Greenfield sites.

### From a paddock to a church:

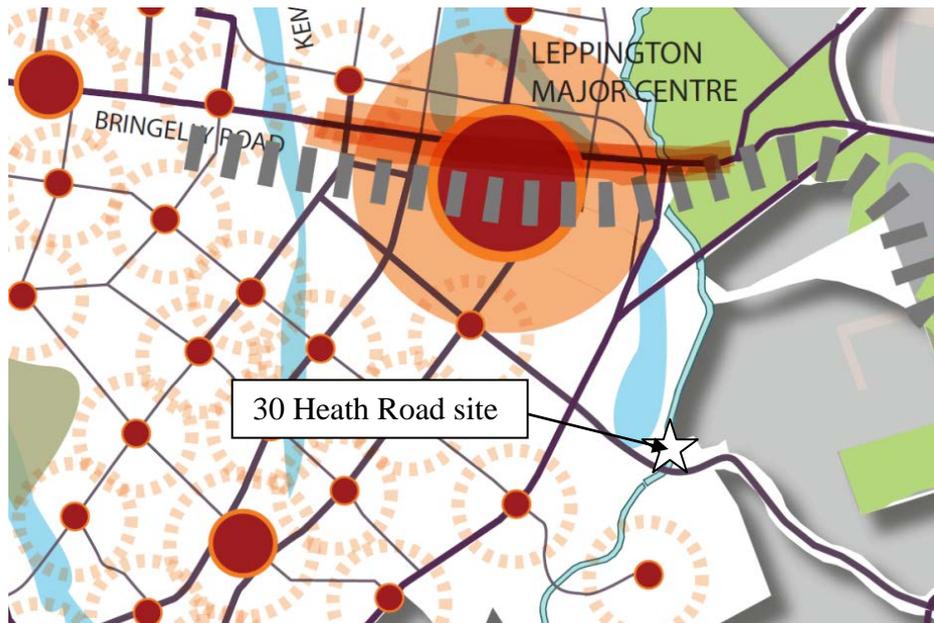


*Pictured from Left to right:*

*Peter Hayward, Bishop of Wollongong; Geoff Kyngdon, Chair, MPC; Tony Willis, Assistant to the Bishop of Wollongong; Daisy the cow*

5. The NSW Government has designated Leppington as the Regional Centre for the South West Growth Centre. NSW Department of Planning and Environment ('DoP') forecasts indicates population growth within a 4km radius of the proposed ministry centre to be 50,000+ people by 2035.
6. Leppington includes large tracts of land located in close proximity to the MPC Leppington site currently being released at Willowdale and Emerald Hills where the DoP forecast is for the population to grow to 13,500 people with other development to follow in the next 20 years.

### Leppington Major Centre



South West Growth Centre Structure Plan Courtesy NSW Government [www.qcc.nsw.gov.au](http://www.qcc.nsw.gov.au)

7. The Leppington site is strategically located in close proximity to the significant transport infrastructure initiatives currently being constructed by the NSW Government including Camden Valley Way upgrade and nearby Leppington railway station, which will be within easy walking distance.

8. The MPC plans to seek approval for the use of an existing residence located on the Leppington site (which comprises multiple meeting rooms and a large outbuilding) for use as a temporary Anglican ministry centre until sufficient funds are available to fund the construction of a permanent ministry centre. This temporary use provides a meeting place for church until such time as the surrounding population grows to a critical level and funds become available for the construction of a permanent ministry centre for the community.



9. The site and its surrounds are currently semi-rural lands with the first of the new housing developments Willowdale / East Leppington land release (ready to be occupied in December 2014) only 500m away from the site that is set to transform the area through the building of new schools & neighbourhood centres.

10. To expand the platform for the ministry scope of the Leppington site, a nearby residential lot was acquired in July 2014. The strategy is to leverage the positive experience for the mission that was

gained from building a rectory at Oran Park at the same time as families were building and moving into neighbouring houses even though the church building was some years away. The MPC and Wollongong Regional Council are working together to build the ministry residence. The aim is for a church planter and family to commence ministry in 2016.

### **Oran Park Ministry Centre**

11. Construction of the Oran Park ministry Centre on Marcus Loane Way, Oran Park, is well underway on the prominent site overlooking the town. The site was acquired using a grant authorised by Synod that was made from the Diocesan Endowment in 2009. In the five years that have followed, the area has been transformed from a rural and motor racing destination to a vibrant community of some 2,500 people, with the DoP forecast showing ongoing annual population increases of 2,000 over the next ten years.



12. This building project is not being funded by the Land Acquisition Levy but is funded from the limited existing resources of the MPC plus generous funding from the parishes of Beecroft and Bowral and the Grace Betty Davidson Estate.

13. The first stage of the iconic public building will feature a 250-seat auditorium, associated breakout area and foyer space, children's meeting rooms, kitchen and amenities as well as car parking.

14. During August 2014 ground works commenced and completion of the ministry centre is anticipated around Easter 2015. This will allow the church to continue to "ride the wave" of the population growth in the precinct.

### **Ongoing MPC land acquisition due diligence**

15. The MPC is actively undertaking due diligence in the other identified growth areas across the diocese including Marsden Park and Box Hill in the North West, and Bringelly North and Wilton Junction in the south West and West Dapto in the Illawarra. Opportunities to co-locate with other diocesan organisations, along the line of the Oran Park model, such as Sydney Anglican Schools Corporation in these future growth areas are also being explored.

For and on behalf of the Mission Property Committee

GEOFF KYNGDON  
*Chair*

BISHOP IVAN LEE

26 August 2014

## Ordinances passed by the Standing Committee

(A report from the Standing Committee.)

Synod Fund Application Ordinance No 46, 2013

Parish Declarations and Qualifications Amendment Ordinance No 47, 2013

Parochial Cost Recoveries and Church Land Acquisitions Levy (Exemption of St Andrew's Cathedral) Ordinance No 48, 2013

Synod (General Synod Assessment) Special Application Ordinance No 49, 2013

Granville Trust Ordinance No 50 2013

Sydney Anglican Schools Corporation Ordinance 1947 Amendment Ordinance No 51, 2013

Accounts, Audits and Annual Reports Ordinance 1995 Amendment Ordinance No 52, 2013

Parish Financial Statements Amendment Ordinance No 53, 2013

Synod (ACPT Legal Costs) Special Application Ordinance No 54, 2013

Manly Corso Property Ordinance No 55, 2013

Narellan Trust Ordinance No 56, 2013

Cobbitty Trust Ordinance No 57, 2013

Dundas/Telopea Mortgaging Ordinance No 58, 2013

Bowral Land Sale Ordinance No 59, 2013

Concord North (Special Arrangements) Ordinance No 60, 2013

Church Hill Trust Ordinance No 61, 2013

St Philip's York Street Leasing Ordinance 2011 Amendment Ordinance No 62, 2013

Bondi Trust Ordinance No 64, 2013

Chatswood Land Sale Ordinance No 65, 2013

Dapto (Byamee Street) Land Sale Ordinance No 66, 2013

Cabramatta Trust Ordinance No 1, 2014

Cabramatta Land Sale Ordinance No 2, 2014

Castlereagh (Vesting of Property) Ordinance No 3, 2014

Jamberoo Trust Ordinance No 4, 2014

Jamberoo Land Sale Ordinance No 5, 2014

Parish Administration (Inaugural General Meetings) Amendment Ordinance No 6, 2014

Parochial Cost Recoveries and Church Land Acquisitions Levy Ordinance 2013 Amendment Ordinance No 7, 2014

Georges River Region (Belfield Proceeds) Ordinance 1998 Amendment Ordinance No 8, 2014

Standing Committee Amendment Ordinance No 9, 2014

Sydney Anglican Pre-School Council (Vesting of Property and Amendment) Ordinance No 10, 2014

Anglican Church Property Trust Diocese of Sydney (Financial Reporting) Amendment Ordinance No 11, 2014

Endowment of the See Expenditure (Further Financial Reporting) Amendment Ordinance No 12, 2014

Bowral Mortgaging Ordinance No 13, 2014

Georges River Region (Belfield Proceeds) Ord 1998 Further Amendment Ordinance No 14, 2014

The Oaks Trust Ordinance No 15, 2014

The Oaks Land Sale Ordinance No 16, 2014

Endowment of the See (Chatswood) Land Sale Ordinance No 17, 2014

Anglican Education Commission and Anglican Youthworks (Special Religious Education) Ordinance No 18, 2014

Berrima cum Moss Vale Trust Ordinance No 19, 2014

Castlereagh (Vesting of Property) Ordinance 2014 Amendment Ordinance No 20, 2014

Engadine Trust Ordinance No 21, 2014

Regional Cathedrals (Amendment) Ordinance No 22, 2014

Cost Recoveries Framework Ordinance 2008 Amendment Ordinance No 23, 2014

Synod Appropriations and Allocations Ordinance No 24, 2014

Parochial Cost Recoveries and Church Land Acquisitions Levy Ordinance 2013 Amendment Ordinance No 25, 2014

Concord West Land Sale and Variation of Trusts Ordinance No 26, 2014

Guildford with Villawood Leasing Ordinance No 27, 2014

Guildford with Villawood Trust Ordinance No 28, 2014

Gladesville Trust Ordinance No 29, 2014

Gladesville Land Sale and Amendment Ordinance No 30, 2014

Mission Property (Oran Park) Variation of Trusts Ordinance No 31, 2014

For and on behalf of the Standing Committee

ROBERT WICKS  
*Diocesan Secretary*

16 September 2014

## Parochial Cost Recoveries and Church Land Acquisitions Levy for 2015

(A report from the Standing Committee.)

### Purpose

1. The purpose of this report is to inform Synod of the details of the parochial cost recovery charges and church land acquisitions levy for 2015.

### Recommendation

2. The Standing Committee recommends that the Synod receive this report.

### Background

3. In passing the *Parochial Cost Recoveries and Church Land Acquisitions Levy Ordinance 2013* (the "2013 Ordinance") the Synod set the cost recovery charges and levy to be paid by parishes for 2014, and indicated its intention in relation to the charges and levy for 2015.

4. In July 2014 the Standing Committee passed the *Parochial Cost Recoveries and Church Land Acquisitions Levy Ordinance 2013 Further Amendment Ordinance 2014* (the "Amendment Ordinance") to give effect to the Synod's intention with respect to these charges and the levy for 2015, and incorporate a few relatively minor changes reflecting revised estimates for some components as a result of new information that has become available since Synod in 2013.

5. A comparison of the figures in the 2013 Ordinance and those that will now apply as a result of the Amendment Ordinance is provided as Attachment 1. An estimate of the amount of the variable PCR charge and church land acquisition levy for 2015 for each parochial unit is provided as Attachment 2.

#### *Parochial network costs*

6. In June 2014 the Standing Committee approved an increase in the cost of the Safe Ministry Training Program to \$103,000, and the Property Trust advised that the amount to be recovered from parishes for the Parish Property and Liability Insurance Program for 2015 should be \$3,500,000.

7. Accordingly, the dollar amount to be recovered by the variable component of the PCR charge in 2015 will now decrease by \$97,000 reducing the variable PCR percentage by approximately 0.1%.

8. The variable PCR percentage is also dependent on the total net operating receipts across the Diocese. The indication of variable PCR percentage for 2015 given to Synod last year was based on an estimate of the total net operating receipts. This estimate has now been updated to reflect the exemption granted by Standing Committee last year for the Cathedral, and the actual net operating receipts of parishes for 2013 where these are known at the date of this report. There are only 3 parishes for which the figure for 2013 remains an estimate. As in past years the 2013 Ordinance allows for the actual variable PCR percentage to be calculated closer to the end of this year by which time it is expected all parishes will have submitted their audited financial statements for 2013.

#### *Ministry costs*

9. The amount of the long service leave contribution estimated in Attachment 1 to this report is unchanged from the estimate provide to Synod last year, however, the actual contribution required in 2015 under the new *Long Service Leave Canon 2010* will not be known until November or December this year.

10. The amounts required to fund the superannuation contribution and the stipend continuance insurance premium per minister will be less than the estimates provided to Synod last year because the actual increase in stipends for 2015 is less than had been estimated last year.

11. The amount of the contribution per minister to the Sickness and Accident Fund has been increased from the \$50 estimated in the 2013 Ordinance to \$100. Over the last year or two the claims paid from this Fund have significantly exceeded the contributions received from parishes, and an increase in the contribution rate is required to ensure the Fund is able to maintain an appropriate level of reserves.

#### *Church land acquisitions levy*

12. In passing the 2013 Ordinance, the Synod provided that for 2015 the Standing Committee should pass all such ordinances as may be necessary, from time to time, to give effect to the Synod's intention that each parochial unit pay a levy calculated as 2.09% of the net operating receipts of the relevant parochial unit for 2013. As it now appears the total net operating receipts for 2013 will be slightly higher than the estimate provided to Synod last year, the stipulated 2.09% is now expected to raise slightly more than the planned \$2,000,000.

For and on behalf of the Standing Committee

PETER HAYWARD

*Chair, Diocesan Resources Committee*

26 August 2014

## Parochial Cost Recovery Charges &amp; Church Land Acquisitions Levy for 2015

	Actual 2014	Synod's indication (in 2013) of intent for 2015	% change	Standing Committee's estimate for 2015	% change
<b>Parochial Network Costs</b>					
Parish property and liability insurance program	3,500,000	3,600,000	2.9%	3,500,000	0.0%
Parish risk management program	207,000	207,000	0.0%	207,000	0.0%
Parish related work by the Professional Standards Unit	506,000	506,000	0.0%	506,000	0.0%
Safe ministry training program	100,000	100,000	0.0%	103,000	3.0%
Provision for relief and remission of PCR charges	20,000	20,000	0.0%	20,000	0.0%
Parish contribution to the cost of Diocesan archives	68,000	68,000	0.0%	68,000	0.0%
Support for Sydney Anglican Parish Accounting System (SAPAS)	11,000	11,000	0.0%	11,000	0.0%
Fee for managing the PCR Fund 951	185,000	185,000	0.0%	185,000	0.0%
	<b>4,597,000</b>	<b>4,697,000</b>	<b>2.2%</b>	<b>4,600,000</b>	<b>0.1%</b>
Total Net Operating Receipts 2012 - actual	91,808,153				
Total Net Operating Receipts 2013 - estimate in 2013		95,480,479	4.0%		
Total Net Operating Receipts 2013 - estimate in 2014				96,042,894	4.6%
<b>Variable PCR charge percentage</b> (average all parochial units)	<b>5.01%</b>	<b>4.92%</b>	-1.8%	<b>4.79%</b>	-4.3%
<b>Ministry costs (per F/T minister)</b>					
<b>Ministers, Assistant Ministers</b> (7+ years, Senior Assistant Ministers)					
Superannuation contribution	10,515	11,039	5.0%	10,700	
Long service leave contribution	1,400	1,502	7.3%	1,502	
Stipend continuance insurance	1,372	1,441	5.0%	1,382	
Sickness & accident fund	50	50	0.0%	100	
<b>Cost per minister</b>	<b>13,337</b>	<b>14,032</b>	<b>5.2%</b>	<b>13,684</b>	<b>2.6%</b>
<b>Assistant Ministers</b>					
Superannuation contribution	9,462	9,935	5.0%	9,628	
Long service leave contribution	1,400	1,502	7.3%	1,502	
Stipend continuance insurance	1,372	1,441	5.0%	1,382	
Sickness & accident fund	50	50	0.0%	100	
<b>Cost per minister</b>	<b>12,284</b>	<b>12,928</b>	<b>5.2%</b>	<b>12,613</b>	<b>2.7%</b>
<b>Church Land Acquisitions Levy</b>					
<b>Contribution to the acquisition of land for future church sites</b>	2,000,000	2,000,000	0.0%	2,007,296	0.4%
<b>Parish levy percentage</b>	<b>2.18%</b>	<b>2.09%</b>	-3.8%	<b>2.09%</b>	

## Variable PCR Charge and Church Land Acquisitions Levy for 2015

	\$	Parishes with property	Parishes without property
Parochial Network Costs	4,600,000	4.81%	2.89%
Contribution to the acquisition of land for future church sites	2,007,296	2.09%	2.09%
<b>Total Net Operating Receipts for 2013 (estimate July 2014)</b>	<b>96,042,894</b>		

	Parish, Prov. P, R. Church, Prov .R. C.	Region	Parochial Unit (Note 2)	Net Operating Receipts for 2013 (Note 1)	Variable PCR charge for 2015	Church Land Acquisition Levy for 2015
1	PP	S	Abbotsford	137,685	6,626	2,878
2	P	W	Albion Park	335,418	16,142	7,010
3	P	S	Annandale	294,690	14,182	6,159
4	PP	G	Arncliffe	251,955	12,125	5,266
5	P	N	Artarmon	175,841	8,462	3,675
6	P	S	<i>Ashbury</i>	<i>166,077</i>	<i>7,993</i>	<i>3,471</i>
7	P	S	Ashfield Five Dock and Haberfield	718,116	34,560	15,009
8	P	N	Asquith/Mt Colah/Mt Kuring-gai	366,678	17,647	7,664
9	P	WS	Auburn - St Philip	79,927	3,847	1,670
10	PP	WS	Auburn - St Thomas	149,168	7,179	3,118
11	P	W	Austinmer	320,030	15,402	6,689
12	P	N	Avalon with Palm Beach	270,822	13,033	5,660
13	P	N	Balgowlah	351,274	16,905	7,342
14	P	S	Balmain-St John	108,388	5,216	2,265
15	P	G	Bankstown	179,738	8,650	3,757
16	P	WS	Baulkham Hills	258,766	12,453	5,408
17	P	N	Beacon Hill	103,407	4,977	2,161
18	P	N	Beecroft	315,010	15,160	6,584
19	P	S	Bellevue Hill	219,915	10,584	4,596
20	P	G	Belmore with McCallums Hill & Clemton Park	163,012	7,845	3,407
21	P	N	Belrose	434,045	20,889	9,072
22	PP	WS	Berala	128,215	6,170	2,680
23	P	N	Berowra	428,951	20,644	8,965
24	P	W	Berrima cum Moss Vale	157,854	7,597	3,299
25	P	W	Berry	110,744	5,330	2,315
26	P	G	Beverly Hills with Kingsgrove	386,661	18,608	8,081
27	P	WS	Blackheath	128,374	6,178	2,683
28	P	WS	Blacktown	503,863	24,249	10,531
29	P	G	Blakehurst	169,303	8,148	3,538
30	P	W	Bomaderry	227,567	10,952	4,756
31	PP	S	Bondi	198,590	9,557	4,151
32	P	W	Bowral	469,617	22,601	9,815
33	P	G	Brighton/Rockdale	204,008	9,818	4,264
34	P	S	Broadway	945,065	45,482	19,752
35	P	W	Bulli	338,881	16,309	7,083
36	P	S	Burwood	270,627	13,024	5,656
37	PP	G	Cabramatta	338,436	16,287	7,073
38	P	WS	Cambridge Park	157,997	7,604	3,302
39	P	W	Camden	647,920	31,182	13,542
40	P	W	Campbelltown	598,769	28,816	12,514
41	P	G	Campsie	154,228	7,422	3,223
42	P	G	Canterbury with Hurlstone Park	144,499	6,954	3,020
43	P	W	Caringbah	682,455	32,844	14,263
44	P	WS	Castle Hill	1,917,686	92,290	40,080

	Parish, Prov. P, R. Church, Prov .R. C.	Region	Parochial Unit (Note 2)	Net Operating Receipts for 2013 (Note 1)	Variable PCR charge for 2015	Church Land Acquisition Levy for 2015
45	P	S	Centennial Park	636,556	30,635	13,304
46	P	N	Chatswood	868,254	41,785	18,147
47	RC (np)	WS	Cherrybrook #	256,833	7,416	5,368
48	PP	G	Chester Hill with Sefton	52,539	2,528	1,098
49	PP	S	Clovelly	280,833	13,515	5,869
50	PP	W	Cobbitty	135,707	6,531	2,836
51	P	S	Concord & Burwood	174,631	8,404	3,650
52	PP	S	Concord North	212,169	10,211	4,434
53	P	S	Concord West			
54	P	S	Coogee	150,380	7,237	3,143
55	P	S	Cooks River	143,579	6,910	3,001
56	P	W	Corrimal	173,665	8,358	3,630
57	P	WS	Cranebrook with Castlereagh	288,341	13,877	6,026
58	P	N	Cremorne	351,174	16,900	7,340
59	P	W	Cronulla	229,429	11,041	4,795
60	P	WS	Carlingford and North Rocks	1,823,640	87,764	38,114
61	P	S	Croydon	836,339	40,249	17,479
62	PP	W	Culburra Beach	95,848	4,613	2,003
63	P	W	Dapto	689,037	33,160	14,401
64	P	S	Darling Point	585,685	28,186	12,241
65	P	S	Darling Street	537,162	25,851	11,227
66	P	N	Dee Why	208,644	10,041	4,361
67	PP	W	Denham Court	83,427	4,015	1,744
68	PP	WS	Doonside	67,803	3,263	1,417
69	P	S	Drummoyne	144,687	6,963	3,024
70	PP	G	Dulwich Hill	170,000	8,181	3,553
71	P	WS	Dundas/Telopea	373,259	17,963	7,801
72	P	WS	Dural District	417,473	20,091	8,725
73	PP	W	Eagle Vale	222,034	10,686	4,641
74	P	G	Earlwood	228,492	10,996	4,775
75	P	N	East Lindfield	285,165	13,724	5,960
76	P	S	East Sydney	654,096	31,479	13,671
77	P	S	Eastgardens	466,117	22,432	9,742
78	P	N	Eastwood	462,084	22,238	9,658
79	P	WS	Emu Plains	318,793	15,342	6,663
80	P	S	Enfield & Strathfield	539,142	25,947	11,268
81	P	W	Engadine	609,979	29,356	12,749
82	P	S	Enmore/Stammore	150,187	7,228	3,139
83	P	N	Epping	375,242	18,059	7,843
84	PP	N	Ermington	95,613	4,601	1,998
85	PP	G	Fairfield with Bossley Park	445,048	21,418	9,302
86	P	W	Fairy Meadow	301,504	14,510	6,301
87	P	W	Figtree	1,079,987	51,975	22,572
88	P	N	Forestville	328,695	15,819	6,870
89	P	N	Frenchs Forest	291,617	14,034	6,095
90	P	N	Freshwater	277,296	13,345	5,795
91	P	G	Georges Hall	131,288	6,318	2,744
92	P	W	Gerrigong	244,388	11,761	5,108
93	P	N	Gladesville	1,103,051	53,085	23,054
94	P	S	Glebe	285,138	13,722	5,959
95	PP	WS	Glenhaven	415,864	20,014	8,692
96	PP (np)	WS	Glenmore Park #	652,748	31,414	13,642
97	P	W	Glenquarie	105,500	5,077	2,205
98	P	N	Gordon	532,330	25,619	11,126
99	P	WS	Granville	193,716	9,323	4,049

	Parish, Prov. P, R. Church, Prov .R. C.	Region	Parochial Unit (Note 2)	Net Operating Receipts for 2013 (Note 1)	Variable PCR charge for 2015	Church Land Acquisition Levy for 2015
100	PP	G	Greenacre	125,194	6,025	2,617
101	P	N	Greenwich	84,818	4,082	1,773
102	P	WS	Greystanes - Merrylands West	96,495	4,644	2,017
103	PP	WS	Guilford with Villawood	244,276	11,756	5,105
104	P	W	Gymea	397,326	19,122	8,304
105	RC (np)	W	Harbour Church #	140,170	4,047	2,930
106	P	W	Helensburgh and Stanwell Park	244,363	11,760	5,107
107	P	N	Hornsby	183,454	8,829	3,834
108	PRC (np)	N	Hornsby Anglican Chinese #	152,102	4,392	3,179
109	P	N	Hornsby Heights	130,929	6,301	2,736
110	P	G	Hoxton Park	260,143	12,520	5,437
111	P	N	Hunters Hill	362,902	17,465	7,585
112	P	G	Hurstville	545,732	26,264	11,406
113	P	G	Hurstville Grove	404,197	19,452	8,448
114	P	W	Huskisson	162,743	7,832	3,401
115	P	W	Ingleburn	219,366	10,557	4,585
116	PP	W	Jamberoo	76,937	3,703	1,608
117	P	W	Jannali	687,675	33,095	14,372
118	P	W	Kangaroo Valley	105,023	5,054	2,195
119	PP	WS	Katoomba	178,518	8,591	3,731
120	P	W	Keiraville	129,844	6,249	2,714
121	P	WS	Kellyville	429,566	20,673	8,978
122	P	S	Kensington Eastlakes	210,042	10,108	4,390
123	P	W	Kiama	425,120	20,459	8,885
124	P	N	Killara	346,303	16,666	7,238
125	P	S	Kingsford	126,131	6,070	2,636
126	P	WS	Kingswood	325,929	15,686	6,812
127	P	N	Kirribilli	1,134,103	54,579	23,703
128	P	WS	Kurrajong	234,747	11,297	4,906
129	PP	G	Lakemba	67,933	3,269	1,420
130	P	WS	Lalor Park and Kings Langley	173,587	8,354	3,628
131	P	N	Lane Cove and Mowbray	540,336	26,004	11,293
132	P	N	Lavender Bay	268,785	12,935	5,618
133	P	WS	Lawson	90,328	4,347	1,888
134	P	S	Leichhardt	298,089	14,346	6,230
135	P	WS	Leura	96,829	4,660	2,024
136	P	WS	Lidcombe	249,050	11,986	5,205
137	P	N	Lindfield	632,490	30,439	13,219
138	P	WS	Lithgow	258,117	12,422	5,395
139	P	G	Liverpool	369,312	17,773	7,719
140	PP	G	Liverpool South	130,242	6,268	2,722
141	P	N	Longueville	935,629	45,028	19,555
142	PP	S	Lord Howe Island	20,905	1,006	437
143	P	WS	Lower Mountains	464,014	22,331	9,698
144	P	G	Lugarno	115,186	5,543	2,407
145	P	N	Macquarie	528,457	25,432	11,045
146	PP	S	Malabar	311,427	14,988	6,509
147	P	N	Manly	1,288,733	62,021	26,935
148	P	S	Maroubra	318,214	15,314	6,651
149	P	G	Marrickville	312,673	15,048	6,535
150	P	W	Menai	843,018	40,571	17,619
151	P	W	Menangle	150,802	7,257	3,152
152	P	WS	Merrylands	239,567	11,529	5,007
153	PP	WS	Minchinbury	269,983	12,993	5,643
154	P	W	Minto	246,204	11,849	5,146
155	P	W	Miranda	905,719	43,588	18,930

	Parish, Prov. P, R. Church, Prov .R. C.	Region	Parochial Unit (Note 2)	Net Operating Receipts for 2013 (Note 1)	Variable PCR charge for 2015	Church Land Acquisition Levy for 2015
156	P	W	Mittagong	250,168	12,039	5,229
157	P	N	Mona Vale	216,481	10,418	4,524
158	P	G	Moorebank	350,123	16,850	7,318
159	P	N	Mosman - St Clement's	748,176	36,006	15,637
160	P	N	Mosman - St Luke's	300,892	14,481	6,289
161	P	WS	Mt Druitt	129,887	6,251	2,715
162	P	WS	Mulgoa	136,133	6,551	2,845
163	P	W	Narellan	293,454	14,123	6,133
164	P	N	Naremburn/Cammeray	1,149,227	55,307	24,019
165	P	N	Narrabeen	792,374	38,134	16,561
166	P	N	Neutral Bay	447,385	21,531	9,350
167	P	N	Newport	132,230	6,364	2,764
168	P	S	Newtown with Erskineville	471,743	22,703	9,859
169	P	N	Normanhurst	524,744	25,254	10,967
170	P	N	Northern Beaches	239,261	11,515	5,001
171	P	N	North Epping	341,952	16,457	7,147
172	P	N	North Ryde	162,382	7,815	3,394
173	P	N	North Sydney	1,613,413	77,647	33,720
174	P	N	Northbridge	394,574	18,989	8,247
175	P	WS	Northmead and Winston Hills	666,998	32,100	13,940
176	P	WS	Norwest	509,885	24,539	10,657
177	P	W	Nowra	353,316	17,004	7,384
178	P	W	Oak Flats	204,662	9,849	4,277
179	P	WS	Oakhurst	242,750	11,683	5,073
180	P	G	Oatley West	151,748	7,303	3,172
181	P	G	Oatley	160,342	7,717	3,351
182	PP (np)	W	Oran Park # (previously part of South Creek)	?	?	?
183	P	S	Paddington	145,872	7,020	3,049
184	P	G	Padstow	100,308	4,827	2,096
185	P	G	Panania	362,865	17,463	7,584
186	P	WS	Parramatta	1,177,778	56,681	24,616
187	P	WS	Parramatta North with Harris Park	193,875	9,330	4,052
188	P	G	Peakhurst/Mortdale	258,294	12,431	5,398
189	P	WS	Penrith	305,061	14,681	6,376
190	P	G	Penshurst	191,022	9,193	3,992
191	P	S	Petersham	258,607	12,446	5,405
192	PRC (np)	N	Philadelphia Anglican Church #	114,215	3,298	2,387
193	P	W	Picton	86,184	4,148	1,801
194	PP	WS	Pitt Town	339,350	16,331	7,092
195	PP	W	Port Kembla	112,362	5,407	2,348
196	PP	N	Putney	12,212	588	255
197	P	N	Pymble	630,765	30,356	13,183
198	P	WS	Quakers Hill	844,249	40,630	17,645
199	P	S	Randwick	741,147	35,668	15,490
200	PP	G	Regents Park	54,081	2,603	1,130
201	PP	G	Revesby	60,127	2,894	1,257
202	P	WS	Richmond	191,831	9,232	4,009
203	PP	WS	Riverstone	118,448	5,700	2,476
204	P	G	Riverwood - Punchbowl	252,342	12,144	5,274
205	PP	W	Robertson	110,427	5,314	2,308
206	P	WS	Rooty Hill	834,743	40,173	17,446
207	PP	W	Rosemeadow	116,643	5,614	2,438
208	P	N	Roseville	794,966	38,258	16,615
209	P	N	Roseville East	215,871	10,389	4,512
210	PP	WS	Rouse Hill	244,319	11,758	5,106
211	P	N	Ryde	559,811	26,941	11,700

	Parish, Prov. P, R. Church, Prov .R. C.	Region	Parochial Unit (Note 2)	Net Operating Receipts for 2013 (Note 1)	Variable PCR charge for 2015	Church Land Acquisition Levy for 2015
212	PP	G	Sadleir	267,395	12,869	5,589
213	P	G	Sans Souci	139,170	6,698	2,909
214	P	N	Seaforth	259,639	12,495	5,426
215	P	WS	Seven Hills	245,213	11,801	5,125
216	P	W	Shellharbour	152,283	7,329	3,183
217	P	W	Shellharbour City Centre	399,642	19,233	8,353
218	PP	W	Shoalhaven Heads	136,876	6,587	2,861
219	P	G	Smithfield Road	203,890	9,812	4,261
220	P	G	South Carlton	305,438	14,699	6,384
221	P	S	South Coogee	134,373	6,467	2,808
222	P	W	South Creek	213,358	10,268	4,459
223	P	G	South Hurstville	152,837	7,355	3,194
224	P	S	South Sydney	186,103	8,956	3,890
225	P	WS	Springwood	640,482	30,824	13,386
226	PP	WS	St Clair	112,703	5,424	2,355
227	P	G	St George	150,155	7,226	3,138
228	P	G	St George North	748,249	36,010	15,638
229	P	N	St Ives	1,840,182	88,560	38,460
230	P	WS	St Marys	315,037	15,161	6,584
231	P	S	Strathfield and Homebush	281,216	13,534	5,877
232	P	S	Summer Hill	282,181	13,580	5,898
233	PP	S	Surry Hills	261,898	12,604	5,474
234	PP	W	Sussex Inlet	110,158	5,301	2,302
235	P	W	Sutherland	322,623	15,526	6,743
236	P	W	Sutton Forest	225,885	10,871	4,721
237	P	S	Sydney - Christ Church St Laurence	1,182,026	56,886	24,704
238	P	S	Sydney - Holy Trinity, Millers Point	68,311	3,288	1,428
239	P	S	Sydney - St Andrew's Cathedral	-	-	-
240	P	S	Sydney - St James, King Street	1,415,156	68,105	29,577
241	P	S	Sydney - Church Hill (York Street)	876,564	42,185	18,320
242	P	W	Sylvania	269,404	12,965	5,631
243	P	W	The Oaks	115,172	5,543	2,407
244	P	N	Thornleigh - Pennant Hills	431,852	20,783	9,026
245	P	WS	Toongabbie	392,877	18,907	8,211
246	P	N	Turrumurra	874,703	42,096	18,281
247	P	N	Turrumurra South	490,515	23,606	10,252
248	P	W	Ulladulla	249,049	11,986	5,205
249	RC (np)	S	Unichurch (Uni. NSW) #	486,105	14,036	10,160
250	P	S	Vaucluse and Rose Bay	248,570	11,963	5,195
251	P	N	Wahroonga - St Andrew's	225,471	10,851	4,712
252	P	N	Wahroonga - St Paul's	205,677	9,898	4,299
253	P	N	Waitara	198,338	9,545	4,145
254	P	S	Watsons Bay	320,872	15,442	6,706
255	P	S	Waverley	260,319	12,528	5,441
256	P	WS	Wentworth Falls	252,098	12,132	5,269
257	P	WS	Wentworthville	136,459	6,567	2,852
258	P	N	West Lindfield	191,456	9,214	4,001
259	P	WS	West Pennant Hills	803,368	38,663	16,790
260	P	N	West Pymble	636,139	30,615	13,295
261	P	N	West Ryde	389,639	18,752	8,143
262	P	W	West Wollongong	427,907	20,593	8,943
263	PP	WS	Westmead	158,898	7,647	3,321
264	P	WS	Wilberforce	312,384	15,034	6,529
265	P	N	Willoughby	524,021	25,219	10,952
266	P	N	Willoughby East	164,320	7,908	3,434
267	P	WS	Windsor	160,926	7,745	3,363

	<b>Parish, Prov. P, R. Church, Prov .R. C.</b>	<b>Region</b>	<b>Parochial Unit (Note 2)</b>	<b>Net Operating Receipts for 2013 (Note 1)</b>	<b>Variable PCR charge for 2015</b>	<b>Church Land Acquisition Levy for 2015</b>
268	P	W	Wollondilly	198,583	9,557	4,150
269	P	W	Wollongong	719,798	34,641	15,044
270	P	S	Woollahra	161,289	7,762	3,371
271	P	G	Yagoona	213,310	10,266	4,458
				<b>96,042,894</b>	<b>4,600,000</b>	<b>2,007,296</b>

**Notes**

- 1 For the 3 parishes shown in italics and shaded, 2013 Net Operating Receipts has been assumed to be unchanged from their 2012 NOR. If the 2013 audited financial statements are still outstanding at the time the actual 2015 parochial cost recovery charges are due to be invoiced later this year, the Finance Committee has approved the use of a charge for these parishes based on 2012 NOR + 20%.
- 2 The 7 parishes without property (shown marked with #) are charged a lower rate of variable PCR reflecting the absence of the component for the property insurance premium, except that Glenmore Park has volunteered to pay the variable charge percentage applicable to parishes with property.

## Responding to the Royal Commission into Institutional Responses to Child Sexual Abuse

(A progress report from the Standing Committee.)

### Purpose

1. To inform the Synod of progress in the response of this Diocese to the Royal Commission into Institutional Responses to Sexual Abuse (Commission).

### Recommendation

2. That Synod receive this report.

### Background

3. The work of the Royal Commission may be summarised as follows –

- (a) The Commission is charged with examining the sexual abuse of children in the context of institutions throughout Australia including churches and their agencies;
- (b) Unlawful or improper treatment of children that accompanied child sexual abuse may be considered by the Commission;
- (c) The Commission will identify where systems have failed to protect children and make recommendations on how to improve laws, policies and practices to prevent and better respond to child sexual abuse in institutions;
- (d) The Commission will not prosecute matters or make determinations for compensation;
- (e) The Commission will investigate allegations and refer criminal matters to the appropriate authorities for prosecution where appropriate;
- (f) The Commission will obtain information in a number of ways including by issuing notices to produce, conducting public and private hearings and releasing issues papers for public submissions;
- (g) The Commission will go for 3 years (2013 to 2015), subject to any extension of time required beyond this.

4. The Royal Commission has served notices to produce on a number of Anglican Dioceses and organisations including our own.

5. The first public hearings of the Royal Commission commenced on 16 September 2013 and there have been 16 public hearings to date. A transcript of the public hearings is available on the Commission's website: <http://www.childabuseroyalcommission.gov.au>.

6. The first Anglican organisation the subject of a public hearing was the Diocese of Grafton. The hearing began on 18 November 2013 and concluded on 27 November 2013. A report from the Commission concerning the outcomes of the public hearing is due shortly.

7. The Royal Commission released its Interim Report on 30 June 2014. In the Interim Report, the Royal Commission confirmed that –

- (a) it will require a further 2 years (until the end of 2017) to complete its work;
- (b) at this stage it is too early for the Royal Commission to make any recommendations;
- (c) only 70 public hearings will be able to be completed within the time it has allowed;
- (d) of the public hearings held to date themes include repeated abuse, multiple perpetrators, barriers to reporting abuse and adults that have systematically failed to protect children.

8. Justice Peter McClellan, Chairman of the Royal Commission, in his address to the International Men's Health Symposium in Brisbane on 12 June 2014 confirmed that the Royal Commission had –

- received allegations of abuse from people in more than 1,000 institutions;
- received the stories of more than 1,730 people in private sessions;
- offered a private session to around 1,000 further people who have been accepted for a private session;
- received 1,650 written accounts from other people who have generally not been to a private session;
- served 643 notices or summons to produce and received 400,000 documents in response;
- issued 246 notices or summonses to witnesses to appear before the Royal Commission;

- released 6 issues papers and has received more than 300 submissions in response;
  - received more than 13,500 phone calls at its call centre, and more than 5,500 pieces of correspondence;
  - referred over 160 matters to the police for investigation.
9. The Chairman advised that the Commission continues to receive requests for private sessions at the rate of 40 per week.
10. Of the complaints received (up to 12 June 2014) –
- 32% are reported to have occurred in an industrial school, training school, reformatory, orphanage or children's home;
  - 30% are reported to have occurred in a school or other educational setting;
  - 16% are reported to have occurred in a place of worship, in a church youth group or seminary;
  - 8% are reported to have occurred in out-of-home-care;
  - the remaining 14% are divided between a variety of institutions including child care, sporting groups, health care and juvenile justice.

### **The Anglican Church of Australia's response to the Royal Commission**

11. A Royal Commission Working Group (Working Group) was established by the General Synod Standing Committee (GSSC) on 13 November 2012 to co-ordinate the Anglican Church of Australia's response to the Commission and to support and advise Dioceses and associated Anglican schools and agencies in any individual response they may be called on to make to the Commission.
12. The members appointed to the Working Group were the Primate Archbishop Philip Aspinall, the General Secretary of the General Synod Mr Martin Drevikovsky, Mr Garth Blake SC, Ms Sue Harrington (lawyer SA), Mr Ken Spackman (Registrar Melbourne Diocese), Ms Helen Miller (Counsellor NSW).
13. In late 2012 the Working Group co-ordinated a submission to the Federal Government on behalf of the Anglican Church of Australia concerning the Terms of Reference for the Commission.
14. The Working Group has recommended a two-staged approach to responding and preparing for the Royal Commission involving –
- (a) Undertaking, as an initial priority, a comprehensive and urgent review of all past cases of child sexual abuse within the Anglican Church of Australia.
  - (b) As a second priority, reviewing the policies and procedures of dioceses and their associated Anglican schools and agencies for the prevention of and response to child sexual abuse.
15. The reviewing of past cases was thought to serve at least two purposes –
- (a) to ensure dioceses and associated agencies are prepared for the Commission in case they are the subject of any investigation by the Commission or are required to give evidence before the Commission, and
  - (b) to enable a complete picture to be prepared of the Anglican Church of Australia's responses to child sexual abuse in the past.
16. The Working Group has been active in co-ordinating submissions to the Royal Commission on behalf of the Anglican Church of Australia in response to Issues Papers. The Steering Committee intends to contribute to these submissions from time to time.

### **The Steering Committee**

17. The Standing Committee appointed a Steering Committee in December 2012 to oversee the response of the Diocese to the Royal Commission and to provide the Director of Professional Standards with a point of reference for undertaking this work. The current Steering Committee members are Mr Lachlan Bryant, the Rev Dr Andrew Ford, Archdeacon Kara Gilbert, Dr David Knockles, Mr Steve Lucas, Mr Doug Marr, Mr Russell Powell, the Rev Craig Roberts, Dr Robert Tong AM and the Rev Zac Veron.
18. In March 2013, the Standing Committee passed the Synod (Royal Commission) Special Application Ordinance 2013 to allocate funds for the costs and expenses of preparing for and responding to the Commission. These funds are applied at the direction of the Steering Committee, which reports to Standing Committee on a quarterly basis. The Property Trust has also contributed an equal amount of the funds.

19. The expenditure incurred by the Steering Committee to date is tracking well within budget.
20. On average the Steering Committee meets about once every 2 months or as needed.

#### **Review of past cases of the Diocese held by the Professional Standards Unit (PSU)**

21. After receiving the Working Group's advice concerning the file review a comprehensive review of all past cases concerning child sexual abuse was planned using the Case File Review form issued by the Working Group as the point of reference.
22. Sparke Helmore was chosen to complete the file review and scanning of files for a fixed price. The work was overseen by Mrs Gillian Davidson, a partner at Sparke Helmore and a member of the Standing Committee.
23. The file review was completed in June 2013. Extensive work has continued throughout 2014 as a result of the review. The key areas of work are –
  - A general review of file management practices, including for example –
    - marrying up related files;
    - implementing clear file management practices in order to more easily differentiate and isolate 'current' files, that is, files where further work is required, from 'inactive' files, that is, files where no further action is necessary at this time;
  - a further extensive review of files that require particular attention for a number of reasons such as length or notoriety, including a detailed analysis and compilation of chronologies;
  - systematically attending to any outstanding matters such as making reports to police in cases where it is unclear whether this was done or making reasonable inquiries to follow up information received where this does not appear to have been done;
  - referring files held on behalf of other Dioceses and organisations to the Diocese or organisation concerned for their records, further review if necessary, and further action if warranted;
  - making inquiries to locate further files that may be relevant to the Royal Commission including from the Diocesan archives.
24. This work has put considerable pressure on the staff and resources of the PSU and the Diocesan Contact Persons. At this stage the work is progressing slowly but well.
25. A key recommendation flowing from the file review was for a comprehensive child protection policy review to be undertaken. Professor Patrick Parkinson was engaged to undertake a review of child protection policies generally and this was completed in late March 2014. A re-write and revision of policies is now being undertaken and the Steering Committee is seeking further guidance from the Standing Committee in relation to this matter. The Safe Ministry Board has also been consulted.
26. A review of insurance was considered but ultimately determined not be feasible.

#### **Anglican schools and organisations in the Diocese**

27. From late 2012 the Steering Committee worked with both the Archbishop's office and the Director of Professional Standards to inform all relevant Anglican schools and organisations in the Diocese about the processes of the Royal Commission and to recommend schools and organisations undertake their own review of files and child protection policies and procedures. The Steering Committee has provided a Review Summary Questionnaire form to schools and organisations to obtain a high level summary of the review findings. Responses were received from a substantial majority of schools and organisations, which were generally helpful. This information will assist the Steering Committee in responding to requests from the Royal Commission. The Steering Committee has also offered assistance from the Archbishop's Media Officer, Mr Russell Powell, in relation to media enquiries.

#### **Providing completed review forms to the General Synod Working Group**

28. In 2013 the Steering Committee expressed concerns to the Working Group about its proposal for de-identified file review forms to be provided to the Working Group for it to make representations to the Royal Commission on behalf of the Anglican Church of Australia. A broad base of concern about the proposal has also been raised by other Dioceses. At this stage the Steering Committee does not anticipate providing completed forms to the Working Group.

#### **Issues Paper on Redress Schemes**

29. The most recent submission lodged by the Working Group was in response to Issues Paper 6 entitled Redress Schemes. The Steering Committee contributed to the submission and one Committee member was closely involved in the submission drafting process. While not all of the comments and

suggested changes from the Steering Committee were included in the final draft, the general thrust of the submission accorded with the views of the Steering Committee.

**Steering Committee meeting with the Royal Commission**

30. The Steering Committee has been in contact with the Royal Commission. During 2013 a meeting was held between a senior officer of the Royal Commission and two members of the Steering Committee. The meeting has enabled us to understand the approach the Commission intends to take to its task so far as our Diocese is concerned and therefore prepare and assist the Commission in the best way possible.

31. In the course of the meeting, we conveyed that the Dioceses are the chief governing units of the Anglican Church. We invited the Royal Commission to make contact with our specified diocesan personnel or Sparke Helmore for assistance in obtaining information on matters concerning our Diocese.

32. On behalf of the Steering Committee it was confirmed that the Diocese welcomes the Royal Commission and intends to fully co-operate and participate in its processes as required.

33. The Diocese has not been given notice of any future involvement in a public hearing at this stage.

For and on behalf of the Standing Committee

LACHLAN BRYANT

*Director, Professional Standards*

26 August 2014

## 4/13 Review of School Chapels and Chaplains Ordinance 1975

(A report from the Standing Committee.)

### Purpose

1. The purpose of this report is to present to the Synod an exposure draft of an ordinance to replace the *School Chapels and Chaplains Ordinance 1975* to regulate the conduct of ministry within the schools of the Diocese.

### Recommendation

2. The Standing Committee recommends that the Synod –

- (a) receive this report, and
- (b) request the Standing Committee to consult with Chaplains and Heads of Diocesan Schools in respect to the exposure draft and to bring a bill for an ordinance to the 2015 session of the Synod having regard to any comments that are received.

### Background

3. In November 2009 a sub-committee was appointed by the Standing Committee to review the *School Chapels and Chaplains Ordinance 1975* (the “1975 Ordinance”).

4. At its 2012 session, the Synod received a report from the sub-committee, *Review of the School Chapels and Chaplains Ordinance 1975* and resolved as follows –

Synod, noting the report concerning the review of the *School Chapels and Chaplains Ordinance 1975* –

- (a) encourages Synod members, school councils and the Sydney Anglican Schools Corporation to consider the report and its recommendations and to provide comments on the report to the Diocesan Secretary by 31 March 2013, and
- (b) requests the Standing Committee to bring to the 2013 session of the Synod suitable amendments to the Ordinance having regard to such comments.

5. At its 2013 session, the Synod received a further report of the same title summarising the key aspects of the submissions it had received and resolved as follows –

Synod –

- (a) notes the report summarising submissions received from Synod members, school councils and others in response to Synod resolution 1/12, and
- (b) requests the Standing Committee to appoint a committee, with appropriate representation from chaplains and heads of schools (or their nominees), to consider the submissions received with a view to bringing an ordinance to the next ordinary session of Synod to amend the *School Chapels and Chaplains Ordinance 1975*.

6. The December 2013 meeting of Standing Committee appointed a new sub-committee to progress these reports to a draft ordinance, being composed of Mr Tony Willis (Chair), Dr Bryan Cowling, Mrs Jodie Crain, the Rev Nick Foord, Mrs Sue Middlebrook and Dr David Nockles.

7. The sub-committee prepared a bill for an ordinance, which has been amended by the Standing Committee, to replace *the 1975 Ordinance*. Since this bill proposes an approach that would be a significant departure to the regulation of ministry within schools to that in the 1975 Ordinance, it is proposed that the Synod consider the bill as an exposure draft with a view to the Standing Committee consulting further with schools and bringing a bill to the 2015 session of Synod. The remainder of this report operates as an explanatory statement to the exposure draft.

### Drafting Principles

8. The sub-committee is of a view that a new ordinance must allow for a level of flexibility that caters for the wide range of ministries and models of chaplaincy that exist across our Diocesan schools. Consequently there is a need for flexibility in the role and responsibility of the Chaplain to reflect this diversity of ministry.

9. The sub-committee is of a view that the emphasis of Christian ministry in a Diocesan school is of greater importance than how this ministry is delivered. Consequently there is a fundamental change from a *Chaplains’ Ordinance* to a *School Ministry Ordinance*.

10. There was considerable debate on the sub-committee around the word *Chaplain* but it was agreed that the term is generally understood by the wider community and is the term most suited to the role carried out in our schools.

### **Extra-parochial schools**

11. Schools which are currently extra-parochial under the *School Chapels and Chaplains Ordinance 1975* will remain extra-parochial despite that Ordinance being repealed.
12. In schools which are not extra-parochial, the rector of the parish in which the school is situated remains responsible for ministry in the school. This is recognised by defining the Chaplain of such a school to be the rector. In these circumstances the provisions for the appointment, dismissal, suspension, qualifications and licensing of Chaplains under the proposed ordinance do not apply.
13. However a school which is not currently extra-parochial may apply to be declared extra-parochial where this is deemed beneficial. Any application to be declared extra-parochial following the commencement of the proposed ordinance would be made under the *Extra-Parochial Ordinance 1918*.

### **School Ministry Plan**

14. Since the emphasis within a school is as much on the Christian ministry of the School as the person leading this ministry, it is proposed that each school, whether parochial or extra-parochial, develop a *School Ministry Plan* consistent with, or integrated into, the School's Strategic Plan.
15. The ministry plan will outline the rationale and delivery of ministry within the School and is the place for the role and function of the Chaplain and ministry staff to be described.
16. The School Council/Board is to monitor the implementation of the ministry plan as part of its responsibility, including an internal review every 5 years.
17. The ministry plan will accompany an application for the Archbishop to license a Chaplain.
18. A School Ministry Plan is still required of a school which is extra-parochial irrespective of whether the school appoints a Chaplain.

### **Chaplains Appointment in extra-parochial schools**

19. The sub-committee is of a view that the Head of a school is the leader of the school community and that the Head of a school which is extra-parochial should appoint the Chaplain. However the sub-committee is also of a view that the position of Chaplain is critical to the spiritual direction of the school and therefore such appointment should have prior approval from the School Council.
20. Since the Archbishop is to license the Chaplain, the Archbishop's prior approval is required before a job offer is made. The Archbishop's licence or authority will be limited to ministry in the school context.
21. The sub-committee is of a view that a theological qualification should be required and from a theological institution approved by the Archbishop. The level of qualification may vary with the role requirement and will rest with the School concerned and the Archbishop.
22. Chaplains may be ordained or lay. This distinction will be defined by the Archbishop's licence.
23. The appointment of Assistant Chaplains primarily rests with the Head of the School concerned and the Chaplain.

### **Chapels**

24. The licensing or consecration of a building as a Chapel will rest with the School concerned and the Archbishop.

### **Repeal**

25. It is the view of the sub-committee that the *School Chapels and Chaplains Ordinance 1975* be repealed.

For and on behalf of the Standing Committee

TONY WILLIS  
*Subcommittee Chairman*

26 August 2014

## School Ministry Ordinance 2015

No , 2015

### Long Title

An Ordinance to regulate Anglican ministry within the schools of the Diocese.

The Synod of the Diocese of Sydney Ordains as follows.

### 1. Name

This Ordinance is the *School Ministry Ordinance 2015*.

### 2. Interpretation

In this Ordinance –

5 “Assistant Chaplain” means a person who is under the authority or supervision of a Chaplain or who assists a Chaplain in their duties.

“Chaplain” means –

(a) in relation to a School which is extra-parochial, a person who holds a position within the School that primarily involves the delivery of Christian ministry to the School community, and

(b) in relation to a School which is not extra-parochial, the Rector of the Parish in which the School is situated.

“Christian Education” includes the presentation of the broader curriculum within a Christian worldview as well as any separate Christian Studies curriculum.

15 “Parish” means a parish or provisional parish constituted under or recognised as such for the purposes of the Parishes Ordinance 1979.

“Ministry Plan” means the ministry plan outlined in clause 4.

“School” means any school that is constituted by or under an ordinance of the Synod of the Diocese and schools of the Sydney Anglican Schools Corporation that are within the Diocese.

20 “School Council” means the body having governance responsibility for the School.

### 3. Relationship between schools and parishes

(1) It is expected that Schools and Parishes will have a shared commitment to partnership in proclaiming the gospel of the Lord Jesus Christ to the School and Parish communities.

(2) Where it is deemed beneficial, a School Council may apply for its School to be declared extra-parochial under the *Extra-Parochial Ordinance 1918*.

(3) Clause 2 of the *Extra-Parochial Ordinance 1918* does not apply to a School which is declared to be and remains extra-parochial pursuant to that Ordinance.

### 4. School Ministry Plan

(1) Each School must have a Ministry Plan. If the School has a strategic plan, the Ministry Plan must align with or be incorporated into its strategic plan.

(2) The Ministry Plan must include, but is not limited to, the following –

(a) the School’s evangelistic mission strategy to its community including staff, students, alumni and parents,

(b) a requirement for the Head of the School to ensure that adequate Christian Education is provided across the curriculum and to all years of the School,

(c) an explanation of the methods by which Christian Education will be delivered,

(d) the staffing and other resources required to effectively implement the Ministry Plan,

(e) an outline of the roles and functions of any Chaplain(s) and Assistant Chaplain(s) that have been, or are proposed to be, appointed,

40 (f) a requirement for regular reporting to the School Council in respect to implementation of the Ministry Plan, and

- (g) the criteria against which the School's progress in achieving the Ministry Plan will be measured and assessed, coupled with a requirement for the Ministry Plan to be internally reviewed at least every five years and the results of the review and any recommendations reported to the School Council.

5 **5. Chaplains: appointment, dismissal and suspension**

- (1) The Head of any School which is extra-parochial may, with the prior approval of the School Council and the Archbishop –
- (a) appoint one or more Chaplains in and for the School, and
- (b) dismiss such Chaplains.
- 10 (2) The Head of any such School has the power to suspend a Chaplain from duties, but thereupon must immediately notify the Archbishop and the School Council of such action.

**6. Chaplains: qualifications and licensing**

(1) The Head of a School which is extra-parochial must apply to the Archbishop for a licence or authority for any person who is proposed to be a Chaplain in the School, and may only appoint a person as a Chaplain in the School if the licence or authority is granted. Applications must be accompanied by a copy of the School's Ministry Plan.

(2) The licence or authority must provide that it will cease upon the Chaplain ceasing to be a member of the staff of the School.

(3) If at any time and for any reason, a Chaplain ceases to hold the licence or authority, he or she will cease to be entitled to act as Chaplain of the School, and must not thereafter hold himself or herself out as having this title. This will not of itself have the effect of removing the person from being a member of the staff of the School.

(4) A Chaplain in a School which is extra-parochial may be an ordained or a lay person.

(5) Such a Chaplain must hold a qualification in theology, preferably a bachelor degree, commensurate with the position to which they are appointed, that is acceptable to the Archbishop.

(6) A person must not be given the title of Chaplain in a School which is extra-parochial unless the requirements of this clause have been satisfied.

**7. Assistant Chaplains**

(1) The Head of a School which is extra-parochial and has at least one Chaplain may, in consultation with the Chaplain, appoint persons to be Assistant Chaplains in and for the School, subject to a requirement that such persons hold a theological qualification that is commensurate with the functions they are to perform.

(2) Such an Assistant Chaplain may be licensed by the Archbishop upon application by the Head of the School, subject to meeting any criteria set by the Archbishop.

**8. Chapels**

(1) The Archbishop may license any building or part of a building as a Chapel in or for any School on application from the Head of the School.

(2) No building is to be licensed as a Chapel until the land on which the building is erected has been vested in the Anglican Church Property Trust Diocese of Sydney or the School Council being a body corporate or such other trustee or trustees or body corporate as may be approved by the Archbishop-in-Council and has also been provided with such things as may be requisite for the celebration of divine service according to the law and usage of the Anglican Church of Australia.

**9. Transition**

All persons who, on the date this Ordinance commences hold the position of Chaplain in a School which is extra-parochial are deemed to comply with clause 6.

**10. Repeal**

The School, Chapels and Chaplains Ordinance 1975 is repealed with effect from 1 January 2016 without affecting the validity of any action that has been taken under the terms of that ordinance.

**11. Commencement**

(1) Subject to subclause (2), this Ordinance commences on 1 January 2016.

(2) The requirements in respect to Ministry Plans in clauses 4 and 7(1) commence on 30 June 2016.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

Chairman of Committees

We Certify that this Ordinance was passed by the Synod of the Diocese of Sydney  
on 2015.

Secretaries of Synod

I Assent to this Ordinance.

Archbishop of Sydney

/ /2015

## Safe Ministry Board and Professional Standards Unit Annual Report 2013-2014

(A report from the Safe Ministry Board and Professional Standards Unit.)

### Introduction

1. This report is provided under the *Safe Ministry Ordinance 2001 (cl 17)* and the *Discipline Ordinance 2006 (cl 104)* for the period 1 July 2013 to 30 June 2014 (reporting period).
2. The Diocese of Sydney has taken a multi-faceted approach to the issue of safe ministry and child protection. Broadly speaking the policy objectives are –
  - (a) to exercise careful selection and screening of all clergy and church workers;
  - (b) to provide clear requirements and expectations of behaviour through a Code of Conduct called *Faithfulness in Service*;
  - (c) to provide regular and comprehensive training and support of all clergy and church workers;
  - (d) to make a timely and caring response to all who are affected by abuse; and
  - (e) to enact just procedures to deal with respondents and persons of risk.

### Safe Ministry Board

3. The Safe Ministry Board (SMB) was established under the *Safe Ministry Ordinance 2001*. The SMB is tasked with ensuring that safe ministry, child protection and child abuse issues are properly dealt with throughout the Diocese. This includes development and review of practices and policies in these areas. The functions of the Board are defined in clauses 5 and 6 of the Ordinance.
4. The members of the Safe Ministry Board (SMB) over the reporting period were: the Rev Dr Keith Condie (Chair), Mrs Sarah Clancy, Ms Stephanie Cole, the Rev David Coy, the Rev Steven Layson, the Rev Chris Moroney, Deaconess Pattie Mutton (resigned June 2014), the Rev Janine Steele, Dr Ruth Shatford AM, Mrs Kylie Williams, the Rev David Mears and Dr Tim Channon.
5. The SMB has met 9 times in the reporting period.

### Professional Standards Unit

6. Neil Atwood joined the PSU team on 1 March 2014 (working 2 days a week) in the newly created position of Safe Ministry Representative Liaison Officer.
7. Kerrie Newmarch continues to serve as Case Manager, Pastoral Care and Support (also referred to as PSU Chaplain), Annelie Singh as Personal Assistant and the Unit's Administrator and Lachlan Bryant as Director.
8. In practice much of the work of the PSU derives from the Safe Ministry Board, which has the overall responsibility to encourage all parishes and other units of the Diocese to be child protection aware, compliant and responsive.
9. The Director has overall responsibility for the PSU and is responsible for the day-to-day administration of the complaints and discipline procedure for clergy and church workers (*Discipline Ordinance 2006*) and the National Register (*National Register Canon 2007 Adopting Ordinance 2008*).
10. When the PSU receives a complaint alleging abuse by a member of the clergy or church worker, the Chaplain follows up and provides a caring response to complainants and victims of abuse. The Chaplain provides pastoral support and coordinates the provision of counselling in each case. The Chaplain works closely with the PSU Contact Persons.
11. The PSU undertakes screening of all clergy appointments on behalf of the Archbishop. The screening includes a Working With Children Check through the Office of the Children's Guardian (OCG) (formerly known as the NSW Commission for Children and Young People) and a National Register check. The PSU provides ongoing support and advice to office holders, parishes and organisations in this regard.
12. Anglicare's Case Manager for Pastoral Care and Assistance for Care Leavers provides a pastoral and caring response to former residents of the Church of England Homes and Sydney Anglican Mission Society Homes, who have complained of abuse or mistreatment during their time at the Homes. Michelle Knight commenced in this role in June 2012 and works from Anglicare's Parramatta offices, with the Rev Dr Andrew Ford, Director of Pastoral Care and Theology.

### **The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission)**

13. This is the subject of a separate report to the Synod. Only limited information will be provided in this Report.
14. The Royal Commission commenced in 2013 with a stated minimum duration of 3 years. The Royal Commission has been charged with examining the sexual abuse of children in the context of institutions throughout Australia including churches and their agencies.
15. The Royal Commission presents an important opportunity for the Diocese to review both past and current practices from a 'best practice' perspective.
16. A Steering Committee was appointed by Standing Committee in December 2012 to oversee the response of the Diocese to the Royal Commission and to provide the Director of the PSU with a point of reference for undertaking this work.
17. Additional funding for resources to respond to the Royal Commission has been allocated which is being administered by the Steering Committee.
18. PSU files relevant to the Royal Commission and PSU policies are being comprehensively reviewed as part of the preparations for the Royal Commission and significant work is required as a result. Professor Patrick Parkinson has been assisting with the policy review work.
19. The PSU is therefore under increased pressure to keep up to date with existing work whilst carefully managing the work required in response to the Royal Commission.
20. The Royal Commission released its Interim Report on 30 June 2014. In the Interim Report, the Royal Commission confirmed that –
- (a) it will require a further 2 years (until the end of 2017) to complete its work;
  - (b) at this stage it is too early for the Royal Commission to make any substantial recommendations;
  - (c) only 70 public hearings will be able to be completed within the time it has allowed;
  - (d) of the 13 public hearings held to date themes include repeated abuse, multiple perpetrators, barriers to reporting abuse and adults that have systematically failed to protect children;
  - (e) of the cases reported to the Commission so far –
    - 90% of perpetrators were male;
    - on average it took 22 years for victims to report abuse, with men taking longer than women;
    - on average female victims were 9 years old when they were abused;
    - on average male victims were 10 years old when they were abused.

### **Review of the Safe Ministry Ordinance 2001**

21. The SMB considered the *Safe Ministry Ordinance 2001* during the reporting period and formed the view that that some parts of the Ordinance have either never been used or have become outdated. The Ordinance has been referred to the Standing Committee for review.

### **Website**

22. The safe ministry website [www.psu.anglican.asn.au](http://www.psu.anglican.asn.au) provides access to all current policies and documents related to safe ministry, child protection and professional standards. The website provides links to other important online resources such as the New Working with Children Check, the NSW Department of Family and Community Services webpage, counselling services, contact information for other dioceses and other denominations.

23. Since the website was established in 2006, it has become somewhat dated. Work on a new PSU website and safe ministry logo is underway. It is envisioned that this website would be easy to navigate, have easy to find, simplified safe ministry documents and other resources, a special section for Safe Ministry Representatives (SMRs) with resources, (including resources shared by SMRs themselves), and perhaps a non-public forum for SMRs.

### **Archbishop's Meetings with Survivors**

24. Throughout the reporting period the Archbishop has continued to make himself available to listen to complainants and relate to them pastorally. This usually includes the making of an appropriate apology on behalf of the Church.

25. These meetings are of immense value in almost all cases and survivors are appreciative of the effort taken by the Archbishop and the PSU Chaplain to arrange them.

### Screening of Lay Workers

26. All paid lay church workers in the Diocese are required to apply for the Archbishop's licence. This involves completing a comprehensive screening and disclosure questionnaire with the applicable Regional Bishop or his representative.

27. All workers in 'child-related' employment (including licensed ministers and unpaid volunteers) must undertake working with children checks (see below for more information). In addition, it is recommended that parishes seek full disclosure of any relevant history and fully complete reference checks with prior supervisors or employers.

28. The 'prohibited persons' terminology in NSW child protection legislation was removed with the commencement of the new Working with Children Check (WWCC) on 15 June 2013. Now persons with a criminal conviction for an offence listed in Schedule 2 of the *Child Protection (Working with Children) Act 2012* (including serious sexual offences and certain other offences involving children) cannot be appointed or elected as wardens, parish councillors or parish nominators.

### The New Working With Children Check

29. The phasing in of the New Working With Children Check (WWCC) began on 15 June 2013.

30. Some important developments with the new check include: clearances must be obtained by both paid employees and volunteers in child-related work; the clearance will remain valid for 5 years; regular crosschecking with NSW police records will be undertaken; any matters of concern will result in the OCG imposing a bar; and the same clearance may be used for multiple employers.

31. All parishes should have now registered for the new WWCC.

32. The new WWCC requires –

- (a) all new persons employed after 15 June 2013 who will be in 'child-related' work (which includes licensed ministers in our context) to obtain a WWCC clearance, which must be verified by the parish (or organisation) where they are working;
- (b) all existing clergy (whether in a parish or not) and any lay workers (paid or unpaid) on the staff ministry team to obtain a clearance (the Registry and the parish are both required to verify clearances of those with the Archbishop's license) – the deadline for this was 31 March 2014 (after being extended from 31 December 2013);
- (c) all other persons who are in 'child-related' work in parishes (or organisations), new and existing, employed and voluntary, to obtain a clearance in the period 1 January 2014 to 31 March 2015 (after being extended from 31 December 2014), and parishes (or the applicable organisation) must verify those clearances.

33. Some exemptions to the new WWCC apply. In many cases careful thought is required before an exemption is relied upon. Penalties apply for non-compliance with the requirements of the new check.

34. There were 966 ministers in the Diocese who completed the WWCC before 31 March 2014 and 45 Ministers who were considered exempt due to serious health issues (e.g., being legally blind, frail, infirm or having dementia) or residing interstate.

35. The PSU is assisting parishes for implementation of the new WWCC and those with responsibility for these matters are encouraged to contact us as needed. More information about the new WWCC may be found by contacting Neil Atwood ([nta@sydney.anglican.asn.au](mailto:nta@sydney.anglican.asn.au)) or viewing the safe ministry website (<http://www.sydneyanglicansafeministry.com.au>) or the OCG WWCC website:

(<http://www.kidsguardian.nsw.gov.au/Working-with-children/working-with-children-check>)

### Screening of Ministry/Ordination Candidates, Clergy and Paid Lay Ministers

36. All candidates for ordination by the Archbishop continue to be required to complete a comprehensive screening and disclosure questionnaire. This is administered by Ministry Training and Development (MT&D).

37. Ordination/ministry candidates also continue to undergo extensive assessment and screening by way of reference-checking, general psychological testing, interviews, chaplaincy supervision reports and Moore College reports. A PSU record check and National Register check are also undertaken. The *Discipline Ordinance 2006* provides a mechanism for pre-ordination disclosure and consideration of prior sexual misconduct or abuse.

### Training of Volunteer Lay Children's and Youth Workers – Safe Ministry Essentials

38. The Diocese is a member of the National Council of Churches' Safe Church Training Agreement. There are currently 38 independent churches and other dioceses who are members of the Safe Church Training Agreement across Australia.

39. The *Safe Ministry Essentials* course remains the mandated safe ministry training for the Diocese. Recently, some gaps have been identified in the content and coverage of the course and this is currently being reviewed by the SMB – in particular the important matter of protecting vulnerable adults which is currently outside the scope of the training.

40. Over the reporting period the SMB convened a subcommittee to work towards expanding the coverage of Safe Ministry Training to include "vulnerable adults," in order for the training to no longer have almost an exclusive focus on ministry to children. This is a very important and positive step towards a more holistic approach to safe ministry in parishes across the Diocese.

41. Youthworks continues to update the *Safe Ministry Essentials* course materials and facilitates the delivery of the training across the Diocese. Over the past four years the level of funding received by Youthworks for Safe Ministry has remained static, although the costs administering and resourcing this training have increased over time. Commencing March 2013 charging was implemented to help cover the costs for Youthworks to continue to deliver the training. These charges are below the actual costs to maintain and administer the Safe Ministry training. For an explanation of these costs go to: [http://www.youthworks.net/safeministry/available\\_safe\\_ministry\\_training](http://www.youthworks.net/safeministry/available_safe_ministry_training).

42. A Video to assist in the provision of the training that was produced in 2013 to replace the *Behind Closed Doors* video has started to be used in Safe Ministry Training.

43. The SMB and PSU are thankful to Youthworks for their efforts in safe ministry training.

### Training of Ministry/Ordination Candidates and Clergy

44. Eight Safe Ministry Modules have been developed and are being taught through Moore College, Ministry Training and Development, and Youthworks College as part of their courses and programs.

45. Following the change to the *Parish Administration Ordinance* in 2013 requiring ministers in the Diocese to complete Safe Ministry Training once every three years, it was decided to include this training as part of the Diocesan triennial Faithfulness in Service Seminars. This allowed those ministers and licensed church workers who came to the Faithfulness in Service Seminars to fulfil all safe ministry training requirements for the next three years by attending the one day. Furthermore, it was decided to roll-out (albeit in a compressed fashion) an early version of the newly developed Safe Ministry Training that has been expanded to incorporate 'vulnerable persons', rather than just focusing on children.

46. The Faithfulness in Service Seminars were held in four locations across the Diocese during the first week in June 2014 from 9:00 am to 5:00 pm each day. The seminars were promoted with the theme of 'Walk in the Light', derived from Ephesians 5:1-20, the passage preached on by Archbishop Glenn Davies at the start of each seminar. Youthworks trainers, the Rev Jon Thorpe and Mrs Kylie Williams, presented Safe Ministry Training on Vulnerable People ably assisted by our Diocesan Contact Persons. Other topics included 'Using Electronic Communications Wisely in Ministry' from the Rev Nigel Fortescue, and for the afternoon session on pornography, hurt and renewal: Dr Bill Struthers, Professor of Psychology at Wheaton College, Illinois and Jason and Laura Huxley from the organisation Guilty Pleasure based in Melbourne.

47. Attendances at each of the sessions was as follows –

Date	Venue	Attendees
2 June	Dapto	214
3 June	Ryde	295
5 June	Rooty Hill	270
6 June	Annandale	266
	<b>Total</b>	<b>1045</b>

48. A DVD with the input presented on the day including the Safe Ministry module on Vulnerable People has been requested by 30 people who received an exemption prior to the Conferences being presented. These DVDs will be sent out in due course.

49. We have received 348 completed feedback surveys from participants to date. Generally the seminars appear to have been well-received by participants although numerous suggestions for how the

seminars can be improved further were also received. A 6-page article on the afternoon session concerning pornography appeared in the July edition of *Southern Cross*. In response to the feedback received we are working on making the sessions or part of them more widely available to interested persons in our parishes.

### Safe Ministry Representatives

50. The role of SMRs in parishes continues to be pivotal in ensuring parishes comply with safe ministry requirements.

51. The PSU issues a Safe Ministry folder to each SMR and each rector. The PSU provides support and assistance to SMRs by telephone and email. There continues to be a significant level of direct enquiry from parishes and support given to them. It was anticipated that this would increase due to the New Working With Children Check being phased in from 15 June 2013. Slightly more than a year later we can confirm that this has certainly been our experience.

52. The existence and importance of SMRs was underlined when the Commission for Children and Young People confirmed in late 2012 that they were undertaking an audit of religious institutions in NSW concerning compliance with the Working With Children Check. This year the Office of the Children's Guardian indicated that auditing for compliance with the new WWCC has now commenced.

53. Since 2008 it has been mandatory for each parish to nominate an SMR, although it appears there have been varying degrees of compliance with this requirement since that time. From January 2013 a position description for SMRs was provided with the Registry's January mail out with the forms for the annual returns for parishes. In 2013 SMR training was also offered and promoted for the first time since 2008.

54. During the previous reporting period, a total of 207 parishes (out of 269) had nominated a SMR to the Registry. This was noted to be an increase of 7% since the previous reporting period the year before.

55. As at time of writing, 236 parishes have provided current SMR details to the Registry. That leaves 35 parishes (out of 271) as not having an SMR according to the Registry. However, the real number is probably closer to 15-20 as our inquiries show that a number of these churches have functioning SMRs, but have not returned the paperwork with AGM papers to the Registry.

56. Since the appointment of our SMR Liaison Officer Neil Atwood on 1 March 2014 –

- (a) all listed SMRs have been contacted by email or letter (this occurred within three weeks of their appointment);
- (b) there has been further one-on-one contact by phone and email with approximately 85-100 SMRs;
- (c) regular emails to SMRs with information and updates are being planned (approximately on an eight week cycle);
- (d) one parish has been audited (at the request of that parish) for safe ministry record keeping and policy development.

57. Also being arranged are –

- (a) two further parish audits/consultations for safe ministry in the third quarter of 2014;
- (b) a training/resourcing meeting for SMRs in the Wollongong region on 16 August 2014, and one each for the Northern and Western Regions in September and October (dates yet to be finalised). The goal is to hold meetings in every region before the end of the year, and to plan more for early 2015.

58. Preliminary indications suggest that compliance with the WWCC for clergy and licensed workers has been fairly high. From a survey of SMRs with a good sample size, 85% of parishes confirmed that their clergy and licensed lay workers have had their clearance verified.

59. Despite having until 31 March 2015 to comply, it appears that there has been a high level of compliance with the WWCC for volunteers. Only 10% of parishes had not started processing, and nearly 45% indicated that they had achieved 50-100% compliance for their volunteers as at mid-July 2014.

60. At this stage, key messages for parishes are –

- (a) parishes must verify the clearances of SRE teachers that they have “employed” or authorized;
- (b) do not delay getting volunteers registered and verified through the WWCC – we do not want a last minute rush;

- (c) work with your SMR to develop local policies to effectively apply safe ministry principles to your ministries;
- (d) keep your safe ministry records up to date to help keep volunteers up to date with their training.

61. More broad based audits of parishes are planned to check for compliance with safe ministry obligations, especially as the end of the volunteer registration window draws closer.

62. We are very thankful for the SMB and Archbishop Glenn Davies for their vision and for the Standing Committee's funding of the SMR Liaison Officer role and the vitally important work that is now being done as a result. Further important work is now being done, looking at for example whether online training for SMRs is able to be developed or whether a central record keeping database for child-related employees across the Diocese is possible.

#### **The Taskforce on Resisting Pornography**

63. The Taskforce on Resisting Pornography was established by the PSU in early 2013.

64. Members of the Taskforce include: Mr Lachlan Bryant (PSU Director), the Rev Kerrie Newmarch (PSU Chaplain), the Rev Dr Keith Condie (Dean of Students Moore Theological College), the Rev Chris Moroney (MT&D), Dr Patricia Weerakoon (sexologist), Mrs Nicky Lock (counsellor and Diocesan Contact Person), the Rev Marshall Ballantine-Jones (Youthworks), Mr Greg Powell (psychologist), the Rev Dr Grenville Kent (Wesley Institute) and the Rev Patrick Jones (youth minister, Castle Hill).

65. Although its work is only in its initial stages the Taskforce will be looking at the impact pornography has on the church and what can be done about this. A particular need that has already been identified is for better education for those in our churches on this topic.

66. The Taskforce commissioned a survey of ministers, chaplains and licensed lay church workers across the Diocese concerning attitudes to pornography use among other related matters. The results are being collated. An important step in beginning to address or respond to this issue was the almost exclusive focus on this topic in the afternoon sessions at each of the 2014 Faithfulness in Service Seminars.

#### **Safe Ministry Guidelines and Other Advice**

67. The PSU continues to receive inquiries about child protection and safe ministry issues from clergy and church workers in parishes. Such calls or emails are received on a daily basis with each staff member receiving at least half a dozen inquiries per week and sometimes many more than this.

#### **Care of Survivors of Abuse and Complainants**

68. It is the role of the PSU Chaplain to care for complainants and survivors of abuse by clergy and church workers. The complaints process can be long and difficult for survivors and the Chaplain provides pastoral care and support to them throughout. This important role supplements counselling and other emergency assistance which are provided to survivors from PSU funds. A caring response is the first important step along the road of healing for survivors of abuse.

#### **Tears and Hope Service**

69. Tears and Hope is a church service held each year for survivors of abuse. This is hosted by Ed Vaughan (minister, St John's Darlinghurst) and Kerrie Newmarch (chaplain PSU). In 2013 it was held on 25 November.

#### **Pastoral Care and Assistance Scheme**

70. The Diocesan Pastoral Care and Assistance Scheme has been established to provide financial assistance to survivors of abuse to meet their needs which arise from abuse or misconduct by clergy or church workers. The Scheme is an alternative to litigation which can be a protracted and harrowing process for survivors. The Scheme includes a mechanism for external assessment if necessary.

71. Currently there are two identical schemes, one for matters that fall within the Diocesan responsibility and one for Care Leavers matters that are the responsibility of Anglicare.

72. In March 2013 the Standing Committee and Anglicare Council each respectively approved an increase in the total maximum amount payable under the applicable Scheme to \$100,000. This was due to a number of factors including the concern that the amounts in the schedule to the Scheme had not been reviewed since the Schemes were created.

73. Between 1 July 2013 and 30 June 2014 there were 7 payments under the Diocesan scheme and 7 payments were funded under the Anglicare scheme. In this period Anglicare also settled a number (8) of litigation matters brought by Care Leavers.

### **Abuse and Sexual Misconduct Complaints Protocol**

74. Since 1996 the Diocese has used an established protocol for receiving complaints and allegations of child abuse or sexual misconduct by clergy or church workers. All Contact Persons are trained counsellors who may be contacted through an abuse report line (1800 774 945 or [reportabuse@sydney.anglican.asn.au](mailto:reportabuse@sydney.anglican.asn.au)). The Contact Persons provide information and support to callers as they consider their options. The Contact Persons can then assist in the documenting and reporting of allegations or complaints of abuse or misconduct.

75. Any complainant identifying possible criminal behaviour is encouraged to make a report to the NSW Police. The Contact Person or another appropriate person from the PSU is able to assist the person in reporting the matter to the Police.

76. The five Contact Persons are Margaret Fuller (Illawarra), Nicky Lock (Northern Beaches), Sue Kreicers (Northern Suburbs), Richard Elms (Western Suburbs) and Rob Carroll (Southern Suburbs).

77. The Contact Persons meet four times a year with the Director and Chaplain for training and coordination of their roles.

### **Discipline Ordinance**

78. The process for complaints regarding misconduct or child abuse by clergy or church workers is governed by the *Discipline Ordinance 2006*. The specific offences covered in the Ordinance are: child abuse, sexual abuse, unchastity, drunkenness, neglect of ministerial duty, non-payment of just debts, disgraceful conduct, conviction of a serious criminal offence and failure to report suspected child abuse.

79. Where a complaint is received by the PSU that includes an allegation of criminal behaviour a report is made to the NSW Police if the complainant is not able to make that report.

80. Complaints are transcribed and put to the respondent (the person who is the subject of the complaint). If the respondent denies the complaint or does not admit to the substance of the complaint, the matter is investigated under the direction of the Director of the PSU. The complaint, investigation report and responses are then presented to the Professional Standards Committee for review. Where necessary, the complaint may be referred to a Tribunal and recommendations made to the Archbishop for action. For laypersons, the strongest sanction available is a prohibition order that prevents a respondent from engaging in ministry or being appointed to any role in the church. A member of the clergy may be deposed from Holy Orders. There are also conciliation provisions, lesser sanctions and other recommendations available in appropriate circumstances. The Archbishop or relevant church authority (in the case of an unlicensed lay person) considers the final recommendations and takes action as may be required. The Archbishop is entitled to enquire as to progress of matters and the Director is obliged to keep him informed.

### **Assistance for Respondents**

81. Respondents are offered a Support Person to help pastorally care for and look after them while they are going through the Discipline Ordinance process. After a respondent has been served with a complaint under the *Discipline Ordinance 2006*, they may choose to seek legal advice concerning the matter. The cost of this legal advice is reimbursed by the PSU up to a pre-approved amount.

### **Complaints**

82. The Director received 7 new complaints under the Discipline Ordinance during the reporting period.

83. The Professional Standards Committee met 4 times and considered 9 matters in the reporting period.

84. Two matters were referred to the Disciplinary Tribunal during the reporting period.

### **The Professional Standards Committee**

85. There are seven members of the Professional Standards Committee. Under the provisions of the *Discipline Ordinance 2006*, the Committee's function is to consider complaints and make recommendations to the Archbishop concerning these matters.

86. This Committee meets as required and is currently scheduled to meet every second month.

### **Parish Recovery Teams**

87. Parish Recovery Teams (PRTs) are generally available to assist parishes where allegations of abuse or misconduct by clergy or church workers have arisen. A PRT works in a parish to deal with the complex pastoral issues that arise once these matters come to light. PRTs aid those members of the parish who are affected and work towards the healing of the parish as a whole.

88. In 2007 a group of nine volunteers for our PRTs was trained by Pastor Tim Dyer of John Mark Ministries. In 2010 a new team of nine volunteers began their training in conjunction with seven of the existing volunteers and this was completed in May 2012.

89. Due to numbers of Parish Recovery Team consultants being unable to continue with PRT work due to health and other reasons, a new team of 14 volunteers is being recruited and training has commenced.

90. In the reporting period, one PRT has deployed on a new matter and one PRT was reactivated due to legal proceedings progressing or reaching finality.

#### **Cooperation with NSW Government Agencies and Other Churches**

91. The NSW Police Child Protection and Joint Investigation Squad Advisory Council meets together several times a year and the Director of the PSU continues to be a member of this Council.

92. There have been a number of meetings with representatives from the NSW Ombudsman's Office to discuss whether the application of the *Ombudsman Act NSW 1974* does or could include misconduct of certain 'employees' in the Diocese directed towards children in particular circumstances. If the Act applies, such matters would therefore need to be reported to the NSW Ombudsman's Office which would then provide a level of oversight and/or review in those cases. At the time of preparing this report, although work has begun on these matters, a final position has yet to be reached.

93. The Diocese continues to work together with other denominations in areas of safe ministry. One example of this collaborative approach is the National Council of Churches Safe Churches Sydney group. This group meets occasionally to focus on developing initiatives for churches in the area of child protection. The PSU Chaplain attends these meetings as the PSU representative.

94. The National Network of Directors of Professional Standards from Anglican Dioceses across Australia meets together each quarter. The Director of the PSU continues to be an active member of the Network. The Network meetings are crucial for continuing cooperation and communication between Professional Standards Directors across the nation. The value of the Network is the depth of experience concerning professional standards matters across the group as a whole. This also means the Network is well positioned to make important contributions to developments and initiatives in these areas and to endeavour to ensure that best practice in processes are maintained across Dioceses.

#### **Finance**

95. The SMB receives accounting reports on a monthly basis. PSU accounts are reported in the Synod Funds reports provided to members of Synod.

96. In 2013 the PSU was provided a PCR funding increase in the amount of \$11,000 per annum to pay for further ongoing work that is required following the review of the Diocesan Pastoral Care and Assistance Scheme. The recommendations following the review requiring attention include the preparation of a leaflet for the Scheme in 'plain language'. Such a leaflet would need to be more accessible, making it clear that complainants are free to seek legal advice at any point in the process, but that it is not necessary for them to have legal representation to make a claim through the Scheme, although it is a requirement that they receive legal advice before signing the Deed (up to now it has only been strongly recommended). This work is expected to commence shortly.

97. In 2013 the Standing Committee agreed to fund Tribunal matters from contingencies, which therefore removes these rather unpredictable and expensive costs from the ordinary operating budget of the PSU. This is a significant step towards greater certainty for the funding of the work of the PSU and has assisted with budgeting.

98. In the coming years it is crucial for the PSU to be adequately funded and resourced in order for the Unit to do its work properly and effectively.

#### **Conclusion**

99. As we approach the end of the second year since the Royal Commission was established, it has been a challenging but fascinating time to be working in the area of child protection and safe ministry. As work is undertaken in preparation for and in response to the Royal Commission the SMB and the PSU, together with the Steering Committee, are determined to make important and lasting improvements in these areas to help to ensure churches in our Diocese are safer places both now and into the future.

On behalf of the Safe Ministry Board and Professional Standards Unit.

THE REV DR KEITH CONDIE  
*Chair*

*Safe Ministry Board*  
16 July 2014

LACHLAN BRYANT  
*Director*

*Professional Standards Unit*  
16 July 2014

## Sale of Bishopscourt

(A report from Anglican Church Property Trust Diocese of Sydney.)

### Purpose

1. The purpose of this report is to inform the Synod about the work of the Anglican Church Property Trust Diocese of Sydney ("ACPT") taken under the *Bishopscourt Sale Ordinance 2012* (the "Ordinance") since the last meeting.

### Recommendation

2. The Synod receive this report.

### Background

3. The Ordinance authorises ACPT to sell Bishopscourt at any time within 5 years after the date of assent to the Ordinance (that is, by 17 October 2017) at such price as the Standing Committee, acting on the recommendation of the ACPT, approves by resolution.

4. Since the meeting of the Synod in 2013, the marketing of the property for sale was undertaken by the real estate agent appointed by ACPT for that purpose.

5. Bishopscourt was marketed widely, both domestically and internationally. A large number of inspections of the property by potential purchasers were undertaken. An onsite auction was held in March 2014, but this did not result in the sale of the property. Subsequent negotiations with several potential purchasers have not resulted in a sale.

6. The agency agreement remains in place and ACPT, in consultation with the Standing Committee, will continue to pursue a sale in accordance with the Ordinance.

7. The ACPT has appointed a subcommittee to oversee the sale process on behalf of ACPT. This subcommittee has liaised regularly with the subcommittee appointed by the Standing Committee to liaise with ACPT on a day to day basis about the progress of the sale.

8. ACPT reports to each meeting of the Standing Committee about progress in relation to the sale of Bishopscourt.

For and on behalf of the Anglican Church Property Trust Diocese of Sydney

GREG ELLEM

*Head of Parish Property*

22 July 2014

## Statement of Funding Principles and Priorities 2016 – 2018

### Contextual Introduction

Our Vision is to see Christ honoured in every community.

In the power of the Holy Spirit, we commit ourselves afresh to glorify God and love our neighbour by proclaiming the Lord Jesus Christ and living lives worthy of him.

As Anglicans in the Diocese of Sydney specifically we hope to proclaim the gospel of Jesus Christ to all who live in Sydney, across to Lithgow in the west, Ulladulla in the south and Berowra in the north.

As a Synod we allocate and distribute money to various ministries and organisations which both promotes gospel proclamation and provides support so as to allow ministry to occur.

As we noted in 2012, following the 2008 Global Financial Crisis there has been a significant downturn in the income available for Synod to distribute. This is not a passing moment. We, for the foreseeable future, will be dealing with much smaller distributions than had been the case in the 20 years prior to 2008.

This context both offers an opportunity and forces a fresh examination of how the financial resources of the Diocese available to Synod can be best utilised.

Much has already been achieved.

The Glebe Administration Board which manages the Diocesan Endowment has been refreshed and has reviewed its management and investment policies. The Endowment of the See Committee has achieved significant efficiencies and downsized its staff and reduced its cost structure. St Andrew's House Corporation has beneficially restructured its management of St Andrew's House and resumed distributions from 2013 onwards.

Notwithstanding all this, because of our reduced resources we have needed to limit our use of Synod and endowment funds to focus on the basic strategic needs of the Diocese. This document seeks to take that work further.

This document builds on the Statement received by Synod in 2012. A fundamental principle that shapes the document is that significant weighting is given to the long-term nature of diocesan life. There are always many current opportunities but Synod should give weight to think long term in the use of funds.

This document is a statement of financial principles and priorities for Synod in 2014 but ultimately has the longer view of the life of the Diocese.

### Summary

**Section 1** contains some biblical and theological background for Christians' use of money, and the relationship between churches.

**Section 2** explains some concepts of what it means for us to come together as a diocese, and reasons for adopting a holistic approach to the raising and spending of money for mission.

**Section 3** reminds us of our long term nature and the impact this should have on our priorities for the expenditure of money.

**Section 4** sets out the principles we should apply for our budgeting, for the raising and expenditure of money and the funding of mission.

In this document some funding expressions are used that have the following meanings –

“Parish Cost Recovery charge (PCR)” is a recovery of direct (eg, minister's superannuation) and indirect (eg, Professional Standards Unit) parish costs.

“Levy” is an ordinance decided by Synod to raise funds from parish churches for specific purposes.

“Assessment” is an ordinance decided by Synod to raise funds from parish churches for the general purposes of Synod.

## 1. Biblical and theological background

Without attempting a complete biblical and theological background to Christians’ use of money and the relationship between churches, some important principles do need rehearsing.

- (a) The material world and its wealth are part of God’s good creation for our stewardship and sufficient for our need as per the creation ordinance (Genesis 1:28-31; Matthew 6:19-34; Philippians 4:19; 2 Corinthians 9:8-11; 1 Timothy 4:1-6; 6:17-19).
- (b) We should avoid covetousness, learn contentment, be generous, provide for the disadvantaged and seek to act justly (Exodus 20:17; Matthew 23:23; Luke 3:14; Acts 20:33f; 2 Corinthians 8:8-15; 9:6-14; Ephesians 4:28; Philippians 4:12-13; Colossians 3:5).
- (c) Christians are to provide for their own needs and the needs of their families in order not to burden others or the church, so that the church can help those who are genuinely in need (2 Thessalonians 3:6ff; 1 Timothy 5:3-16).
- (d) Those who benefit from the ministry of the word should support those who, principally or otherwise, provide that ministry (1 Corinthians 9:4-14; Galatians 6:6; 1 Timothy 5:17-18).
- (e) The New Testament values the work of Christians and churches who voluntarily support gospel ministry and social concerns beyond their local community (Acts 11:27-30; 18:3-5; Philippians 4:10-20; 2 Corinthians 8).
- (f) The concern for transparent honesty and faithfulness in financial dealings (2 Corinthians 8:18-24).
- (g) There is a relationship between Christian congregations. The New Testament does not mandate any constituted structures like “parish” or “diocese”. However, congregational independence was not the first century church pattern either. Apostles maintained pastoral oversight of congregations they no longer attended (Acts 14:23; 1 Corinthians 5:3-5; 2 Corinthians 10:7-13; 11:28; 1 Timothy 3:1-13; Titus 1:5-9); churches “appointed” a brother to transport money (2 Corinthians 8:19); and there were rules and common practices that individual churches were not free to vary (1 Corinthians 4:17; 7:17; 11:16; 14:33).
- (h) The church is the product of the ministry of the gospel. This gospel ministry continues inside the church as well as outside. It is as people hear the word of life that they are regenerated by the Spirit and baptised into the one body (Ephesians 2:1-10; 4:1-6; 1 Corinthians 12:12-13; 1 Peter 1:22-2:5).

## 2. What is the Diocese?

The Diocese can be described in various ways (historical, legal, sociological), but within the framework of this document the aim of this exercise is to describe us in our totality.

People use the word “Diocese” in several different ways. It can be a geographical description either defined by boundaries (Hawkesbury to Ulladulla, Bondi to Lithgow), or by its supervision (“a district under pastoral care of a bishop” *OED*). The word is sometimes used to describe an association of churches. Sometimes this description is used of an entity that is separable from and over against those churches (eg, “The Diocese doesn’t allow us to smoke in our church hall”). Sometimes the word is used to refer to our practices as opposed to other dioceses or denominations (eg, “The Diocese of Sydney is predominantly low church/evangelical”).

For the purpose of thinking holistically, a description that captures the Diocese is “We are a network of Christian churches and other associated Christian ministries working in a particular geographical area that is parish based, episcopally led and synodically governed under an Anglican constitution”.

Our fundamental activity as a diocese is **Christian ministry**. That is what unites everything else that we are or do. Our central concern as a diocese is that ministry of the gospel that promotes the Lordship of our Saviour Jesus Christ over the lives of all people. As noted in the biblical and theological background above (1(h)) the church is the product of the ministry of the gospel. The church, unlike parish or diocese, is a biblical and theological entity, which is derived from and expresses the ministry of the gospel. The ministry of the gospel precedes, empowers and governs the church. The church further promotes, supports and extends the ministry of the gospel.

The Diocese as a whole is a **network** of Christian ministries, for Christians are called into fellowship not only with God but also with one another. Such fellowship is not limited to congregational life but also between congregations (see 1(g) above). This network is not a separate entity, “over and above” or separable from the ministries or congregations – it includes everything that is done in relationship with others. All ministries, churches, organisations and institutions are part of this network of people ministering the gospel. The network is not a static or fixed construction but is constantly growing and developing as new gospel ministries and initiatives are commenced and old ones are strengthened or sometimes come to an end. Thinking holistically takes into account the inheritance of the network even prior to the first-fleet prison chaplain preaching the gospel in Sydney to the future of the network as we await the return of our Lord.

This network of Christian ministries under consideration occurs in a **particular geographical area**. The network extends formally beyond the geographical area (eg, by sending and supporting missionaries and relating to other dioceses) and informally by the travel and relationships of its members. However, the primary focus and responsibility of Sydney Anglicans is to minister the gospel of salvation to all people living within the diocesan boundaries. This concern for the salvation of all people is reflected in many ways – cross cultural ministries, missionary support, age appropriate ministries from children and youth to seniors, phase of life ministries such as chaplaincies in schools, hospitals, universities and prisons, and organisations like Anglican Retirement Villages, Anglican Schools Corporation. In particular it has been implemented by a commitment to the parish system, whereby gospel ministry is provided for every resident.

Thus the network of Christian ministries is **parish based**. A parish, like a diocese, is a network of Christian ministries in a defined geographical area that is led by a rector and assisted by a parish council. Within this area there is at least one but usually several congregations that comprise the parish church. There is more to the ministry of the gospel than the parish church (eg, teaching SRE in schools) but in the diocesan network, responsibility for Christian ministry in a parish lies with the rector, assisted by the parish council. The parish system aims to ensure somebody is responsible to minister the gospel to every person living in the Diocese.

The network is **parish based** because by that means every person can be reached with the gospel and have a local church in which to fellowship with other believers. While the parish is central to the responsibility of bringing salvation to all people, not all the Christian ministry of the diocesan network happens within the parish system.

Some areas are nominated as “extra-parochial” because of the specialised ministry conducted within them. Some specialist churches have been founded as “recognised churches” as they seek to reach some particular people group (eg, ethnically specific or a sociological group like students). Some ministries, eg, chaplaincies, schools, university colleges, retirement villages are not church based and so function independently of, though hopefully in fellowship with, parishes. Furthermore, many ministries in the Diocese support and supplement other gospel ministries such as those of the parish or chaplaincies (eg, Moore Theological College and Youthworks College train our future gospel workers, the Secretariat provides legal support and the Professional Standards Unit deals with allegations of misconduct). Such ministries are designed to enable and sustain the gospel ministries to function without distraction. Some help directly (eg, training in child protection), while others are of a more indirect nature (eg, Anglican Education Commission’s representative work with the Department of Education). However, whether direct or indirect, they assist the individuals, parishes and organisations in the overall long-term task of the evangelisation of the population and the sustaining of Christian faith.

Though parish ministries operate with considerable independence, they do not function in isolation – nor should they (see 1(g) above). Most ministries function informally in fellowship with other parishes and many non-parochial, denominational, inter-denominational and non-denominational ministries. They are also formally linked into the diocesan network because it is **episcopally led**

**and synodically governed.** It is appropriate that the network as a whole, being a network of Christian ministry, should be led by ministers of the gospel. The Archbishop, Assistant Bishops and Archdeacons lead the Diocese by: proclaiming the gospel; protecting biblical truth throughout the Diocese and beyond; assisting, enabling and supporting others' ministries and in particular, ordaining and licensing suitable ministers.

The network as a whole is **synodically governed under an Anglican constitution.** The government of the Diocese is constituted by legislation and implemented by ordinances and elections of the Synod. The Synod governs for the good order of the network and the long term promotion of the ministry of the gospel in the Diocese as a whole. Being a parish based network, the Synod is primarily, though not completely, composed of parish representatives (two lay representatives of each parish plus the rector). The synodical government displays carefully worked out balances between authority and responsibility, uniformity and diversity. Because the network is both long term and universal, the Synod sets and maintains standards for the individual components in matters of biblical, theological, moral, or academic nature. However, decisions about how ministries are conducted are left to those responsible for their conduct.

### **3. A framework for the strategic use of our money**

We are an organisation that exists for the long term.

Our budgets should reflect this, and contain long term goals as well as short term expenditures.

Long term spending provides for the infrastructure needs for the future – for example acquisition of land for church sites – and investment in the recruiting, training and equipping of people for long term ministry.

The area that is encompassed by our Diocese is likely to see massive population growth. According to the “2/10 Towards 2050” report by Standing Committee we are likely to see approximately 2.4 million extra people living in Sydney by 2050. A substantial amount of growth is planned for what has been termed the “greenfields” areas in the south west and north west. That is, there will be new suburbs created on the fringes of Sydney, as well as the southern areas of the Wollongong urban region. They are expected to contain over 750,000 people.

This growth and these new suburbs present both a strategic opportunity and a strategic danger.

The opportunity is obvious. The danger is if we do not set aside significant funds in our budget process for people and plants we will not have the facilities to meet that opportunity.

In 2002 we established the Mission Property Fund to acquire sites and build churches in areas of population growth, and set up the Mission Property Committee (MPC) to plan and oversee this work. In 2007 we provided a capital grant to the Fund from the Diocesan Endowment. From 2013 we began to levy parishes to provide an ongoing contribution to the Fund for the acquisition of land for future church sites.

We are considering a new initiative to begin in 2016 to allocate an amount from Synod funds or levy parishes each year to provide seed funding for new congregations in greenfield areas.

After providing for those things we must have to operate effectively, we must also give priority in our spending for the recruiting, training and equipping of people.

It is proposed that we will continue to give priority in our budgeting process for this recruiting, training and equipping, principally through the work of Youthworks College; Tertiary Education Ministry; Ministry Training and Development (MT&D); and especially Moore Theological College (MTC).

As part of our commitment to sustaining high quality Special Religious Education in Government primary schools we intend to allocate funds for a new ‘SRE Office’ within Youthworks to support the delivery of SRE by volunteer teachers and parish ministers.

#### 4. Diocesan funding principles

Arising out of the above Sections, there are both general principles and specific funding principles that should guide our preparation of diocesan budgets.

##### A. General principles

- (a) As a Diocese we are a fellowship in which each individual unit shares responsibility.
- (b) We are a long term organisation that seeks to grow. Wherever possible we seek to resource growth that is both immediate and long term, especially by investing in growing ministries of the gospel and/or those activities which will enhance and promote its growth.
- (c) We need to invest strategically in long term infrastructure, both in people and plant.
- (d) The different parts of the Diocese must be appropriately accountable –
  - (i) Synod funding provided for organisations should recognise the delegated authority and –
    - (1) give appropriate responsibility and authority to the elected board,
    - (2) consider outcomes, conducting review and evaluation primarily through annual discussion with the elected representatives on the board,
    - (3) be based on information supplied in an appropriate way (a statement as to the suggested procedure is contained as an annexure to this paper).
  - (ii) Wherever possible program outcomes should be measured, either quantitatively or qualitatively.
  - (iii) Proven inefficiencies should be addressed immediately.
- (e) The Diocese will endeavour to meet all contractual commitments under secular legislation and Anglican structures, eg, General Synod assessment, financial provision for the Archbishop.

##### B. Specific funding principles

- (a) As a network of Christian ministries the Diocese as a whole needs to –
  - (i) pay for the establishment of the Archbishop's administrative support (registrar, secretarial support, office, archives);
  - (ii) select, appoint and ordain Christian workers;
  - (iii) recruit, train and equip people for ministry, through MTC, Youthworks College, MT&D, and Tertiary Education Ministry;
  - (iv) provide for a means of internal communication;
  - (v) be represented to the wider Anglican Church, to government and to the public;
  - (vi) ensure the affairs of the Province are appropriately governed;
  - (vii) provide the means by which the Archbishop can lead the Diocese; and
  - (viii) provide a cathedral.
- (b) The Diocesan network also needs to pay for Synod-determined costs –
  - (i) Annual meetings of Synod
  - (ii) Standing Committee costs
  - (iii) Secretariat (according to a service level agreement)
  - (iv) Representatives to attend General Synod
  - (v) Whatever Synod by ordinance establishes
- (c) Among parish-related costs the Diocesan network has chosen to collectively administer funding for the following –
  - (i) Employment related on-costs for clergy (superannuation, long service leave, stipend continuance insurance, and sickness and accident fund contributions)
  - (ii) Property and liability insurance program

- (iii) Risk management program
  - (iv) Professional Standards Unit
  - (v) Safe ministry program
  - (vi) Contribution to Diocesan Archives
- (d) The Diocese needs to fund any Synod-determined discretionary spending for specified ministry initiatives.
- (e) A levy on parishes of 2% of their net operating receipts should continue to be used to assist the Mission Property Committee to fund the acquisition of land for future church sites.

## Supporting information

By resolution 23/13 Synod, in order to improve the transparency of Synod funding, requested the Standing Committee to consider, as part of its review of the document "Statement of Funding Principles and Priorities for 2013" (the "Statement") –

- (a) requiring all potential recipients of Synod grants (under the Appropriation headings *Long Term Mission Commitments* and *Current Mission Activities*) to provide the Standing Committee, for the purposes of formulating the Synod budget for the next triennium, with information about their ongoing funding requirements for the triennium, including information similar to that referred to on page 21 of the Statement; and
- (b) making this information available to Synod members.

In future, some funding may be provided directly to a particular project the Standing Committee and Synod consider a high priority Mission activity, notwithstanding that no particular organisation has sought funds for this purpose. In other cases funding may be proposed for an organisation on an agreed fee-for-service basis. Furthermore, for some organisations the funding provided by Synod represents their only source of income, they have no reserves and they only undertake one activity whereas in other cases the Synod funding may represent only a small part of the recipient organisation's overall budget and activities.

Accordingly, the Standing Committee proposes that where it considers accountability and transparency would be improved by the provision of the following information it intends to ask that organisations seeking funds provide the following –

1. A detailed proposal identifying –
  - (a) the purpose for which the funds are sought,
  - (b) attempts that have or can be made to raise funds from other sources,
  - (c) the likely timing of any expenditure,
  - (d) the outcomes expected, and
  - (e) the reporting and other accountability measures by which those outcomes will be assessed.
2. A statement of any reserves held by the organisation –
  - (a) specifically for the purpose for which funds are being sought, or
  - (b) that could be made available for that purpose.

## 2/05 Stipends, Allowances and Benefits for 2015

(A report on behalf of the Standing Committee.)

### Introduction

1. By resolution 2/05, the Synod requested that the Standing Committee report its findings about stipends and allowances to the Synod each year.
2. The circular to ministers and wardens entitled "Guidelines for the Remuneration of Parish Ministry Staff for 2015" (the "Guidelines") was published in August this year and provides details of the recommended stipends, allowances and benefits for ministers, assistant ministers and lay ministers for 2015.

### Minimum Stipends

3. Stipends are generally reviewed annually and in May 2014 the Standing Committee re-affirmed that they should continue to be set at 80% of the latest available Average Weekly Earnings published by the Australian Bureau of Statistics.
4. The increase required for the minimum stipend for 2015 to reach 80% of AWE was 0.75%, so the figures for 2015 are therefore –

	% of Minister's Minimum Stipend	2015 Minimum Stipend \$ pa
Minister	100	62,317
Assistant Ministers, Lay Ministers & Youth and Children's Ministers (Theological degree or Advanced Diploma) –		
1 <sup>st</sup> and 2 <sup>nd</sup> year	85	52,969
3 <sup>rd</sup> and 4 <sup>th</sup> year	90	56,085
5 <sup>th</sup> and subsequent years	95	59,201
Youth and Children's Ministers (Diploma) –		
1 <sup>st</sup> to 3 <sup>rd</sup> year	65	40,506
4 <sup>th</sup> to 6 <sup>th</sup> year	75	46,738
7 <sup>th</sup> and subsequent years	85	52,969

### Remuneration Packaging

5. The maximum level of stipend sacrificed to a minister's expense account ("MEA") was increased to 40% from 1 January 2015, with the member of the ministry staff able to set a lower percentage. Ministry staff may sacrifice an additional amount of stipend (over and above the 40%) to increase superannuation savings. Certain expenditure can be reimbursed to the minister from the MEA. Benefits received in this way are exempt from fringe benefits tax and income tax.

### Superannuation Contributions

6. Contributions on account of superannuation for ministers and assistant ministers are part of the parish ministry costs and will be funded through the *Parochial Cost Recoveries and Church Land Acquisitions Levy Ordinance 2013*. Superannuation for lay ministers is paid separately. As for 2014, the amount of the superannuation contribution is generally set at 17% of the applicable minimum stipend, accordingly the annual contributions proposed for 2015 are –

	2015
Minister	10,594
Assistant Ministers, Lay Ministers & Youth and Children's Ministers (Theological degree or Advanced Diploma)–	
1 <sup>st</sup> to 6 <sup>th</sup> year	9,535
7 <sup>th</sup> and subsequent years	10,594
Youth and Children's Ministers (Diploma) –	
1 <sup>st</sup> to 6 <sup>th</sup> year	7,945
7 <sup>th</sup> and subsequent years	9,005

### Travelling Allowances/Benefits

7. The diocesan scale for the travelling allowance to be paid to ministers, assistant ministers, lay ministers and youth and children's ministers for 2015 is calculated in accordance with the following scale –

- (a) a fixed component of \$8,047 (2014 – \$8,047) per annum to cover depreciation, registration, insurance etc, plus

- (b) a reimbursement at the rate of \$246 (2014 – \$246) for every 1,000 kilometres travelled by the person concerned on behalf of the church or organisation which he or she serves.

8. Travel benefits may be provided through an MEA in lieu of a travel allowance in accordance with the guidelines published in the Guidelines.

#### Remuneration for Occasional Services

9. The recommended rates for clergy who take occasional services are –

	2015 \$
For 1 service	90
For 2 or more services in a half day	120
For a whole day	180

10. The following guidelines also apply in relation to remuneration for occasional services –

- (a) If the total return journey of the person taking the occasional service is 75 kilometres or less, a travelling allowance of 80 cents per kilometre should be paid (2014 – 80 cents). If further kilometres are travelled, the travel allowance should be negotiated.
- (b) Meals should be provided where necessary.
- (c) As pension benefits may be reduced according to other income received, the recommended rates are open to negotiation.
- (d) Where a minister is invited to take, or assist in, services in a church outside their parochial unit, any payment for services should be made to the parochial unit to which the minister is licensed, rather than to the minister.

#### Acting Ministers, Locum Tenens and part time pastoral workers

11. Acting Ministers, Locum Tenens and part time pastoral workers should be remunerated with reference to the relevant full time stipend and benefits on a pro-rata basis (based on a 6 day working week). The worker should also be paid a travelling allowance at the rate of 80 cents per kilometre to cover any travel costs incurred while performing their duties (2014 – 80 cents).

12. Provision for ministry related expenses, superannuation, sick, annual and long service leave (on a pro-rata basis) should be provided where appropriate and agreed upon by the worker and parish council.

13. Part time pastoral workers must generally be included under the parish's workers compensation insurance policy.

#### Male and Female Student Ministers

14. The recommended assistance for student ministers working one full day per week for 2015 is –

	% of Minister's Minimum Stipend	2015 \$ pa
Studying for a degree	12.5	7,790
Studying for a diploma	10.0	6,232

If a student minister works more than one full day then the rate payable is a pro-rata amount of the full day rate.

15. The following guidelines also apply in relation to the remuneration of student ministers –

- (a) Transport costs (whether private vehicle or public) should be paid by the parochial unit. Where extensive travel is involved consideration should be given to paying for the travel time.
- (b) Where a student minister serves for a half day in addition to a full day, account should be taken of the additional time and cost in travelling and care taken to ensure that the student minister is not disadvantaged by the additional expense.
- (c) Under the Fair Work Act 2009, since 1 July 2013 the national minimum wage for adults has been \$16.87 per hour. This means that the recommended stipend allows for no more than 9.0 hours work per week if studying for a degree, and 7.2 hours if studying for a diploma. The minimum wage will be reviewed next on 1 July 2015.
- (d) Arrangements should be made to ensure student ministers are provided with appropriate hospitality. For example, appropriate breaks should be provided especially in a long working day.
- (e) Preparation time adds to the total time incurred in service for the parochial unit and should be allowed for when the amount of payment is considered.

- (f) Superannuation contributions are payable if the remuneration exceeds \$450 per month.
- (g) Workers compensation insurance cover must be arranged by the parish.
- (h) By arrangement with the student minister the parish may agree to pay college fees (tuition, boarding, etc) on behalf of the student minister in lieu of part of the normal remuneration. If such fees are paid they should be considered an exempt fringe benefit provided -
  - (i) the student is a ministry candidate, and/or holds the Archbishop's licence, or is an independent candidate undertaking the same course of study as required for a ministry candidate, and
  - (ii) the benefit is only applied to paying fees and the provision of accommodation/board.

For and on behalf of the Standing Committee

JAMES FLAVIN

*Chair, Stipends and Allowances Committee*

26 August 2014

## Synod attendance

(A report from the Standing Committee.)

### Purpose

1. The purpose of this report is to inform the Synod about the results of a survey of Synod members designed to identify the issues that hinder their attendance at Synod sessions and to make recommendations for action designed to increase that attendance.

### Recommendations

2. The Synod receive this report.

3. The Synod consider the following motion to be moved at the forthcoming session of the Synod "by request of the Standing Committee" –

"Synod, noting the report on Synod attendance and the desirability of seeking ways to increase the attendance and participation of members at Synod sessions, agrees to trial the following arrangements for the 2<sup>nd</sup> ordinary session of the Synod in 2015 –

- (a) consistent with resolution 31/13, continue to hold the session over 5 appointed days but, pursuant to rule 1.1(2) of the business rules, commence meeting at the later time of 3.45pm on each appointed day,
- (b) schedule a shorter dinner break from 5.45 to 6.45pm on each appointed day (other than the first day),
- (c) schedule the conclusion of business at the earlier time of 9.00pm on each appointed day,
- (d) schedule all business involving the consideration of motions (other than formal and procedural motions, motions for the unopposed introduction of a proposed ordinance and motions for the reclassification of a provisional parish) after 4.30pm on each appointed day, and
- (e) keep to a minimum presentations and other business not involving the consideration of motions, including the Presidential Address and Missionary Hour, and, to the extent possible, schedule such business before 5.00pm on each appointed day,

and –

- (f) requests the Standing Committee to ensure, as far as possible, that the business it promotes to the Synod focuses on significant issues of policy and strategic direction and that it avoids promoting to the Synod technical or administrative business which can be dealt with by the Standing Committee under its delegated authority, and
- (g) requests members who are unable to attend and participate in any part of the 2<sup>nd</sup> ordinary session of the Synod in 2015 to consider, in the case of parochial ministers and parochial representatives, appointing an alternate for the session or, in the case of elected or appointed members, resigning their membership to enable the election or appointment of those who can."

### Background

4. At its meeting on 11 November 2013 the Standing Committee received a report advising details of the attendance at the 3<sup>rd</sup> session of the 49<sup>th</sup> Synod in October 2013, and, noting that Synod attendance has averaged around 60% of Synod members for the last 5 years, requested SDS to –

- (a) survey Synod members to determine issues that hinder their attendance at Synod sessions, and
- (b) recommend appropriate actions that may be taken to increase attendance by members of Synod.

5. A short web-based survey was constructed and members of the 49<sup>th</sup> Synod were sent an email invitation with the appropriate access details in March 2014. The survey was completely anonymous and asked 4 simple questions which are set out in Appendix 1.

6. A summary of the responses received from the survey is set out in Appendix 2.

7. In addition to the survey of Synod members, each of the other 22 dioceses of the Anglican Church of Australia were asked to indicate the attendance levels at their synods. The information provided by 16 dioceses is set out in Appendix 3.

### Commentary on recommendations

8. A key metric from the survey is the fact that 66% of respondents (364 from 549) indicated there was nothing that could be done to increase their attendance at Synod. Accordingly care needs to be taken in making changes aimed at increasing Synod attendance, particularly significant changes, since such changes may prejudice the “silent majority” of members whose current attendance is assumed to already be at or close to a maximum. Put another way, there is a need to avoid making changes called for by the few which result in attendance levels declining for the many.

9. However the feedback from the survey points to some changes that might be made to improve overall levels of attendance at Synod.

#### *Priority given to Synod*

10. Although members are summoned to the Synod by the Archbishop under the 1902 Constitutions, there will always be a certain proportion of members who cannot attend Synod sessions for various reasons. Family commitments, illness and work commitments affect everybody and have the potential to impact a member’s attendance despite careful planning in advance. However the survey suggests in places that greater priority might be given by some members, particularly clergy, in attending Synod sessions in response to the Archbishop’s summons. For example, in the table in paragraph 8 of Annexure 2, 49% of responding rectors nominated “work commitments” as the main reason for not attending Synod, suggesting perhaps that attending Synod is not always regarded by rectors as a work commitment. In the same table, “absent from Sydney (work or holidays)” was nominated by 10% of rectors and “too far to travel” by 7% of rectors as the main reason for not attending. This compares to corresponding figures for parish lay representatives of 4% and 1% respectively.

11. In order to address the priority issue, it is proposed that the Synod encourage/remind members who cannot attend a session to consider, where possible, standing aside to allow for the election or appointment of others who can attend. While it may not be possible or appropriate for a person who cannot attend to resign as a member of the Synod, rectors and parish lay representatives may have the option of appointing an alternate to attend a particular session in their place under the provisions of Division 2 of Part 4 and Division 5 of Part 5 of the *Synod Membership Ordinance 1995*. Further information about how to appoint an alternate can be obtained from the Diocesan Registry.

12. There may be little more the Synod can meaningfully do in this area. The episcopal team undoubtedly has a role in encouraging rectors to give an appropriate level of priority to attending Synod and rectors can encourage the selection of parish representatives who are willing and able to attend.

#### *Sitting times*

13. The most commonly nominated way to improve levels of Synod attendance involved changes to its sitting times (see paragraph 14 in Appendix 2). In particular, a significant number of members suggested a later start for each sitting day, an earlier finish and, despite Synod’s decision last year to revert to a 5 day session of Synod, fewer sitting days. Other members suggested starting earlier each day or holding sessions on the weekend.

14. There are a couple of considerations that should be taken into account in responding to this feedback. The first consideration is the caution referred to in paragraph 8 above. The second is the need to maintain a sufficient number of sitting hours for the session to adequately deal with business.

15. Having regard to these matters, it is proposed that each sitting day of the Synod in 2015 start a bit later (3.45pm instead of 3.15pm), finish a bit earlier (9.00pm instead of 9.30pm) and involve slightly shorter dinner breaks (1 hour instead of 1 ¼ hours on days 2 to 5). If these changes were adopted over a standard 5 day session, the total sitting time would drop from 24 ¾ hours to 20 ¾ hours (ie a loss of 4 hours of sitting time).

16. A number of members nominated “fewer days” as a change that would increase their attendance. One variation to the proposal would therefore be to retain a 3.15pm start time over a 4 day session (with the same earlier finishing time and shorter dinner breaks). This would result in 18 ½ hours of total sitting time. This variation is likely to have some attraction for those who are giving up work time and/or travelling distance to get to Synod. However given the preference expressed by the Synod last year for 5 sitting days, this variation has not been pursued in this report.

#### *Content and scheduling of business*

17. A number of members nominated changes that could be made to the content and scheduling of Synod business as a means of improving their attendance (see paragraph 15 of Annexure 2). In responding to this feedback it is proposed that Synod affirm its expectation that the Standing Committee will promote business to Synod which focuses on significant issues of policy and strategic direction and

will avoid promoting to Synod technical or administrative business which can be dealt with by the Standing Committee under its delegated authorities.

18. It is also proposed that business involving the consideration of substantive motions be scheduled after 4.30pm and that presentations and other business which does not involve the consideration of motions (eg. Presidential address, Missionary Hour etc) be kept to a minimum and, to the extent possible, scheduled before 5.00pm.

*Other matters*

19. A number of members suggested that speakers at Synod only be granted extensions of time for speeches in exceptional circumstances, rather than as a matter of course. As the extension of a speaker's time is already a matter for the Synod to decide on a case-by-case basis, no proposal is made in this report about this matter. However it is helpful to be reminded that speakers know the time limits in advance and therefore for debates on notice it is reasonable to expect speakers to prepare speeches within those limits.

20. It is not proposed to pick up suggestions that the Synod meeting place be moved to the geographic centre of the Diocese (eg Parramatta) (see paragraph 16 of Appendix 20). This is largely because of the administrative challenges (and costs) in supporting the Synod at a distance from St Andrew's House. However to assist members travelling distance to attend Synod, affordable accommodation near the Synod venue is being explored. Any relevant information will be conveyed to members for the 2014 session.

21. Finally, while comments in relation to car parking have been noted (see paragraph 17 of Appendix 2), it is not proposed that any additional action be taken in relation to car parking. Each year discussions are held with the operator of the St Andrew's House Car Park to put in place arrangements to ensure that the rates offered by the operator are discounted to the extent possible and that members can exit the car park as soon as possible at the end of the evening. However the feedback received from members about car parking arrangements will be conveyed to the car park operator in discussions for the 2014 session.

For and on behalf of the Standing Committee

ROBERT WICKS  
*Diocesan Secretary*

26 June 2014

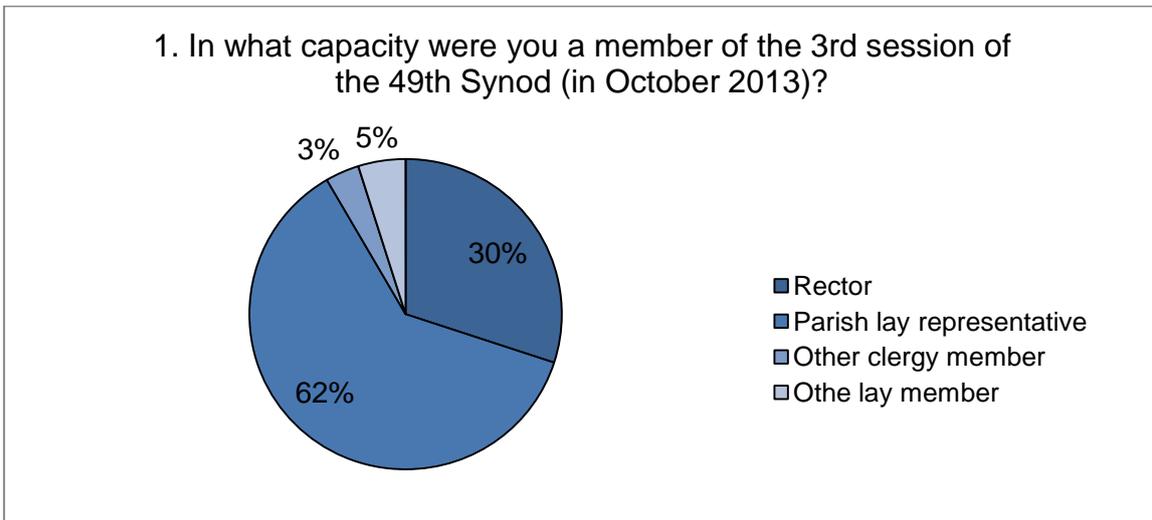
## Survey questions

1	In what capacity were you a member of the 3 <sup>rd</sup> session of the 49 <sup>th</sup> Synod (in October 2013)?	<ul style="list-style-type: none"> <li>• Rector</li> <li>• Parish lay representative</li> <li>• Other clergy member</li> <li>• Other lay member</li> </ul>
2	Which sittings of the last session of Synod in October 2013 did you attend?	<ul style="list-style-type: none"> <li>• Monday 14 October – afternoon</li> <li>• Monday 14 October – evening</li> <li>• Tuesday 15 October – afternoon</li> <li>• Tuesday 15 October – evening</li> <li>• Wednesday 16 October – afternoon</li> <li>• Wednesday 16 October – evening</li> </ul>
3	If you did not attend all sittings of the last session of Synod, what was your main reason for not attending?	<ul style="list-style-type: none"> <li>• Work commitments</li> <li>• Family/carer commitments</li> <li>• Poor health</li> <li>• Absent from Sydney (work or holidays)</li> <li>• Too far to travel</li> <li>• Too difficult to participate</li> <li>• Business not relevant/interesting</li> <li>• Other</li> </ul>
	Please elaborate on your main reason for not attending.	<i>[free text]</i>
4	Are there any changes which could be made to the Synod which would increase your attendance in the future?	Yes / No
	Please explain.	<i>[free text]</i>

**Summary of responses from survey**

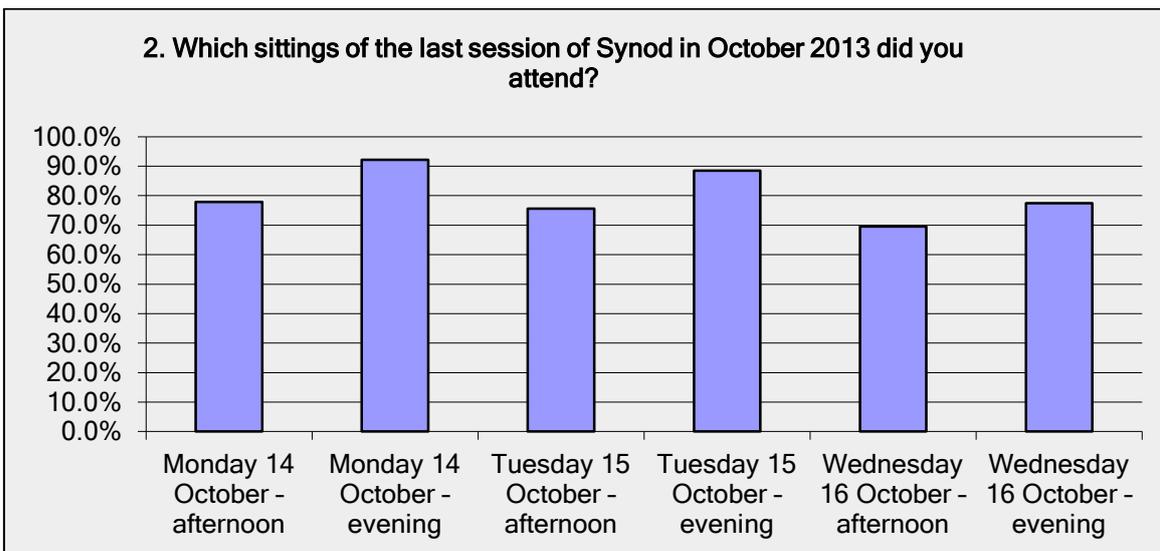
*Question 1 - Membership*

- 549 members (68% of the 805 members of the 3<sup>rd</sup> session of the 49<sup>th</sup> Synod) responded to the survey. The response rate was almost the same among clergy as for lay members.
- The proportion of total responses coming from each category of membership is shown in the following chart.



*Question 2 - Attendance*

- 512 members responded to question 2. These responses show attendance declined slightly over the 3 days, with evening sessions better attended than afternoons. With the count of actual attendance recorded during Synod ranging from 526 (Monday afternoon) and 522 (Tuesday evening) to 421 (Wednesday afternoon) it is likely that a large proportion of the 37 members who chose not to complete this question, and the further 256 who did not respond to the survey, did not attend the 2013 session of Synod.
- The pattern of attendance amongst the 512 members who responded to this question is shown in the graph below –

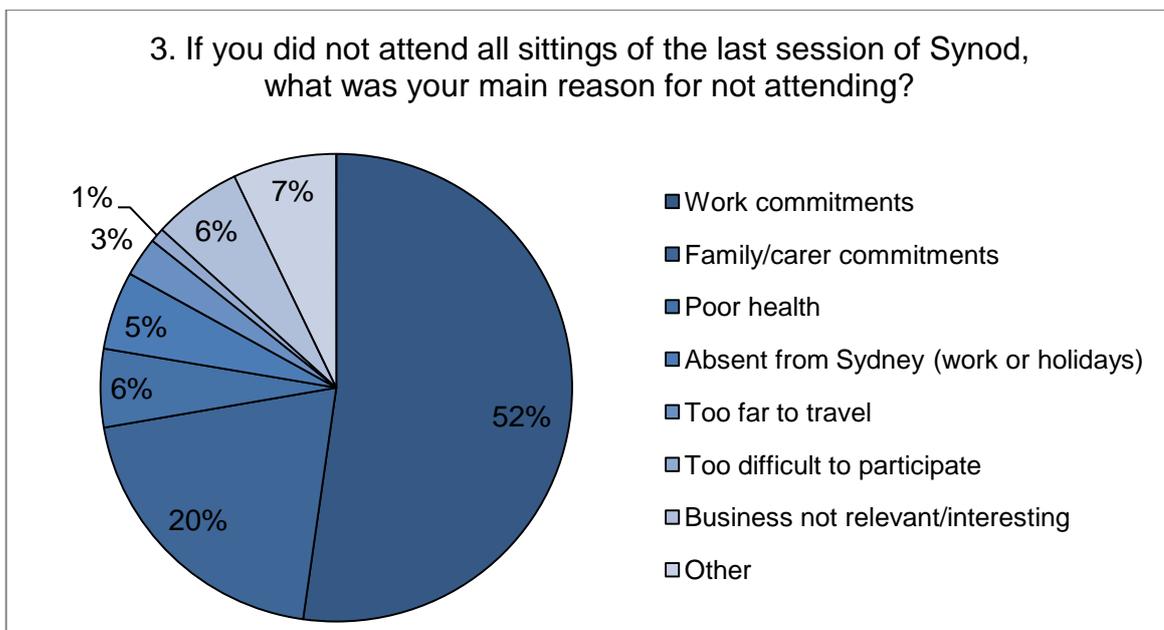


**Question 3 - Reasons**

5. "Work commitments" was the main reason given for not attending, followed by "Family/carer commitments". Together these 2 account for between two thirds and three quarters of the specific reasons given for non attendance.

6. Interestingly, only 295 respondents (54%) chose to answer this question at all. Presumably in most cases this was because the question asked "If you did not attend ... what was your main reason for not attending?" and so if the person attended all the sittings of the 2013 session of Synod they were not required to answer this question.

7. In summary, the reasons given for not attending are shown in the following chart –



8. The following table compares the main reasons given by rectors and parish lay representatives for not attending one or more particular sittings of the last Synod –

	Percentage of respondents for whom this is the main reason for not attending		
	Rectors (88)	Parish Lay Representatives (185)	Total
Work commitments	49%	54%	52%
Family/carer commitments	18%	20%	20%
Poor health	1%	6%	6%
Absent from Sydney (work or holidays)	10%	4%	5%
Too far to travel	7%	1%	3%
Too difficult to participate	0%	2%	1%
Business not relevant/interesting	8%	5%	6%
Other	7%	8%	7%

9. The main variations between rectors and parish lay representatives is that "Poor health" is more of an issue for parish lay representatives, with more rectors stating "Absent from Sydney" and "Too far to travel" as their main reasons for not attending.

10. In response to the invitation in this question to elaborate on your main reason for not attending, 151 people provided a further short explanation. Broadly speaking the range of these comments follows a

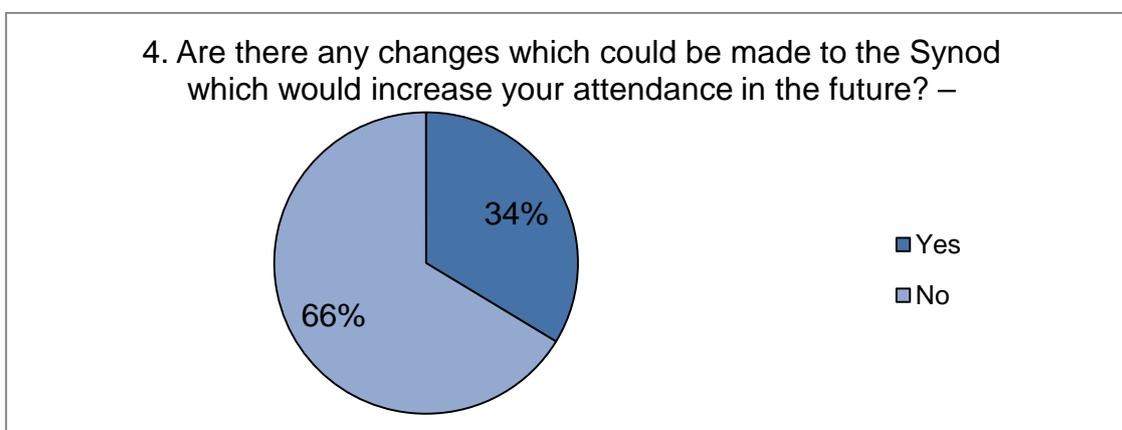
similar pattern to the results in the table above with the main factors being work commitments 33%, family/carer commitments = 17%, poor health = 8%, too far to travel = 7%, business not relevant/interesting = 6%, absent = 6%. However, in addition to these reasons, the comments received from members identified a number of other issues, in particular –

- (a) other (generally unidentified) matters that the individual prioritised ahead of attendance at Synod, often describing them as ‘prior’ commitments = 12%,
- (b) local church commitments = 6%,
- (c) the sittings extend too late into the evening, meaning Synod members are too tired and/or their ‘work’ suffers = 2%, and
- (d) the dinner break is lost time for those arriving from work around 5:30 – 6:00pm = 2%.

11. The full text of all 151 comments received is available to members on request.

#### Question 4 – Possible changes

12. Almost exactly 2/3rds (66.3%) of respondents indicated there were no changes that could be made which would increase their attendance in future. However, 185 respondents indicated that some changes could make a difference.



13. Interestingly, a total of 273 members provided a comment in response to the invitation to explain their response to this question, which means that 88 of those comments were from members who said no change would increase their attendance. Some of the comments provided information which cannot be used to formulate possible changes (eg, “I am no longer a rep”, “no comment”, “one-off situation, normally I can get to all sessions”, “avoid my children’s birthdays”, “I come when I am able”, “set priority on dates of meetings”). Nevertheless, it is interesting to identify the common themes and suggestions that were evident in the remaining responses.

14. By far the most common aspect of Synod arrangements that people commented affected their attendance has to do with the scheduled sitting times of Synod. The comments received can be categorised as follows –

- Later start – 53 people (22%) thought a later start would be helpful, particularly for those with work commitments, most suggesting 4:00pm or 4:30pm but some favouring evenings only.
- Earlier finish – 32 people (13%) thought an earlier finishing time would be a big help, particularly for those with further to travel and/or early start for work the next day.
- Fewer days – 27 people (11%) favoured fewer meeting days, often noting that having the whole session in one week would make it easier to arrange time off work.
- Weekend – 12 people (5%) suggested part or all of the session be held on a Saturday or Sunday.
- Earlier start – 7 people (3%) would rather the session started earlier in the afternoon, and another 4 people said they would prefer morning sittings rather than evenings.
- Meal breaks – 7 people (3%) suggested shorter meal breaks to allow more time in the evening sitting.

15. The content and scheduling of Synod business was seen by quite a number of people as a factor discouraging attendance. The comments covered quite a range of issues, but could be categorised as follows –

- Debate over presentations – 21 people (9%) thought relatively more priority should be given to the debates leading to decisions, rather than what was seen as over-lengthy presentations or material that was really for information only (mission hour, change of parish status, Bible studies, interviews, services).
- Policy over procedure – 17 people (7%) suggested proportionally more time should be devoted to the major policy issues and strategic direction initiatives, with the more procedural/administrative matters delegated to Standing Committee or handled in a sort of ‘pre-sitting’ time of Synod (which could allow for a later start time or fewer sitting days for the main business of Synod).
- Streamlined debate – 13 people (6%) wanted some change to the process by which Synod considers the matter brought before it. Of those 7 people (3%) wanted the discussion of some topics shortened, 4 people (2%) suggested not allowing extensions of time for the speaker, and 2 people (1%) asked that the process be better explained or made simpler.

16. 19 people (8%) made suggestions relating to the location of Synod, suggesting having meetings closer to the geographic centre of the Diocese (Parramatta or Liverpool/Campbelltown were most frequently mentioned) would reduce the travel time from the west and south and lead to an increased attendance. A few people also asked that consideration be given to arranging billets or paying for accommodation for those for whom the long travel time made it necessary to stay near the city during Synod.

17. 13 people (5%) indicated that car parking arrangements impact their attendance. The most frequent concern was the time taken to exit the car park at the end of the evening sitting made it an even later night for those with a long way to travel. The day-time parking cost was also a concern to some, being seen as a disincentive to attending the afternoon sittings of Synod.

18. There were a few suggestions relating to the use of technology as an alternative to physical attendance with 3 people suggesting live video streaming the sittings to a suitable venue in Wollongong and another person proposing the option of participation via a web link.

19. The full text of all 273 comments received is available to members on request.

### Attendance levels at other diocesan synods

The information in this table was compiled from responses received from 16 of the other 22 dioceses to an email sent by the Diocesan Secretary on 22 May 2014 asking for an estimate of member attendance levels at their synods.

Diocese	Total number of Synod members	% member attendance levels
Sydney, NSW	805 (2013)	59.5% (2013) 60.8% (2012) 61.6% (2011) 60.8% (2010) 60.8% (2009)
Adelaide, SA	300	85% Clergy 90% Laity
Armidale, NSW	150	95%
Ballarat, VIC	–	95%
Bathurst, NSW	–	–
Bendigo, VIC	–	97%
Brisbane, QLD	–	75% Clergy 85% Laity
Bunbury, WA	102	95%
Canberra and Goulburn	–	–
Gippsland, VIC	130	92%
Grafton, NSW	–	89-93%
Melbourne, VIC	–	62% Clergy 76% Laity
Newcastle, NSW	300	90%
Northern Territory	85	90%
North Queensland, QLD	–	–
North West Australia, WA	–	92%
Perth, WA	420	91%
Riverina, NSW	–	–
Rockhampton, QLD	90	95%
Tasmania	174	93%
The Murray, SA	–	–
Wangaratta, VIC	–	–
Willochra, SA	105	98%

## 35/09 Tertiary Education Ministry Oversight Committee (TEMOC)

(A report from the Tertiary Education Ministry Oversight Committee.)

1. The Tertiary Education Ministry Oversight Committee (TEMOC) was formed in 2009 and is responsible for the distribution of funds allocated by Synod to ministries operating in Universities and Vocational Education and Training (VET) institutions. The Committee is committed to supporting the development of evangelical tertiary ministries within the Diocese in accordance with the statement of vision, strategic priorities and core principles detailed in its report to the Synod in 2010 (refer to Synod Book 2010).

2. These are summarised below –

- (a) Vision (paragraph 9, Synod Book 2010): Our vision is to grow Bible-based ministries on each university and Vocational and Education and Training (VET) campus in the Diocese that are:
  - (i) evangelistic,
  - (ii) preparing students for a life-time of Christian service, and
  - (iii) particularly concerned to raise up future generations of vocational Christian ministers.
- (b) Core Principles (paragraph 10, Synod Book 2010): In addition to the values in the vision above, we want these university and VET campus ministries to:
  - (i) serve churches in partnership through training and equipping their members,
  - (ii) as far as possible, work as a single united team on campus,
  - (iii) develop effective ministry across the whole campus, including segments such as commuters, international students, postgraduates, staff and residents,
  - (iv) have (Anglican) chaplains who will serve in these ministries, be recognized by the campus administration and advocate for the ministry.
- (c) Funding Model (Paragraph 11, Synod Book 2010): TEMOC funds are:
  - (i) to help initiate new work on tertiary education campuses,
  - (ii) to help resource campus based ministry traineeships to encourage the raising up of vocational Christian workers,
  - (iii) not to be the sole funding source for any campus ministry.

Funds are available under two schemes (*with the quantum of each grant declining over a 2 to 4 year trajectory*):

  - (i) theologically trained workers,
  - (ii) ministry traineeships

3. The members of the Committee are Professor Christopher Bellenger (Chair), the Rev Patrick Benn, the Rev Richard Blight (Secretary), the Rev Robert Copland, Dr Leela Crejar (resigned during year), Dr Sara Denize, the Rev Stephen Gooch, Mrs Catherine Miers (elected during the year), Dr Boyo Ockinga, and Canon Mark Williamson.

4. Following the 2013 Synod, the Committee (having met on four occasions) has –

- (a) reviewed reports from 2013 grant recipients.
- (b) confirmed funding allocations for 2014,
- (c) called for and assessed grant applications for 2015,
- (d) undertaken a consultation on VET/TAFE ministry and produced a final draft report on possible approaches to VET/TAFE ministry.

5. The Committee was responsible for overseeing the distribution of the Synod allocation of \$100,000 to support Tertiary ministry in 2014. Final grant applications were received for sixteen projects to the value of \$203,000. The committee considered each of the applications in accordance with the statement of vision, strategic priorities and core principles.

6. In 2014 a total of ten grants were made. Eight of the grants were distributed to support ministry on four University campuses and one TAFE campus, plus two grants supporting cross-campus ministries in the Broadway education precinct. All University projects were initiated by Anglican ministries in consultation with evangelical student groups on campus. VET positions were initiated by the Inter-College Christian Fellowship which has been formed to promote and support such ministry. Grants have assisted in the creation of two new ministry positions in 2014 and several continue support for positions that are less than three years old. Two of the grants support women's ministers, two specifically support work among international students and one supports a ministry trainee.

7. Funds were distributed as follows –

<b>Tertiary Focus</b>	<b>Funds Recipient</b>	<b>Scheme</b>	<b>Ministry Focus</b>	<b>Project Contact</b>	<b>GRANT 2014</b>
Cross Institutional	St Barnabas Anglican Church Broadway	Theologically Trained Worker	Residential worker	Rev Mike Paget	\$10,000
Cross Institutional	St Barnabas Anglican Church Broadway	Theologically Trained Worker	International worker	Rev Mike Paget	\$10,000
Ultimo TAFE	ICCF - Anglican TAFE Ministries	Theologically Trained Worker	TAFE worker	Rev Patrick Benn	\$8,500
University of Wollongong	AFES - Wollongong University	Ministry Trainee	Residential college ministry	Rev Rob Copland	\$5,000
University of Wollongong	AFES - Wollongong University	Theologically Trained Worker	Muslim worker	Rev Rob Copland	\$5,000
UWS Bankstown	St John's Anglican Church, Padstow (UWS Bankstown)	Theologically Trained Worker	Chaplain	Rev Richard Blight	\$5,000
UWS Bankstown	AFES – UWS Bankstown	Theologically Trained Worker	Women's Worker	Rev Richard Blight	\$25,000
UWS Penrith	St. Philip's Anglican Church, Kingswood (UWS Penrith)	Theologically Trained Worker	Chaplain	Rev Steve Gooch	\$15,000
UWS Penrith / Hawkesbury	AFES- UWS Penrith	Theologically Trained Worker	Women's worker	Rev Steve Gooch	\$6,500
UWS Parramatta	AFES – UWS Parramatta	Theologically Trained Worker	Staffworker	Sonny Singh / Rev Peter Hughes	\$10,000
<b>TOTAL FUNDS</b>					<b>\$100,000</b>

8. Several members of the Committee have direct involvement in student ministry on campus and from time to time are grant applicants. The Committee maintains a Conflict of Interest Register and any member with a conflict of interest does not advocate for their application in committee or vote on its approval.

9. The Committee considered reports on all the projects funded in 2014. The reports confirmed the application of funds to the specified project and provided details of outcomes achieved from grant funding.

10. Following the discussion paper 'Anglican ministry to the TAFE and CVET sector' published in conjunction with the 2013 TEMOC report, and in response to motion 5/13 of the 2013 Synod, TEMOC conducted a consultation on TAFE & VET ministry at Parramatta in May. The committee considered the outcomes of the consultation and these contributed to a revision of the discussion paper into a final draft Diocesan policy on TAFE and VET ministry (see Appendix).

11. The committee has called for applications for new and continuing projects in 2015. A total of ten applications requesting \$225,000 have been received for the first round review. Four applications are for new projects. Final decisions on grants will be made following the October meeting of Synod.

For and on behalf of the Tertiary Education Ministry Oversight Committee

PROFESSOR CHRISTOPHER R BELLENGER

*Chairman*

12 September 2014

## TEMOC Report to Synod 2014 on TAFE and CVET Ministry

(An appendix to the Tertiary Education Ministry Oversight Committee Report.)

### Motion 5/13 Tertiary Education Ministry Oversight Committee

*Synod –*

- (a) *receives the annual report of the Tertiary Education Ministry Oversight Committee (“TEMOC”), to which is appended a discussion paper about Anglican ministry to the TAFE and CVET sector, and*
- (b) *notes that TEMOC has requested that parishes and organisations respond to the Discussion Paper by 30 March 2014, and*
- (c) *notes that TEMOC will host a consultation day on VET ministry in April 2014, with a view to bringing specific proposal to the Synod in 2014 for the direction and funding of this work.*

As proposed in Motion 5/13 of the 2013 Synod, TEMOC conducted an online survey of all parish senior ministers and subsequently held a consultation with interested persons at St John’s Church Hall, Parramatta on Wednesday 7 May, 2014.

The results of the response to the survey are found in Table 1.

Attendance at the consultation included members of TEMOC and 4 other persons.

The following synthesis of matters arising from the survey, the consultation and further discussion amongst TEMOC members is offered to provide further information, clarification and guidance on the way ahead with CVET ministry in the Diocese.

#### **CVET is a large ‘unreached tribe’ but -**

#### **Heterogeneity is the dominant feature of VET enterprises**

There are hugely different work areas – IT, hospitality and nursing are all more ‘representative’ of the current CVET than trades courses.

Privatisation is occurring rapidly. This is causing significant upheaval within TAFE as the current State government seeks to rationalize and privatize services and facilities.

The great majority of teaching staff are casual and part-time and many work on several different sites so therefore their ‘free’ time on campus is severely limited.

Courses are often of short duration although within the trades teaching there are still some opportunities for staff to interact with a class of students over a three-year period.

There is no ‘alumni’ tradition in CVET and thus currently zero alumni financial support for evangelical ministry on campus.

Despite controls imposed by TAFE Institutes there are still opportunities for Christian staff to identify themselves as such and use relational contexts for other-person centered ministry. In the trade skills courses there are also opportunities to visit apprentices working on building sites.

#### **A way forward**

Having considered possible ways forward TEMOC proposes that there be a differential approach. This recognizes that there is no ‘one size fits all’ approach, neither is there a homogenous model that can be ‘contextualised’ into different settings. At present, much of the ministry to the VET sector is cross-cultural (in ethnic and socio-economic terms).

However TEMOC recommends that some of the following be tried on a parish, mission area, and regional scale. Possible ministry approaches include –

##### **1. Local evangelism training**

A parish identifies specific VET staff/students in their congregation. Intentional time and encouragement is given by a suitably trained person to develop the staff/students evangelistic endeavors and encourages/supports them to spend additional time on campus. The parish regularly prays for and celebrates the evangelistic opportunities of these particular congregational members.

**2. Ministry apprentice**

A parish or an organization funds and appoints ministry apprentices who undertake a TAFE course and spend up to 1 day per week on the TAFE campus. Intentional time is spent fostering relationships and prayerfully seeking evangelistic opportunities with classmates. The ministry trainers would need to be skilled in specifically assisting with trainee development in this area.

**3. Existing ministry staff time**

A parish frees one of their staff to have a developing chaplaincy-type role with their local TAFE for 1 day per week. They could support sympathetic TAFE staff (not unlike the equivalent of a CBF work-place based model) and encourage them in their work /ministry.

**4. Evangelism training for blue-collar leadership**

Work is undertaken to build up the training of particular blue-collar workers so they can then be used to train and pastor others who will undertake evangelism locally. MTS is currently offering this.

**5. External Chaplaincy**

A designated chaplain/campus worker is appointed, with the good will of an individual TAFE Institute, by TEMOC/ICCF/Mission Area/ other. This opportunity currently only exists at Ultimo TAFE.

**6. VET Staff**

Building on from 'Local evangelism training', the current TAFE staff or casual teachers conduct a personal Christian ministry in their free time or are part funded to do so. Persons involved in this option would benefit from networking of VET staff across parishes and areas. This could be reflected in a bi-annual gathering for encouragement, celebration and training. Conversations ought to be carried out with ENC (Evangelism and New Churches) in this regard as they develop their work-based chaplaincy concept.

**7. Industry Chaplaincy**

Persons working in industries that employ apprentices and other VET trained persons use their free time for ministry to such. This captures those exiting the VET sector as they transition into full-time work (having completed their course). In many cases these people also have good access 'back-into' the TAFE campuses for teaching, visitation, etc.

**8. Infrastructure support**

Central funds may be used to offer a website for VET Christian staff and students and to advertise and hold an annual meeting to share insights, successes and challenges.

**Recommendation**

TEMOC proposes that parishes and mission areas consider trialing one or more of these initiatives and sharing the outcomes with TEMOC. Experiences gained from an initial (say) 10 projects over a 2-3 year period would provide the basis for a refinement of strategy to be implemented in the future. TEMOC would undertake to collate findings and report back to Synod in 2018. Parishes and mission areas undertaking such initiatives would be eligible to apply for TEMOC grants.

Attachment: Online survey results

TEMOC  
September 2014

Table 1

## Responses to TEMOC Online Survey prior to Consultation Evening (May 2014)

Please list any ministries in TAFE/VET that you are aware of in your parish/area/region	Do you have any comment/advice with regard to the proposals made in our Synod discussion paper: Anglican ministry to TAFE and VET sector?	If partial funding of the type currently available for undeveloped evangelistic ministry (that is, no greater than 50% and declining to zero over 4 years) was available is there 1 project that a specific parish in your Area would be keen to initiate?	If you are a Mission Area Leader: could you please advise the name and contact details for say 2 people who will attend the consultation from your Area	Any other comments	The church you attend
Mt Druitt/Nirimba		Mt Druitt			Oakhurst
North Sydney TAFE 2 campuses				Offer to take any report on discussion to Mission Area meeting	Greenwich
Hornsby TAFE	No	No			Waitara
Randwick	No	No			Unichurch
Nil	No	Nil			Roseville
Hornsby TAFE	This is an important population area we are not currently seeming to reach well – it is one of our desert/tribes; and we need to work out whether we will engage properly with them or not at all				Berowra
Blue Collar MTS	Not yet				Lower Mountains
None	No	Yes		Love to start something at Shellharbour TAFE for ministry to blue-collars	Oak Flats
None	Nothing to add	Padstow TAFE maybe			Padstow
				New to Synod	CBTB
					Menangle
					Turramurra

Please list any ministries in TAFE/VET that you are aware of in your parish/area/region	Do you have any comment/advice with regard to the proposals made in our Synod discussion paper: Anglican ministry to TAFE and VET sector?	If partial funding of the type currently available for undeveloped evangelistic ministry (that is, no greater than 50% and declining to zero over 4 years) was available is there 1 project that a specific parish in your Area would be keen to initiate?	If you are a Mission Area Leader: could you please advise the name and contact details for say 2 people who will attend the consultation from your Area	Any other comments	The church you attend
Annual contact by Gideons to TAFE in Shoalhaven	I support proposed work to the TAFE and VET sector	No TAFE or VET in our parish		This is a most difficult area to establish as students may only attend for as little as 1 day or 1 session per week	Gerringong
Not aware of any	There has been an unaddressed need for on-campus ministry in this sector, at least in the past. It probably requires a rather different approach to university on-campus ministry, both because of the demographic of the students and the fact that many attend classes whilst also working. This gives them less discretionary time than is generally the case for full time university students. It does not however, alter their level of need.	Not an ideal time, as we are in an interregnum between rectors			Wentworth Falls
MTS Training Institute is a VET institute training at Fairfield Anglican Church equipping Blue Collar Christians to be leaders and disciple makers	The evangelism and training of Blue Collar Christians will never effectively occur in TAFE or secular VET institutions as it has in universities. Instead we need to do a better job of training and equipping current Blue Collar Christians to witness in their work places and build each other up in their churches. That is the goal of the MTS Blue Collar Ministry Apprenticeship.				Fairfield with Bossley Park

## Georges River Regional Council Annual Report for 2013

(A report from the Georges River Regional Council.)

### Introduction

1. The Georges River Regional Council continues to face cross cultural issues more so than any other region in the diocese of Sydney with 41% of the population having a Non-English speaking background (NESB).
2. There are over 1 million people living in the Georges River region and 41 parishes serving the people.

### Membership

3. As the region is so multi cultural we have been recruiting people with a multi cultural background and interest to serve on the council.
4. The membership of the Georges River Regional Council consisted of –
  - Archdeacon Ian Cox
  - The Reverend Christian Anderson
  - Mrs Lisa Bateup
  - The Reverend Manoj Chacko
  - Mr Clive Ellis
  - Ms Norma Esler
  - Mr Richard Graves
  - The Reverend Cam Phong Huynh
  - Mr Hans Norved
  - The Reverend Dr Margaret Powell
  - Dr David Power
  - Ms Rama Salem
  - Mr Michael Toull
  - The Reverend Ray Vassallo
5. Resignations during the year were –
  - The Reverend James Lewis
  - Mr Andrew Koulyras
  - Mrs Rama Salem
  - The Reverend Cam Phong Huynh
  - Reverend Christian Anderson.
6. Archdeacon Ian Cox retired as the acting Bishop of the region in July. Archbishop Glenn Davies appointed Bishop Peter Tasker as the honorary Bishop of the region.
7. New members appointed during 2013 –
  - The Reverend Stephen Fredericks and the Reverend Jason Veitch were appointed by the Synod in 2013.

### Regional Events

8. The council continued its practice of meeting in parishes of the region during the year. The council met at the following parishes in 2013 –
  - 19 February at Greenacre Anglican Church
  - 11 June at St James (St George North Parish) Carlton
  - 21 August at Greenacre Anglican Church
  - 19 November at Moorebank Anglican Church
9. A one-day regional conference was arranged at Panania Anglican Church where the former Archbishop gave a Bible study to the regional workers. Input was received from members of the region as we continued to look at how we could serve this multi cultural region.
10. Another regional conference in August provided the new Archbishop an opportunity to talk with the clergy and lay workers in the region about the future of the region.

### New Initiatives

11. The council in 2008 funded an initiative to plant a new congregation at Marrickville. The council agreed to fund this proposal for a number of years. It is pleasing to report that this work is now completely funded by the years as a reducing amount each year. We are pleased to report that the parish is able to fund this work entirely and a new congregation has been formed.

12. In 2013 the council initiated a church planting program in the parish of Riverwood/Punchbowl with the appointment of Mr Siddique Paul to work as a church planter. Mr. Paul is multi-lingual and has experience in growing a church in Pakistan. This ministry is mentored by a number of people and already we have seen a growing number of people attend events, as well as regular Bible studies.

13. The parish has provided a house at reduced rent and the council provides a stipend. We are encouraging parishes within the Region to financially support this ministry as the council has limited funds.

### ESL Coordinator

14. The Reverend John Bartik was appointed as the part-time Regional ESL Coordinator in co-operation with the parish of St Marks Revesby. This has provided the minister with a full time position.

15. This has worked well with ESL classes at Revesby as well as training courses within the region. ESL classes are an excellent way of contacting people with a NESB background and assisting them in language as well as hearing the Word of the Lord.

### The Reverend Margaret Powell

16. We appreciate the support of Anglican Deaconess Ministries in the provision of financial support for Margaret.

17. The council supported her in attending the Christian response to Islam Conference (CRIB) in Britain and then studying Middle Eastern language and culture in a training institute in Jordan. This has enabled her to understand some of the challenges facing women who have recently arrived in Sydney.

18. Margaret's work is mainly among women in the Bankstown and Greenacre areas. ADM's funding also enables a small number of women to be mentored by Margaret in the work of reaching out to women from a different cultural and religious background.

### Student Ministers

19. The council also provided two financial grants for the employment of student ministers in the region. The council thought it was a priority especially for clergy working on their own in the parishes of Lakemba and Revesby.

20. We are grateful for students from theological colleges who, at their own expense, assist parishes on Sundays in the ministry of reaching out to people from other cultures.

### NSW Building Partnerships

21. The following parishes received grants from the New South Wales Government in 2013 –

<i>Mission Area</i>	<i>Parish</i>	<i>Project</i>	<i>Grant</i>	<i>Status</i>
Sydney City	Dulwich Hill	Upgrades to Holy Trinity community hall – disabled access/change room/toilet/kitchen	\$45,518	Grant approved
Canterbury-Bankstown	Belmore	Kitchen upgrade at St Albans	\$25,000	Grant approved
Canterbury-Bankstown	Campsie	Renovation of kitchen in hall – Stage 2	\$20,000	Grant approved
Canterbury-Bankstown	Revesby	Hall upgrade for community facilities at St Mark's	\$10,000	Grant approved
Canterbury-Bankstown	Yagoona	Construction of duplex at Condell Park		Plans with Property Trust
Liverpool	Bossley Park	Playground	\$24,000	Grant approved
Liverpool	Fairfield West	Maintenance of community hall at Fairfield West (St Barnabas)	\$26,000	Grant approved

<i>Mission Area</i>	<i>Parish</i>	<i>Project</i>	<i>Grant</i>	<i>Status</i>
Liverpool	Hoxton Park	Community playground	\$44,748	Grant approved
Liverpool	Moorebank	Child safety fencing and shade cloth at Hammondville	\$7,695	Grant approved
Liverpool	St John's Park	New hall		Started
St George	Arncliffe	Renovation and alteration of rectory		Proposed
St George	Arncliffe	Disabled and general toilet upgrade	\$25,193	Grant approved
St George	Arncliffe	Kitchen renovation of St David's church hall	\$24,250	Grant approved
St George	Oatley	Address heating and cooling issues in church and hall	\$15,000	Grant approved
St George	Oatley West	Provision of air-conditioning	\$25,000	Grant approved
St George	Sans Souci	St Andrew's replacement of kitchen	\$30,000	Grant approved

### Financial Statement

22. The Regional Council made the following grants to parishes and people in 2013 –

Cross Cultural - ESL Coordinator	\$30,000
Grants to Revesby and Greenacre Parishes Student Minister positions	\$13,384
Administration and Property Expenses	\$2,727
Cross Cultural Women's Ministry	\$105,495
MTM Staff	\$27,094
Punchbowl Church Planter	\$47,823

23. The Georges River Regional Council gives thanks to the Lord for the ministers and congregations as they advance the work of the gospel in the region. Our prayer is that all of us will be able to discern what is best and may be pure and blameless until the day of Christ.

For and on behalf of the Georges River Regional Council.

IAN COX

*Honorary Archdeacon of Liverpool: Georges River Region*

4 June 2014

## Northern Regional Council Annual Report for 2013

(A report from the Northern Regional Council.)

### Introduction

1. The Council met four times during the year, in March, June, August and November at the parishes of Roseville East (at St Philip's, Castle Cove), Waitara, Artarmon and West Ryde respectively.

### Membership

2. The membership of Regional Council and details of the membership is as follows –

The Rt Rev Glenn Davies (Chairman)	
The Rev Terry Bowers	Dr Rob Mackay
The Rev Ernest Chau	Ms Jane McNamara
Mr Fred Chilton	The Rev Ian Millican
Ms Stephanie Cole	Mr Jim Peet
The Rev Keith Dalby	Mr Ian Steward
The Rev Michael Kellahan	Dr Andrew Tong
The Rev Robin Kinstead	The Rev Peter Tong
Ms Jill MacLeod	The Rev Mal York

3. During the year (June) Ms Jill MacLeod resigned from Council. The Council places on record its appreciation of her contribution to Council and thanks her for her valued service to the region.

4. Archdeacon Terry Dein chaired the November meeting in place of Bishop Davies following his election as the Archbishop.

5. The Regional Council has a simple structure represented by three office holders whose details follow –

Chairman – Regional Bishop: qualifications – appointment as the regional bishop.
Treasurer – Mr I Steward: qualifications – B Com., Chartered Accountant
Secretary – The Rev M Kellahan: qualifications – articulate and intelligent volunteer

6. Significant committees – Regional Architectural Panel (appointed by the Archbishop)  
– Multi-Cultural Ministry Committee  
– Ordinance Review Committee

### Regional Events

#### *Archbishop's Lectures*

7. The lectures continue to be a valued annual event in the Northern Region and we place on record our appreciation of Archbishop Jensen's commitment to this ministry over the past decade. The theme for 2013 was 'Resurrection'. The average attendance was around 300. It was noted that the 2013 lectures were the Archbishop's tenth in the series and would be his last due to his retirement later in the year. Bishop Davies expressed his thanks to the Archbishop for this outstanding ministry to the Northern Region and made a presentation to him on behalf of the region. The lectures were well received, as were the Archbishop's sensitive responses in question and answer times. The availability of MP3s and DVDs of the lectures was appreciated.

8. For the past ten years, Abbotsleigh School has hosted the three consecutive Wednesday evening meetings and provided staff to manage the sound and lighting. They have also arranged for senior boarding students to assist visitors to find the venue. Abbotsleigh has been of enormous assistance over the years and the region appreciates this generosity from the school.

9. The future of these lectures will be considered by the new Regional Bishop.

#### *Regional Conference*

10. The Regional Conference in 2013 was held at St Anne's, Ryde on 20-21 May. The speaker was the Rev Michael Raiter, the Director of the Centre of Biblical Preaching in Melbourne. Michael spoke about quality preaching and modelled it by preaching a sermon. It was a conference marked by interaction, discussion and an open critique session by those present. Those attending were encouraged to strive to improve their preaching skills by hard work and prayerful dependence upon God to gift them for this ministry.

11. The conference was marked by a special session at which Bishop Davies and Canon Rick Smith, both having been nominated for election as Archbishop of Sydney, openly discussed their personal perspectives upon the office and its responsibilities etc. Their transparency and warm personal relationship was refreshing and very encouraging.

#### *Archbishop's Election*

12. The Archbishop's Election Synod was scheduled from 5-9 August. It was a very short synod and as a result the Rt Rev Dr Glenn N Davies was elected. Bishop Davies' inauguration was held at St Andrew's Cathedral on Friday, 23 August. Naturally the region was delighted to have their bishop elected as the Archbishop of Sydney and he received many expressions of goodwill and prayerful support for himself and his wife Dianne in their new responsibilities.

13. Following the election of Bishop Davies as Archbishop the Northern Region was without significant episcopal oversight. Although technically Archbishop Davies was also the Bishop of North Sydney his commitment to the business of the wider diocese meant that his availability for the day-to-day matters of the Northern Region was restricted. In these circumstances his Executive Assistant, Archdeacon Terry Dein, was asked to increase his working hours until a new bishop was appointed. This appointment did not take place for some months and when the Rev Chris Edwards accepted the Archbishop's offer he could not take up his appointment until early in 2014. His consecration took place in St Andrew's Cathedral on Saturday, 29 March and he commenced duties on 5 May. During these months the region functioned well although the Archdeacon was restricted in the time he could devote to its demands.

### **General Matters**

#### *Regional Matters*

14. The regional accounts for the year incurred a *deficit* of \$64,615. This result was substantially effected by a decision by Regional Council to make two significant grants –

- An amount of \$53,208 was paid to the Endowment of the See to support the costs of operating the office support staff of the Northern Region. These funds were originally from Synod but had accumulated over recent years as the actual expenditure was less than the allocated funding.
- At 31 December the Council had net assets of \$46,907 comprised mainly of cash balances with Glebe. Of this amount Council has allocated up to \$10,000 to continue its support of West Ryde's international ministry in 2014. Amounts are also budgeted to provide support for training of the Regional Bishop and his staff.
- A grant of \$20,000 was made to West Ryde parish (see para 29).

15. The full audited accounts for the Council are tabled at Synod.

16. The 2013 Annual Information Statement for the ACNC has been lodged.

17. During the year Mission Area Leaders were invited to address Council. The Revs Michael Kellahan, Bruce Stanley and Kerry Nagel attended a Council meeting in March, June and August respectively. At the November meeting Mr Andrew Irving (SLW) and the Rev Mal York reported upon the integration of Meadowbank International Church into West Ryde Church.

18. The cross-cultural ministry in the region continued to receive funding through Evangelism and New Churches in 2013 as was arranged in 2012.

19. The Rev Michael Kellahan resigned as Mission Area Leader (MAL) for the Lower North Shore in July. A new MAL will be sought to continue this ministry.

#### *Parish Matters*

20. The Rev Phil Wheeler (Gladesville) continued to have oversight of St Chad's, Putney but on 31 March 2013 services at St Chad's were suspended. Members of the congregation (of about 30) have joined one of the churches of Gladesville, Ryde and West Ryde.

21. At the June meeting the rector of Beecroft, the Rev Geoff Collison, addressed Council as to why the parish wished to sell the property of St Peter's, South Beecroft. Noting that the Bishop had discussed this matter with surrounding parishes and with ENC it was considered that the site had no strategic ministry value. The Sale Ordinance was later passed by Standing Committee.

22. The parish of West Ryde sought financial assistance for 2013 and 2014 to facilitate the ministry (including some staffing costs) and integration of the Meadowbank International Church into the parish. Council agreed to provide a grant of \$20,000 for 2013 and, subject to a satisfactory review, a further \$10,000 in 2014.

*Regional Architectural Panel (RAP)*

23. During the year Archdeacon Terry Dein became Chairman of the RAP when the Rev Geoff Leader retired. The Council places on record its appreciation for Geoff's leadership of the Panel.

24. The task of architectural panels is not an easy one. The Northern Region RAP strives to serve parishes and provide expert advice that will result in the best possible ministry outcomes. The panel also has a responsibility to take a long-term view as it represents the diocesan interest in property matters. Sometimes this involves the RAP in negotiations with parishes where there are differing points of view. This is most common where projects are large and expensive.

25. The panel has worked consistently during the year with a number of parish projects. Some larger projects require extensive consultation with the parish while others are more modest and more easily managed.

26. The region owes a great deal to the panel members who freely give of their time and expertise in assisting parishes to get the best possible ministry outcomes from their property developments.

*Cross-Cultural Ministry*

27. Mrs Trish Bell (the NR Cross- Cultural Consultant) attended the February and November meetings of Council and gave very encouraging reports. Many groups were conducting Bible studies after ESL classes, and some churches were working hard to welcome non-English-speaking persons into their congregational life. The Council regards this as a highly strategic ministry and appreciates Mrs Bell's deep commitment to it.

28. The Committee has the vision of 'serving the ministers and parishes of the Northern Region, and the wider diocese, through the strategic development of networks and resources for multi cultural ministry'.

*Regional Grants*

29. As noted above (para 14) the parish of West Ryde was given a grant of \$20,000 during the year to facilitate the integration of the Meadowbank International Church into the parish.

*NSW Government Community Building Partnership Grants*

30. Eight parishes had their grant applications approved by the NSW Government in December 2013 for projects to be completed in 2014. These grants totalled \$110,486. The details are as follows –

<b>Parish</b>	<b>\$</b>
East Lindfield	10,465
Ermington	16,545
Frenchs Forest	8,000
Macquarie	15,000
Normanurst	8,890
North Ryde	23,000
Seaforth	13,586
West Ryde	15,000

31. It is encouraging to see these successful grant applications from the parishes in the region. These initiatives will result in improved church facilities and many will have a direct beneficial impact upon parish ministry. The Community Building Grants provide a valuable opportunity for parishes to improve facilities, especially those which serve the wider community. They are opportunities which parishes need to intentionally seize.

For and on behalf of the Northern Region Council

CHRIS EDWARDS  
*Bishop of North Sydney*

18 June 2014

## South Sydney Regional Council Annual Report for 2013

(A report from the South Sydney Regional Council.)

### Introduction

1. The Council met on four occasions in 2013, on each occasion at St Andrew's House.

### Membership

2. As at 31 December 2013 membership of the Council was –

The Rt Rev Robert Forsyth (chairman)	Mrs Elisabeth Boyce
The Rev Chris Braga	Mr Ken Breakspear
The Rev Dave Rogers	Dr Robert Claxton
The Rev Dominic Steele	Mr Robert Freeman
	Mr Gilbert van der Jagt
	Ms Alicia Watson
	Mr Mark Wormell

3. In the course of the year the Council received with regret the resignations of Mrs Christine Crump and the Rev Andrew Katay. Both had made significant contributions to the Council which have been greatly appreciated.

### Parishes

4. Council finalised the reclassification of the Provisional Parish of St Luke's Clovelly, to be classified as a parish under the Parishes Ordinance 1979 4 (1) (b) with effect from 1 January 2013.
5. Council approved by resolution the amalgamation of St Thomas' Enfield and St Andrew's Strathfield, to be known as the Parish of Enfield and Strathfield, to take effect from 3 March 2013.
6. Council approved the amalgamation of St Philip's, York Street and Holy Trinity, Millers Point to be known as the Parish of Church Hill to take effect from 1 November 2013.
7. Council resolved to request the Archbishop of Sydney to create a provisional parish to be known as Concord North along the boundaries of the old St Mary's, Concord North.

### Cross-cultural Ministry

8. A report was received from the Mandarin language worker at St Andrew's, Ashfield, *Evangelising Chinese Ashfield*. Council had provided partial funding of this ministry approved in the 2012 budget.

### Other matters

9. After representations from the ministry at Norfolk Island, Council agreed to make a one-year contribution of \$10,000 to support the ministry among youth and children on the Island.
10. Council noted the correspondence from the Manager of Legal Services related to *Australian Charities and Not-for-profits Commission* and governance standards which came into effect on 1 July 2013.
11. The Council contributed to the salary of the Executive Assistant to the Bishop of South Sydney and the P.A. the sum of \$10,000.

For and on behalf of South Sydney Regional Council

HUGH T. COX

*Executive Assistant to the Bishop of South Sydney*

27 June 2014

## Western Sydney Regional Council Annual Report for 2013

(A report from the Western Sydney Regional Council.)

### Charter

1. The Western Sydney Regional Council was constituted under the *Regions Ordinance 1995* and its functions, powers and duties are as established by Clause 6 of that ordinance.

### Access

2. The Principal Office of the Western Sydney Regional Council is St Andrew's House, Sydney Square, Sydney, NSW 2000 (PO Box Q190, Sydney 1230) and the phone number is 9265-1519. The business hours are Monday to Friday, 9.00am to 4.00pm. The Regional PA is Miss Kirsty Grugan and the Honorary Treasurer is Mr Andrew McLachlan.

### Membership

3. The members of the Regional Council as at December 2013 were as follows –

Rt Rev IY Lee	Mrs V Brasington
Rev N Atwood	Mr A Dowthwaite
Rev R Cunningham	Mr K Fairfax
Rev G Howells	Dr R James
Rev M Robinson	Mrs J Marlow
Canon M Williamson	Mr A McLachlan
	Mr Ross Pendlebury
	Mr M Purvis
	Mr G Tuckwell

The main committees are the Executive Committee, the Ordinance Review Panel and the Architectural Panel.

### Structure

4. The officers of the Council are –

- Chairman – Bishop Ivan Lee
- Honorary Treasurer – Mr Andrew McLachlan

There are no regional staff employed by the Council.

### Activities

5. The Council meet on 4 occasions during 2013 at Christ Church, Blacktown. The main areas of consideration included mission areas, church growth and sub continental ministry. The Council received ministry updates from the Bishop at each meeting.

### Regional Grants

6. In 2013 the Council made one grant of \$21,095 to the Parramatta Parish for a sub-continental cross cultural worker.

### Finances

7. The Council has no borrowings. The financial statements and auditor's report for the period ended 31 December 2013 have been submitted to the Diocese.

### Risk Management

8. The key identifiable risk to the Council is the misappropriation of funds and inadequate insurances.

9. The policy of the Council for withdrawal of funds is approval by two authorised signatories to the accounts. Financial reports are provided to each meeting of the Council. All insurances are maintained through Diocesan policies.

### Australian Charities and Not-for-profits Commission Act 2012

10. The legal name of the Council is the Anglican Western Sydney Regional Council, and the Australian Business Number is 40852468035

11. The Council is registered as a charity with the ACNC.

12. The required Annual Information Statement has been completed and receipt has been acknowledged by the ACNC.

For and on behalf of the Western Sydney Regional Council.

IVAN LEE  
*Bishop of Western Sydney*

24 June 2014

## Proposal to change the status of the provisional parish of Katoomba to a parish

(A report of the Western Sydney Regional Council.)

### Proposal

1. A proposal is being made to the Archbishop by the minister and wardens of the provisional parish of St Hilda's Katoomba, under clause 4(1)(b) of the Parishes Ordinance 1979.

### Details of meeting

2. The Western Sydney Regional Council met on 10 July 2014 to consider the proposal under clause 4 of the ordinance. Council certified that all requirements under clauses 4 and 6 have been complied with and recommends that the provisional parish of Katoomba becomes a parish from 1 January 2015.

### Proposal

3. The proposal is to change the provisional parish of Katoomba to the parish of Katoomba.

4. The provisional parish has applied for this change of classification following the steady growth in membership, ministry and Christian maturity.

### Parish information

5. Anglicans have been meeting in Katoomba since 1885, with the current church dedicated in 1915, around which time the Parish became independent. According to the 2011 census, the population of Katoomba is 8,016 with 1,306 Anglicans.

6. In 1992 the Parish became provisional. In 2005 with the assistance of the Western Region Council and the Archbishop's curacy fund the Rev Ramon Robinson was appointed after a two year interregnum at the death of Rev Robin Muers. The Parish has slowly grown in recent years in the goodness of God, and has been self-supporting since 2010.

7. Due to the sacrificial effort of many people, a wide ministry base has developed including children and youth ministries, an arts ministry, a ministry in the Solomon Islands, and a ministry to the poor and marginalised. A partnership with Anglicare has developed that has significantly assisted in reaching the needy in our community.

8. With the generous giving of many people, the Parish is now supporting three part time workers as well as the rector. In the last year or so with the completion of a new safe front entrance, the church has also seen significant growth in numbers and ministry opportunities. The Parish is grateful to God for congregation members giving \$160,000 and raising another \$60,000 in government grants towards the cost of the entrance over the last few years.

### Future plans

9. In the coming days the Parish plans to further develop the ministries to youth and young adults, continue to develop their partnerships with Anglicare and address capacity issues at the 10am service.

### Size of congregations

10. Average attendances are currently –

8.00am	20
10.00am adults	90
10.00am children	20
5.30pm	20

### Particulars of all church trust property

11. Details of property held by the Anglican Church Property Trust upon trust for the provisional parish are as follows –

	Value of Land	Value of Buildings
Rectory	\$534,000.00	\$657,000.00
Church		\$4,105,400.00
Church & Hall Contents		\$1,632,000.00

### Summary of consolidated receipts and payments

12. A summary of the financial position over the past three years is set out below –

	2011	2012	2013
<b>Receipts</b>			
Offertories	\$149,247.76	\$195,349.76	\$153,076.63
Received for others/donations	0	0	0
Grants	\$10,000.00	\$10,000.00	\$19,100.00
Hall rental income	\$14,359.63	\$9,903.26	\$13,856.67
Rectory rent	\$21,855.00	\$22,614.50	\$21,800.00
Total Income	\$213,828.49	\$265,281.38	\$238,482.78
<b>Operating Expenses</b>			
Ministry staff and admin staff	\$97,488.68	\$122,636.56	\$125,002.91
Ministry housing	\$18,560.00	\$19,980.00	\$18,500.00
Parish cost recoveries	\$19,951.54	\$17,939.41	\$24,385.86
Resources for ministry	\$2,193.20	\$790.16	\$1,417.33
Parish donations	\$3,873.08	\$1,705.69	\$3,648.61
Parish administration/general expenses	\$12,909.15	\$11,372.04	\$12,335.93
Parish property expenses	\$42,265.87	\$32,139.33	\$45,186.09
Other expenses	\$13,952.11	\$18,511.61	\$24,375.37
Total Expenses	\$189,997.59	\$202,178.11	\$232,978.51

### Recommendation

13. The Western Sydney Regional Council recommends that the provisional parish of Katoomba be reclassified as a parish with effect from 1 January 2015.

For and behalf of the Western Sydney Regional Council.

IVAN LEE  
Bishop

10 July 2014

## Wollongong Regional Council Annual Report for 2013

(A report from the Wollongong Regional Council.)

### Introduction

1. The Wollongong Regional Council met 4 times during 2013 on the evenings of 5 February, 14 May, 10 September and 12 November. The meetings are held in Wollongong with each meeting preceded by a meal. The Executive sub-committee also met four times during 2013 to consider matters delegated to it and to plan agendas for the regular Council meetings.

### Membership

2. In 2013 the membership of the Council was –

Bishop Peter Hayward (Chair)	Mr Greg Holmes
Rev Dr Michael Blake	Mr Geoff Kyngdon
Mr Paul Burns	Mr Glenn Murray
Rev Rob Copland	Rev Neil Percival
Mr Mark Cottom	Mr Doug Philpott
Rev Anthony Douglas	Dr Stuart Quarmby
Mr Peter Evans	Rev Stephen Swanepoel
Rev Stephen Fifer	Mr Ron Webb
Mrs Amanda Garlato	Mr Tony Willis
Mr Andrew Guile	

### Ministry Strategies

3. Bishop Peter Hayward and the Regional Council worked closely to further support ministry across the Region. This included –

- financial support for the ministry at Oran Park
- financial support with subsidised rectories at Sussex Inlet and Harrington Park
- financial support with subsidised demountable at Helensburgh and Denham Court
- meeting with and support of Mission Area leaders
- support for Robertson attaining Parish status
- support for Kangaroo attaining Provisional Parish status
- support for Cobbitty attaining Provisional Parish status
- support for new Rectors
- 3 day Regional Ministry conference with Kent Hughes from the USA
- reviews of the Provisional Parishes of Denham Court and Sussex Inlet
- ongoing support for ESL English classes
  - ESL classes were delivered in 12 Parishes across the Region
  - because Cross Cultural Ministry funds are not allocated to the Wollongong Region, ESL classes are coordinated by Tony Willis
- ongoing support for Indigenous Ministries
  - Pastor Michael Duckett linked with St Peter's Campbelltown in partnership with the SAIPMC.
  - Pastor Brendon Garlett linked with Evangelism and New Churches and All Saints Nowra in partnership with the SAIPMC. Brendon resigned his position at the end of 2013.

4. During 2013 the position of Assistant to the Bishop was part funded from the Diocese and part from the Wollongong Region. Funding from the Region's assets was also allocated to the specific ministry in Oran Park.

Ministry	Purpose	Allocation	Total
Regional Staff	Salary Contributions	\$46,300	
Oran Park	Housing and salary support	\$67,700	\$114,000

5. The Regional Council has partnered with the Mission Area leaders of the Region to plan for ongoing ministry. The Council receives regular feedback regarding the broader mission taking place in the Region.

6. The three day Wollongong Regional Ministry Conference continues to be a “high point” in the life of the Region. This enables clergy and lay parish staff to meet together for mutual fellowship and teaching. Various guest speakers and Diocesan organisations join in the conference.

7. The Council received reports from Bishop Hayward and the Assistant to the Bishop at each meeting.

### **Compliance**

8. The Wollongong Regional Council is not involved in borrowings. Audited statements of accounts have been presented with the Annual Return to the Synod.

9. The ACNC Annual Return has been sent under separate cover.

10. Liquidity –

- (i) the members are of the opinion that, at the date of the report, there are reasonable grounds to believe that the Wollongong Regional Council will be able to pay its debts as and when they fall due;
- (ii) as the Council has no employees provision is not made for entitlements;
- (iii) all trade creditors are being paid in accordance with normal terms of payment;
- (iv) all dealings with real and personal property (including money) have been consistent with the trusts on which the property is held;
- (v) no payment has been made to a member;
- (vi) satisfactory systems of Internal Control and Risk Management have been maintained;
- (vii) appropriate types of insurance and levels of insurance cover are held for all insurable risks having regard to both value of assets and current levels of awards for damages; and
- (viii) no matter has arisen since the end of the Financial Year and the date of this report which could have a significant effect on the Organisation.

11. Risk Management –

- (i) key risks to the Organisation are –
  - a crisis in the financial markets impacting invested funds
  - misuse of grant monies allocated to Regional bodies / parishes
- (ii) a summary of the main policies and procedures in place to manage the key risks –
  - investments are made in line with Diocesan policy
  - a system of reporting on use of grant monies is in place
- (iii) financial reports and reports on application of grants are made regularly to the members.

For and on behalf of the Wollongong Regional Council

TONY WILLIS

*Assistant to the Bishop of Wollongong*

30 June 2014

# Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2014

## Explanatory Statement

### Purpose

1. The purpose of this statement is to provide explanatory notes for the bill for the Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2014 (the “bill”) which is being promoted to the 1<sup>st</sup> session of the 50<sup>th</sup> Synod in 2014.

### Recommendation

2. The Synod pass the bill as an ordinance of the Synod.

### Summary of business rules to be amended

3. The main amendments proposed to be made to the *Conduct of the Business of Synod Ordinance 2000* relate to –

- Election of Synod officers and committees
- Notices of motion
- Time limits for speeches
- Amendments to motions
- End of debate on a motion
- Right of reply
- Voting by ballot or by Houses
- Motions previously voted on
- Proposed policies of the Synod
- End of question time for proposed ordinances
- Passing an ordinance after considering the text in committee
- Questions
- Application of business rules
- Election of a single Secretary of the Synod

### Explanatory notes

4. *Election of Synod officers and committees (clauses 2(a) – (d))*: It is proposed that Synod officers and the members of Synod committees be elected for a 3 year term at the first session each Synod. Casual vacancies arising during the 3 year term would be filled by the Synod or, if the Synod is not in session, by the Standing Committee. Currently the election of Synod officers and the members of Synod committees takes place at each session.

5. *Notices of motion (clauses 2(e) and (f))*: Currently rule 4.3(2) provides that motions intended to facilitate the consideration of the business of Synod “at the time” are known as “procedural motions” and that the general requirement that Synod is not to consider a motion unless notice is given on the previous day does not apply to such procedural motions. It is proposed to make clear that any motion intended to facilitate Synod’s consideration of business may be moved without notice (rather than just motions to facilitate consideration of business “at the time”). It is also proposed to make clear that motions to amend a motion can be moved without the requirement to give notice on a previous day.

6. *Time limits for speeches (clause 2(g))*: It is proposed to insert a new rule 4.6(1) to make the following changes to the time limits for speeches in relation to certain motions –

- (a) a reduction from 20 to 15 minutes in the time limit for a mover speaking to a motion that a proposed ordinance be approved in principle and a corresponding reduction from 10 to 5 minutes for other speakers to such a motion,
- (b) a time limit of up to 5 minutes for any member speaking to a procedural motion or to a motion to amend a motion.

7. *Amendments to motions (clause 2(h))*: It is proposed to include a new rule which prevents amendments to motions being considered if the amendment is irrelevant to the principal motion, or gives rise to an entirely different subject matter from or a direct negative of the principal motion.

8. *End of debate on a motion (clause 2(i))*: It is proposed that where there is no further member who indicates they wish to speak in the debate on a motion, the President may declare the time for debate at an end without having to ask the Synod whether sufficient time has been allowed for such debate.

9. *Right of reply (clause 2(j))*: Presently rule 4.11(1)(b) provides that the only procedural motion for which the mover does not have a right of reply is a procedural motion that a motion not be voted on. It is proposed that there be no right of reply for the mover of any procedural motion. It is also proposed to make clear that there be no right of reply for the mover of a motion moved in the Synod in committee.

10. *Voting by ballot or by Houses (clauses 2(k) and (l))*: Presently, under rule 4.12, if a ballot is requested, the Synod, upon a motion without notice and without debate, is to determine when and how the ballot is to be conducted. It is proposed that these arrangements be modified to reflect the practice in recent years to conduct a vote by ballot in accordance with the directions of the Secretary of Synod. Similarly, it is proposed that if a vote is required to be taken by Houses, the Synod shall vote in accordance with the directions of the Secretary of the Synod provided the existing requirement that each House is to vote separately, the House of Laity voting first, is maintained.

11. *Motions previously voted on (clause 2(m))*: Under clause 2(h) it is proposed to prevent an amendment to a principal motion being considered if it is a direct negative of the principal motion. If the Synod wishes to express the direct negative of the principal motion, the appropriate course of action is to vote down the principal motion and consider a further motion expressing the direct negative. In such circumstances, it is desirable to make clear that such further motion is not to be regarded as substantially the same as one which has been voted on during the same session.

12. *Proposed policies of the Synod (clause 2(n))*: In recent years, special procedural arrangements have been put in place to enable the Synod to consider a number of Synod policies, for example Synod's Policy on Education and Synod's Governance Policy for Diocesan Organisations. It is proposed to insert a new rule 4.18 which enables these procedural arrangements to apply to any written statement designated by the Standing Committee or the Synod as a proposed policy of the Synod. This enables a proposed policy of the Synod to be considered in a manner similar to a proposed ordinance, with suitable modifications.

13. *End of question time for proposed ordinances (clause 2(o))*: It is proposed that during the time for questions, where there is no further member who indicates that he or she has a question, the President may declare that the time for questions is ended without having to ask the Synod whether sufficient time has been allowed for questions.

14. *Passing an ordinance after considering the text in committee (clauses 3(p) and (q))*: Presently, under rule 5.6, if the text for a proposed ordinance is considered in committee then it is not possible to move immediately to a motion that the ordinance pass as an ordinance of the Synod even if no amendment was made to the text of the ordinance in committee. It is proposed that if, having considered the text of a proposed ordinance in committee with no amendment being made, the Synod may move immediately to consider a motion that the proposed ordinance pass as an ordinance of the Synod unless 8 members object.

15. *Questions (clauses 2(r) and (s))*: In recent years, special procedural arrangements have been put in place to streamline the asking of questions at the Synod. In particular, these arrangements require a member called on by the President to ask a question to make a brief statement informing the Synod of the subject matter of the question rather than reading the text of the question in full. The answer to such a question is to be read orally to the Synod by the President, usually on the next day, without the question being asked again. It is proposed to incorporate these streamlined arrangements for asking questions in the business rules.

16. *Application of business rules (clause 2(t))*: It is proposed to include a new rule 6.8 which enables the President to decide any question about the application of the business rules, the form of motions and ordinances and the voting on motions and ordinances during a session. . Under this proposal the President's decision on all such questions is final unless immediately altered as a result of a motion without notice agreed to by the Synod. In making such a decision, the President may have recourse to the rules, forms and practice of the Legislative Assembly of New South Wales.

### **Secretaries of the Synod**

17. Clause 3 of the bill makes a number of amendments which provide for the election of a single Secretary of the Synod in place of separate Clerical and Lay Secretaries of the Synod. Clause 3(2) enables the Diocesan Secretary to make incidental or consequential amendments to other ordinances to give effect to this change.

**Further amendments**

18. Clause 4 of the bill makes a number of further amendments to the business rules which are of a minor or formal nature.

**Transitional and commencement**

19. Clause 5 provides that officers and members of Synod's committees elected at the 1<sup>st</sup> ordinary session of the 50<sup>th</sup> Synod in 2014 are taken to have been elected for a 3 year term in accordance with the amendments proposed by the bill.

20. Clause 6 provides that the amendments made by the bill will commence on the later of the date of assent to the bill and the day which next follows the last day of the first ordinary session of the 50<sup>th</sup> Synod.

For and on behalf of the Standing Committee

ROBERT WICKS  
*Diocesan Secretary*

17 September 2014

## Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2014

No 38, 2014

### Long Title

An Ordinance to amend the business rules of the Synod and for related matters.

The Synod of the Diocese of Sydney Ordains as follows.

#### 1. Name

This Ordinance is the *Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2014*.

#### 2. Amendment of the Conduct of the Business of Synod Ordinance 2000

The Schedule to the *Conduct of the Business of Synod Ordinance 2000* is amended as follows –

- (a) omit the words “each session of the Synod” in rules 2.2(1), 2.3(1) and 2.4(1) and insert instead the words “the first session of each Synod and, subject to rule 2.8, is to hold office until the first day of the first session of the next Synod”, and
- (b) omit the words “each session of the Synod” in rules 2.5(1), 2.6(1) and 2.7(1) and insert instead the words “the first session of each Synod and who, subject to rule 2.8, are to hold office until the first day of the first session of the next Synod”, and
- (c) insert a new rule 2.8 as follows –
  - “2.8 Casual vacancies**
  - (1) A casual vacancy in any office or in the membership of any committee elected under this Part 2 arises if the person holding the office or membership –
    - (a) dies,
    - (b) resigns by written notice given to the President, or
    - (c) ceases to be a member of the Synod.
  - (2) A casual vacancy in any office or in the membership of any committee held by a person elected under this Part 2 also arises if the Synod declares, as a result of a motion with or without notice passed by the Synod, the office or membership to be vacant.
  - (3) A casual vacancy arising under rule 2.8(1) or (2) may be filled by the Synod or, if the Synod is not in session, by the Standing Committee. A person who is elected by the Standing Committee to fill a casual vacancy holds office or remains a member of the committee until the next session of the Synod.”
- (d) omit the word “The” in rule 3.2(g) and insert instead the matter “Where required under Part 2, the”, and
- (e) omit the matter “at the time are known as ‘procedural motions’ and can rarely be notified in advance” in rule 4.3(2) and insert instead “are known as ‘procedural motions’”, and
- (f) insert a new rule 4.3(2A) as follows –

“(2A) Rule 4.3(1) does not apply to motions to amend a motion.”, and
- (g) omit rule 4.6(1) and insert instead the following –
  - “(1) The following time limits for speeches apply.
    - (a) For a motion that a proposed ordinance be approved in principle –
      - the mover may speak for up to 15 minutes, and up to 5 minutes in reply
      - other members may speak for up to 5 minutes.
    - (b) For other motions, except the motions referred to in paragraphs (c) and (d) –
      - the mover may speak for up to 10 minutes, and up to 5 minutes in reply
      - other members may speak for up to 5 minutes.

- (c) For procedural motions and for motions to amend a motion, a member may speak for up to 5 minutes.
  - (d) For motions moved in a meeting of the Synod in Committee, a member may speak for up to 3 minutes.”, and
- (h) insert a new rule 4.9(2A) as follows –
  - “(2A) A motion to amend is not to be irrelevant to the principal motion or give rise to an entirely different subject matter from or a direct negative of the principal motion.”, and
- (i) in rule 4.10 –
  - (i) insert a new rule 4.10(1) as follows –
    - “(1) If, during the time for debate on a motion, no further member indicates a wish to speak to the motion, the President may declare that the debate has ended, subject to the mover of the motion exercising or declining to exercise a right of reply under rule 4.11.”, and
  - (ii) renumber existing rule 4.10(1) as 4.10(2) and convert existing rule 4.10(2) into a rider to renumbered rule 4.10(2), and
  - (iii) omit the matter “When the President thinks that sufficient time has been allowed for debate on a motion, he” in renumbered rule 4.10(2) and insert instead –
    - “If the President thinks that sufficient time has been allowed for debate on a motion but there remains one or more members indicating a wish to speak to the motion, the President”, and
  - (iv) insert the words “or declining to exercise” after “exercising” in the rider to renumbered rule 4.10(2), and
- (j) in rule 4.11 –
  - (i) omit the matter “under rule 4.14(1) that a motion not be voted on.” in existing rule 4.11(1)(b) and insert instead the matter “, or”, and
  - (ii) reletter existing rules 4.11(1)(a) and (b) as 4.11(b) and (a) respectively, and
- (iii) insert a new rule 4.11(1)(c) as follows –
  - “(c) a motion moved in a meeting of the Synod in Committee.”, and
  - (iv) omit the words “a right of reply has been exercised” in rule 4.11(2) and insert instead the words “the mover has exercised or declined to exercise their right of reply”, and
- (k) omit the matter after the word “Synod” in rule 4.12(2) and insert instead the matter “shall vote in accordance with the directions of the Secretary of the Synod”, and
- (l) omit the matter “, the House of Laity voting first” in rule 4.12(4) and insert the words “in accordance with the directions of the Secretary of the Synod, provided that the House of Laity is to vote first”, and
- (m) insert at the end of rule 4.16(2) the following –
  - “However a motion is not to be regarded as substantially the same as one which has been voted on during the same session if –
  - (a) the motion is a direct negative of the one voted on, and
  - (b) the one voted on was not passed.”, and
- (n) insert a new rule 4.18 as follows –
  - “4.18 Proposed policies of the Synod**
  - (1) The Standing Committee or the Synod may designate a written statement as a proposed policy of the Synod. A statement designated by the Standing Committee as a proposed policy of the Synod must be clearly marked as such.
  - (2) The Synod may consider a proposed policy of the Synod only if a copy has been circulated to members present before consideration of the proposed policy commences in accordance with rule 4.18(3).
  - (3) For the purposes of considering a proposed policy of the Synod, the procedures for the making of ordinances under Part 5 (from and including rule 5.5 but excluding rules 5.7(3)(b), 5.9 and 5.10) apply as if the proposed policy were a proposed ordinance.”, and
- (o) in rule 5.4 –

- (i) insert a new rule 5.4(5) as follows –
  - “(5) If, during the time for questions, no further member indicates that he or she has a question, the President may declare that the time for questions has ended.”, and
- (ii) renumber existing rule 5.4(5) as 5.4(6) and convert existing rule 5.4(6) into a rider to renumbered rule 5.4(6), and
- (iii) omit the matter “When the President thinks that sufficient time has been allowed for questions, he” in renumbered rule 5.4(6) and insert instead –
  - “If the President thinks that sufficient time has been allowed for questions but there remains one or more members indicating a wish to ask a question, the President”, and
- (p) insert the words “of an ordinance with amendments” after the word “report” in rule 5.6(4), and
- (q) insert a new rule 5.6(5) as follows –
  - “(5) Upon the report of an ordinance without amendments being adopted by the Synod as a result of a motion without notice passed by the Synod, the mover of the proposed ordinance may move the motion under rule 5.7(1) unless 8 members object, in which case the mover is to immediately move the motion under rule 5.6(4).”, and
- (r) omit rule 6.3(2) and insert instead –
  - “(2) A question may be asked by any member. A member called on by the President to do so is to make a brief statement informing the Synod of the subject matter of the question and hand the full text of the question to the Secretary of the Synod to be printed in the business paper for the next day of the session.”, and
- (s) omit rules 6.3(5) and (6) and insert instead –
  - “(5) An answer to a question is to be read orally to the Synod by the President on the next day or as soon as convenient after the next day without the question being asked again. As soon as possible a written copy is to be posted on a notice board in a prominent position in or near the building in which the Synod is meeting. A written copy is also to be handed to the member asking the question upon request made to the Secretary of the Synod.
  - (6) If the answer includes statistics or other detailed material, the answer may be supplemented with data projected on a screen or a document which need not be read orally.
  - (7) Each question and reply is to be recorded in the minutes of the Synod.”, and
- (t) insert a new rule 6.8 as follows –
  - “6.8 Application of business rules**
  - (1) Any question about the application of these rules, the form of motions and ordinances and the voting on motions and ordinances during a session of the Synod is to be decided by the President. The President’s decision on all such questions is final unless immediately altered as a result of a motion without notice agreed to by the Synod.
  - (2) In making a decision under rule 6.8(1), the President may have recourse to the rules, forms and practice of the Legislative Assembly of New South Wales.”;
- (u) substitute wherever appearing in the Schedule –
  - (i) “Chair” for “Chairman”,
  - (ii) “Chairs” for “Chairmen”;
- (v) delete rule 4.5(4) and insert a new rule 4.5A as follows –
  - “4.5A Incorporation of amendments in principal motion**
  - If the mover of a principal motion (the ‘Mover’) notifies the Secretary of the Synod that –

- (a) having discussed a proposed amendment with the mover of the amendment, the Mover agrees to include the proposed amendment in the principal motion, or
- (b) the Mover wishes to move the principal motion in an amended form,  
the motion in the amended form becomes the principal motion and is to be printed in a suitably marked form on the next day's business paper.”; and
- (w) insert a new rule 2.2(4) as follows –
  - “(4) The Secretary of the Synod may approve any report or other material from a Diocesan Body or Organisation being made available to members.”

### **3. Amendment in relation to the Secretaries of Synod**

- (1) The Schedule to the *Conduct of the Business of Synod Ordinance 2000* is amended as follows –
  - (a) omit each reference to “Secretaries” in rules 2.1(a), 2.6(1)(a), 3.2(g), and in the heading to rule 2.2 and insert instead “Secretary”, and
  - (b) omit the words “clerical and one lay member are to be elected as Secretaries” in rule 2.2(1) and insert instead “member is to be elected as Secretary”, and
  - (c) omit each reference to “Secretaries of the Synod are” in rules 2.2(2), 5.4(8) and 5.7(3) and insert instead “Secretary of the Synod is”, and
  - (d) omit each reference to “a Secretary” in rules 2.2(3) and 4.5 and insert instead the words “the Secretary”, and
  - (e) omit the words “Secretaries of the Synod have” in rule 5.4(8) and insert instead the words “Secretary of the Synod has”.
- (2) The Diocesan Secretary may, in reprinting any ordinance under clause 8 of the *Interpretation Ordinance 1985*, make such amendments to the ordinance as are incidental or consequential to the amendments in subclause (1).

### **4. Further amendment of the Conduct of the Business of Synod Ordinance 2000**

- The Schedule to the *Conduct of the Business of Synod Ordinance 2000* is amended as follows –
- (a) omit the words “is unable or is” in rule 2.4(4) and insert instead the words “are unable or are”, and
  - (b) omit the words “a member to give” in rule 3.2(k) and insert instead the words “members to move or give notice of”, and
  - (c) omit rule 3.3(e) with consequential relettering, and
  - (d) omit the first occurrence of the word “give” in relettered rule 3.3(f) and insert instead the words “move or give notice of”, and
  - (e) omit the words “motion with or without notice” in rule 3.5 and insert instead the words “procedural motion”, and
  - (f) insert the matter “, or if directed by the President, to stand near a microphone” after the word “place” in rule 4.2(1A), and
  - (g) insert the words “or those motions to be considered at a time fixed by the Synod” after the words “proposed ordinance” in rule 4.5(1), and
  - (h) insert the words “formally moved and” before both occurrences of the word “seconded” in rule 4.5(2), and
  - (i) insert the words “in a suitably marked form” after the word “printed” in rule 4.5(4), and
  - (j) insert the matter “, without making a speech,” after the word “may” in rule 4.6(2), and
  - (k) omit the words “may ask the Synod to be allowed to” in rule 4.9(3) and insert instead the matter “may, with the permission of the Synod,”, and
  - (l) omit the words “present members” in rule 4.12(1) and insert instead “members present”, and
  - (m) omit the words “with or without notice” in rule 4.17(1), and
  - (n) omit the words “motion with or without notice” in rule 4.17(3) and insert instead “procedural motion”, and
  - (o) insert the words “the title and” after the word “leaving” in rule 5.6(2), and
  - (p) insert the words “who is” after the second occurrence of the word “member” in rule 6.1(4), and

- (q) omit the matter “rules 3.2(i) and 3.3(e)” in rule 6.2(1) and insert instead “rule 3.2(i)”, and
- (r) omit the matter “rules 3.2(j) and 3.3(f)” in rule 6.3(1) and insert instead “rule 3.3(e)”.

**5. Transitional**

Any person elected to an office or committee by the Synod under Part 2 of the Schedule to the *Conduct of the Business of Synod Ordinance 2000* at the 1<sup>st</sup> ordinary session of the 50<sup>th</sup> Synod is taken to be elected under the provisions of Part 2 as amended by this Ordinance.

**6. Commencement**

Clauses 2, 3, 4 and 5 commence on the later of the day of assent to this Ordinance and the day which next follows the last day of the 1<sup>st</sup> ordinary session of the 50<sup>th</sup> Synod.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

PJ COLGAN  
Chairman of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 20 October 2014.

R WICKS  
Secretary of Synod

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney  
22/10/2014

## Delegation of Powers Ordinance 1998 Amendment Ordinance 2014

### Explanatory Statement

#### Purpose of the bill

1. The purpose of the bill for the *Delegation of Powers Ordinance 1998 Amendment Ordinance 2014* (“the bill”) is to delegate to the Standing Committee the power to assent to certain bills for canons sent by the General Synod Standing Committee to the Synod pursuant to section 28A of the Constitution of the Anglican Church of Australia (the “Constitution”).

#### Recommendation

2. The Synod pass the bill as an ordinance of the Synod.

#### Background

3. The *Constitution Amendment (Chapter V) Canon 2010* (the “Canon”) included in the Constitution a new section 28A which provides a procedure for passing canons while the General Synod is not in session. The inclusion of section 28A in the Constitution came into force on 1 July 2014, following at least  $\frac{3}{4}$  of diocesan synods including the synods of all Metropolitan Sees assenting to the Canon.

4. The procedure under section 28A requires that a bill for a canon may be sent by the General Synod Standing Committee to each diocesan synod. The canon is passed if at least  $\frac{3}{4}$  of the diocesan synods in Australia, including all Metropolitan Sees, assent to it by ordinance, and if all assents are in force at the same time.

5. If the canon imposes a financial liability on a diocese, concurrent assent is required from all diocesan synods.

6. Bills for a canon which alter the Constitution or which deal with or concern the ritual, ceremonial or discipline of the Church cannot be passed using this procedure.

7. Section 28A allows for a diocesan synod to delegate its power to assent to a bill for a canon to the diocesan council of the diocese. Section 28A also allows a diocesan council to assent to a bill for a canon in exercise of its delegated authority by ordinance or resolution.

#### Delegation of Powers

8. The bill delegates to the Standing Committee the power to assent to a bill for a canon under section 28A.

9. The scope of the delegation under the bill enables the Standing Committee to assent to a bill for a canon by ordinance only. It is not proposed to give the Standing Committee delegated authority to assent to a bill for a canon by resolution. This is because, unlike ordinances, resolutions –

- (a) do not require the assent of the Archbishop to come into force,
- (b) cannot be referred to the Synod by any 3 members of the Standing Committee, and
- (c) have no basis under the constitutions for NSW dioceses, including Sydney.

For and on behalf of the Standing Committee

ROBERT WICKS  
*Diocesan Secretary*

17 September 2014

## Delegation of Powers Ordinance 1998 Amendment Ordinance 2014

No 37, 2014

### Long Title

An Ordinance to delegate to the Standing Committee the power to assent to certain bills for canons sent by the General Synod Standing Committee to the Synod.

The Synod of the Diocese of Sydney Ordains as follows.

### 1. Name

This Ordinance is the Delegation of Powers Ordinance 1998 Amendment Ordinance 2014.

### 2. Amendment

The *Delegation of Powers Ordinance 1998* is amended by –

- (a) inserting the following in clause 4 –

“**1961 Constitution** means the Constitution set out in the Schedule to the Anglican Church of Australia Constitution Act 1961.”

- (b) inserting the following new clause 5(1)(e) –

“(e) the following sections of the 1961 Constitution –

Sections 28A(2) and (3),

and permits the Standing Committee to assent to a bill in exercise of this delegated authority by ordinance only.”

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

K SOWADA  
Chairman of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 20 October 2014.

R WICKS  
Secretary of Synod

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney  
22/10/2014

## Discipline Amendment Ordinance 2014

### Explanatory Report

#### Purpose

1. The purpose of this report is to provide explanatory notes for the bill for the Discipline Amendment Ordinance 2014 (the “bill”) which is being promoted to the 1<sup>st</sup> session of the 50<sup>th</sup> Synod in 2014 pursuant to resolution 18/13 which is as follows –

“Synod requests the Standing Committee to review the Discipline Ordinance 2006 and the Relinquishment of Holy Orders Ordinance 1994, with particular regard to their interaction with the Child Protection (Working With Children) Act 2012 (NSW), and to bring a report and any proposed amending ordinance or ordinances to the 1<sup>st</sup> ordinary session of the 50<sup>th</sup> Synod.”

#### Recommendation

2. The Synod pass the bill as an ordinance of the Synod.

#### Summary of amendments

3. The main amendments proposed to be made to the *Discipline Ordinance 2006* are –

- Expand the definition of “child abuse”
- Include new offences for making threats, intimidation or inducement for breaking a suppression order
- Enable complaints which lack utility to be declined
- Enable certain complaints related to child abuse to be re-opened for the purpose of making a finding
- Enable the Professional Standards Committee (PSC) to recommend prohibition orders with the consent of respondents
- Provide for a new disciplinary process for complaints against unpaid lay church workers
- Treat findings made by other disciplinary bodies as conclusive
- Clarify the effect of prohibition orders on the appointment or election of a person to a position in the Diocese

Consequential or related amendments are proposed to be made to the *Discipline Ordinance 2006 Amendment Ordinance 2013* and the *Relinquishment of Holy Orders Ordinance 1994*.

#### Meaning of terms

4. In this report –

“FIS” means *Faithfulness in Service: A National Code for personal behaviour and the practice of pastoral ministry by clergy and church workers*.

“PSC” means Professional Standards Committee.

“Reportable Conduct” means sexual misconduct committed against, with or in the presence of a child, including grooming of a child, or any serious physical assault of a child.

#### Amendments to the Discipline Ordinance 2006

##### Clause 2: Definitions

5. Currently the definition of “child abuse” in the Ordinance has the same meaning as in FIS. Its ambit is unclear. For example it is not clear whether grooming would constitute “sexual abuse” and thereby come within one of the categories of “child abuse” listed in FIS.

6. It is therefore proposed to create the following new offences: “grooming”, “inappropriate pastoral conduct involving a child and possession”, “production or distribution of child exploitation material”. See paragraphs 28 and 29 with respect to proposed amendments to the *Offences Ordinance 1962*.

7. “Grooming” and “child exploitation material” will have the same meaning as in FIS.

8. On occasions a complaint may allege conduct that is inappropriate but there is insufficient evidence of intent to establish grooming. In order to ensure such complaints can be addressed, it is proposed to include the new category of “inappropriate pastoral conduct involving a child”. It is proposed that this be defined as: “engaging in a pattern of conduct involving a child or a group of children that is inconsistent with the standards and guidelines of Faithfulness in Service”. It is not intended that this capture one-off

mistakes or errors of judgment but patterns of behaviour that are inappropriate by reference to the standards and guidelines in FIS that are expected of church workers.

*Clauses 4 and 6: New offences for making threats, intimidation or inducement or for breaching suppression order*

9. Clause 4 sets out the offences that a complaint may allege a member of clergy to have committed. Clause 6 is the equivalent clause with respect to lay church workers.

10. It is proposed to include new offences for attempting by threat, intimidation or inducement to dissuade a person from making a complaint, persuade a person to withdraw a complaint or persuade a person to consent to the withdrawal of a complaint. It is also proposed to include a new offence for knowingly or recklessly breaching a tribunal order that names or other information be suppressed.

*Clause 13: Declining complaints which lack utility*

11. Clause 13(2) sets out circumstances in which the Director, with the concurrence of the PSC, may decline to deal with a complaint. It is proposed to add a new ground in 13(2)(e) that a complaint may be declined if the PSC is of the opinion that there would be no utility in dealing with the complaint and the complaint does not allege Reportable Conduct. A new clause 13(3) will require the PSC to consider the practicability and likely effectiveness of available outcomes if the complaint is sustained when assessing whether or not a complaint lacks utility. This may include factors such as positions held, time since a position was held, age, health, among others.

*Clause 14: Re-opening complaints that have already been dealt with under the Ordinance*

12. Prior to 2012 complaints alleging child abuse were reportable to the predecessor to the Office of Children's Guardian unless they were found to be vexatious or misconceived. When the *Child Protection (Working with Children) Act 2012* came into effect this was narrowed to only those matters where findings had been made that the person had engaged in the conduct. Amendments to the *Discipline Ordinance 2006* passed by the Synod last year require the PSC or the relevant tribunal to make findings in respect to Reportable Conduct. There was no requirement for express findings to be made prior to these amendments. There are a small number of matters that may need to be re-opened for the purpose of making findings in order to ensure valid reports can be made to the Office of the Children's Guardian. In such cases any prior findings of fact would be treated as conclusive.

*Clause 34 and subclause 36(8): PSC recommendations*

13. In many cases the strongest recommendation that a tribunal can make against a church worker is that the relevant Church authority issue a prohibition order which prohibits the person from holding a specified position or office in or being employed by a church body or church authority or from exercising any specified functions. Presently, other than on a temporary basis, prohibition orders can only be recommended by a tribunal. It is proposed to insert a new clause 34(1)(j) to allow the PSC to recommend that the person consent to a prohibition order being issued. This will avoid the need for a tribunal in a circumstance where the person is willing to consent to the order.

14. A new clause 36(8) makes clear that if the a recommendation is made under 34(1)(j) and the person accepts the recommendation, that the relevant Church authority is empowered to make the prohibition order.

15. It is proposed that the current criteria to be satisfied before the PSC can make a recommendation under clause 34(1)(h) or (i) that the Archbishop appoint a person to promote a charge to the relevant tribunal be removed from these clauses and set out in a new 34(1A).

*Chapter 4: New disciplinary process for complaints against lay church workers who are unpaid*

16. A number of amendments have been made, or attempted, to the Ordinance since its inception to refine the process for the consideration of complaints against unpaid lay church workers. The primary reasons for these amendments have been that –

- (a) any referral of a complaint to a tribunal has the potential to be very costly in terms of time and money for both the person concerned and the Diocese, and
- (b) such costs cannot be justified in circumstances where issues of employment or livelihood are not directly at stake as is the case with clergy or employed church workers.

17. In 2009 amendments were made to clauses 36(3) and (4) to give the Archbishop the option of not referring certain complaints against unpaid lay church workers to the Disciplinary Tribunal but instead refer them back to the PSC under a new clause 37A. This change was made to address the situation of complaints proceeding to tribunal hearings by default where an unpaid lay church worker failed to respond to or did not accept the recommendations of the PSC.

18. In 2012 further amendments were proposed to completely remove unpaid lay church workers from the jurisdiction of the Disciplinary Tribunal. Under these proposed amendments if a person did not respond to, accept or comply with the recommendations of the PSC, the Archbishop would have been required to refer the matter back to the PSC for a determination. These amendments were not passed by the Synod.

19. It is again proposed to completely remove unpaid lay church workers from the jurisdiction of the Disciplinary Tribunal, but this time to provide a separate process in a new Chapter 4 of the Ordinance for the adjudication of complaints made against unpaid lay church workers (referred to in the Ordinance as “unpaid church workers”).

20. The adjudication process in Chapter 4 would operate as follows –

- (a) Complaints against “unpaid church workers” are to be considered by an “experienced lawyer” appointed by the Registrar, referred to in the Ordinance as the “Adjudicator”.
- (b) If the complaint or the substance of the complaint is admitted, the Director is to refer the complaint to the Adjudicator rather than to the PSC. The Adjudicator may then proceed to make recommendations in relation to the respondent under clause 47.
- (c) If the complaint or the substance of the complaint is not admitted, the usual processes for investigation in Part 2 of Chapter 2 apply but the Director is to refer the investigator’s report and other material to the Adjudicator rather than to the PSC.
- (d) If the unpaid church worker does not admit the complaint or the substance of the complaint, the Director will invite the unpaid church worker to provide, within 28 days or a longer agreed period, any further information or material, and to make representations to the Adjudicator relating to the complaint. The Adjudicator is required to apply the rules of procedural fairness and otherwise determine a procedure for resolution of the complaint. The Adjudicator may then proceed to make recommendations in relation to the respondent under clause 47.
- (e) The Adjudicator may make recommendations to: the respondent and/or the Archbishop/relevant church authority. In making recommendations to the respondent the Adjudicator has the same powers of recommendation as the PSC under clause 34(1), except that the Adjudicator cannot refer the complaint to a tribunal. In making recommendations to the Archbishop/relevant church authority the Adjudicator has the same powers as the Disciplinary Tribunal under clause 74.
- (f) The Adjudicator will have discretion as to whether or not to put recommendations to the respondent or to the Archbishop/relevant church authority in the first instance. If the Adjudicator puts recommendations to the respondent and the respondent does not accept the recommendations, the Adjudicator is not precluded from making further recommendations to the Archbishop/relevant church authority in relation to the respondent.
- (g) Where it is alleged, the Adjudicator must make findings on whether any Reportable Conduct was engaged in by the respondent.
- (h) The Adjudicator has no power to award costs. The respondent is responsible for their own costs of responding to a complaint.
- (i) The Adjudicator’s decisions and recommendations are not appellable or subject to review, except that provision is made for a respondent to make an application under clause 81 to another “experienced lawyer” appointed by the chancellor for review on the grounds of a breach of procedural fairness etc.

*Clause 100: Findings made by other bodies*

21. New clause 100 will provide that any findings made by the disciplinary body of another diocese or a state administrative or judicial body, that have not been overturned on appeal, may be treated as conclusive by a person performing functions under the Ordinance.

*Clause 101: Clarifying the effect of prohibition orders on appointment or election*

22. New clause 101 will provide that a person who is subject to a prohibition order is ineligible for election or appointment to any position or office to which the order applies and that a vacancy arises in any office or position held at the time the order is made, despite the provisions of any other ordinance.

**Amendments to the Discipline Ordinance 2006 Amendment Ordinance 2013**

23. Clause 3 omits a sunset clause in the Discipline Ordinance 2006 Amendment Ordinance 2013 which provides that the amendments in clauses 3(e) and (f) of that ordinance apply only until the end of the 1<sup>st</sup> ordinary session of the 50<sup>th</sup> Synod.

24. The amendment made by clause 3(e) requires that if the complaint alleges Reportable Conduct and the Professional Standards Committee considers that it is unable to make a finding on the material

before it that the person has or has not engaged in any or all of such conduct the subject of the complaint, it must recommend that the Archbishop appoint a person to promote a charge before the relevant tribunal.

25. Clause 3(f) provides that if the complaint alleges Reportable Conduct and the person admits the complaint or its substance, accepts the recommendations of the PSC or the PSC recommends that no further action be taken, and the PSC is satisfied that the person engaged in any or all of the conduct, it must make findings that the person engaged in that conduct.

26. The amendments ensure that if a complaint alleges conduct that is reportable to the Office of the Children's Guardian, the PSC or the relevant tribunal make findings on whether or not the person engaged in the conduct. This is necessary in order to ensure proper reports can be submitted to the Office of the Children's Guardian to discharge our obligations under the *Child Protection (Working with Children) Act 2012*.

27. The sunset provision was inserted to provide an opportunity to consider the operation of the clauses. There was potential for an escalation of complaints proceeding to tribunals if the PSC could not make findings on the material before it. There has not been any increase in tribunals in the last year due to the operation of the clause. It is proposed that the sunset clause be omitted but the matter be kept under general review.

#### **Amendments to the Offences Ordinance 1962**

28. Clause 4 inserts the following three new offences into the *Offences Ordinance 1962* –

- (a) Grooming.
- (b) Inappropriate pastoral conduct involving a child.
- (c) Possession, production or distribution of child exploitation material.

29. The terms "grooming", "inappropriate pastoral conduct involving a child" and "child exploitation material" are defined by reference to the *Discipline Ordinance 2006*.

#### **Amendments to the Relinquishment of Holy Orders Ordinance 1994**

30. Clause 5 amends the Relinquishment of Holy Orders Ordinance 1994 to require –

- (a) a person requesting relinquishment to provide a statement to the Archbishop setting out any conduct they have committed that may constitute an offence under clause 4 of the Discipline Ordinance 2006, and
- (b) the Archbishop to inform the Director of Professional Standards if he has reason to believe that a person requesting relinquishment may have committed Reportable Conduct and provide him with any relevant evidence so as to allow the Director to determine if a complaint should be made against the person under the Discipline Ordinance 2006 or any other action be taken in respect to the person.

31. The first amendment requires a person seeking relinquishment to be transparent about any conduct they may have committed that may constitute an offence under clause 4 of the Discipline Ordinance 2006.

32. The second amendment is aimed at preventing a person from voluntarily relinquishing their holy orders in an attempt to escape scrutiny and discipline for misconduct. The Archbishop will still have the capacity to accede to a request for relinquishment where there is knowledge that a person has or may have committed Reportable Conduct. However the Archbishop must inform the Director of Professional Standards of what he knows and provide the Director with any relevant evidence so that he can determine if any disciplinary action can or should be taken against the person. If disciplinary proceedings were initiated and the person was found to have engaged in Reportable Conduct, a notification could then be made to the Office of the Children's Guardian and this material would be taken into account if the person was to apply for a Working with Children Check. The disciplinary process could also lead to a recommendation for a prohibition order or other diocesan sanction against the person.

33. Clause 4(1) of the Relinquishment of Holy Orders Ordinance 1994 provides that a person who has relinquished their holy orders will be considered to be a lay person for the purposes of all ordinances, rules and regulations having effect in the Diocese, except the Discipline Ordinance 2006. This means that, notwithstanding the relinquishment of holy orders, the person would be disciplined under the Discipline Ordinance 2006 as a member of clergy.

For and on behalf of the Standing Committee

ROBERT WICKS  
*Diocesan Secretary*

17 September 2014

## Discipline Amendment Ordinance 2014

No 33, 2014

### Long Title

An Ordinance to amend certain ordinances to facilitate the notification of findings to the Office of the Children’s Guardian NSW, establish a new process for the handling of complaints made against unpaid church workers and for other incidental matters.

The Synod of the Diocese of Sydney Ordains as follows.

#### 1. Name

This Ordinance is the Discipline Amendment Ordinance 2014.

#### 2. Amendment to the Discipline Ordinance 2006

The Discipline Ordinance 2006 (the “Principal Ordinance”) is amended as shown in Schedule A by deleting the matter struck through and inserting the matter which is shown in underlined lettering.

#### 3. Amendments to the Discipline Ordinance 2006 Amendment Ordinance 2013

The Discipline Ordinance 2006 Amendment Ordinance 2013 is amended by omitting subclause 4(2).

#### 4. Amendments to the Offences Ordinance 1962

The Offences Ordinance 1962 is amended as follows –

- (a) insert the following new paragraphs (d), (e) and (f) in subclause 3(1) –
  - “(d) Grooming.
  - (e) Inappropriate pastoral conduct involving a child.
  - (f) Possession, production or distribution of child exploitation material.”, and
- (b) insert the following new paragraphs (i), (j) and (k) in subclause 3(2) –
  - “(i) Grooming.
  - (j) Inappropriate pastoral conduct involving a child.
  - (k) Possession, production or distribution of child exploitation material.”, and
- (c) in clause 3(3) omit the words “and child abuse” and insert instead the matter ‘, “child abuse”, “grooming”, “inappropriate pastoral conduct involving a child” and “child exploitation material”’.

#### 5. Amendments to the Relinquishment of Holy Orders Ordinance 1994

The Relinquishment of Holy Orders Ordinance 1994 is amended by -

- (a) inserting the following words at the end of clause 2(1) before the full-stop –
  - “, subject to such notice being accompanied by a statement setting out any conduct committed by the person that may constitute an offence under clause 4 of the Discipline Ordinance 2006”, and
- (b) inserting a new clause 2B as follows –
  - “2B. If the Archbishop has reason to believe that a person who makes a request under clause 2 may have committed sexual misconduct against, with or in the presence of a child, including grooming of a child, or any serious physical assault of a child, he must inform the Director of Professional Standards and provide him with any relevant evidence so as to allow the Director to determine if a complaint should be made against the person under the Discipline Ordinance 2006 or any other action be taken in respect to the person.”

#### 6. Savings and transitional provisions

- (1) Subject to subclause (2), nothing in this Ordinance affects any action taken under any of the ordinances amended by this Ordinance before the date of assent to this Ordinance.
- (2) The amendments made by this Ordinance apply to complaints made after the date of assent to this Ordinance and to complaints made prior to such date of assent which have not been finally dealt with under the Principal Ordinance.

#### 7. Commencement

This Ordinance commences on the date of assent.

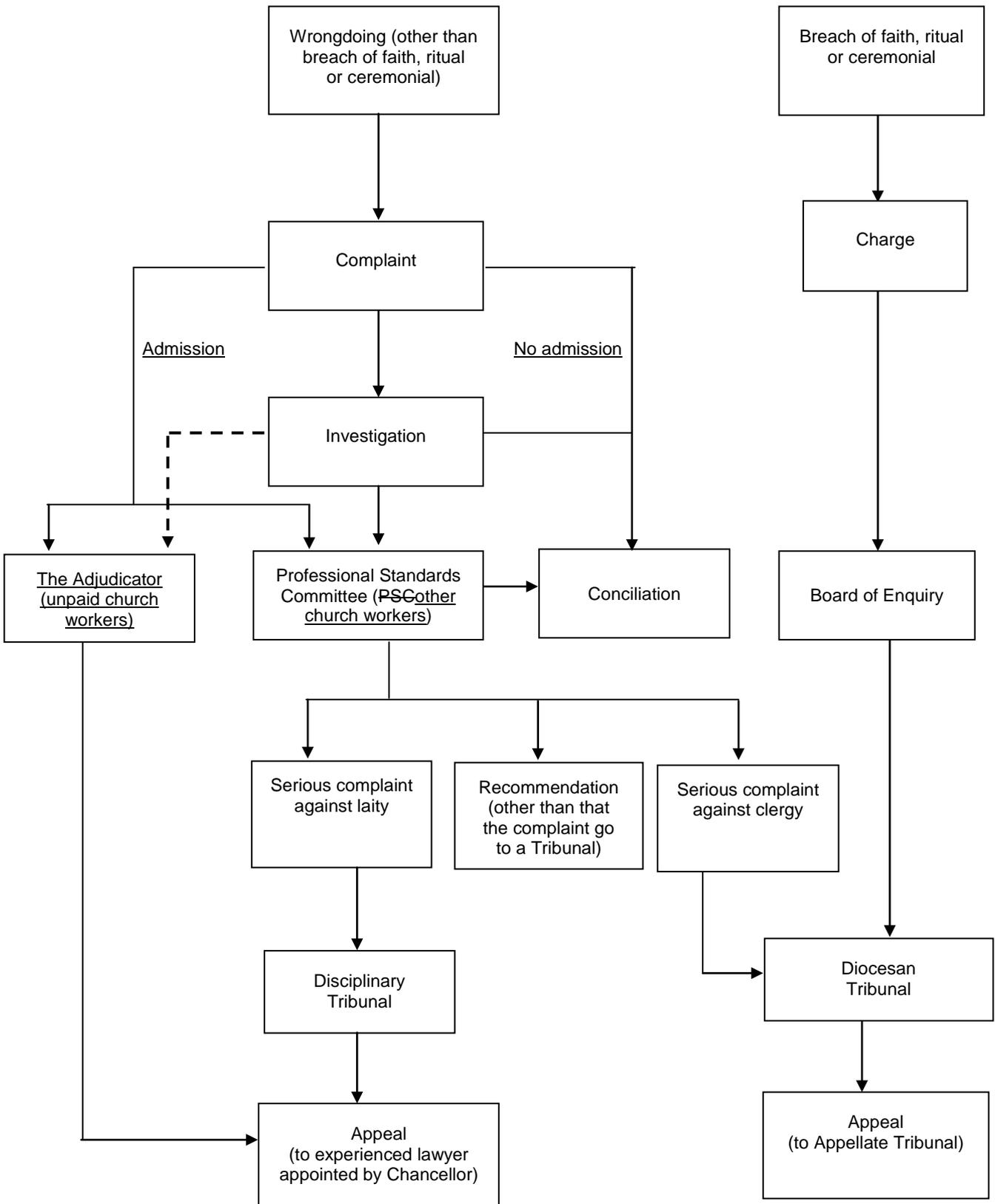
## Schedule A

### Discipline Ordinance 2006

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Diagrammatic Summary of Provisions



## Long title

An Ordinance to make provision with respect to the standard of conduct and the discipline of church workers.

The Synod of the Diocese of Sydney ordains as follows.

### CHAPTER 1 PRELIMINARY

#### 1. Name

This Ordinance is the *Discipline Ordinance 2006*.

#### 2. Definitions

In this Ordinance –

**Adjudicator** means a person appointed under clause 44.

**Appellate Tribunal** means the Appellate Tribunal constituted by and under Chapter IX of the 1961 Constitution.

**Archbishop** means the Archbishop of the Diocese or, in his absence, his Commissary or, if the See is vacant, the Administrator of the Diocese.

**Board of Enquiry** means the Board of Enquiry appointed under this Ordinance.

**ceremonial** has the same meaning as in the 1961 Constitution.

**Note:** Under section 74(1) of the 1961 Constitution, ceremonial includes ceremonial according to the use of this Church, and also the obligation to abide by such use.

**charge** means a charge under the 1961 Constitution or a charge under this Ordinance.

**child** means a person under the age of 18 years.

**child exploitation material** has the same meaning as in *Faithfulness in Service*.

**chief executive officer** of an organisation constituted by an ordinance of the Synod or the Standing Committee means the person who is responsible to the governing body of the organisation for the work of the organisation.

**child abuse** has the same meaning as in *Faithfulness in Service*.

**Note:** In *Faithfulness in Service*, child abuse means the following conduct in relation to a child –

- *bullying*
- *emotional abuse*
- *harassment*
- *neglect*
- *physical abuse*
- *sexual abuse, or*
- *spiritual abuse.*

*Each of these components of child abuse is further defined in Faithfulness in Service.*

**church authority** means the Archbishop or a person or body having administrative authority of or in a church body to license, appoint, authorise, dismiss or suspend a church worker.

**church body** includes a parish, school, any body corporate, organisation or association that exercises ministry within, or on behalf of, this Church in this Diocese.

**church worker** means a person who –

- (a) is or has been a member of the clergy, or
- (b) holds or has held any position of leadership within the Diocese and without limiting the generality of the foregoing a position of leadership includes –
  - (i) an office, or
  - (ii) membership of a body incorporated by or under the Bodies Corporate Act, or
  - (iii) a ~~churchwarden~~ warden, or

- (iv) membership of a parish council, or
- (v) membership of any other board, council or committee established by the Synod, the Standing Committee, a regional council or a parish council, or
- (vi) a chief executive officer of an organisation constituted by an ordinance of the Synod or the Standing Committee, or
- (vii) an officer of the kinds specified in ~~part 6 of the Church Administration Ordinance 1990~~ the Parish Administration Ordinance 2008, or
- (viii) an appointment by a rector, a curate-in-charge, churchwarden or parish council or by any delegate or agent of such a person or body of persons,

but excludes a bishop who is subject to the jurisdiction of the Special Tribunal.

**Diocesan Tribunal** means the Diocesan Tribunal constituted for the Diocese in accordance with Chapter IX of the 1961 Constitution and Part 3 of Chapter ~~89~~ of this Ordinance.

**Director** means the person appointed for the time being under clause ~~404~~111.

**disciplinary action** includes a sentence as referred to in Chapter IX of the 1961 Constitution.

**Disciplinary Tribunal** means a Tribunal constituted in accordance with Part 4 of Chapter ~~89~~.

**discipline** has the same meaning as in the 1961 Constitution.

**Note:** Under section 74(9) of the 1961 Constitution, in the context of a charge for a breach of discipline in respect of a person in Holy Orders licensed by the Archbishop or resident in the Diocese, discipline means –

- the obligations in the ordinal undertaken by the person, and
- the ordinances in force in the Diocese.

**doctrine** has the same meaning as in the 1961 Constitution.

**Note:** Under section 74(1) of the 1961 Constitution, doctrine means the teaching of this Church on any question of faith.

**elect ed member** of the Board of Enquiry means a member of the Board of Enquiry elected under clause ~~426~~136 or appointed under clause ~~430~~140 to fill a vacancy in the office of a member elected under clause ~~426~~136.

**elect ed member** of the Diocesan Tribunal means a member of the Diocesan Tribunal elected under clause ~~445~~125 or appointed under clause ~~448~~128 to fill a vacancy in the office of a member elected under clause ~~445~~125.

**exempt conduct** means conduct that is the subject of a declaration under Chapter ~~67~~.

**exercise a function** includes, if the function is a duty, performance of the duty.

**experienced lawyer** means a person –

- (a) who is or has been a judge or justice of an Australian, State or Territorial court or tribunal, or
- (b) who has been admitted as a legal practitioner for not less than 10 years.

**faith** has the same meaning as in the 1961 Constitution.

**Note:** Under section 74(1) of the 1961 Constitution, faith includes the obligation to hold the faith. Under section 74(4), reference to faith extends to doctrine.

**Faithfulness in Service** means the code for personal behaviour and the practice of pastoral ministry by clergy and church workers adopted by the Synod in October 2004 with such amendments as may be adopted from time to time by the Synod.

**function** includes power, authority and duty.

**grooming** has the same meaning as in *Faithfulness in Service*.

**inappropriate pastoral conduct involving a child** means engaging in a pattern of conduct involving a child or a group of children that is inconsistent with the standards and guidelines of Faithfulness in Service.

**licence** and **licensed** have the same meanings as in the 1961 Constitution.

**Note:** Under section 74(1) of the 1961 Constitution, licence means a licence under seal of the bishop of a diocese, and licensed has a meaning corresponding with that of licence.

**member of the clergy** means a person in Holy Orders.

**member of this Church** has the same meaning as in the 1961 Constitution.

**Note:** Under section 74(1) of the 1961 Constitution, member of this Church means a baptised person who attends the public worship of this Church and who declares that he or she is a member of this Church and of no Church which is not in communion with this Church.

**National Register** means the National Register established under the National Register Canon 2007.

**parish** has the same meaning as in the 1961 Constitution.

**Note:** Under section 74(1) of the 1961 Constitution, parish includes any parochial district or similar pastoral division constituted by or under ordinance of the synod of a diocese.

In the Parishes Ordinance 1979, "ecclesiastical district" is defined to mean a parish or provisional parish constituted under or recognised as such for the purposes of that ordinance.

Under clause 13(1) of the Recognised Churches Ordinance 2000, the provisions of the ~~Church Administration Ordinance 1990~~ Parish Administration Ordinance 2008 which provide for the governance and administration of a single church parish apply in relation to a recognised church as if the meeting place or the ecclesiastical district assigned to the church is a parish and a cure of souls within the Diocese and the minister thereof licensed thereto as incumbent.

**parishioner** has the same meaning as the 1961 Constitution.

**Note:** Under section 74(1) of the 1961 Constitution, parishioner means a member of this Church who is entitled to vote at a meeting of a parish for the election of churchwardens, or who if no such meeting is provided for is at least 18 years of age.

**person under legal incapacity** has the same meaning as in the Civil Procedure Act 2005.

**Note:** Under section 3(1) of the Civil Procedure Act 2005, person under legal incapacity means any person who is under a legal incapacity in relation to the conduct of legal proceedings (other than an incapacity arising under section 4 of the Felons (Civil Proceedings) Act 1981) and, in particular, includes –

- (a) a child under the age of 18 years, and
- (b) an involuntary patient, a forensic patient or a correctional patient within the meaning of the Mental Health Act 2007, and
- (c) a person under guardianship within the meaning of the Guardianship Act 1987, and
- (d) a protected person within the meaning of the NSW Trustee and Guardian Act 2009, and
- (e) an incommunicate person, being a person who has such a physical or mental disability that he or she is unable to receive communications, or express his or her will, with respect to his or her property or affairs.

**Professional Standards Committee** or **PSC** means the Professional Standards Committee established under Part 2 of Chapter 89.

**prohibition order** means an order prohibiting a church worker from holding a specified position or office in or being employed by a church body or church authority or from exercising any specified functions in relation to any office or position in the Diocese or in relation to employment by a church body or church authority.

**Reportable Conduct** means sexual misconduct committed against, with or in the presence of a child, including grooming of a child, or any serious physical assault of a child.

**ritual** has the same meaning as in the 1961 Constitution.

**Note:** Under section 74(1) of the 1961 Constitution, ritual includes rites according to the use of this Church, and also the obligation to abide by such use.

**Safe Ministry Board** means the board constituted under the Safe Ministry Board Ordinance 2001.

**serious offence** means –

- (a) a disqualifying offence listed in Schedule 2 of the Child Protection (Working with Children) Act 2012, or
- (b) a registrable offence within the meaning of the Child Protection (Offenders Registration) Act 2000.

**serious physical assault** has the same meaning as in the *Child Protection (Working with Children) Act 2012*.

**sexual abuse** has the same meaning as in *Faithfulness in Service*.

**Note:** In *Faithfulness in Service*, sexual abuse of an adult means sexual assault, sexual exploitation or sexual harassment of an adult. Sexual abuse of a child means the use of a child by another person for his or her own sexual stimulation or gratification or for that of others. It includes –

- sexual touching and fondling;
- being forced to touch or fondle another person;
- kissing or holding in a sexual manner;
- being forced to perform oral sex;
- vaginal or anal intercourse;
- vaginal or anal penetration with an object or any bodily part;
- making any gesture or action of a sexual nature in a child's presence;
- making sexual references or innuendo using any form of communication;
- voyeurism;
- exposure to any form of sexually explicit or suggestive material;
- discussion of, or inquiry about, personal matters of a sexual nature;
- being forced to masturbate self or others, or watch others masturbate; and
- indecent exposure.

Sexual abuse of a child does not include –

- sex education with the prior consent of a parent or guardian; or
- age appropriate consensual sexual behaviour between peers (ie the same or a similar age).

**sexual misconduct** has the same meaning as in the *Child Protection (Working with Children) Act 2012*.

**Special Tribunal** means the Special Tribunal constituted by and under Chapter IX of the 1961 Constitution.

**Synod** means the Synod of the Diocese.

**the 1961 Constitution** means the Schedule to the *Anglican Church of Australia Constitution Act 1961*.

**this Church** has the same meaning as in the 1961 Constitution.

**Note:** Under section 74(1) of the 1961 Constitution, this Church means the Anglican Church of Australia.

**wrongdoing** means –

- (a) a breach of faith, ritual, ceremonial or discipline, or
- (b) an offence specified by canon, ordinance or rule.

**unpaid church worker** means a lay church worker who does not hold a paid role, office or position in the Diocese at the time a complaint is made against them under this Ordinance.

### 3. Notes

- (1) Notes in this Ordinance are for explanatory purposes only and do not form part of this Ordinance.
- (2) The Diocesan Secretary is authorised to update the notes when reprinting this Ordinance under clause 8 of the *Interpretation Ordinance 1985*.

## CHAPTER 2

WRONGDOING BY CHURCH WORKERS (OTHER THAN  
BREACHES OF FAITH, RITUAL OR CEREMONIAL)

## Part 1 Complaints

**4. Complaints relating to offences under s. 54(2) of the 1961 Constitution**

A complaint may be made against a person licensed by the Archbishop, or a person in holy orders resident in the Diocese, alleging that the person has committed or, if a charge is preferred, would at that time have committed –

- (a) an offence specified by the *Offences Ordinance 1962*, or
- (b) an offence under clause 5 of the *Relinquishment of Holy Orders Ordinance 1994*, or
- (c) an offence under section 12 of the Schedule to the *General Synod – Holy Orders, Relinquishment and Deposition Canon 2004 Adopting Ordinance 2005*, or
- (d) an offence under clause 7 of this Ordinance, or
- ~~(d)~~(e) an offence under clause 9 or 24 of this Ordinance, or
- (f) an offence under clause 36(74A) of this Ordinance, or
- ~~(e)~~(g) an offence under clause 68(3) of this Ordinance.

**Notes:**

(1) *Offences included under the Offences Ordinance 1962 are –*

- (a) *unchastity,*
- (b) *drunkenness,*
- (c) *habitual and wilful neglect of ministerial duty after written admonition in respect thereof by the Bishop of the Diocese,*
- (d) *wilful failure to pay just debts,*
- (e) *conduct, whenever occurring –*
  - (i) *which would be disgraceful if committed by a member of the clergy, and*
  - (ii) *which at the time the charge is preferred is productive, or if known publicly would be productive, of scandal or evil report,*
- (f) *sexual abuse,*
- (g) *child abuse,*
- (h) *conviction in New South Wales of an offence which is punishable by penal servitude or imprisonment for 12 months or upwards or the conviction outside New South Wales of an offence which, if committed in New South Wales, would be an offence so punishable;*
- (i) grooming,
- (j) inappropriate pastoral conduct involving a child, and
- (k) possession, production or distribution of child exploitation material.

(2) *The offence under clause 5 of the Relinquishment of Holy Orders Ordinance 1994 is for a person who is regarded as having relinquished his or her holy orders under that Ordinance to hold out that the person continues to hold those orders.*

(3) *The offences under section 12 of the Schedule to the General Synod – Holy Orders, Relinquishment and Deposition Canon 2004 Adopting Ordinance 2005 are –*

- (a) *for a person who has relinquished the exercise of his or her holy orders under section 3 of the Canon to hold out that the person continues to exercise those orders, and*
- (b) *for a person who has been deposed under section 4 of the Canon to hold out that the person remains in holy orders.*

**5. Complaints relating to offences under s. 54(2A) of the 1961 Constitution**

A complaint may be made against a member of the clergy alleging that the member of the clergy has committed 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 12 months or upward if –

- (a) the conduct of the member of the clergy which gave rise to the complaint is alleged to have occurred in the Diocese, or

- (b) the member of the clergy was licensed by the Archbishop or was resident in the Diocese within 2 years before the complaint is made, or
- (c) the member of the clergy is in prison as a convicted person at the time the complaint is made but within 2 years before such imprisonment was licensed by the Archbishop or was ordinarily resident in the Diocese.

## 6. Complaints against lay church workers

A complaint may be made against a church worker (not being a person licensed by the Archbishop or a person in holy orders resident in the Diocese) alleging that the person has committed or, if a charge is preferred, would at that time have committed –

- (a) an offence specified by the *Offences Ordinance 1962*, or
- (b) an offence under clause 7 of this Ordinance, or
- (c) an offence under clause 9 or 24 of this Ordinance, or
- ~~(c)~~ (d) an offence under clause 36(4A), 36(7) of this Ordinance, or
- (e) an offence under clause 68(3) of this Ordinance.

**Note:** *Offences included under the Offences Ordinance 1962 are –*

- (a) *unchastity,*
- (b) *drunkenness,*
- (c) *habitual and wilful neglect of the duties of the person's position after written admonition in respect thereof by the appropriate church authority,*
- (d) *wilful failure to pay just debts,*
- (e) *conduct, whenever occurring –*
  - (i) *which would be disgraceful if committed by a person holding the position held by the person against whom the allegation is made or in which the person acts, and*
  - (ii) *which at the time a charge is preferred is productive, or if known publicly would be productive, of scandal or evil report,*
- (f) *sexual abuse,*
- (g) *child abuse,*
- (h) *conviction in New South Wales of an offence which is punishable by penal servitude or imprisonment for 12 months or upwards or the conviction outside New South Wales of an offence which, if committed in New South Wales, would be an offence so punishable;*
- (i) grooming,
- (j) inappropriate pastoral conduct involving a child, and
- (k) possession, production or distribution of child exploitation material.

## 7. ~~Other complaints~~ **Threats, intimidation or inducement**

~~A complaint may allege that a person (including a person who may be the subject of a complaint under this Part) has attempted~~ who attempts, by threat, intimidation or inducement –

- (a) to dissuade a person from making a complaint, or
- (b) to persuade a person to withdraw a complaint, or
- (c) to persuade a person to consent to the withdrawal of a complaint

commits an offence.

## 8. Who can make a complaint?

- (1) A complaint may be made by any person, including the Director.
- (2) A complaint may be made by –
  - (a) a person on his or her own behalf, or
  - (b) a person on behalf of a person under legal incapacity.

## 9. **Obligation to report knowledge or reasonable belief of ~~child abuse~~ certain matters**

- (1) A church worker who knows or has reason to believe that another church worker has engaged in conduct which constitutes child abuse, grooming, inappropriate pastoral conduct involving a child or possession, production or distribution of child exploitation material is to report to the Director, as soon as practicable, the name or a description of the other church worker and the grounds for believing that the other church worker has engaged in such conduct.

(2) A person licensed by the Archbishop or a person in holy orders resident in the Diocese who, without reasonable excuse, fails to make a report under subclause (1) commits an offence.

(3) A church worker who holds an authority issued under the Deaconesses, Readers and Other Lay Persons Ordinance 1981 for the purpose of undertaking paid work who, without reasonable excuse, fails to make a report under subclause (1) commits an offence.

#### **10. Complaint by Director on knowledge or reasonable belief of inappropriate conduct**

If the Director knows or has reason to believe that a church worker has engaged in conduct that constitutes an offence specified by canon, ordinance or rule and a complaint has not been made against the person in respect of that conduct, the Director is to make a complaint against the person in respect of that conduct.

#### **11. Person to whom complaint is made**

A complaint is to be made to the Director.

#### **12. Form of complaint**

(1) A complaint may be made orally or in writing, or partly orally and partly in writing.

(2) Details of the conduct the subject of the complaint are to be provided with the complaint.

(3) The Director, or a person nominated by the Director, may assist a person to make a complaint, to provide details of the conduct the subject of the complaint and, if the complaint is required to be verified under subclause (6), to verify the complaint.

(4) The Director is to reproduce in writing a complaint, or that part of a complaint, that is made orally.

(5) The Director may require a complainant to provide, within a period of not less than 14 days specified by the Director, further details of the conduct the subject of the complaint and other details that, in the opinion of the Director, may be relevant to the complaint.

(6) The Director may require a complainant to verify the complaint by statutory declaration within a period of not less than 14 days specified by the Director.

#### **13. Circumstances in which a complaint may be declined or deferred**

(1) The Director may decline to deal with a complaint if –

(a) the person making the complaint has failed to provide details of the conduct the subject of the complaint or any further details required by the Director under clause 12(5), or

(b) the complainant has failed to verify the complaint by statutory declaration as required by the Director under clause 12(6), or

(c) the complaint is withdrawn under clause 16, or

(d) in the case of a complaint against a member of the clergy –

(i) the member of the clergy is not licensed by the Archbishop and was not licensed by the Archbishop at the time the conduct the subject of the complaint is alleged to have occurred, or

(ii) the member of the clergy is not resident in the Diocese and was not resident in the Diocese within 2 years before the complaint was made, or

(iii) the conduct the subject of the complaint did not occur in the Diocese.

(2) The Director, with the concurrence of the PSC, may decline to deal with a complaint at any time if the PSC is of the opinion that –

(a) the complaint is false, vexatious or misconceived or the subject-matter of the complaint is trivial, or

(b) there is insufficient evidence to warrant an investigation under Part 2 of this Chapter, or

(c) the complaint does not allege any conduct which may be the subject of a complaint under this Part, or

(d) the conduct the subject of the complaint is under investigation by some other competent person or body, or

(e) there would be no utility in dealing with the complaint under this Ordinance and the complaint does not allege reportable conduct.

(3) In determining, for the purposes of clause 13(2)(e), whether it is of the opinion that there would be no utility in dealing with the complaint under this Ordinance, the PSC is to consider the practicability and likely effectiveness of the likely recommendation if the complaint is sustained having regard to –

- (a) whether the respondent currently holds any position of leadership within the Diocese,
- (b) the length of time since the respondent has held any position of leadership within the Diocese,
- (c) the age of the respondent,
- (d) the health of the respondent, and
- (e) any other relevant circumstance.

~~(3)~~(4) The PSC is to consider, having regard to all of the circumstances, whether any, and if so which, parties should be informed about a decision to decline or defer a complaint under clause 13(2).

(5) The Director may defer consideration of a complaint if the subject matter of the complaint is under investigation by some other competent person or body or is the subject of legal proceedings.

~~(4)~~(6) The Director is to record the reasons for declining to deal with a complaint or for deferring consideration of a complaint and is to provide a copy of the record to the PSC.

~~(5)~~(7) If the Director declines to deal with a complaint or defers consideration of a complaint, the Director may do all such things as are necessary or convenient to give effect to the decision.

#### 14. **Subject-matter of complaint already dealt with**

(1) Subject to subclause (2), No action is to be taken or continued under this Ordinance in respect of a complaint against a person if the Director, with the concurrence of the PSC, determines that the conduct the subject of the complaint is not materially different from conduct already dealt with under –

- (a) this Ordinance, or
- (b) the *Church Discipline Ordinance 1996*, or
- (c) the *Church Discipline Ordinance 2002*, or
- (d) the *Tribunal Ordinance 1962*, or
- (e) a formal investigation or inquiry with the authority of the Archbishop which was commenced prior to the date of assent to the *Church Discipline Ordinance 2002*,

unless, in the opinion of the Director, the complaint is supported by apparently credible evidence of fresh facts likely to lead to a different result.

(2) Notwithstanding subclause (1), action may be taken or continued under this Ordinance in respect of complaints alleging Reportable Conduct for the purpose only of the PSC making a finding under clause 33(2), an Adjudicator making a finding under clause 48 or a Tribunal making a finding under clause 73 that the person against whom the complaint is made has or has not engaged in any or all such conduct the subject of the complaint, except where the NSW Office of the Children's Guardian (or its predecessor) has previously been notified of the conduct and such notification was made in compliance with applicable legislation in force at the time the notification was made.

(3) For the purposes of subclause (2), any prior findings of fact made by the PSC, an Adjudicator or a Tribunal are conclusive.

#### 15. **Exempt conduct**

Except in accordance with Chapter 7, No action is to be taken or continued under this Ordinance if the Director, with the concurrence of the PSC, determines that the whole of the conduct concerning which the complaint has been made is exempt conduct.

#### 16. **Withdrawal of complaint**

(1) A complainant may, by notice in writing to the Director, withdraw the complaint at any time before the Director refers the complaint to the PSC.

- (2) A complaint is also withdrawn if at any time before the Director refers the complaint to the PSC –
  - (a) the complainant notifies the Director orally of the complainant's decision to withdraw the complaint, and
  - (b) the Director provides the complainant with written confirmation of the withdrawal.

(3) If the Director knows the name and address of a person who is alleged to have been a subject of conduct to which the complaint relates, the complaint cannot be withdrawn without the written consent of the person or the person's representative.

**Note:** If the complaint is withdrawn, any information about the complaint included on the National Register may be removed from the Register under section 10(1) of the National Register Canon 2007.

**17. Investigation or notification of making of complaint**

- (1) After receiving a complaint, the Director may appoint a person to investigate the complaint.
- (2) After receiving the investigator's report or if, after receiving a complaint, the Director decides not to appoint a person at that particular time to investigate the complaint, the Director is –
  - (a) to notify the substance of the complaint to the person against whom the complaint is made, and
  - (b) to request the person to provide a response to the complaint within a period of not less than 21 days specified by the Director, and
  - (c) to inform the person generally of the processes under this Ordinance, including the opportunity for conciliation (which may be done by providing the person with a copy of this Ordinance), and
  - (d) to advise the person of the possible sanctions that might follow if the allegations in the complaint are proven, and the opportunities for their mitigation or suspension, and
  - (e) to caution the person not to make any admissions without the benefit of legal advice.

**Note:** Upon notifying the substance of the complaint to the person against whom the complaint is made, the complaint may become a notifiable complaint for the purposes of the National Register Canon 2007. In this case, section 8 of the Canon requires the Director to notify the General Secretary of certain information about the complaint for inclusion on the National Register within 1 month of having access to that information.

**18. Response to complaint**

- (1) A person against whom a complaint is made and who has been provided with a copy of the complaint may respond to the complaint by admitting or denying it in whole or in part.
- (2) A response must be in writing signed by the person against whom the complaint is made or, in the case of a person under legal incapacity, by –
  - (a) a parent or guardian, or
  - (b) a person responsible for the welfare of the person under legal incapacity or acting on his or her behalf.

**Part 2 Investigation and assessment of complaints****19. Admission of complaint or substance of complaint – referral of complaint to PSC or the Adjudicator**

If the person against whom the complaint is made admits the complaint or the substance of the complaint, the Director is to refer the complaint to the PSC or, in the case of an unpaid church worker, to the Adjudicator.

**20. Non-admission of complaint – appointment of investigator**

If the person against whom the complaint is made denies the complaint, or does not admit the complaint or the substance of the complaint within the period specified by the Director, the Director is to appoint a person to investigate the complaint, unless the complaint has been investigated under clause 17.

**21. Investigation of complaint**

A person appointed to investigate a complaint under clause 17 or clause 20 is to investigate the complaint promptly.

**22. General functions of investigator**

- (1) For the purposes of an investigation, the investigator is, subject to this clause, to obtain such statutory declarations, written statements, recorded conversations, reports, documents and other material as the investigator considers necessary or advisable.
- (2) The investigator may require the person making the complaint to verify the complaint by statutory declaration if this has not already been done.
- (3) If the investigator interviews a person, the investigator must allow the person to have another person present with them, being a person who is not a witness to the matters which are the subject of the complaint.
- (4) The investigator is –
  - (a) to make a written record or, with the consent of the person, an audio record, of all interviews with the person, and

- (b) to provide the person with a copy of the record, and
- (c) to have the person verify the record by signing a copy of it or, in the case of an audio record, by signing a statement to the effect that the audio record is a true record of the interview.

**23. Responsibility of person against whom complaint is made to co-operate in the investigation**

- (1) The investigator may, by notice in writing to the person against whom the complaint is made, require the person –
- (a) to respond to a question or series of questions within the time specified in the notice in relation to any matter relevant to the investigation, and
  - (b) to otherwise assist in, or cooperate with the investigation of the complaint in a specified manner.
- (2) It is the obligation of a person against whom a complaint is made –
- (a) to answer truthfully any question put by or on behalf of the investigator in the exercise of powers conferred by this Ordinance, and
  - (b) not to mislead or obstruct the investigator, and
  - (c) not unreasonably to delay the investigator in the exercise of functions conferred by this Ordinance.

**24. Offences in relation to an investigation**

- (1) A person licensed by the Archbishop or a person in holy orders resident in the Diocese who, without reasonable excuse, fails to comply with a notice issued under clause 23(1) commits an offence.
- (2) A church worker who holds an authority issued under the *Deaconesses, Readers and Other Lay Persons Ordinance 1981* for the purpose of undertaking paid work who, without reasonable excuse, fails to comply with a notice issued under clause 23(1) commits an offence.
- (3) A person referred to in subclause (1) or (2) must not mislead or obstruct the investigator in the exercise of powers conferred by this Ordinance. The wilful contravention of this subsection is an offence.

**25. Report of investigation**

The investigator is to make and forward to the Director, without unnecessary delay, a report setting out the results of the investigation together with a copy of all records made as referred to in clauses 22 and 23 and any other relevant material obtained in the course of the investigation.

**26. Revocation of appointment of investigator**

The Director may, by notice in writing, revoke the appointment of an investigator if the investigator fails or refuses to comply with clause 21, 22 or any reasonable requirement of the Director.

**Part 3 Suspension and prohibition orders**

**27. Recommendation for suspension or prohibition order**

At any time after a complaint is made against a person, the Director may, after giving the person an opportunity to be heard, recommend to the relevant Church authority either or both of the following –

- (a) that the person should be suspended from exercising the functions of office or employment by one or more Church bodies,
- (b) that a prohibition order be made against the person.

**28. Matters to be considered before making a recommendation**

Before making a recommendation under clause 27, the Director is to take the following matters into account –

- (a) the seriousness of the conduct alleged in the complaint,
- (b) the nature of the material to support or negate the complaint,
- (c) whether any person is at risk of harm,
- (d) after consultation with the relevant Church body or its representative, the effect on the person against whom the complaint is made, a relevant Church body and on the Church of acting and of not acting under clause 27,
- (e) any other allegation of conduct similar to that alleged in the complaint previously made to the Director or to an equivalent person or body within the previous 10 years,

and may take into account any other relevant matter.

**29. Giving effect to a recommendation**

The relevant Church authority is authorised to do all such things as may be necessary to give effect to a recommendation made under clause 27.

### 30. Termination of suspension or prohibition order

(1) A suspension or prohibition order made by a Church authority pursuant to a recommendation under clause 27 must be terminated by the Church authority –

- (a) if the Director terminates the investigation without referring the matter to the PSC, or
- (b) upon any direction to that effect given by the PSC, or
- ~~(c) upon the PSC making a recommendation to the Church authority under clause 37A, or~~
- ~~(d)~~(c) upon the Church authority giving effect to a recommendation of the Adjudicator under clause 47, the Diocesan Tribunal under section 60 (1) of the 1961 Constitution or the Disciplinary Tribunal under clause 6674.

(2) A suspension by the Archbishop pursuant to a recommendation under clause 27 must also be terminated by the Archbishop if the Archbishop suspends the person against whom the complaint is made under section 61 of the 1961 Constitution.

### 31. Effect of suspension or prohibition order

During a suspension or prohibition order pursuant to the provisions of this Part or during a period when a person voluntarily stands down from a position while conduct the subject of a complaint is dealt with under this Ordinance –

- (a) the person against whom the complaint is made must comply with the terms of any prohibition order, and
- (b) the person against whom the complaint is made is ineligible for appointment to any position or function covered by any suspension or prohibition order, and
- (c) the relevant Church authority may fill the vacancy caused by any suspension or prohibition order, or while the person against whom the complaint is made is standing down, and
- (d) the person against whom the complaint is made is entitled to whatever stipend, salary, allowances and other benefits that he or she would otherwise have received and which are to be met or reimbursed from funds under the control of the Synod.

## Part 4 Reference of complaints to the PSC

### 32. Action on receipt of investigator's report

(1) On receipt of the investigator's report in relation to a complaint made against a person who is not an unpaid church worker, the Director must –

- (a) notify the PSC of the identity of the person against whom the complaint is made, and
- (b) furnish the PSC with a copy of all material in the Director's possession relevant to the complaint, including a copy of the investigator's report, and
- (c) request the PSC to provide a written report to the Director within 42 days or such longer period as may be agreed to by the Director at any time.

**Note:** *For complaints made against unpaid church workers see Chapter 4.*

(2) The Director must –

- (a) notify the person against whom the complaint is made that the complaint has been referred to the PSC, and
- (b) furnish the person with a copy of all material in the Director's possession relevant to the complaint, including a copy of the investigator's report, and
- (c) invite the person to provide any further information or material, and to make written representations to the PSC, relating to the complaint, within 28 days or such longer period as may be agreed to by the Director at any time.

### 33. Review of material by the PSC

(1) The PSC is to review the material furnished to it by the Director and any further information or material provided to it by the person against whom the complaint is made.

(2) If the complaint alleges ~~sexual misconduct committed against, with or in the presence of a child, including grooming of a child, or any serious physical assault of a child~~ Reportable Conduct, and the PSC considers that it is unable to make a finding on the material before it that the person has or has not engaged in any or all of such conduct the subject of the complaint, the PSC must recommend –

- (a) if the person is subject to the jurisdiction of the Diocesan Tribunal, that the Archbishop appoint a person to promote a charge against the person before the Diocesan Tribunal, or that the complaint be referred to a body in another diocese with equivalent jurisdiction, or
- (b) if the person is subject to the jurisdiction of the Disciplinary Tribunal, that the Archbishop appoint a person to promote a charge against the person before the Disciplinary Tribunal, or that the complaint be referred to a body in another diocese with equivalent jurisdiction.

#### 34. Recommendations of the PSC

(1) After conducting its review, the PSC may make one or more of the following recommendations in relation to the person against whom the complaint is made –

- (a) that the person agree to participate in conciliation, if arrangements for the conciliation of the complaint have not previously been made ,

**Note:** Chapter 3 makes provision for the conciliation of complaints.

- (b) that the person make an apology of a kind specified by the PSC,
- (c) that the person make reparation as specified by the PSC for the conduct the subject of the complaint,
- (d) that the person undertake training, or retraining, of a nature specified by the PSC,
- (e) that the person receive counselling of a nature specified by the PSC,
- (f) that the person undertake to the Director, in such terms as are specified by the PSC, any one or more of the following –
  - (i) that he or she will resign from any specified position or office in the Diocese or any specified employment by a church body or church authority,
  - (ii) that he or she will not accept nomination for or appointment to any specified position or office in the Diocese or any specified employment by a church body or church authority,
  - (iii) that he or she will not exercise any specified function or will meet any specified condition or restriction, in relation to any office or position in the Diocese, or in relation to employment by any church body or church authority,
- (g) that the person resign from his or her office or employment, request voluntary relinquishment from holy orders or request voluntary deposition from holy orders, with such admissions and other conditions as the PSC considers appropriate in all the circumstances,
- (h) if –
  - (i) ~~the person is subject to the jurisdiction of the Diocesan Tribunal, and~~
  - (ii) ~~the PSC is of the opinion that there is a reasonable likelihood that the complaint, if sustained, will result in the Diocesan Tribunal making a recommendation for the person's deposition from orders, prohibition from functioning or removal from office, and~~
  - (iii) ~~the PSC is of the opinion that there is a reasonable likelihood that the complaint will be sustained before the Diocesan Tribunal,~~

that the Archbishop appoint a person to promote a charge against the person before the Diocesan Tribunal, or that the complaint be referred to a body in another diocese with equivalent jurisdiction,

**Note:** As to the persons who are subject to the jurisdiction of the Diocesan Tribunal, see the note to Division 1 of Part 2 of Chapter 45.

- (i) if –
  - (i) ~~the person is subject to the jurisdiction of the Disciplinary Tribunal,~~
  - (ii) ~~the PSC is of the opinion that there is a reasonable likelihood that the complaint, if sustained, will result in the Disciplinary Tribunal making a recommendation for a prohibition order against the person or the removal of the person from a specified position or office, and~~
  - (iii) ~~the PSC is of the opinion that there is a reasonable likelihood that the complaint will be sustained before the Disciplinary Tribunal,~~

that the Archbishop appoint a person to promote a charge against the person before the Disciplinary Tribunal, or that the complaint be referred to a body in another diocese with equivalent jurisdiction,

**Note:** *The persons who are subject to the jurisdiction of the Disciplinary Tribunal are church workers who are not subject to the jurisdiction of the Diocesan Tribunal – see clause 4452.*

(j) that the person consent to the relevant Church authority issuing a prohibition order,

~~(j)~~(k) that no further action be taken with respect to the complaint.

(1A) The PSC may only make the recommendations in subclauses 34(1)(h) or (i) if –

(a) the person is subject to the jurisdiction of the relevant Tribunal,

(b) in the case of a person subject to the jurisdiction of the Diocesan Tribunal – the PSC is of the opinion that there is a reasonable likelihood that the complaint, if sustained, will result in the relevant Tribunal making a recommendation for the person’s deposition from orders, prohibition from functioning or removal from office,

(c) in the case of a person subject to the jurisdiction of the Disciplinary Tribunal – the PSC is of the opinion that there is a reasonable likelihood that the complaint, if sustained, will result in the Disciplinary Tribunal making a recommendation for a prohibition order against the person or the removal of the person from a specified position or office, and

(d) the PSC is of the opinion that there is a reasonable likelihood that the complaint will be sustained before the relevant Tribunal.

(2) In making a recommendation, the PSC is to take the following matters into consideration –

(a) the nature of the complaint and the seriousness of the conduct the subject of the complaint, in particular, whether that conduct comprises a serious offence, ~~or~~ child abuse, grooming, inappropriate pastoral conduct involving a child or possession, production or distribution of child exploitation material,

(b) whether there is more than one complaint,

(c) whether the complaint alleges more than one incident, or only a single incident,

(d) when the conduct is alleged to have occurred,

(e) the circumstances in which the conduct is alleged to have occurred,

(f) the ages of the complainant and the person against whom the complaint is made at the time the conduct is alleged to have occurred,

(g) if the person against whom the complaint is made –

(i) is a member of the clergy – whether the person was a member of the clergy at the time the conduct is alleged to have occurred, or

(ii) is not a member of the clergy – the position held or function performed by the person at the time the conduct is alleged to have occurred,

(h) whether the evidence of the complainant is corroborated,

(i) any views expressed by the complainant as to the desired outcome of the complaint,

(j) whether the person against whom the complaint is made has made any reparation for the conduct the subject of the complaint and, if so, the nature and extent of the reparation,

(k) any other offences committed by the person against whom the complaint has been made,

(l) whether any part of the conduct the subject of the complaint is exempt conduct,

(m) the practicability and likely effectiveness of the recommendation,

(n) such other matters as the PSC considers relevant.

(3) The PSC may direct that a suspension or prohibition order made by a Church authority pursuant to a recommendation under clause 27 must be terminated by the Church authority.

(4) If the PSC considers –

(a) that the material furnished to it by the Director does not disclose any conduct which may be the subject of a complaint under Part 1 of this Chapter, or

(b) that the complaint is false, vexatious or misconceived, or

(c) that it is more likely than not that the subject-matter of the complaint did not occur, or

(d) that the subject-matter of the complaint is trivial,

the PSC is to recommend that no further action be taken with respect to the complaint.

**Note:** *If the PSC considers that the complaint is false, vexatious or misconceived or that it is more likely than not that the subject-matter of the complaint did not occur, any information about the complaint which has been included on the National Register may be removed from the Register under section 10(1) of the*

*National Register Canon 2007 on the basis that it relates to a notifiable complaint which has been exhausted.*

### 35. Notice of recommendation

(1) The PSC is to give notice in writing of its recommendation to the complainant, the person against whom the complaint is made, the Director, the Archbishop and a relevant church authority as soon as practicable after the recommendation is made. Where the PSC makes a recommendation under clause 34(1)(f), (g) or (j), the PSC must include a statement of the reasons for the recommendation.

(1A) In respect of a recommendation made by the PSC under clause 34(1)(h) or (i), the notice must include a statement that proceedings will be taken against the person in accordance with clause 37.

(2) In respect of any other recommendation made by the PSC (except a recommendation that no further action be taken with respect to the complaint), the notice must include a statement that if the person against whom the complaint is made –

- (a) does not accept the PSC's recommendation within 14 days after the date of the notice and comply with the recommendation to the satisfaction of the Director, proceedings will be taken against the person in accordance with clause 36, and
- (b) considers there are good reasons why the recommendation cannot be accepted within 14 days, the person may request that the Director determine a longer period in which the recommendation may be accepted under clause 36(24A).

(3) If any information about the complaint has been included on the National Register, the notice must indicate whether acceptance of and compliance with the PSC's recommendation will result in the information being removed from or retained on the National Register.

### 36. Response to the recommendation

(1) If the person against whom the complaint is made, by notice in writing to the Director –

- (a) accepts the recommendation of the PSC within 14 days after the date of the notice of the recommendation, and
- (b) complies with any recommendation under clauses 34(1)(a) to (g) to the satisfaction of the Director, and continues to do so within or throughout any period that the notice issued under clause 35(1) states that the action required by the recommendation is to be undertaken,

no further action is to be taken against the person under this Ordinance in relation to the complaint, except as provided by this clause.

~~(1A)~~(2) The Director may, in writing, determine a period longer than 14 days within which a recommendation under subclause (1) may be accepted if the Director considers there are good reasons why the recommendation cannot be accepted within 14 days. If the Director determines a longer period, he or she must, as soon as reasonably practicable after making the determination, inform the PSC of the determination together with the reasons for the determination.

~~(1B)~~(3) If the complaint alleges ~~sexual misconduct committed against, with or in the presence of a child, including grooming of a child, or any serious physical assault of a child~~ Reportable Conduct and –

- (a) the person against whom the complaint is made –
  - (i) admits the complaint or the substance of the complaint, or
  - (ii) accepts the recommendation or recommendations of the PSC made under clause 34(1)(a) to (g) and (j), or
- (b) the PSC recommends that no further action be taken with respect to the complaint under clause 34(4)(d),

and the PSC is satisfied that the person has engaged in any or all of the conduct the subject of the complaint, then the PSC must make a finding that the person engaged in that conduct.

~~(2)~~(4) If the only recommendation is for the conciliation of the complaint and conciliation is attempted but the parties to the conciliation and the person conducting the conciliation are not satisfied that the subject of the complaint has been properly dealt with by the conciliation, the Director is to refer the complaint to the PSC for a further recommendation under clause 34.

~~(3)~~(5) If the person against whom the complaint is made fails to comply with the recommendation to the satisfaction of the Director, including within or throughout any period that the notice issued under clause 35(1) states that the action required by the recommendation is to be undertaken –

- (a) in the case of a person subject to the jurisdiction of the Diocesan Tribunal – the Archbishop is to appoint a person to promote a charge against the person before the Diocesan Tribunal or refer the complaint to a body in another diocese with equivalent jurisdiction, or

- (b) in the case of a person who is subject to the jurisdiction of the Disciplinary Tribunal but is not an unpaid church worker because of an office, role, appointment or position for which they are paid— the Archbishop is to appoint a person to promote a charge before the Disciplinary Tribunal or refer the complaint to a body in another diocese with equivalent jurisdiction, ~~or~~
- (c) ~~in the case of a person who is subject to the jurisdiction of the Disciplinary Tribunal because of an office, role, appointment or position for which they are not paid~~— the Archbishop may—
- (i) ~~appoint a person to promote a charge before the Disciplinary Tribunal, or~~
  - (ii) ~~refer the complaint to the PSC for a recommendation under clause 37A, or~~
  - (iii) ~~refer the complaint to a body in another diocese with equivalent jurisdiction.~~

~~(4)(6)~~ If the person against whom the complaint is made does not accept the recommendation of the PSC by notice in writing to the Director within 14 days after the date of the notice of the recommendation or such longer period as the Director may determine under subclause ~~(4A)(2)~~—

- (a) in the case of a person subject to the jurisdiction of the Diocesan Tribunal - the Archbishop is to appoint a person to promote a charge against the person before the Diocesan Tribunal or refer the complaint to a body in another diocese with equivalent jurisdiction, or
  - (b) in the case of a person subject to the jurisdiction of the Disciplinary Tribunal ~~because of an office, role, appointment or position for which they are paid~~ but is not an unpaid church worker – the Archbishop is to appoint a person to promote a charge before the Disciplinary Tribunal or refer the complaint to a body in another diocese with equivalent jurisdiction, ~~or~~
  - (c) ~~in the case of a person subject to the jurisdiction of the Disciplinary Tribunal because of an office, role, appointment or position for which they are not paid~~— the Archbishop may—
- (i) ~~appoint a person to promote a charge before the Disciplinary Tribunal, or~~
  - (ii) ~~refer the complaint to the PSC for a recommendation under clause 37A, or~~
  - (iii) ~~refer the complaint to a body in another diocese with equivalent jurisdiction.~~

~~(4A)(7)~~ A person who gives an undertaking to the Director in or substantially in the terms of a recommendation made under clause 34(1)(f) and fails to honour that undertaking commits an offence.

(8) If the PSC makes a recommendation under clause 34(1)(j) that the person consent to the relevant Church authority issuing a prohibition order and the person accepts this recommendation, the relevant Church authority is empowered to issue the prohibition order.

~~(5)(9)~~ For the avoidance of doubt, this clause 36 does not apply to a recommendation made by the PSC that no further action be taken with respect to the complaint.

**Note:** *Section 35(1) of the Child Protection (Working With Children) Act 2012 imposes a duty on a reporting-body (which includes the Anglican Church in New South Wales, including organisations of dioceses) to notify the Children's Guardian of the name and other identifying particulars of any child-related worker against whom the reporting body has made a finding that the worker has engaged in sexual misconduct committed against, with or in the presence of a child, including grooming of a child, or any serious physical assault of a child.*

### **37. Recommendation that a complaint be dealt with by a Tribunal**

If the recommendation of the PSC is that the Archbishop appoint a person to promote a charge before the Diocesan Tribunal or the Disciplinary Tribunal, the Archbishop must comply with the recommendation.

#### **~~37A. Further recommendation of PSC in relation to unpaid church workers~~**

~~(1) If the Archbishop refers a complaint to the PSC under clause 36(3)(c)(ii) or 36(4)(c)(ii), the PSC may, after giving the person against whom the complaint is made an opportunity to be heard, make any one or more of the following recommendations to the relevant church authority—~~

- ~~(a) that no further action be taken in relation to the complaint,~~
- ~~(b) that a prohibition order be made against the person in such terms as are specified in the recommendation,~~
- ~~(c) that the person be removed from a specified position or office,~~
- ~~(d) such other recommendations as the PSC thinks fit.~~

~~(2) The PSC is to give notice in writing of its recommendation to the complainant, the person against whom the complaint is made, the Director and the Archbishop as soon as practicable after the recommendation is made.~~

~~(3) The relevant church authority is authorised to do all such things as may be necessary to give effect to a recommendation made under subclause (1).~~

**Part 5 Costs of responding to a complaint**

**37B37A. Reimbursement of costs**

(1) A person who is not an unpaid church worker who provides a response to a complaint under clause 18, responds to a request by an investigator under clause 23 or provides any further information or material, or makes written representations to the PSC under clause 32 may be reimbursed their reasonable costs of obtaining advice and assistance from a legal practitioner.

(2) The person's costs are to be paid by the Synod in accordance with the scale of costs approved for the time being by the Standing Committee on the recommendation of the Director.

### CHAPTER 3 CONCILIATION OF COMPLAINTS

#### 38. Arrangements for conciliation

- (1) The Director may, with the consent of the complainant and the consent of the person against whom the complaint is made, make arrangements for the conciliation of the complaint.
- (2) Arrangements for the conciliation of a complaint may be made –
  - (a) at any time before the PSC makes a recommendation under clause 34 or, in the case of a complaint referred to an Adjudicator, at any time before the Adjudicator makes a recommendation under clause 47, or
  - (b) if the PSC makes a recommendation that the complaint be the subject of conciliation, at any time after the recommendation is made and before a charge arising from the complaint is promoted before the Diocesan Tribunal or the Disciplinary Tribunal.
- (3) Conciliation cannot be arranged if –
  - (a) the complaint alleges child abuse, grooming, inappropriate pastoral conduct involving a child or possession, production or distribution of child exploitation material and the person alleged to have been abused, groomed or inappropriately treated is still a child, or
  - (b) the complaint alleges sexual abuse which comprises a serious offence, or
  - (c) the conduct the subject of the complaint, if proven, is likely, in the Director's opinion, to result in the imposition of a penalty on the person against whom the complaint is made which comprises or includes either or both of the following –
    - (i) in the case of a person who is licensed by the Archbishop – the suspension or revocation of the person's licence,
    - (ii) in any case – the issue of a prohibition order against the person.

#### 39. Conduct of conciliation

- (1) The conciliation of a complaint is to be conducted by a person appointed by the Director in such manner as the person thinks fit.
- (2) Any other process under this Ordinance which is current at the time when conciliation is commenced or which may be implemented at any subsequent time may be suspended or deferred in accordance with such directions as may be given from time to time by the Director.
- (3) Any such direction has effect according to its terms.

#### 40. Termination of conciliation

- (1) The person conducting the conciliation of a complaint may terminate the conciliation at any time.
- (2) The person conducting the conciliation of a complaint must terminate the conciliation if requested to do so by any party to the conciliation.
- (3) The conciliation of a complaint is terminated, unless it is completed or terminated at an earlier time, on the expiration of 2 months after the conciliation commenced to be conducted.

#### 41. Outcome of conciliation

- (1) If the parties to a conciliation and the person conducting the conciliation are satisfied that the matter the subject of the complaint has been properly dealt with by the conciliation, no further action is to be taken under this Ordinance with respect to the matter.
- (2) The outcome of a conciliation to which subclause (1) applies is to be recorded in writing and signed by the parties to the conciliation.
- (3) If the parties to a conciliation and the person conducting the conciliation are not satisfied that the matter the subject of the complaint has been properly dealt with by the conciliation, any process which was suspended or deferred under clause 39(2) may be resumed or implemented.

#### 42. Confidentiality of conciliation

- (1) A person involved in a conciliation is to treat as confidential all communications, whether written or oral, that take place during the course of the conciliation and those communications cannot be used in –
  - (a) an investigation under this Ordinance, or
  - (b) proceedings before the Diocesan Tribunal or the Disciplinary Tribunal, or
  - (c) a licensing review under the *Parish Relationships Ordinance 2001*, or

- (d) action taken under the *Parish Disputes Ordinance 1999*.
- (2) This clause does not apply to the agreed outcome of the conciliation.
- (3) The agreed outcome of the conciliation is to be recorded by the Director and a copy is to be given to each party to the conciliation and the Archbishop.
- (4) The agreed outcome may be notified by the Director to the Standing Committee of Synod (and by the Standing Committee to the Synod), but the notification must not disclose the names of a party to the conciliation, or any other information that would enable a party to be identified, unless the party has consented to his or her name being disclosed.

## **CHAPTER 4**

### **THE ADJUDICATOR**

#### **43. Application**

(1) Subject to subclause (2), this Chapter applies to complaints made against unpaid church workers to the exclusion of Part 4 of Chapter 2 and Chapter 5.

(2) If the Director considers that a complaint against an unpaid church worker raises substantially the same circumstances as another complaint that has been or will be referred to the PSC, the Director may instead refer the complaint to the PSC for consideration under Part 4 of Chapter 2.

#### **44. Appointment of the Adjudicator**

The Registrar is to promptly appoint an experienced lawyer to be the Adjudicator for a complaint to which this Chapter applies.

#### **45. Action on receipt of an admission or the investigator's report**

(1) On receipt of an admission under clause 19 or the investigator's report, the Director must –

- (a) notify the Adjudicator of the identity of the respondent, and
- (b) furnish the Adjudicator with a copy of all material in the Director's possession relevant to the complaint, including a copy of any investigator's report.

(2) The Director must –

- (a) notify the respondent that the complaint has been referred to the Adjudicator, and
- (b) furnish the respondent with a copy of all material in the Director's possession relevant to the complaint, including a copy of any investigator's report, and
- (c) invite the respondent to provide any further information or material, and to make written representations to the Adjudicator, relating to the complaint, within 28 days or such longer period as may be agreed to by the Director at any time.

#### **46. Review of material by the Adjudicator**

(1) The Adjudicator is to review the material provided by the Director and any further information or material provided by the respondent.

(2) If the complaint or the substance of the complaint has been admitted by the respondent, the Adjudicator may proceed to make recommendations under clause 47.

(3) If the complaint or the substance of the complaint has not been admitted by the respondent, the Adjudicator must apply the rules of procedural fairness and otherwise determine a procedure for resolution of the complaint before proceeding to make recommendations under clause 47.

#### **47. Recommendations**

(1) The Adjudicator is to make one or more recommendations in relation to the respondent and for this purpose may make a recommendation or recommendations to one or both of the following –

- (a) the respondent, and
- (b) the Archbishop or the relevant church authority.

(2) For the purposes of clause 47(1)(a) the Adjudicator has the same power to make recommendations as the PSC under clause 34(1) (with the exception of clauses 34(1)(h) and (i)).

(3) For the purposes of clause 47(1)(b) the Adjudicator has the same power to make recommendations as the Disciplinary Tribunal under clause 74.

(4) For the avoidance of doubt, if the Adjudicator makes a recommendation under clause 47(1)(a), the Adjudicator is not precluded from making further recommendations in relation to the respondent under clause 47(1)(b).

#### **48. Findings with respect to Reportable Conduct**

If the complaint alleges Reportable Conduct, the Adjudicator must make a finding on whether the person has or has not engaged in any or all of such conduct the subject of the complaint.

#### **49. Costs of responding to a complaint**

The Adjudicator has no power to award costs. The respondent is responsible for meeting their own costs of responding to the complaint.

**50. Review**

- (1) Subject to subclause (2), decisions and recommendations of the Adjudicator are not appellable or subject to review.
- (2) A respondent may make an application for review under clause 81 and for this purpose –
  - (a) the respondent is deemed to meet the qualifying requirements in clause 81(1), and
  - (b) references to the Disciplinary Tribunal in clause 81 are taken to be references to the Adjudicator.

## CHAPTER 45

### THE TRIBUNALS

#### Part 1 Introductory

**Note:** This Chapter, in so far as it applies to the Diocesan Tribunal, is made under and for the purposes of the Anglican Church of Australia Constitution Act 1961 and, in particular, Chapter IX (The Tribunals) of the Schedule to that Act. In order to understand more easily the disciplinary scheme that is found partly in that Act and partly in this Ordinance, summaries of the relevant provisions of that Act are included as notes at appropriate places in this Ordinance. As the notes do not necessarily reproduce the exact text of that Act, reference should, where necessary, be made directly to that Act.

#### 43-51. Definition

In this Chapter, **the Tribunal** means –

- (a) in the case of a person who is subject to the jurisdiction of the Diocesan Tribunal – the Diocesan Tribunal, and
- (b) in the case of a person who is subject to the jurisdiction of the Disciplinary Tribunal – the Disciplinary Tribunal.

#### **Division 1 Jurisdiction of the Tribunals**

#### **What is the nature of the Diocesan Tribunal?**

**Note:** Section 54(1) of the 1961 Constitution provides that the Diocesan Tribunal is the court of the Archbishop.

#### **What is the jurisdiction of the Diocesan Tribunal?**

**Note:** Section 54(2) of the 1961 Constitution provides that the Diocesan Tribunal has jurisdiction to hear and determine charges of breaches of faith, ritual, ceremonial or discipline and of such offences as may be specified by canon, ordinance or rule in respect of –

- a person licensed by the Archbishop, or
- any other person in holy orders resident in the diocese.

Section 54(2A) of the 1961 Constitution provides that the Diocesan Tribunal also has jurisdiction to hear a charge 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 12 months or more in respect of a member of the clergy if –

- the act of the member of the clergy which gave rise to the charge occurred in the Diocese, or
- the member of the clergy was licensed by the Archbishop or was resident in the Diocese within 2 years before the charge was laid, or
- the member of the clergy is in prison as a convicted person at the time the charge was laid, but within 2 years before imprisonment was licensed by the Archbishop or was ordinarily resident in the Diocese.

#### 44-52. What is the jurisdiction of the Disciplinary Tribunal?

The Disciplinary Tribunal has jurisdiction to hear and determine charges brought against church workers who are not subject to the jurisdiction of the Diocesan Tribunal.

#### **Division 2 Charges**

**Note:** By clause 7987 of this Ordinance, Divisions 2 and 3 of Part 1 of this Chapter apply to a charge in respect of a breach of faith, ritual or ceremonial in the same way as those Divisions apply to a charge for other wrongdoing except as provided by Chapter 56.

#### 45-53. Archbishop's appointee

- (1) The appointment by the Archbishop of a person to make a charge is to be in writing signed by the Archbishop.
- (2) The appointment continues until it is revoked in writing by the Archbishop, unless the appointment is expressed to be for the purpose of making a particular charge or charges or for a specified period of time.

#### 46-54. What is the form of a charge?

- (1) A charge must state –

- (a) the wrongdoing that it is alleged the person has committed, and
  - (b) particulars of the acts or omissions alleged to constitute the wrongdoing.
- (2) A charge may allege more than one wrongdoing.
- (3) The allegations in the charge must be verified by statutory declaration made by the person or persons making the charge or by any other person or persons.
- (4) A charge must be signed by the person or persons making the charge.
- (5) A charge must include an address within the Diocese for service of documents on the person or persons making the charge.
- (6) A charge may be, but does not have to be, in the form of Schedule 1, Schedule 2 or Schedule 3, to this Ordinance.

#### **47.55. How is a charge made?**

A charge is made by lodging a copy of the charge at the Registrar's office together with the statutory declaration or declarations verifying the allegations in the charge.

#### **48.56. Is there a time limit to the making of a charge?**

- (1) Subject to clause ~~8088~~, there is no time limit to the making of a charge.
- (2) However, the Tribunal, under clause ~~6469~~, may dismiss a charge for delay in making the charge.

#### **49.57. Can a charge be withdrawn?**

- (1) The person who has or the persons who have made a charge may, with the consent of the person charged, withdraw the charge at any time before it has been referred to the Tribunal by the Registrar.
- (2) The person who has or the persons who have made a charge may, with the consent of the person charged and of the Tribunal, withdraw the charge at any time after it has been referred to the Tribunal by the Registrar.
- (3) In granting its consent, the Tribunal may direct that a specified person or persons be substituted for the person or persons who made the charge.
- (4) A charge is withdrawn by lodging a copy of the notice of withdrawal at the office of the Registrar.
- (5) The notice of withdrawal is to be signed by the person or persons making the charge and the person charged.
- (6) If a charge is withdrawn, no further proceedings may be taken under this Ordinance in relation to the charge by the person or persons who made the charge.
- (7) However, the withdrawal of a charge does not prevent another person or other persons from making the same or a different charge against the person named in the charge that is withdrawn.

#### **50.58. Notice of the charge**

As soon as practicable after a charge is made against a person, the Registrar must serve a copy of the charge on the person.

#### **Circumstances in which the Archbishop may suspend a person from office**

##### **Notes:**

- (1) *Suspension before promotion of charge –*

*Section 61(2) of the 1961 Constitution provides that the Archbishop may suspend a person licensed by the Archbishop, or a person in holy orders resident in the Diocese, from the duties of office where –*

- (a) *a charge is proposed to be promoted under this Ordinance, and*
- (b) *the charge will not allege a breach of faith, ritual or ceremonial, and*
- (c) *the charge relates to an offence that is punishable by imprisonment for 12 months or more of which the person has been charged or convicted or in respect of which the Archbishop has received a report from an experienced lawyer stating that there is a prima facie case of the person having committed the offence.*

*Section 61(3) – (6) of the 1961 Constitution provide that the period of suspension must not exceed 28 days from the date of service of the Archbishop's notice of suspension on the person unless the charge is promoted within the period of suspension, in which case the period of suspension continues until the first meeting of the Standing Committee thereafter. The Archbishop may revoke a suspension at any time*

during its currency. Suspension from the duties of office does not deprive a person from the emoluments appertaining to the office.

(2) Suspension following promotion of charge –

Section 61(1) of the 1961 Constitution provides that where a charge has been promoted before the Diocesan Tribunal against a person licensed by the Archbishop, the Archbishop, with the concurrence of the Standing Committee, may suspend the person from the duties of his or her office until determination of the charge, or a lesser time. The Archbishop may make such arrangements for the performance of the duties of the office as may be authorised by any canon, ordinance or rule or, in the absence of such canon, ordinance or rule, as the Archbishop deems proper.

#### **51-59. Request for answer to the charge**

(1) The Registrar must serve, with the copy of the charge –

- (a) a request that the person charged lodge an answer to the charge at the Registrar's office within a period of not less than 21 days specified in the Registrar's request, and
- (b) general information concerning the processes under this Ordinance, the possible sanctions that might follow if the charge is proven, and the opportunities for their mitigation or suspension (all of which may be done by providing the person charged with a copy of this Ordinance), and
- (c) a caution not to make any admissions without the benefit of legal advice.

(2) The Registrar may from time to time by notice in writing to the person charged extend the period specified for lodging the person's answer even though the period originally specified or any previous extension has elapsed.

#### **52-60. Answer to the charge**

(1) An answer to a charge must be signed by the person charged.

(2) In an answer, the person charged may do either or both of the following –

- (a) admit all or any of the allegations in the charge,
- (b) deny all or any of the allegations in the charge and verify such denial by way of statutory declaration lodged with the answer.

(3) The answer, together with any statutory declaration verifying the denial of all or any of the allegations in the charge, is to be lodged at the Registrar's office.

(4) The Registrar is to send a copy of the answer and any statutory declaration lodged with the answer to the person or persons making the charge.

(5) The Registrar is to notify the person or persons making the charge if the person against whom the charge is made fails to lodge an answer within the requisite period.

(6) A failure by the person against whom the charge is made –

- (a) to admit in an answer any allegation in the charge, or
- (b) to deny in an answer any allegation in the charge and to verify such denial by way of statutory declaration lodged with the answer,

within the requisite period for lodging an answer to a charge is taken to be a denial of the allegation within the requisite period.

#### **53-61. What procedure applies if a charge (not relating to faith, ritual or ceremonial) is admitted?**

(1) If any wrongdoing alleged in a charge, or part of a charge, that does not relate to faith, ritual or ceremonial, is admitted within the requisite period for lodging an answer to the charge, the Registrar is to refer the charge, or part, to the Tribunal.

(2) The Diocesan Tribunal is to make a recommendation to the Archbishop concerning the wrongdoing admitted, in accordance with section 60(1) of the 1961 Constitution.

(3) The Disciplinary Tribunal is to make a recommendation to the relevant church authority concerning the wrongdoing admitted in accordance with clause ~~66~~74.

(4) A recommendation for disciplinary action must not be made without giving the person against whom the recommendation is proposed to be made an opportunity to be heard in relation to the recommendation.

**54.62. What procedure applies if a charge (not relating to faith, ritual or ceremonial) is denied?**

If any wrongdoing alleged in a charge, or part of a charge, that does not relate to faith, ritual or ceremonial, is denied within the requisite period for lodging an answer to the charge, the charge or part must be referred by the Registrar to the Tribunal.

**Division 3 Proceedings before the Tribunals****55.63. Right of appearance**

The person charged is entitled to appear before the Tribunal personally or by a legal practitioner.

*Note:* As to the payment of the costs of legal representatives, see clause 6977.

**56.64. Prosecution of charges by person appointed by the Director**

- (1) A charge is to be prosecuted by a person appointed by the Director.
- (2) The person appointed by the Director has a right of appearance before the Tribunal.

**57.65. Directions hearing**

- (1) If any allegation in a charge is denied, the Tribunal may hold a preliminary hearing in order to give directions concerning the conduct of the proceedings and the hearing of the charge.
- (2) At a preliminary hearing, the Tribunal may be constituted by the President or a Deputy President sitting alone.

**58.66. What happens if the person against whom the charge is made does not appear before the Tribunal?**

If the person against whom a charge is made does not appear before the Tribunal, the Tribunal may hear the charge in the person's absence.

**59.67. Public hearing**

- (1) A charge is to be heard in public.
- (2) However, the President or, in the absence of the President, the Deputy President –
  - (a) may, at any time, order that a charge, or a specified part of the proceedings before the Tribunal concerning a charge, is to be heard in private, and
  - (b) must order that a charge, or a specified part of the proceedings before the Tribunal concerning a charge, is to be heard in private if requested to do so by 2 other members of the Tribunal.

**60.68. Suppression of names**

- (1) The Tribunal may order that the name of, or other information that could lead to the identification of the person charged, or a person who appears, or is reasonably likely to appear, before the Tribunal is not to be published or broadcast, except in such circumstances as the Tribunal may authorise.
- (2) An order of the Tribunal does not apply to the publication of a report authorised or required under this Ordinance.
- (3) A church worker who knowingly or recklessly breaches an order made under this clause commits an offence.

**61.69. Dismissal of charge**

The Tribunal may dismiss a charge if it is of the opinion that the delay in making the charge causes unfairness to the person against whom the charge is made.

**62.70. Amendment of charge**

- (1) The Tribunal may permit or direct an amendment to the charge, the particulars of the charge or the answer to the charge.
- (2) If an amendment is made to the charge, the particulars of the charge or the answer to the charge, the Registrar is to give notice of the amendment, as soon as practicable after it is made, to the person appointed under clause 56(4)64(1), the person charged and the person or persons making the charge.

**63.71. Onus of proof**

A charge is required to be proved on the balance of probabilities.

**What are the powers of the Diocesan Tribunal concerning the production of evidence?**

*Note:* Section 9 of the Anglican Church of Australia Constitution Act 1961 and section 62 of the 1961 Constitution provide that, for the purpose of securing the attendance of witnesses and the production of

documents and for the examination of witnesses on oath or otherwise, the Diocesan Tribunal is taken to be an arbitrator as referred to in the Commercial Arbitration Act 1984 (NSW) and has power to administer an oath or to take an affirmation from any witness and for the same purpose any party to a proceeding before it or any person permitted by it to submit evidence to it is taken to be a party to a reference or submission to arbitration within the meaning of the Commercial Arbitration Act 1984.

#### **64.72. What are the powers of the Disciplinary Tribunal concerning the production of evidence?**

The Disciplinary Tribunal may receive evidence, examine witnesses and administer oaths and affirmations.

#### **65.73. Other determinations in relation to complaints**

(1) In dealing with a charge which contains any allegation of ~~sexual misconduct committed against, with or in the presence of a child, including grooming of a child, or any serious physical assault of a child~~ Reportable Conduct, a Tribunal must before making any other determination or recommendation it is empowered to make, make a finding as to whether the person engaged in any or all of the conduct the subject of each such allegation.

(2) In dealing with a complaint in respect of which information has been included on the National Register, a Tribunal must, after making any other declaration or recommendation that it is empowered to make, determine whether the complaint is false, vexatious or misconceived, or whether it is more likely than not that the subject-matter of the complaint did not occur.

#### **Notes:**

(1) Section 35(1) of the Child Protection (Working With Children) Act 2012 imposes a duty on a reporting-body (which includes the Anglican Church in New South Wales, including organisations of dioceses) to notify the Children's Guardian of the name and other identifying particulars of any child-related worker against whom the reporting body has made a finding that the worker has engaged in sexual misconduct committed against, with or in the presence of a child, including grooming of a child, or any serious physical assault of a child.

(2) If a Tribunal determines that the complaint is false, vexatious or misconceived or that it is more likely than not that the subject-matter of the complaint did not occur, any information about the complaint which has been included on the National Register may be removed from the Register under section 10(1) of the National Register Canon 2007 on the basis that it relates to a notifiable complaint which has been exhausted.

#### **What recommendations may the Diocesan Tribunal make?**

**Note:** Section 60(1) of the 1961 Constitution provides that the Diocesan Tribunal shall make such recommendation as it thinks just in the circumstances, but shall not recommend any sentence other than one or more of the following –

- deposition from orders,
- prohibition from functioning
- removal from office
- rebuke.

The Diocesan Tribunal's recommendation is made to the Archbishop.

#### **What action may be taken by the Archbishop concerning the Diocesan Tribunal's recommendation?**

**Note:** Section 60(2) of the 1961 Constitution provides that the Archbishop is to give effect to the Diocesan Tribunal's recommendation. However, if disciplinary action is recommended, the Archbishop may consult with the Diocesan Tribunal and in the exercise of his prerogative of mercy –

- mitigate the disciplinary action, or
- suspend its operation, or
- mitigate the disciplinary action and suspend its operation.

In each case, the Archbishop is to pronounce the disciplinary action recommended even though he mitigates or suspends it.

If disciplinary action or mitigated disciplinary action has been suspended and remains suspended for 2 years, the disciplinary action has no operation after the 2-year period.

**66.74. What recommendations may the Disciplinary Tribunal make?**

If the Disciplinary Tribunal determines that a charge has been proved, the Disciplinary Tribunal may make any one or more of the following recommendations to the Archbishop or other relevant church authority –

- (a) that no further action be taken in relation to the complaint,
- (b) that a prohibition order be made against the person in such terms as are specified in the recommendation,
- (c) that the person be removed from a specified position or office,
- (d) such other recommendation as the Disciplinary Tribunal thinks fit.

**67.75. What action may be taken by the relevant church authority concerning the Disciplinary Tribunal's recommendation?**

(1) The Archbishop or other relevant church authority is to give effect to the recommendations of a Disciplinary Tribunal, subject to this Part.

(2) The Archbishop or other relevant church authority may, after consulting with the Disciplinary Tribunal, in giving effect to a recommendation –

- (a) mitigate its terms, or
- (b) suspend its implementation, or
- (c) mitigate its terms and suspend its implementation.

(3) A recommendation, and any decision made by the Archbishop or other relevant church authority in respect of the recommendation, ceases to have effect if its implementation is deferred for a period of not less than 2 years.

**68.76. Report of finding**

(1) A determination of the Tribunal, and any recommendation made by the Tribunal, is to be contained in a report –

- (a) that sets out the Tribunal's findings on material questions of fact, and
- (b) that refers to any evidence or other material on which the Tribunal's findings were based, and
- (c) that gives the reasons for the Tribunal's determination.

(2) The Tribunal's report is to be given to the Archbishop, any other relevant church authority, the person or persons making the charge, the person charged and, subject to subclause (3), the Standing Committee.

(3) In making a report to the Standing Committee where the charge was not found to be proven, the Tribunal should not disclose the name of, or other information that could lead to the identification of, the person charged or a person who appeared before it.

**69.77. Costs**

(1) If the person against whom the complaint is made is represented by a legal practitioner, the Tribunal may order that the person's costs of the proceedings before the Tribunal are to be paid.

(2) If the Tribunal makes such an order, the person's costs are to be paid by the Synod in accordance with the scale of costs approved for the time being by the Standing Committee on the recommendation of the Director.

**70.78. Recommendation as to payment of witnesses expenses**

The Tribunal may make a recommendation to the Director for the payment of the expenses, in an amount determined by the Tribunal, of any person who appeared as a witness before the Tribunal.

**71.79. Tribunal procedures**

The Tribunal may, subject to this Ordinance, the rules of procedural fairness and any rules made under clause 72.80, determine the procedures applicable for the hearing of a charge.

**72.80. Rules**

The Archbishop-in-Council may make rules for the conduct of the business of the Tribunal.

## Part 2 Review of the decision of a Tribunal

### Division 1 The Diocesan Tribunal

#### Can there be an appeal from a determination of the Diocesan Tribunal?

**Note:** Section 59(4) of the 1961 Constitution provides that –

- the person who brings a charge before the Diocesan Tribunal, if dissatisfied with its determination or recommendation, and
- the person against whom the charge is brought, if dissatisfied with the recommendation or the disciplinary action imposed on that recommendation,

may appeal to the Appellate Tribunal within 28 days after the making of the determination or recommendation, or the imposing of the disciplinary action, or within such further time as the President of the Appellate Tribunal may in writing allow. In the case of disciplinary action comprising the deprivation of or suspension from office, the Archbishop may, on the lodging of the notice of appeal, if he sees fit, intermit the operation of the disciplinary action.

Section 60(4) of the 1961 Constitution provides that the provisions of the Constitution with respect to an appeal from a determination of the Diocesan Tribunal extend to and authorise an appeal from a recommendation or the imposition of disciplinary action but do not extend to a ruling of the Diocesan Tribunal of an interlocutory nature.

Section 57(2) of the 1961 Constitution provides that an appeal to the Appellate Tribunal is by way of re-hearing.

### Division 2 The Disciplinary Tribunal

#### 73-81. Application for review

(1) If the person against whom a charge is made is aggrieved by a decision of the Disciplinary Tribunal that if acted upon by the relevant church authority would, or may have the effect of –

- (a) terminating the person's employment, or
- (b) removing or suspending the capacity of the person to gain income as a church worker,

the person may apply to the Registrar for a review of the decision.

(2) If the person making the charge is aggrieved by a decision of the Disciplinary Tribunal the person may apply to the Registrar for a review of the decision.

(3) The application must be made within 21 days after the applicant receives a copy of the Disciplinary Tribunal's report under clause ~~68(2)~~76(2) or such longer period as the Registrar may by notice in writing to the aggrieved person determine.

(4) The application must be in writing and set out the grounds for the review.

#### 74-82. Grounds for review

The grounds on which an application for a review of a decision of the Disciplinary Tribunal may be made are any one or more of the following –

- (a) that a breach of the rules of procedural fairness occurred in relation to the making of the decision which materially affected the decision,
- (b) that procedures required to be observed by this Ordinance in relation to the making of the decision were not observed and the non-observance materially affected the decision,
- (c) that the Disciplinary Tribunal did not have jurisdiction to make the decision,
- (d) that the decision was so devoid of any plausible justification that no reasonable Disciplinary Tribunal could have made it.

#### 75-83. Stay of proceedings

An application for a review of a decision of the Disciplinary Tribunal acts as a stay of the decision pending the determination of the review.

#### 76-84. Appointment of Reviewer

(1) As soon as practicable after receiving an application for review, the Registrar must notify the Chancellor.

(2) The Chancellor is to appoint an experienced lawyer to undertake the review and notify the Registrar of the appointment.

- (3) Upon the appointment of an experienced lawyer, the Registrar is to obtain an estimate of the fee to be charged by the experienced lawyer in making a determination under this Part.
- (4) On receipt of the estimate, the Registrar is to notify the applicant for the review of the amount of the estimate and is to request the applicant to pay half of the estimated fee to the Registrar or a person nominated by the Registrar.
- (5) If the applicant does not pay half of the estimated fee within 21 days after receipt of the Registrar's request, the application for the review lapses.

**77.85. Conduct of review**

- (1) A review by an experienced lawyer of the determination of the Disciplinary Tribunal is to be conducted in the manner determined by the experienced lawyer, subject to the process allowing the experienced lawyer to make a determination on the review within a reasonable period after the date that the Registrar receives payment from the applicant for half of the estimated fee.
- (2) A review is not to be a re-hearing of the merits, or a new hearing.
- (3) The experienced lawyer may make such order as to costs of the review as he or she thinks fit.

**78.86. Determination on review**

The experienced lawyer who reviews a determination of the Disciplinary Tribunal may do any one or more of the following –

- (a) quash or set aside the determination,
- (b) refer the determination to the Disciplinary Tribunal for further consideration in accordance with such terms and conditions as the experienced lawyer directs,
- (c) declare the rights of the applicant for the review in relation to any matter to which the determination of the Disciplinary Tribunal relates,
- (d) direct the applicant or the Disciplinary Tribunal to do, or to refrain from doing, anything that the experienced lawyer considers necessary to do justice between the parties.

## CHAPTER 56

### BREACHES OF FAITH, RITUAL AND CEREMONIAL

#### Part 1 Charges

##### Against whom may a charge be made?

###### Notes:

(1) Section 54(2) of the 1961 Constitution provides that a charge in respect of a breach of faith, ritual or ceremonial may be made against –

- a person licensed by the Archbishop, or
- any other person in holy orders resident in the Diocese.

(2) Clause 3(3)(c) of the Church Ministry Ordinance 1993 makes the failure by a member of this Church (as provided in the 1902 Constitutions) to act in accordance with a provision of a Schedule to that Ordinance an offence. Clause 3(3)(b) of that Ordinance states that, for the purposes of section 54(2) of the 1961 Constitution, the provisions of each Schedule are each a matter of ritual, ceremonial or discipline (as the case may be).

##### Who may make a charge?

**Note:** Section 54(3) of the 1961 Constitution provides that a charge in respect of a breach of faith, ritual or ceremonial may be made by –

- a person appointed by the Archbishop, or
- 5 adult communicant members of this Church resident within the Diocese.

However, if the charge is made against the incumbent of a parish with respect to a breach alleged to have been committed in the parish, the 5 adult communicant members must be bona fide parishioners of the parish.

##### **79-87. Making of charges generally**

Except as provided by this Chapter, Divisions 2 and 3 of Part 1 of Chapter 45 apply to a charge in respect of a breach of faith, ritual or ceremonial in the same way as those Divisions apply to a charge for other wrongdoing.

##### **80-88. Is there a time limit to the making of a charge?**

A charge in respect of a breach of faith, ritual or ceremonial must be made within one year after the alleged commission of the breach.

#### Part 2 The Board of Enquiry

##### Reference of charges to the Board of Enquiry

**Note:** Section 54(3) of the 1961 Constitution provides that, before any charge relating to faith, ritual or ceremonial is heard by the Diocesan Tribunal, it must be referred to the Board of Enquiry appointed by this Ordinance. The charge may proceed to a hearing if the Board allows it as a charge that is proper to be heard.

##### **81-89. The role of the Board of Enquiry**

(1) The Board of Enquiry is to inquire into a charge or part referred to it in order to determine if the charge or part is one that is proper to be heard by the Diocesan Tribunal.

(2) Evidence and representations before the Board of Enquiry are to be given by means of written statements or statutory declarations.

(3) For the purpose of enabling the Board of Enquiry to exercise its functions under this clause it, may –

- (a) require the person or persons making the charge or invite the person charged to provide, by statutory declaration, information concerning the charge, and
- (b) permit or direct an amendment to the charge or the particulars of the charge or the answer to the charge.

(4) A person who provides a statutory declaration may consent to it being given to any other party. If consent is not given, the Board of Enquiry may disregard the contents of the statutory declaration.

(5) If an amendment is made to the charge, the particulars of the charge, or the answer to the charge, the Registrar is to give notice of the amendment, as soon as practicable after it is made, to the person charged and to the person or persons making the charge.

(6) The Board of Enquiry may dismiss a charge if it is of the opinion that the delay in making the charge causes unfairness to the person charged.

**82.90. Report of the Board of Enquiry**

After inquiring into a charge or part of a charge referred to it, the Board of Enquiry is to report in writing to the Registrar whether or not it is of the opinion that the charge or part is a charge that is proper to be heard by the Diocesan Tribunal.

**83.91. Finding that the charge is a charge that is proper to be heard**

(1) If a majority of the members for the time being of the Board of Enquiry report to the Registrar that they are of the opinion that the charge or part of the charge is a charge that is proper to be heard by the Diocesan Tribunal, the Registrar is –

- (a) to forward the documents relating to the charge and the reports of the members of the Board of Enquiry to the Diocesan Tribunal, and
- (b) to fix a date, time and place for the hearing of the charge or part, and
- (c) to serve notice of the date, time and place fixed for the hearing on the person or persons making the charge and the person charged –
  - (i) personally, or
  - (ii) by posting it in a letter addressed to the person or persons at the residential address of the person or persons last known to the Registrar.

(2) The date fixed for the hearing of a charge or part of a charge must not be less than 30 days after the date of the Registrar’s notice.

**84.92. Finding that the charge is not a charge that is proper to be heard**

(1) If a majority of the members for the time being of the Board of Enquiry report to the Registrar that they are of the opinion that the charge or part of the charge is not a charge that is proper to be heard by the Diocesan Tribunal, the Registrar is to send a copy of the reports of the members of the Board of Enquiry to the person or persons who made the charge and the person charged.

(2) No further proceedings may be taken in relation to a charge or part of a charge to which this clause applies.

(3) However, this clause does not prevent another charge being made against the same person.

**85.93. Report to Archbishop**

The Registrar is to provide a copy of each report made to the Registrar under this Part to the Archbishop.

**Can there be an appeal from a determination of the Diocesan Tribunal?**

**Note:** Section 54(4) of the 1961 Constitution provides that in matters involving any question of faith, ritual, ceremonial or discipline an appeal lies from the determination of the Diocesan Tribunal to the Appellate Tribunal.

Section 59(4) of the 1961 Constitution provides that –

- the person who brings a charge before the Diocesan Tribunal, if dissatisfied with its determination or recommendation, and
- the person against whom the charge is brought, if dissatisfied with the recommendation or the disciplinary action imposed on that recommendation,

may appeal to the Appellate Tribunal within 28 days after the making of the determination or recommendation, or the imposing of the disciplinary action, or within such further time as the President of the Appellate Tribunal may in writing allow. In the case of disciplinary action comprising the deprivation of or suspension from office, the Archbishop may, on the lodging of the notice of appeal, if he sees fit, intermit the operation of the disciplinary action.

Section 60(4) of the 1961 Constitution provides that the provisions of the Constitution with respect to an appeal from a determination of the Diocesan Tribunal extend to and authorise an appeal from a recommendation or the imposition of disciplinary action but do not extend to a ruling of the Diocesan Tribunal of an interlocutory nature.

Section 57(2) of the 1961 Constitution provides that an appeal to the Appellate Tribunal is by way of re-hearing.

**CHAPTER 67**  
**EXEMPT CONDUCT**

**86-94. Declaration of exemption following disclosure of past conduct**

- (1) A person referred to in subclause (2) may make a full disclosure to the Archbishop in writing that the person has engaged in conduct that may be the subject of a complaint under this Ordinance.
- (2) If the disclosure is made –
  - (a) by a person prior to ordination by or on behalf of the Archbishop as a deacon, or
  - (b) by a person who is not ordained prior to being issued with an authority under the *Deaconesses, Readers and Other Lay Persons Ordinance 1981* for the purpose of undertaking paid work, or
  - (c) by a person who has been ordained, otherwise than by or on behalf of the Archbishop, of conduct committed before ordination as a deacon, prior to being first licensed by the Archbishop,

the Archbishop, with the concurrence of the PSC, may declare that the conduct cannot be the subject of a complaint or a charge under this Ordinance.

- (3) A declaration has effect for the purposes of this Ordinance according to its terms.
- (4) If the Archbishop makes a declaration, any information disclosed to the Archbishop for the purposes the declaration is to be treated as Exempt Information for the purposes of the National Register Canon 2007.

**Note:** *Under section 8 of the National Register Canon 2007, Exempt Information is not information that is to be notified to the General Secretary for inclusion on the National Register.*

**87-95. Circumstances in which a declaration cannot be made**

The Archbishop must not make a declaration under this Chapter in respect of a person who has been convicted of a disqualifying offence listed in Schedule 2 of the *Child Protection (Working with Children) Act 2012*.

**Note:** *Disqualifying offences in Schedule 2 of the Child Protection (Working with Children) Act 2012 include the murder or manslaughter of a child, intentional wounding or committing grievous bodily harm to a child, abandonment of a child, serious sex offences, incest, bestiality and offences related to child pornography/child abuse material. In general, these are sex offences or offences involving children which are punishable by imprisonment of 12 months or more.*

**88-96. Requirements to be satisfied before a declaration can be made**

- (1) The Archbishop must not make a declaration under this Chapter in respect of the conduct of a person unless the Archbishop and the PSC consider that the person –
  - (a) has made any appropriate reparation for the conduct, and
  - (b) does not pose a risk to the safety of any person, and
  - (c) is fit to be ordained, to be issued with an authority or to be licensed by the Archbishop, as the case may be.
- (2) In deciding whether or not a person poses a risk to the safety of any person, the following matters are to be taken into consideration –
  - (a) the circumstances in which the conduct occurred,
  - (b) the seriousness of the conduct,
  - (c) the age of the person at the time of the conduct,
  - (d) the age of each victim at the time,
  - (e) the difference in ages between the person and each victim,
  - (f) the person's criminal record, if any,
  - (g) such other matters as are considered relevant.

**89-97. Effect of refusal to make a declaration**

If the Archbishop refuses to make a declaration under this Chapter in respect of the conduct of a person, the person is not entitled for 5 years to apply again for a declaration in respect of that conduct.

**CHAPTER 78**  
**MISCELLANEOUS**

**90.98. Confidentiality of information**

A church authority, the Director, a member of the PSC, a person employed or engaged in work related to the functions of the Director or the PSC, a member of the Diocesan Tribunal or the Disciplinary Tribunal and a member of the Board of Enquiry must not divulge information that comes to his or her knowledge by virtue of his or her office or position, except –

- (a) in the course of carrying out the duties of that office or position, or
- (b) as may be authorised by or under this Ordinance, or
- (c) in any proceedings before a diocesan tribunal, a disciplinary tribunal, a provincial tribunal, the Appellate Tribunal or the Special Tribunal, or
- (d) as may be required by law, or
- (e) to any insurer or insurance broker of a church body or church authority where the information may give rise to or be relevant to a claim for indemnity by the church body or church authority against the insurer or is relevant to obtaining or continuing insurance cover.

**91.99. Disclosure by PSC to equivalent bodies in other dioceses**

The PSC must disclose to an equivalent body in another diocese relevant details of information in its possession concerning the alleged conduct of a church worker –

- (a) which is information that is relevant to, or arises during the course of, an investigation being undertaken by the PSC where the PSC knows that the church worker is residing in the diocese of the equivalent body, or
- (b) which is information concerning conduct alleged to have occurred in the diocese of the equivalent body,

and is to co-operate with any such equivalent body.

**100. Findings of certain other bodies may be treated as conclusive**

Any findings made by a disciplinary body of another diocese or a state administrative or judicial body, that have not been overturned on appeal, may be treated as conclusive by a person performing functions under this Ordinance.

**101. Effect of prohibition orders**

Subject to clause 31, a person who is subject to a prohibition order is, despite the provisions of any other ordinance, ineligible for election or appointment to any position or office to which the order applies, and any such office or position that the person is or was elected or appointed to becomes vacant.

**92.102. Indemnity**

The Synod of the Diocese indemnifies a member of the PSC, an Adjudicator, the Diocesan Tribunal, the Disciplinary Tribunal or the Board of Enquiry for an act or omission of the member, PSC, Tribunal or Board in good faith and in the exercise or purported exercise of a function under this Ordinance.

**93.103. Service of documents**

- (1) A document required to be served under this Ordinance on a person may be served –
  - (a) personally, or
  - (b) by posting a copy of the document by pre-paid post to the person at the person's proper address.
- (2) The proper address of a person is the address for service of the person but, if the person has no address for service, the person's last known residential address.
- (3) Service of a document that is posted by pre-paid post is taken to be effected 7 days after posting.
- (4) In this clause, service of a document includes the giving of a notice.

**94.104. Exclusion of other bodies**

Other than the Board of Enquiry, the Diocesan Tribunal and the Disciplinary Tribunal, no other body is competent to hear or determine a matter relating to a charge made under this Ordinance until –

- (a) a majority of the members for the time being of the Board of Enquiry report to the Registrar that they are of the opinion that the charge is not a charge proper to be heard, or
- (b) the Diocesan Tribunal has dealt with the charge to finality and, if appropriate, the Archbishop has given effect to the Diocesan Tribunal's recommendation relating to the charge, or

- (c) the Disciplinary Tribunal has dealt with the charge to finality and, if appropriate, the relevant church authority has given effect to the Disciplinary Tribunal's recommendation relating to the charge.

**95-105. Rights of employers**

Nothing in this Ordinance affects any right of an employer to terminate the employment of an employee.

**96-106. Repeals**

- (1) The *Tribunal Ordinance 1962* is repealed.  
(2) The *Church Discipline Ordinance 2002* is repealed.

**97-107. Amendment of the Relinquishment of Holy Orders Ordinance 1994**

The *Relinquishment of Holy Orders Ordinance 1994* is amended –

- (a) by omitting from clause 4(1) all the matter following the word 'except' and by inserting instead the words 'the *Discipline Ordinance 2006*.', and  
(b) by omitting from clause 5 all matter including and following the word 'except' and by inserting instead the words 'and the person shall, in relation to the holding out, be taken to be a person in holy orders for the purposes of the *Discipline Ordinance 2006*.'

**98-108. Amendment of the Offences Ordinance 1962**

The *Offences Ordinance 1962* is amended by omitting clause 3 and inserting instead the following –

**"Specified offences**

3. (1) The following are specified as offences for which a charge may be heard and determined by the Diocesan Tribunal (in addition to those specified by canon) –
- (a) Sexual abuse.  
(b) Child abuse.  
(c) Conviction in New South Wales of an offence which is punishable by penal servitude or imprisonment for 12 months or upwards or a conviction outside New South Wales of an offence which, if committed in New South Wales, would be an offence so punishable.

**Notes:**

(1) *Other offences for which a charge may be heard and determined by the Diocesan Tribunal are –*

- *an offence under Clause 5 of the Relinquishment of Holy Orders Ordinance 1994, and*
- *an offence under clause 12 of the General Synod – Holy Orders, Relinquishment and Deposition Canon 2004 Adopting Ordinance 2005, and*
- *an offence under clause 9 or 24 of the Discipline Ordinance 2006.*

(2) *Section 54(2) of the 1961 Constitution provides that a charge in respect of a breach of faith ritual or ceremonial may be made against a person licensed by the Archbishop or any other person in holy orders resident in the Diocese.*

(3) *Clause 3(3)(c) of the Church Ministry Ordinance 1993 makes the failure by a member of this Church (as provided in the 1902 Constitutions) to act in accordance with a provision of a Schedule to that Ordinance an offence. Clause 3(3)(b) of that Ordinance states that, for the purposes of section 54(2) of the 1961 Constitution, the provisions of each Schedule are each a matter of ritual, ceremonial or discipline (as the case may be).*

(2) The following are specified as offences for which a charge may be heard and determined by the Disciplinary Tribunal –

- (a) Unchastity.  
(b) Drunkenness.  
(c) Habitual and wilful neglect of the duties of the person's position after written admonition in respect thereof by the appropriate church authority.  
(d) Wilful failure to pay just debts.  
(e) Conduct, whenever occurring –

- (i) which would be disgraceful if committed by a person holding the position held by the person against whom the allegation is made or in which the person acts, and
  - (ii) which at the time the charge is preferred productive, or if known publicly would be productive, of scandal or evil report.
- (f) Sexual abuse.
  - (g) Child abuse.
  - (h) Conviction in New South Wales of an offence which is punishable by penal servitude or imprisonment for 12 months or upwards or a conviction outside New South Wales of an offence which, if committed in New South Wales, would be an offence so punishable.

**Note:** Other offences for which a charge may be heard and determined by the Disciplinary Tribunal are offences under clauses 9 and 24 of the Discipline Ordinance 2006.

(3) For the purposes of subclauses (1) and (2), 'church authority', 'Diocesan Tribunal', 'Disciplinary Tribunal', 'sexual abuse' and 'child abuse' have the same meanings as in the Discipline Ordinance 2006."

### **99.109. Savings and transitional provisions**

- (1) Nothing in this Ordinance affects any proceeding commenced, but not completed, before the date on which this Ordinance commences under the *Tribunal Ordinance 1962* or the *Church Discipline Ordinance 2002* and any such proceeding may be continued and completed as if this Ordinance had not been made.
- (2) The repeal of the *Tribunal Ordinance 1962* does not affect or invalidate any act done or election or appointment made under that Ordinance.
- (3) All persons elected or appointed under the *Tribunal Ordinance 1962* and holding office immediately before the repeal of that Ordinance are to remain in office as if they had been elected or appointed under this Ordinance, except as provided by this clause.
- (4) If the persons remaining in office pursuant to subclause (3) who are elected to be members of the Diocesan Tribunal do not include a woman then, as soon as practicable after the commencement of this Ordinance, the Standing Committee may appoint a woman as an additional member of the Diocesan Tribunal and, subject to clause ~~447~~127, such person holds office until the first session of the 48<sup>th</sup> Synod.
- (5) The persons remaining in office pursuant to subclause (3) are taken to be members of the Disciplinary Tribunal while holding office as members of the Diocesan Tribunal.
- (6) The supplemental list for the Diocesan Tribunal and the supplemental list for the Board of Enquiry are abolished.
- (7) The lay persons elected or appointed as members of the Board of Enquiry under the *Tribunal Ordinance 1962* and holding office immediately before the repeal of that Ordinance cease to hold office on that repeal.
- (8) As soon as practicable after the date on which this Ordinance commences, the Standing Committee is to elect, out of the lay persons who cease to hold office under subclause (7), 2 persons to be members of the Board of Enquiry. If, at the time of the election, there are 2 or less lay persons eligible for election, any such lay person who is eligible for election is taken to be elected under this subclause and any other lay person or lay persons necessary to be elected to constitute the Board of Enquiry may be elected by the Standing Committee.
- (9) The person holding office as the Director under the *Church Discipline Ordinance 2002* immediately before the date on which this Ordinance commences is taken to have been appointed as the Director under this Ordinance and holds office on the same terms and conditions as those which applied immediately before the repeal of the *Church Discipline Ordinance 2002*.
- (10) A declaration made under clause 18 of the *Church Discipline Ordinance 2002* is taken to have been made under Chapter ~~6~~7 of this Ordinance.
- (11) This Ordinance extends to conduct occurring before the date on which this Ordinance commences.

### **400.110. Commencement**

Except for this clause, this Ordinance commences on a date declared by the Standing Committee by resolution.

**CHAPTER 89**

**ADMINISTRATION**

**Part 1 The Director**

**401-111. The Director**

- (1) The Archbishop, taking into account any recommendation of the Safe Ministry Board, may appoint a suitably qualified person to be the Director for the purposes of this Ordinance.
- (2) Any person who is the Director and is a member of the Safe Ministry Board at the time a recommendation is made to the Archbishop under subclause (1) must not vote or speak as a member of the Safe Ministry Board in relation to the making of the recommendation.
- (3) The Director is to be appointed on such terms and conditions as the Archbishop determines.
- (4) If, for any reason, the Director is unable or unwilling to exercise or perform any power, authority, duty or function of the Director under this Ordinance, the Archbishop may appoint another suitably qualified person to exercise or perform the power, authority, duty or function.

**402-112. Relationship between the Director and the Archbishop**

- (1) The Director is to inform the Archbishop of –
  - (a) any information known to the Director, or any reasonable belief held by the Director, that a church worker has engaged in conduct which may be the subject of a complaint, and
  - (b) any response made by a church worker to an allegation that is, or could be, the subject of a complaint.
- (2) The Director is to provide the Archbishop with such further information as the Archbishop may reasonably require.
- (3) The Archbishop is to provide the Director with such information as the Director may reasonably require.

**403-113. The Director's entitlement to information held by certain persons**

A person who, or body which, appointed a church worker to an office or position held by the church worker during any period relevant for the purposes of an allegation made against the church worker that is, or could be, the subject of a complaint is to provide the Director with such information as the Director may reasonably require.

**404-114. The Director to report annually to the Standing Committee**

Before 31 August each year, the Director is to make a report to the Standing Committee as to the action taken under this Ordinance during the period of 12 months ending on the preceding 30 June and provide a copy of the report to the Safe Ministry Board.

**Part 2 The Professional Standards Committee**

**405-115. Establishment of the PSC**

There is to be a Professional Standards Committee for the Diocese.

**406-116. Appointment of members**

- (1) The Archbishop-in-Council is to appoint at least 3 persons to be the members of the PSC.
- (2) The persons appointed as members of the PSC are to include –
  - (a) an experienced lawyer, and
  - (b) a person who has been a member of the clergy for not less than 10 years, and
  - (c) a person who is certified by the Safe Ministry Board as having other qualifications or experience appropriate to the discharge of the office of a member of the PSC, such as child protection, social work or psychiatry.
- (3) The PSC is to include at least one person who is not a member of this Church and, so far as it is reasonably practicable, is to have an equal number of men and women.

**407-117. Term of office**

Subject to clause ~~408-118~~, a member of the PSC holds office until the first meeting of the Standing Committee which next follows the first day of the first ordinary session of the next Synod provided that the member continues to hold office until his or her successor is appointed.

**408.118. Casual vacancies**

- (1) The office of a member of the PSC is vacated if –
  - (a) the member -
    - (i) dies, or
    - (ii) resigns by notice in writing to the Diocesan Secretary, or
    - (iii) becomes mentally incapacitated, or
    - (iv) becomes an insolvent under administration, or
    - (v) ceases to reside permanently in the Diocese, or
  - (b) the Archbishop-in-Council revokes the appointment.
- (2) The Archbishop-in-Council may fill a casual vacancy in the office of a member of the PSC.

**409.119. Chairperson**

- (1) The Archbishop-in-Council is to appoint one of the members of the PSC to be the chairperson of the PSC.
- (2) The chairperson is to preside at all meetings of the PSC at which he or she is present.
- (3) In the absence of the chairperson, the members present at a meeting are to elect a member to be the chairperson.
- (4) At meetings of the PSC, the chairperson has a deliberative vote only.

**410.120. Meetings**

- (1) The PSC may meet from time to time as determined by the chairperson or a majority of the members.
- (2) The PSC may conduct its business in such manner as it thinks fit.
- (3) Without limiting subclause (2), the PSC may conduct its business by telephone or electronic communication.
- (4) The Director is entitled to attend and speak at meetings of the PSC.

**414.121. Quorum**

A majority of the members for the time being of the PSC constitutes a quorum at a meeting of the PSC.

**412.122. Decisions**

- (1) A decision of the majority of the members of the PSC at a meeting at which a quorum is present is a decision of the PSC.
- (2) A decision taken other than at a meeting of the PSC, if supported by a majority of the members of the PSC, is a decision of the PSC.

**Part 3 The Diocesan Tribunal****Constitution of the Diocesan Tribunal**

*Note:* Section 53 of the 1961 Constitution provides that there is to be a Diocesan Tribunal for the Diocese.

**Who are the members of the Diocesan Tribunal?**

*Note:* Section 54(1) of the 1961 Constitution provides that the Diocesan Tribunal is to consist of –

- a president (who is to be the Archbishop) or a deputy president appointed by the Archbishop, and
- not less than 2 other members as may be prescribed by ordinance of the Synod of the Diocese.

**413.123. Archbishop's appointment of the Deputy President**

- (1) A person is qualified for appointment as the Deputy President if the person is an experienced lawyer.
- (2) The appointment by the Archbishop of the Deputy President is to be in writing signed by the Archbishop.
- (3) The appointment continues until it is revoked in writing by the Archbishop unless the appointment is expressed to be for the purpose of hearing a particular charge or charges or for a specified period of time.

**414-124. Constitution of the Diocesan Tribunal for the purpose of hearing and determining a charge**

(1) Subject to subclauses (2) and (3), for the purpose of hearing and determining a charge the Diocesan Tribunal is to be constituted by –

- (a) the President or the Deputy President, and
- (b) one member of the Diocesan Tribunal who is a member of the clergy appointed by the Registrar, and
- (c) one member of the Diocesan Tribunal who is a lay person appointed by the Registrar.

(2) For the purpose of hearing and determining a charge alleging an offence of child abuse or sexual abuse or an offence under clause 9, the Diocesan Tribunal is to include at least one man and one woman.

(3) For the purpose of hearing and determining a charge alleging a breach of faith, ritual or ceremonial, the Diocesan Tribunal may be constituted by all its members.

(4) Nothing in this clause affects clause ~~57~~65.

**415-125. Election of members**

(1) During the first session of each Synod, the members of Synod voting collectively are to elect 5 members of the clergy, each of whom has been a member of the clergy for not less than 10 years, and 5 lay persons to be members of the Diocesan Tribunal.

(2) The members of the Diocesan Tribunal elected by the Synod must include at least two experienced lawyers and at least two men and two women.

**416-126. Term of office**

(1) An elected member of the Diocesan Tribunal holds office until the member's successor is elected or until the office is vacated.

(2) However, if a member's successor is elected after the Diocesan Tribunal has commenced hearing a charge and before the Diocesan Tribunal's recommendation concerning the charge is made, the member continues to hold office until the recommendation is made.

**417-127. Casual vacancies**

The office of an elected member of the Diocesan Tribunal is vacated if –

- (a) the member –
  - (i) dies, or
  - (ii) resigns by notice in writing given to the Diocesan Secretary, or
  - (iii) becomes mentally incapacitated, or
  - (iv) becomes an insolvent under administration, or
  - (v) ceases to reside permanently in the Diocese, or
- (b) the Standing Committee declares, by resolution with a majority of not less than two-thirds of the members of the Standing Committee present and entitled to vote, the member's office to be vacated because of the member's refusal, neglect or inability to perform functions as a member or because of any other reason so declared.

**418-128. How are casual vacancies filled?**

(1) The Standing Committee is to appoint a member of the clergy or a lay person (as the case requires) to fill a casual vacancy in the office of an elected member of the Diocesan Tribunal.

(2) A person appointed under this clause holds office for the balance of his or her predecessor's term of office, subject to clauses ~~416(2)~~126(2) and ~~417~~127.

**419-129. Ineligibility of members of the Board of Enquiry**

A person who is a member of the Board of Enquiry is not eligible to be a member of the Diocesan Tribunal.

**420-130. Disqualification of certain members from hearing charges**

(1) An elected member is disqualified from hearing a charge that concerns the member or where the member is the person or a person who has made a charge.

(2) If an elected member is disqualified under this clause, a person is to be appointed for the purpose only of hearing the particular charge in the same way as if the disqualified member had vacated office.

**421.131. Decision of the Diocesan Tribunal**

A decision supported by a majority of the votes of the members who constitute the Diocesan Tribunal is a decision of the Diocesan Tribunal.

**422.132. Voting on certain questions of evidence or procedure**

The President or, in the absence of the President, the Deputy President has a casting vote as well as a deliberative vote if voting on a question of evidence or procedure is equal.

**Part 4 Disciplinary Tribunal**

**423.133. Members of Disciplinary Tribunal**

The members of the Disciplinary Tribunal are the members for the time being of the Diocesan Tribunal and include a person appointed by the Archbishop as Deputy President of the Diocesan Tribunal.

**424.134. Establishing a Disciplinary Tribunal**

- (1) The Registrar may establish a Disciplinary Tribunal to hear and determine a charge.
- (2) Subject to subclauses (3) and (4), a Disciplinary Tribunal comprises 3 members appointed by the Registrar.
- (3) The members of a Disciplinary Tribunal must include –
  - (a) an experienced lawyer who is to be the chairperson of the Disciplinary Tribunal, and
  - (b) a member of the clergy.
- (4) For the purposes of hearing and determining a charge alleging an offence of child abuse or sexual abuse or an offence under clause 9, the Disciplinary Tribunal is to include at least one man and one woman.

**425.135. Notice of establishment of Disciplinary Tribunal**

- (1) The Registrar is to give written notice of the establishment of a Disciplinary Tribunal to the complainant or complainants and the person against whom the complaint, or each complaint, is made as soon as practicable after the Disciplinary Tribunal is established.
- (2) The Registrar is to provide the Disciplinary Tribunal and the person against whom the complaint, or each complaint, is made with particulars of the complaint or complaints.

**Part 5 Board of Enquiry**

**426.136. Election of members**

During the first session of each Synod, the members of Synod voting collectively are to elect 1 member of the clergy and 2 lay persons to be members of the Board of Enquiry.

**427.137. Appointment of members**

- (1) The Archbishop is to appoint 1 member of the clergy and 1 layperson to be members of the Board of Enquiry.
- (2) Each appointment is to continue until revoked in writing by the Archbishop unless the appointment is expressed to be for the purpose of hearing a particular charge or charges or for a specified period of time.

**428.138. Term of office**

- (1) A member of the Board of Enquiry holds office until the member's successor is appointed or elected or until the office is vacated.
- (2) However, if a member's successor is appointed or elected after the Board of Enquiry has commenced an inquiry into a charge or part of a charge and before the Board of Enquiry's report of its inquiry is made, the member continues to hold office until the report is made.

**429.139. Casual vacancies**

The office of a member of the Board of Enquiry is vacated if –

- (a) the member –
  - (i) dies, or
  - (ii) resigns by notice in writing to the Diocesan Secretary, or
  - (iii) becomes mentally incapacitated, or
  - (iv) becomes an insolvent under administration, or
  - (v) ceases to reside permanently in the Diocese, or

- (b) in the case of a member elected by Synod, the Standing Committee declares, by resolution with a majority of not less than two-thirds of the members of the Standing Committee present and entitled to vote, the member's office to be vacated because of the member's refusal, neglect or inability to perform functions as a member or because of any other reason so declared, or
- (c) in the case of a member appointed by the Archbishop, the Archbishop revokes the appointment.

**130-140. How are casual vacancies filled?**

- (1) In the case of a person elected by Synod, the Standing Committee is to appoint a member of the clergy or a lay person (as the case requires) to fill a casual vacancy in the office of a member of the Board of Enquiry.
- (2) A person appointed under this clause holds office for the balance of his or her predecessor's term of office, subject to clauses ~~128(2)~~138(2) and ~~129~~139.

**131-141. Disqualification of certain members from inquiring into charges**

- (1) A member is disqualified from inquiring into a charge or part of a charge that concerns the member or where the member is the person or a person who has made the charge.
- (2) If a member is disqualified under this clause, a person is to be appointed for the purpose only of inquiring into the particular charge or part of the charge in the same way as if the disqualified member had vacated office.

**132-142. Quorum**

The quorum for a meeting of the Board of Enquiry is 3 members, one of whom is a member of the clergy and two of whom are lay persons.

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**SCHEDULE 1**

**Diocesan/Disciplinary Tribunal**

**Charge**

**(Made by a person appointed by the Archbishop)**

I, \_\_\_\_\_ of \_\_\_\_\_, having been appointed by the Archbishop of Sydney under clause ~~45~~53 of the *Discipline Ordinance 2006*, claim that of \_\_\_\_\_, being

- \* a person licensed by the Archbishop of Sydney
- \* a person in holy orders resident in the Diocese of Sydney,
- \* a member of the clergy, the act of whom which gave rise to this charge occurred in the Diocese of Sydney
- \* a member of the clergy who was licensed by the Archbishop of Sydney or was resident in the Diocese of Sydney within 2 years before this charge was laid
- \* a member of the clergy who is in prison as a convicted person at the time this charge is laid, but within 2 years before such imprisonment was licensed by the Archbishop of Sydney or was ordinarily resident in the Diocese of Sydney
- \* a church worker who is not subject to the jurisdiction of the Diocesan Tribunal

has committed

- \* the following offence, namely
- \* a breach of faith/ritual/ceremonial/discipline

particulars of which are:

Signed:

Date:

The address at which documents may be served on the person making this charge is:

\* delete whichever is not applicable.

χ χ χ χ χ χ χ χ χ χ

**SCHEDULE 2**

**Diocesan Tribunal**

**Charge**

**(Made by 5 adult communicant members of the Church resident within the Diocese except where the charge is against an incumbent of a parish and relates to a breach of faith, ritual or ceremonial alleged to have been committed in the parish)**

We,

- 1. of
- 2. of
- 3. of
- 4. of
- 5. of

being adult communicant members of the Anglican Church of Australia (within the meaning of the Anglican Church of Australia Constitution Act 1961) resident within the Diocese of Sydney claim that

of , being

\* a person licensed by the Archbishop

\* a person in holy orders resident in the Diocese of Sydney

has committed a breach of faith/ritual/ceremonial/discipline particulars of which are:

Signed:

Date:

The address at which documents may be served on the persons making this charge is:

\* delete whichever is not applicable.

χ χ χ χ χ χ χ χ χ χ

**SCHEDULE 3**

**Diocesan Tribunal**

**Charge**

**(Made by 5 adult communicant members of the Church resident within the Diocese where the charge is against an incumbent of a parish and relates to a breach of faith, ritual or ceremonial alleged to have been committed in the parish and where such members are bona fide parishioners of that parish)**

We,

- 1. of
- 2. of
- 3. of
- 4. of
- 5. of

being adult communicant members of the Anglican Church of Australia (within the meaning of the Anglican Church of Australia Constitution Act 1961) resident within the Diocese of Sydney and being bona fide parishioners (within the meaning of that Act) of the pastoral division consisting of the Parish/Provisional Parish/Recognised Church of

claim that of , being

\* a person licensed by the Archbishop

\* a person in holy orders resident in the Diocese of Sydney

has committed in and while the incumbent of the pastoral division a breach of faith/ritual/ceremonial particulars of which are:

Signed:

Date:

The address at which documents may be served on the persons making this charge is:

\* delete whichever is not applicable.

χ χ χ χ χ χ χ χ χ χ

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

K SOWADA  
Chairman of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 20 October 2014.

R WICKS  
Secretary of Synod

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney  
22/10/2014

## General Synod 2014 Legislation

(A report from the Standing Committee.)

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### **Purpose**

1. The purpose of this report is to outline the Standing Committee's recommendations with respect to legislation passed by the General Synod in 2014.

### **Recommendations**

2. The Standing Committee recommends to the Synod that it –
- not adopt the *Holy Orders, Relinquishment and Deposition Canon 2004 Amendment Canon 2014* or the *Canon concerning confessions 1989 Amendment Canon 2014*,
  - adopt the *Use of Church Names Canon 1989 Amendment Canon 2014*, and
  - assent to the *Constitution Amendment (Membership of the Diocesan Tribunal) Canon 2014* and the *Constitution Amendment (Membership of the Provincial Tribunal) Canon 2014*.

### **Background**

3. Under the constitution ("Constitution") of the Anglican Church of Australia (set out in the Schedule to the Anglican Church of Australia Constitution Act 1961 – see [www.sds.asn.au](http://www.sds.asn.au)), the General Synod has power to make canons for the order and good government of the church. The General Synod also has power, by canon, to amend the Constitution.

4. Not all canons come into effect when they are passed. For example, where a canon affects the order and good government of the Church in a diocese then, under the Constitution, the canon does not come into effect in that diocese unless the diocese, by ordinance, *adopts* the canon. Further, a canon to amend the Constitution only comes into effect if the requisite number of diocesan synods report their *assent* to the canon. In the case of certain provisions of the Constitution the canon only comes into effect if it receives *assent* from all dioceses.

5. Where a proposed canon affects the ritual, ceremonial or discipline of the Church the usual procedure is that the canon is only passed provisionally. It then becomes known as a provisional canon. Under the Constitution, a provisional canon is referred to each diocese for *assent* or *dissent*. If all dioceses *assent* to the provisional canon then it becomes a canon. If a diocese *dissents*, the provisional canon must be reconsidered at a future session of General Synod. If at that future session the provisional canon is passed by a two-thirds majority of the members of each house of General Synod, it becomes a canon. If passed, but not by a two-thirds majority, it is again referred to diocesan synods for assent or dissent. In any event if the provisional canon becomes a canon, the canon does not have effect in a diocese until the diocese by ordinance *adopts* that canon.

### **Canons passed by the General Synod in 2014**

6. In 2014 the General Synod passed the following canons –
- National Aboriginal and Torres Strait Islander Anglican Council Canon 2014*
  - Financial Protection Canon 1995 Amendment Canon 2014*
  - Special Tribunal Canon 2007 Amendment Canon 2014*
  - Primate Canon 1985 Amendment Canon 2014*
  - Use of Church Names Canon 1989 Amendment Canon 2014*
  - Holy Orders Relinquishment and Deposition Canon 2004 Amendment Canon 2014*
  - Special Tribunal Canon 2007 (section 52) Amendment Canon 2014*
  - National Register Canon 2007 (Amendment) Canon 2014*
  - Protocol for access to and disclosure of Information in the National Register 2007 (Amendment) Protocol 2014*

*Canon concerning confessions 1989 Amendment Canon 2014*

*Constitution Amendment (Membership of the Diocesan Tribunal) Canon 2014*

*Constitution Amendment (Membership of the Provincial Tribunal) Canon 2014*

### **Canons in force**

7. Several of these canons have taken effect because they do not affect the order and good government or the church trust property of the Church in a diocese. These canons are –

*National Aboriginal and Torres Strait Islander Anglican Council Canon 2014*

*Financial Protection Canon 1995 Amendment Canon 2014*

*Special Tribunal Canon 2007 Amendment Canon 2014*

*Primate Canon 1985 Amendment Canon 2014*

*Use of Church Names Canon 1989 Amendment Canon 2014*

*Holy Orders Relinquishment and Deposition Canon 2004 Amendment Canon 2014*

*Special Tribunal Canon 2007 (section 52) Amendment Canon 2014*

*National Register Canon 2007 (Amendment) Canon 2014*

*Protocol for access to and disclosure of Information in the National Register 2007 (Amendment) Protocol 2014*

### **Canons for adoption by our Synod**

8. The *Holy Orders, Relinquishment and Deposition Canon 2004 Amendment Canon 2014* and the *Canon concerning confessions 1989 Amendment Canon 2014* contain declarations that they affect order and good government of the Church within a diocese. Accordingly, if these canons are to have force in the Diocese of Sydney, they must be adopted by ordinance.

9. The *Use of Church Names Canon 1989 Amendment Canon 2014* was introduced at General Synod at the request of the Diocese of Sydney and drafted by representatives from our Diocese. It does not contain a declaration that it affects order and good government. It was considered that the General Synod would have power to pass the amending Canon under section 6 of the *Anglican Church of Australia Act 1976* which provides that the description "Anglican" among others must not be used in connection with any business, trade or profession unless authorised "by or pursuant to a Canon of the General Synod". However a better view may be that the requirements of the *Anglican Church of Australia Act 1961* with respect to the making of canons apply to any canon made for the purposes of the 1976 Act.

10. The *Use of Church Names Canon 1989 Amendment Canon 2014* makes amendments to the way names and descriptions relating to the Anglican Church of Australia can be used in a diocese in NSW and would, on this basis, affect the order and good government of the Church within a diocese. It is noted that the principal canon was adopted by our Diocese in 1990, although the adopting ordinance did not make any reference to order and good government. It is proposed, for abundant caution, that the amending Canon also be adopted.

*Holy Orders, Relinquishment and Deposition Canon 2004 Amendment Canon 2014*

11. The *Holy Orders, Relinquishment and Deposition Canon 2004 Amendment Canon 2014* makes clear that only details of relinquishments and depositions from holy orders which arise out of sexual misconduct or child abuse are to be included on the National Register. The *National Register Canon 2007* contemplates this but the *Holy Orders, Relinquishment and Deposition Canon 2004* stipulates that all instruments are to be included on the National Register.

12. The relinquishment of holy orders in the Diocese of Sydney is regulated by the *Relinquishment of Holy Orders Ordinance 1994*, being an ordinance of our Synod. This Ordinance does not contain any provisions which conflict with the *National Register Canon 2007*. The *Holy Orders, Relinquishment and Deposition Canon 2004* is not in force in the Diocese of Sydney. The Standing Committee therefore recommends that the Synod not adopt the amending Canon.

*Canon concerning confessions 1989 Amendment Canon 2014*

13. The *Canon concerning confessions 1989 Amendment Canon 2014* provides, with respect to *Canon concerning Confessions 1989*, that where a person confesses that he or she has committed a serious offence (including a criminal offence involving a sexual element that is committed against, with or in the presence of a child, child exploitation material or domestic violence) an ordained minister is only obliged to keep this confidential where the ordained minister is reasonably satisfied that the person has reported the serious offence to the police.

14. The *Canon concerning Confessions 1989* is not in force in the Diocese of Sydney. The Standing Committee therefore recommends that the Synod not adopt the amending Canon.

15. It should be noted that in NSW, section 316 of the *Crimes Act 1900* requires a person to disclose to the police, knowledge or belief that a person has committed a “serious indictable offence” where this information might be of material assistance in securing the apprehension of the offender or the prosecution or conviction of the offender. There is an exception where a person has a “reasonable excuse” for not disclosing. However it is not generally accepted that the mere fact knowledge arises in the context of a confession or pastoral conversation will, on its own, constitute a “reasonable excuse”.

*Use of Church Names Canon 1989 Amendment Canon 2014*

16. The *Use of Church Names Canon 1989* regulates the use of name and descriptions relating to the Anglican Church of Australia within NSW. The Canon sets out a process for the relevant bishop-in-council to issue a certificate to authorise use of the name or description, and for the relevant bishop to withdraw that authorisation. The Canon also contains a schedule which lists a number of third party bodies that are deemed to be authorised to use the name or description unless that authorisation is withdrawn. The amending Canon replaces this schedule with a register that can be administratively updated and published by the General Secretary of the General Synod whenever a body is authorised to use the Church name by the relevant bishop-in-council, a body so authorised has changed its name or an authority has been withdrawn by the relevant bishop.

17. The amending Canon was proposed to address a recent circumstance whereby the Archbishop had withdrawn an authorisation but the body continued to be listed in the schedule pending the General Synod amending the Canon. The amendment will allow the schedule to be more readily updated. The Standing Committee recommends that the Synod adopt the amending Canon.

18. A copy of the amending Canon appears in the Schedule to the bill for the *General Synod – Use of Church Names Canon 1989 Amendment Canon 2014 Adopting Ordinance 2014*. This bill is printed separately.

**Canons for assent by our Synod**

19. Each of the following canons amends the Constitution and do not come into effect until at least three-quarters of the diocesan synods, including all of the metropolitan sees, have assented to the canon by ordinance with all such assents to be in force at the same time –

*Constitution Amendment (Membership of the Diocesan Tribunal) Canon 2014*

*Constitution Amendment (Membership of the Provincial Tribunal) Canon 2014*

*Constitution Amendment (Membership of the Diocesan Tribunal) Canon 2014*

20. The possibility exists under the Constitution that if a diocesan bishop is a member of the Diocesan Tribunal, the bishop may hear a charge against a person and also have the responsibility for exercising a prerogative of mercy in respect of the sentence. This could give rise to an allegation of apprehended or actual bias.

21. The *Constitution Amendment (Membership of the Diocesan Tribunal) Canon 2014* amends section 54 of the Constitution to provide that –

- (a) a diocesan bishop is not eligible to be a member of the Diocesan Tribunal, and if already a member, will, upon becoming the bishop, cease to be a member, and
- (b) the president of the Diocesan Tribunal is to be a person qualified to be a lay member of the Appellate Tribunal.

22. The Standing Committee recommends that the Synod assent to this Canon. A copy of the amending Canon appears in the Schedule to the bill for the *General Synod – Constitution Amendment (Membership of the Diocesan Tribunal) Canon 2014 Assenting Ordinance 2014*. This bill is printed separately.

*Constitution Amendment (Membership of the Provincial Tribunal) Canon 2014*

23. The *Constitution Amendment (Membership of the Provincial Tribunal) Canon 2014* addresses the equivalent problem to that addressed by the *Constitution Amendment (Membership of the Diocesan Tribunal) Canon 2014* but in relation to the Provincial Tribunal.

24. The Canon provides that –

- (a) the Metropolitan or any other bishop of a diocese of the province is not eligible to be a member of the Provincial Tribunal, and if already a member, will, upon becoming the Metropolitan or other bishop, cease to be a member, and
- (b) the President of the Provincial Tribunal is to be a person qualified to be a lay member of the Appellate Tribunal.

25. The Standing Committee recommends that the Synod assent to this Canon. A copy of the amending Canon appears in the Schedule to the bill for the *General Synod – Constitution Amendment (Membership of the Provincial Tribunal) Canon 2014 Assenting Ordinance 2014*. This bill is printed separately.

26. Presently there is no provincial tribunal of the Province of NSW and the Canon is therefore without effect here.

For and on behalf of the Standing Committee

ROBERT WICKS  
*Diocesan Secretary*

26 August 2014

## General Synod – Use of Church Names Canon 1989 Amendment Canon 2014 Adopting Ordinance 2014

No 36, 2014

### Long Title

An Ordinance to adopt Canon No 06, 2014 of the General Synod of the Anglican Church of Australia.

The Synod of the Diocese of Sydney Ordains as follows.

#### 1. Name

This Ordinance is the *General Synod – Use of Church Names Canon 1989 Amendment Canon 2014 Adopting Ordinance 2014*.

#### 2. Adoption of Canon No 06, 2014

The Synod adopts Canon No 06, 2014 of the General Synod of the Anglican Church of Australia, the text of which is set out in the SCHEDULE.

### SCHEDULE

#### Long Title

A Canon to establish a register of the persons and bodies to which a certificate has been issued under the Use of Church Names Canon 1989.

The General Synod prescribes as follows:

#### Name of Canon

1 This Canon is the *Use of Church Names Canon 1989 Amendment Canon 2014*.

#### Interpretation

2 In this Canon –

“Use of Church Names Register” means the register maintained and published by the General Secretary under section 9A of the Principal Canon.

“Principal Canon” means the Use of Church Names Canon 1989.

#### Amendment to Use of Church Names Canon 1989

3. In section 2 of the Principal Canon –

(a) omit the matter ‘In this canon, “Church name” means –’, and insert instead the following –

‘In this canon –

“Church name” means –’, and

(b) add at the end the following –

““Use of Church Names Register” means the register maintained and published by the General Secretary under section 9A’.

4. In section 3 of the Principal Canon –

(a) omit the matter “Schedule 1” in subsection (1) and insert instead “the Schedule”, and

(b) omit subsection (2) and renumber existing subsection (3) as (2), and

(c) in renumbered subsection (2) omit the word “may” and insert instead “is authorised to”.

5. In section 5 of the Principal Canon –

(a) omit the matter “sections 6 and 7” in subsection (1) and insert instead “sections 5A, 6 and 7”, and

(b) insert a new subsection (3) as follows –

“(3) Upon the Bishop-in-Council of the diocese granting an application for the issue of a certificate under this canon and issuing the certificate (with or without conditions), the Bishop-in-Council shall forthwith send a copy of the certificate to the General Secretary.”.

6. Insert a new section 5A in the Principal Canon as follows –
- “Commencement of authority conferred by certificate**
- 5A. The authority conferred by a certificate of the Bishop-in-Council of the diocese commences –
- (a) on the commencement of any period for which the certificate is expressed to be in force, or
- (b) when the certificate is issued under section 5(1), whichever last occurs.”.
7. Renumber existing section 8 of the Principal Canon as subsection 8(1) and insert a new subsection 8(2) as follows –
- “(2) Upon the bishop of the diocese issuing a notice withdrawing an authority conferred by certificate under section 8(1), the bishop shall forthwith send a copy of the notice to the General Secretary.”.
8. In section 9 of the Principal Canon omit the matter “section 8” and insert instead “section 8(1)”.
9. Insert a new section 9A in the Principal Canon as follows –
- “Use of Church Names Register**
- 9A. (1) The General Secretary shall maintain and publish a register of each person or body to which a certificate has been issued under this canon (and which has not been withdrawn) together with –
- (a) the form of the Church name specified in the certificate which is authorised to be used,
- (b) any period for which the certificate is expressed to be in force, and
- (c) any condition or conditions subject to which the certificate has been issued.
- (2) Upon the General Secretary receiving a copy of a certificate under section 5(3) or a copy of a notice of withdrawal of authorisation under section 8(2), the General Secretary shall forthwith add or remove the name or reference to the person or body from the Use of Church Names Register as the case may be.
- (3) The General Secretary is authorised –
- (a) to remove from the Use of Church Names Register the name of or reference to any person or body on the expiry of any period to which the certificate for that person or body is expressed to be in force, and
- (b) if reasonably satisfied that the name of a person or body on the Use of Church Names Register has changed, to update the Use of Church Names Register to reflect the change,
- subject to notice of such removal or update being given to both the Bishop-in-Council and the person or body concerned.”.
10. Omit the heading for Schedule 1 of the Principal Canon and insert instead the heading “Schedule”.
11. Omit Schedule 2 of the Principal Canon.

**Transition**

12. A body named or referred to in the Schedule shall be deemed to have been authorised by a certificate issued under the Principal Canon by the Bishop-in-Council of the diocese in which the body has its principal place of business to use, throughout Australia, the form of the Church name used by the body as at the commencement of the Principal Canon until such time as notice of withdrawal of the certificate may be given under section 8(1) of the Principal Canon.
13. The General Secretary shall add to the Use of Church Names Register the name of each body named or referred to in the Schedule.
14. (1) Upon receiving a copy of a certificate issued by a Bishop-in-Council of a diocese under the previous form of the Principal Canon (being a certificate which has not been withdrawn under the previous form of the Principal Canon), the General Secretary shall add to the Use

of Church Names Register the name of the person or body to which the certificate has been issued together with –

- (a) the form of the Church name specified in the certificate which is authorised to be used,
  - (b) any period for which the certificate is expressed to be in force, and
  - (c) any condition or conditions subject to which the certificate has been issued.
- (2) For the purposes of subsection (1), “previous form of the Principal Canon” means the form of the Principal Canon before the date on which this canon comes into force.

#### **Schedule**

Anglican Boys’ Society  
Anglican Deaconess Ministries  
Anglican Encounter (Newcastle)  
Anglican Girls’ Friendly Society  
Anglican Insurances Agencies Pty Ltd  
Anglican Men’s Society  
Anglican Mothers’ Union  
Anglican Women (Newcastle)  
Anglican Women of Australia  
CA Brown Anglican Village, Booragul  
Church of England Historical Society  
Church of England Youth Department Diocese of Sydney Ski Lodge Limited  
Kambala Church of England Girls’ School  
Meriden Anglican School for Girls  
Mosman C of E Preparatory School Pty Ltd  
SCEGGS Darlinghurst  
SCEGGS Redlands  
The Anglican Savings & Development Fund, Diocese of Newcastle

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

K SOWADA  
Chairman of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 20 October 2014.

R WICKS  
Secretary of Synod

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney  
22/10/2014

## **General Synod – Constitution Amendment (Membership of the Diocesan Tribunal) Canon 2014 Assenting Ordinance 2014**

No 34, 2014

### **Long Title**

An Ordinance to assent to Canon No 04, 2014 of the General Synod of the Anglican Church of Australia.

The Synod of the Diocese of Sydney Ordains as follows.

#### **1. Name**

This Ordinance is the *General Synod – Constitution Amendment (Membership of the Diocesan Tribunal) Canon 2014 Assenting Ordinance 2014*.

#### **2. Assent to Canon No 04, 2014**

The Synod assents to Canon No 04, 2014 of the General Synod of the Anglican Church of Australia, the text of which is set out in the Schedule.

### **Schedule**

The General Synod prescribes as follows:

#### **Title**

- 1 This Canon may be cited as the Constitution Amendment (Membership of the Diocesan Tribunal) Canon 2014.

#### **Commencement**

- 2 This Canon comes into effect on a date appointed by the President in accordance with section 67(2) of the Constitution.

#### **Membership of the Diocesan Tribunal**

- 3 In the first paragraph of section 54(1) of the Constitution, delete the matter “who shall be the bishop , or a deputy president appointed by him” and insert instead the words “appointed by the bishop”.
- 4 After the first paragraph of section 54(1) of the Constitution, insert the following paragraph:  
“The bishop is ineligible to be a member of the diocesan tribunal. A person who is a member of the diocesan tribunal shall cease to hold that office on becoming the bishop.”
- 5 In the second paragraph of section 54(1) of the Constitution:
  - (a) insert the following sentence at the beginning of the paragraph:  
“The president shall be a person qualified to be a lay member of the Appellate Tribunal.”, and
  - (b) delete the words “and deputy president”.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

K SOWADA  
Chairman of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 20 October 2014.

R WICKS  
Secretary of Synod

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney  
22/10/2014

## **General Synod – Constitution Amendment (Membership of the Provincial Tribunal) Canon 2014 Assenting Ordinance 2014**

No 35, 2014

### **Long Title**

An Ordinance to assent to Canon No 05, 2014 of the General Synod of the Anglican Church of Australia.

The Synod of the Diocese of Sydney Ordains as follows.

### **1. Name**

This Ordinance is the *General Synod – Constitution Amendment (Membership of the Provincial Tribunal) Canon 2014 Assenting Ordinance 2014*.

### **2. Assent to Canon No 05, 2014**

The Synod assents to Canon No 05, 2014 of the General Synod of the Anglican Church of Australia, the text of which is set out in the Schedule.

### **Schedule**

The General Synod prescribes as follows:

#### **Title**

- 1 This Canon may be cited as the Constitution Amendment (Membership of the Provincial Tribunal) Canon 2014.

#### **Commencement**

- 2 This Canon comes into effect on a date appointed by the President in accordance with section 67(2) of the Constitution.

#### **Membership of the Provincial Tribunal**

- 3 In the first paragraph of section 55(1) of the Constitution, delete the matter “the 20 metropolitan, or a deputy president appointed by him” and insert instead the words “appointed by the metropolitan”.
- 4 After the first paragraph of section 55(1) of the Constitution, insert the following paragraph:

“The metropolitan and any other bishop of the province is ineligible to be a member of the provincial tribunal. A person who is a member of the provincial tribunal shall cease to hold that office on becoming the metropolitan or other bishop of a diocese of the province.”
- 5 In the second paragraph of section 55(1) of the Constitution:
  - (a) insert the following sentence at the beginning of the paragraph:

“The president shall be a person qualified to be a lay member of the Appellate Tribunal.”, and
  - (b) delete the words “or deputy president”.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

K SOWADA  
Chairman of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 20 October 2014.

R WICKS  
Secretary of Synod

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney  
22/10/2014

## Working With Children Check (Clerical Licences) Ordinance 2014

### Explanatory Report

#### Purpose of the bill

1. The purpose of the bill for the *Working With Children Check (Clerical Licences) Ordinance 2014* (the “bill”) is to ensure that clergy are not licensed to exercise any Anglican ministry in the Diocese which constitutes child-related work if the member of clergy does not hold a Working with Children Check clearance (“WWCC clearance”) under the *Child Protection (Working with Children) Act 2012* (the “Act”).

#### Recommendation

2. The Synod pass the bill as an ordinance of the Synod.

#### Background

3. In June 2013 the State Government introduced a new WWCC clearance under the Act for people who work with children. The new WWCC clearance covers a broader range of people and is more comprehensive in the matters checked. It therefore seeks to provide greater protection for children.

4. The WWCC clearance includes a national police check of criminal offences and a review of findings of misconduct involving children. The result is either a clearance to work with children for 5 years or a bar against working with children. Barred applicants (or persons who do not otherwise hold a WWCC clearance) must not work with children in either a paid or voluntary capacity. Employers must not employ or continue to employ a person in paid or voluntary child-related work if they do not hold a WWCC clearance.

5. The WWCC clearance is being introduced progressively between 15 June 2013 and 31 December 2017 for different classes of persons who currently work with children. In particular, clergy who were licensed as at 15 June 2013 for any ministry which constitutes child-related work were required to obtain a WWCC clearance number by 31 March 2014 and advise the Registry of that number. A small number of clergy holding a general licence from the Archbishop were not required to provide Registry with a WWCC clearance. These comprised elderly retired clergy for whom the Archbishop was satisfied no child-related work would be undertaken and clergy living interstate.

6. Since 15 June 2013, no new licences have been issued to clergy for any ministry unless the Registry has first been provided with a WWCC clearance number.

7. As a consequence of this work, the Registry currently holds WWCC clearance numbers for 904 clergy who hold the licence of the Archbishop.

8. In due course it is likely that some clergy licensed to undertake child-related work will, for a number of reasons, cease holding a WWCC clearance. The most likely reason for this is the expiry of the 5 year period for which WWCC clearances are issued. It is also possible for clergy holding a WWCC clearance to be subject to an interim bar under the Act or have their WWCC clearance cancelled by the NSW Children’s Guardian. In these circumstances, the Archbishop must have the capacity to suspend and, in appropriate cases, revoke the licence of a member of clergy if the member of clergy fails or is unable to have their WWCC clearance reinstated or renewed.

9. Under clause 3(4) of the Schedule to the 1902 Constitutions Act (the “1902 Constitutions”) the licence of a member of clergy may only be suspended or revoked by the Archbishop in the circumstances (or cases) determined by ordinance of the Synod. In order to ensure the Archbishop is able to comply with the requirements of the Act, the bill proposes that holding a licence to undertake child-related work without holding a WWCC clearance is a case in which the licence may be suspended or revoked.

10. The bill is being promoted to the Synod rather than being considered by the Standing Committee because clause 7(2) of the 1902 Constitutions prevents the Synod delegating to the Standing Committee the power to determine the cases in which a licence may be suspended or revoked.

#### Working with Children Check requirements under the Act

11. Under section 8 of the Act, a worker must not engage in child-related work unless he or she holds a WWCC clearance of a class applicable to the work or there is current application for such a clearance. In addition, a worker must not engage in child-related work at any time he or she is subject to an interim bar. The maximum penalty for failing to comply with this requirement is a fine of \$11,000, or imprisonment for 2 years, or both.

12. Under section 9 of the Act an employer must not commence employing, or continue to employ, a worker in child-related work if the employer knows or has reasonable cause to believe that –

- (a) the worker is not the holder of a WWCC clearance that authorises that work and there is no current application for such a clearance, or
- (b) the worker is subject to an interim bar.

The maximum penalty for failing to comply with this requirement (for an employer who is not a corporation) is a fine of \$5,500.

13. The Act generally provides that a worker is engaged in “child-related work” if they are engaged in work that involves direct contact with children in various contexts, including in any religious organisation. The regulations under the Act further provide that work for a religious organisation in which children form part of the congregation or organisation is deemed to be child-related work if the work is carried out –

- (a) as a minister, priest, rabbi, mufti or other like religious leader or spiritual officer of the organisation, or
- (b) in any other role in the organisation involving activities primarily related to children, including youth groups, youth camps, teaching children and child care.

14. The Act includes an extended definition of the term “employer” to include –

- (a) a person who, in the course of business, arranges for the placement of a person in employment with others, or
- (b) a person who engages a person under a contract to perform work, or
- (c) a person who engages a worker to perform work as a volunteer for the person under an agreement (whether written or unwritten).

15. The bill proceeds on the basis that clergy exercising any Anglican ministry in the Diocese are “workers” under the Act and that the Archbishop, as the person responsible for licensing or appointing clergy to exercise such ministry is the deemed employer under the Act. Any member of the clergy licensed by the Archbishop to undertake Anglican ministry in the Diocese which constitutes child-related work must therefore hold a WWCC clearance under the Act or must have applied for such a clearance.

#### **Provisions of the bill**

16. Clause 3 of the bill formalises the current practice of the Archbishop by preventing him from licensing clergy to exercise any Anglican ministry in the Diocese if the Archbishop knows or has reasonable cause to believe that the member of clergy does not hold a WWCC clearance. The only circumstance in which the Archbishop may license a member of the clergy who does not hold a WWCC clearance is where he is reasonably satisfied that the ministry involved does not constitute child-related work.

17. Clause 4 requires the Archbishop to suspend the licence of a member of the clergy if he is reasonably satisfied that the ministry permitted by the licence constitutes child-related work and knows or has reasonable cause to believe that the member of the clergy is not the holder of a WWCC clearance.

18. Clauses 4(2) and (3) provide that any suspension of a licence in these circumstances –

- (a) must be notified as soon as practicable to the member of clergy in writing and must specify the date on which the suspension takes effect, and
- (b) is for a period which expires on the earlier of –
  - (i) 3 months from the date on which the suspension takes effect, and
  - (ii) the date on which the Archbishop verifies the member of clergy holds or has applied for a WWCC clearance.

19. Clause 4(4) provides that if a period of suspension expires after the 3 month period because the Archbishop cannot verify that the member of clergy holds or has applied for a WWCC clearance, the Archbishop must revoke their licence. It is considered that if, having received notice of the suspension their licence, a member of the clergy fails to obtain or apply for a WWCC clearance (or cannot obtain a WWCC clearance), revocation of the licence is the appropriate course of action to enable the Archbishop to meet the requirements of the Act.

20. In order to ensure that the constitutional requirements of clause 3(4) of the 1902 Constitutions are met, clause 4(5) of the bill requires that before suspending or revoking the licence due to a failure to hold or apply for a WWCC clearance, the Archbishop must give the member of clergy an opportunity to show cause why the licence should not be suspended or revoked.

For and on behalf of the Standing Committee

ROBERT WICKS  
*Diocesan Secretary*

26 June 2014

## Working With Children Check (Clerical Licences) Ordinance 2014

No 32, 2014

### Long Title

An Ordinance to regulate the licensing of clergy who do not hold a statutory clearance to work with children.

The Synod of the Diocese of Sydney Ordains as follows.

#### 1. Name

This Ordinance is the *Working With Children Check (Clerical Licences) Ordinance 2014*.

#### 2. Interpretation

In this ordinance –

“Act” means the *Child Protection (Working with Children) Act 2012* and any regulation made under that Act.

“child-related work” has the meaning given in the Act.

“WWCC clearance” means a Working with Children Check Clearance under the Act of a class applicable to the work undertaken but does not include a clearance held by a person who is subject to an interim bar under the Act.

#### 3. Licensing of clergy

The Archbishop must not license a member of clergy to exercise any Anglican ministry in the Diocese if the Archbishop knows or has reasonable cause to believe that the member of clergy is not the holder of a WWCC clearance, unless the Archbishop is reasonably satisfied that the ministry does not constitute child-related work.

#### 4. Suspension and revocation of licence

- (1) The Archbishop must suspend the licence of a member of clergy if the Archbishop –
  - (a) is reasonably satisfied that the ministry permitted by the licence constitutes child-related work, and
  - (b) knows or has reasonable cause to believe that the member of clergy is not the holder of a WWCC clearance.
- (2) Any suspension of a licence under subclause (1) must be notified as soon as practicable to the member of clergy in writing and must specify the date on which the suspension takes effect.
- (3) Any suspension of a licence under subclause (1) is for a period which expires on the earlier of –
  - (a) 3 months from the date on which the suspension takes effect, and
  - (b) the date on which the Archbishop verifies that the member of clergy holds or has applied for a WWCC clearance.
- (4) If a period of suspension expires under subclause (3)(a), the Archbishop must revoke the licence.
- (5) Before suspending and before revoking a licence under subclause (1) or (4), the Archbishop must give the member of clergy an opportunity to show cause why the licence should not be suspended or revoked.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

PJ COLGAN  
Chairman of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 14 October 2014.

R WICKS  
Secretary of Synod

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney  
22/10/2014