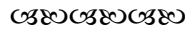


Interim Report of the Standing Committee to the First Ordinary Session of the 52nd Synod

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1. Introduction

1.1 Background

The 2020 Report of the Standing Committee (provided in Book 1 of the Synod materials) provides a report of the work of the Standing Committee following the 3rd ordinary session of the 51st Synod (held in October 2019) and prior to the scheduled 1st ordinary session of the 52nd Synod (planned for October 2020). In practice, that report covered the Standing Committee meetings from November 2019 to September 2020 inclusive.

Given the postponement of the first ordinary session of the 52nd Synod, this interim report is intended to provide an outline of membership issues and the Synod-related matters that the Standing Committee has undertaken since October 2020 for the interest of Synod members. A standard format report on the Standing Committee's work for the period October 2020 to August 2021 will be provided to the 2nd ordinary session of the 52nd Synod.

1.2 Meetings and members

From October 2020 to March 2021, we have met 4 times. During this time, the following changes took place in the membership of the Standing Committee –

- A vacancy arose in the position of a minister elected by the Western Sydney Region upon the resignation of the Rev Gavin Poole. The Regional Electors of the Western Sydney Region elected the Rev Roger Cunningham to fill the vacancy.
- The following members did not stand for re-election at Synod elections held in October 2020, and consequently will retire from Standing Committee on 3 May 2021, with their last meeting being 22 March 2021: Mr John Driver, the Rev Justin Moffatt, Mr Philip Sherriff, Mr Lyall Wood AM RFD and the Hon Peter W Young AO QC.
- The following people were elected at the Synod elections held in October 2020 and will formally commence membership of the Standing Committee on 3 May 2021: Mr Greg Hammond OAM and Mr Mark Streeter (Northern Region), the Rev Dominic Steele (South Sydney Region), Dr Andrew Tong (Western Region) and Mr Norman Lee (Wollongong Region).
- The Archbishop, Dr Glenn Davies, will retire on 26 March 2021 and as a consequence will cease to be the President of the Standing Committee from that date. The Rt Rev Bishop Hayward will serve as Administrator of the Diocese and President of the Standing Committee until the installation of the next Archbishop.
- Mr Doug Marr has resigned as Registrar of the Diocese with effect from 8 April 2021 and consequently will cease to be a member ex-officio of the Standing Committee from that date. (Mr Tony Willis has been appointed Acting Registrar with effect from 9 April 2021.)

1.3 Impact of COVID-19 on meetings of the Standing Committee Emergency Executive Subcommittee of the Standing Committee

Item 1.27 in the 2020 Report of the Standing Committee notes that in March 2020 we constituted a subcommittee, the Emergency Executive Subcommittee of the Standing Committee (EES) to come into operation in the event that we were not able to meet and function during the COVID-19 crisis. The EES would have authority on any Standing Committee matter other than the making of ordinances, the making of appointments and the filling of casual vacancies.

In March 2021, having returned to in person meetings, we dissolved the EES with immediate effect noting that the EES was never convened and hence did not make any decisions or take any actions under its delegated authority (or otherwise).

2. Actions with the Archbishop

2.1 Retirement of Archbishop Glenn Davies

We noted that Archbishop Glenn Davies would reach the age of 70 years and six months on 26 March 2021, and in accordance with subclause 5(3) of the *Retirements Ordinance 1993* and resolutions of this Standing Committee made on 23 March 2020, would retire on that date. In accordance with clause 2(2) of the *Archbishop of Sydney's Election Ordinance 1982*, we resolved that a vacancy in the See of Sydney would occur on 26 March 2021 and made arrangements for the election of the next Archbishop of Sydney.

3. Financial and Property Administration

3.1 Ordinances

We have passed 30 ordinances since September 2020, listed in the appendix. Eleven of these ordinances are of particular interest:

(1) The *Synod Appropriations and Allocations Ordinance 2020* gave effect to the Synod's general intention when it passed the *Synod Appropriations and Allocations Ordinance 2018* ('the 2018 Ordinance') with respect to the appropriation and allocation of Synod funds for 2021.

The total amount available as distributions from the Diocesan Endowment and parish trusts was \$696,000 more than the estimates provided to Synod in 2018. However, \$435,000 of that was due to additional distributions made by the GAB from the Diocesan Endowment and the Diocesan Cash Investment Fund to meet the cost of an allocation for Diocesan overhead identified as result of the Review of SDS cost recovery methodology (described at item 3.2). A further \$243,000 of the funds available for 2021 represents unspent allocations from 2020, the majority of which are a result of the COVID-19 related restrictions which meant we were not able to hold the sessions of synod and some of the other physical meetings that had been scheduled in 2020.

(2) The *Anglican Church Growth Corporation (Pilot Program Enabling No 2) Ordinance 2020* varied the trusts of certain church trust property held for the purposes of parishes involved in an Anglican Church Growth Corporation pilot program, to enable the revenue generated from such property to be applied, if necessary, for the purposes of another or other parishes in the program.

(3) The *Nomination Ordinance 2006 Amendment Ordinance 2020* amended the *Nomination Ordinance 2006* and the *Interpretation Ordinance 1985* in response to the request of the Synod in its resolution 47/19. By that resolution, the Synod requested the Standing Committee to ensure that any person remunerated for any work within a parish (other than where incidental), or related to such a person, is not eligible to be elected as a parish nominator in that parish. This ordinance gave effect to that request in the *Nomination Ordinance 2006*. The same resolution also requested the Standing Committee to consider inserting a definition of 'layperson' to clarify the eligibility of persons, such as clergy in other denominations, to serve as parish nominators. The *Nomination Ordinance 2006 Amendment Ordinance 2020* included an amendment to the *Interpretation Ordinance 1985* to insert such a definition of 'layperson'.

(4) The *Nomination Ordinance 2006 Amendment Ordinance 2021* further amended the *Nomination Ordinance 2006* to –

- (a) provide the Archbishop with discretion to appoint a person as an Acting Rector pending the fulfilment of an educational requirement to become a Rector,
- (b) provide that the consent of a majority of the parish council is required as a prerequisite to terminating a suspension of nomination proceedings where an amalgamation involving the parish is being considered, and
- (c) provide for members of the Nomination Board to recuse themselves for conflict of interest purposes, and
- (d) a number of editorial matters.

(5) The *Parishes (COVID-19 and General Meetings No. 2) Ordinance 2020* provided special arrangements for holding general meetings of parishioners in the context of the public health emergency caused by the COVID-19 pandemic.

(6) The *Safe Ministry to Children Ordinance 2018 Amendment Ordinance 2020* amended the *Safe Ministry to Children Ordinance 2020* to require a psychological assessment for a person to be ordained as a presbyter (if more than 2 years have elapsed between the psychological assessment undertaken for ordination as a deacon and the commencement of the person's candidacy for ordination as a presbyter) or licensed to the office of rector (if the person was ordained as a presbyter in another Province or in another diocese of the Anglican Church of Australia).

(7) The *St Andrew's House Corporation Ordinance 2018 Amendment Ordinance 2020* amended the *St Andrew's House Corporation Ordinance 2018* to address areas of non-conformity with the Governance Policy for Diocesan Organisations, including the form of the Statement of Personal Faith that members must sign, the requirement for at least two members to hold (at least) a three year theological degree from Moore Theological College, and various changes relating to conflicts of interest and a restriction upon a person serving as Chair for any longer than nine consecutive years.

(8) The *Living Faith Council Ordinance 2020* constituted a new diocesan organisation, Living Faith, with the purpose of advancing the purposes of the Anglican Church of Australia in the Diocese of Sydney through gospel ministry to persons who experience same-sex attraction or gender incongruence. The Archbishop is President of the Council, and membership requirements include up to 3 persons appointed by the Archbishop, 6 persons elected by the Standing Committee and up to 2 persons elected by the other members of the Council. (At least one person appointed by the Archbishop and two persons elected by the Standing Committee are to be clergy licensed in the Diocese of Sydney with at least a three-year theological degree from Moore Theological College.)

The functions of the council (set out in clause 4 of the ordinance) include –

- (a) offering biblical encouragement and support to Christian men and women who experience same-sex attraction or gender incongruence so that they might walk in a way that is faithful to Christ,
- (b) offering biblical encouragement and support to families, spouses and friends of people who experience same-sex attraction or gender incongruence,
- (c) providing education and developing resources for churches, organisations and individuals regarding biblical perspectives on sexuality and gender, and how these can be expressed in ways which honour Christ, and
- (d) equipping Christian believers to support those seeking to express their sexuality in ways which honour Christ, especially those who experience same-sex attraction and gender incongruence.

(9) The *Sydney Diocesan Services Ordinance 2017 Amendment Ordinance 2021* amended the *Sydney Diocesan Services Ordinance 2017* to extend the scope of bodies to which Sydney Diocesan Services may provide services and to bring the SDS Ordinance into conformity with Synod's Governance Policy for Diocesan Organisations.

(10) The *Endowment of the See Capital Fund Ordinance 2012 Amendment Ordinance 2021* renamed the 'Endowment of the See Capital Fund Ordinance 2012' as *Endowment of the See Property Ordinance 2021*, and varied the trusts of the EOS Trust and provided for the assets of the EOS Trust to be added to the EOS Capital Fund to form a single amalgamated fund to be known as the Endowment of the See Property Fund (EOSPF). The amendments preserve the existing arrangements for application of the assets of the EOS Trust.

(11) The *Interpretation Ordinance 1985 Amendment Ordinance 2021* amended the definition of 'Registrar' in the *Interpretation Ordinance 1985* to include a person appointed as an 'Acting Registrar', and also addressed some problematic drafting in the *Interpretation Ordinance 1985* that is inconsistent with the Synod's *Doctrine Statement on Gender Identity*.

3.2 Review of SDS Cost recovery methodology

We endorsed a revised model for Sydney Diocesan Services (**SDS**) to recover its costs as the central administrative service provider of the Diocese.

SDS has previously sought (and under the revised model will continue to seek) to recover its costs from the organisations it serves in proportion to the cost of the services provided. However, certain costs incurred

by SDS for the benefit of the Diocesan network as a whole (for example costs associated with meeting rooms, the board room and reception area on level 2 St Andrew's House) have previously been allocated proportionally among the organisations it serves. The revised model treats these central expenses as "Diocesan Overhead", and allocates them as an expense to the Synod. This additional expense is then offset by increased distributions to the Synod from the Glebe Administration Board (**GAB**), available as a result of reduced cost recovery charges paid by the GAB to SDS.

4. The International, National and Provincial Church

4.1 References to the Appellate Tribunal (Same Sex Blessing) – Wangaratta and Newcastle

In November 2020, having noted the opinions of the Appellate Tribunal dated 11 November 2020, regarding Blessing of Persons Married According to the Marriage Act 1961 Regulations 2019 (Diocese of Wangaratta), and Clergy Discipline Ordinance 2019 Amending Ordinance 2019 (Diocese of Newcastle), along with several other documents and letters, we resolved as follows –

'Standing Committee of the Diocese of Sydney entirely rejects the recently released majority opinion of the General Synod Appellate Tribunal. We stand with brothers and sisters all over the world who have resisted the attempt to bless what God does not bless and to ignore the teaching of Scripture on the extreme danger of the behaviour endorsed by the proposed services of blessing. We are deeply saddened that the delivery of this opinion further disturbs the hard won unity of the church.'

In March 2021, we considered this matter again against a report which included the observation –

'...of the 42 provinces of the Anglican Communion, five have authorised same-sex blessing liturgies. In each case the constitutional unity of the Anglican Church in that province has been fractured and alternative arrangements have come into being. The provinces concerned are: the United States of America, Canada, Brazil, Scotland and New Zealand.'

At that meeting we requested the Archbishop to convey to the diocesan bishops and diocesan councils of the Anglican Church of Australia –

- (a) our view that the Majority Opinion of the Appellate Tribunal of the Anglican Church of Australia validating a liturgy for the blessing of same sex unions is in error both in law and theology, and
- (b) our concern that the use of the 'Wangaratta Liturgy' or any derivative services will fracture the hard won constitutional unity of the Anglican Church of Australia and therefore calls on all Anglican ministers not to act unilaterally on the Opinion but to wait for it be considered at the next General Synod.

4.2 Eighteenth session of General Synod

We noted that the 18th session of the General Synod has been postponed for the second time, and is now expected to be held in June 2022.

5. Sydney Synod Matters

5.1 Statement of Funding Principles and Priorities

Last year, noting that 2020 was expected to be the last year of the current iteration of the Diocesan Mission, and Synod was due to elect a new Archbishop in August 2020, we had agreed to –

- (a) defer the next Statement of Funding Principles and Priorities from 2020 until 2021 and reduce its application to just 2023-2024, and
- (b) limit the scope of the Synod Appropriations and Allocations Ordinance and the Parochial Cost Recoveries and Church Land Acquisition Levy Ordinance required in 2021 to apply just to 2022, and
- (c) limit the Synod Appropriations and Allocations Ordinance and the Parochial Cost Recoveries and Church Land Acquisition Levy Ordinance required in 2022 (giving effect to the Statement of Funding Principles and Priorities) to only apply to 2023-2024. (See item 3.4(17) in the 2020 Report of the Standing Committee).

In February 2021, noting that the next Archbishop would not be elected until May 2021 and the second ordinary session would be held in September 2021, we decided to further delay the preparation of the next Statement of Funding Principles and Priorities until the 3rd session of the 52nd Synod (in 2022) to give the new Archbishop adequate time to consider his priorities, and for the Archbishop and Standing Committee to consider a new iteration of the Diocesan Mission. The delay would then also give the Synod adequate time to consider any changes or new initiatives that it may want to see incorporated into the next Statement of Funding Principles and Priorities.

As a consequence, rather than having a Statement of Funding Principles and Priorities in 2022 that applies only for one year (2023), as a one-off measure the next Statement (in 2022) will apply for the last year of the current funding triennium (2023) and the three years of the following funding triennium (2024-2026).

5.2 Governance Policy for Diocesan Organisations – statement of support for the Christian ethos and charter of a school

The Synod's Governance Policy for Diocesan Organisations includes Policy Guidelines (the **Guidelines**), which require any person who wishes to be elected, appointed or to remain as a board member to sign a statement of personal faith (paragraph 11). Noting that the Guidelines had included an exception 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' we amended the Guidelines to remove that exception and the associated appendices.

5.3 14/14 Theology of Baptism

Doctrine Commission Report – A Theology of Baptism: Addressing the Significance of Baptism in Water

By resolution 14/14, the Synod requested 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.

We received a report from the Doctrine Commission addressing the request of resolution 14/14, and approved its printing.

The Doctrine Commission's report is printed separately.

5.4 46/15 Implementation of the Diocesan policy for dealing with allegations of unacceptable behaviour

By resolution 46/15, the Synod, among other things determined that the Diocesan Policy for dealing with allegations of unacceptable behaviour (the **Policy**) commenced on 1 January 2016, and requested the Standing Committee to undertake a review of the policy after a period of 5 years.

We undertook a review of the Policy and agreed to make amendments.

A report about this matter is printed separately.

5.5 43/17 Composition, purpose and role of Synod

By resolution 43/17, the Synod asked the Standing Committee to bring a report to the October 2018 session of Synod on the composition, purpose and role of Synod.

A report about this matter is printed separately.

5.6 4/18 People affected by disability

By resolution 4/18, the Synod first noted that in 2009, by resolution 34/09, it had called on parishes to "develop and implement a plan to remove those obstacles that currently prevent people affected by disability from hearing the gospel and sharing in Christian fellowship". Resolution 4/18 (in 2018) then continued with a request to the Standing Committee in consultation with Dr Louise Gosbell to survey parishes regarding the implementation of the request of resolution 34/09, and provide a report to the next ordinary session of Synod.

We noted a draft report including accessibility guidelines for parishes and, noting that the guidelines are intended to be typeset and made available as a printable document separate from other Synod materials, approved the printing of a suitable form of the final report for the Synod.

It is anticipated that the final (typeset) form will be available for the 2nd ordinary session of the 52nd Synod.

5.7 47/19 Amendment to the Nomination Ordinance 2006

By resolution 47/19, the Synod requested the Standing Committee to consider amending the *Nomination Ordinance 2006* and any other ordinance as required, to ensure that any person remunerated for any work within a Parish (other than where incidental), or related to such a person, is not eligible to be elected as a parish nominator in that parish. Synod also asked the Standing Committee to consider inserting a definition of 'layperson' to clarify the eligibility of persons, such as clergy in other denominations, to serve as parish nominators.

We addressed the request of the resolution. See item 3.1(3).

5.8 66/19 Review of the Standing Committee Ordinance 1897

By resolution 66/19, the Synod requested that the Standing Committee review the *Standing Committee Ordinance 1897* (and other relevant ordinances) particularly in relation to the existing references in that ordinance to –

- (a) the use of the expression 'the previous form of the *Synod Elections Ordinance 2000*';
- (b) the day that Elected Members hold office to;
- (c) whether the term 'the first session of the next Synod' should be clarified (where it occurs) as being 'the first ordinary session of the next Synod'; and
- (d) related matters;

and to bring a report, and if necessary an amending ordinance, to the first ordinary session of the 52nd Synod.

A report about this matter is printed separately.

5.9 76/19 Gender Identity – Practical Guidelines for Ministers and Parishes

We noted that the Archbishop, acting through the relevant Regional Bishop, will send the Practical Guidelines for Ministers and Parishes and the Suggested Responses to Practical Questions to all parish clergy and licensed lay pastoral staff, with a copy to each Parish Council for their information, and requested that a motion be moved at the forthcoming session of Synod.

A report about this matter is printed separately.

5.10 Arrangements for the first ordinary session of the 52nd Synod and the Special session of the 52nd Synod Use of mobile voting or personal devices in place of secret ballots

We made arrangements for the first ordinary session of the 52nd Synod and the special session of the 52nd Synod to elect the next Archbishop.

Among the considerations for the forthcoming sessions, we received a report which gave consideration to using mobile voting devices or personal devices in place of secret ballots and voting by houses at Synod, noting that with COVID-19 there is a particular impetus to allow for voting in a way that minimises physical interactions. The report noted the following key requirements for any system for voting by houses or voting by secret ballot –

- (a) the need to ensure that the process doesn't prevent any present member from voting, and
- (b) the need to protect the integrity of the voting process, by for example –
 - (i) preventing any member from voting more than once or in the wrong house, and
 - (ii) preventing any member who is not present in the theatre from voting 'remotely' or by proxy, and
- (c) the need to provide a reasonable level of anonymity for Synod members as they vote.

(The report made clear that it is not expected that Synod members would intentionally misuse the system; however the system must preserve the integrity of the process and remove the possibility of decisions being called into question as a result of procedural weaknesses in the voting process.)

The report concluded that with these requirements in mind, each of the known technology-based alternatives to the paper voting system have a compelling flaw for our purposes, as follows –

- (a) Members using their own device to vote: the lack of reliable internet and the many Synod members who do not have an appropriate device are immediate problems for any system that relies on members using their own device to vote – when it comes to a key vote we cannot pause while members resolve connectivity or technical issues; nor could we rightly ignore their votes; nor could we ignore members who do not have a suitable device.
- (b) Members voting by SMS: To vote by SMS risks the capacity to vote twice (from two numbers) or to have members of the public vote. To counter these possibilities, all Synod members would be required to register a unique mobile phone number from which to cast their vote. However, not all Synod members have a mobile phone, and even if they did, the process to register a mobile number for all 820 Synod members could never expect to be perfect, having the result of preventing some members from voting. In terms of protecting the integrity of the system, voting by SMS would also allow the possibility that members could feasibly vote 'remotely'; and would introduce anonymity issues as votes are tied to a traceable mobile phone number. Accordingly, voting by SMS does not seem a reasonable alternative.
- (c) Providing specialised voting devices: The sheer volume of Synod members and the irregularity of formal votes during ordinary Synod sessions has provided compelling rationale against the use of specialised voting devices at ordinary sessions. Leasing these devices in the volume required is prohibitively expensive, and at ordinary sessions the time required to hand out and collect the devices upon every entry and every exit to the theatre would overshadow any time savings found in using them in place of a paper ballot. An election Synod may conceivably provide a more compelling case as there is at least one, often more ballots taken per day. However the complexity of the vote in an election Synod – which often includes selecting multiple nominees in one 'vote' – is prohibitively complex for those devices, which typically have a limited keypad, and limited or no opportunity for confirmation of the vote cast.

As a result of there being no suitable alternative, the paper-based method remains our planned approach. However, in order to address COVID-19 health requirements for social distancing, every second or third row of seats will remain empty throughout Synod (as part of social distancing measures) to allow Synod staff to personally hand out ballot papers, alleviating the need for papers to be passed down the line.

5.11 Second ordinary session of the 52nd Synod

We noted that the second ordinary session of the 52nd Synod, currently scheduled to be held 6, 7, 8, 13 and 14 September, is likely to only require a maximum of three sitting days. Due to uncertainty of availability of a venue and booking expenses, the session may be planned for either 6-8 September or 13-15 September 2021. We noted the need to make a decision regarding the timing, duration and business at the Standing Committee meeting in May 2021.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

31 March 2021

Ordinances passed by the Standing Committee since its last report

Living Faith Council Ordinance No 52, 2020
Ashfield, Five Dock and Haberfield Variation of Trusts and Amendment Ordinance No 53, 2020
Kirribilli and Neutral Bay Mortgaging Ordinance No 54, 2020
Moss Vale Land Sale Ordinance 2018 Amendment Ordinance No 55, 2020
Shoalhaven Heads Trust Ordinance No 56, 2020
Synod Appropriations and Allocations Ordinance No 57, 2020
Anglican Church Growth Corporation (Pilot Program Enabling No 2) Ordinance No 58, 2020
Church Hill Leasing Ordinance 2011 Amendment Ordinance No 59, 2020
Emu Plains Trust Ordinance No 60, 2020
Guildford with Villawood Variation of Trusts (St Stephen's Anglican Church) Ordinance No 61, 2020
Nomination Ordinance 2006 Amendment Ordinance No 62, 2020
Parishes (COVID-19 and General Meetings No. 2) Ordinance No 63, 2020
Safe Ministry to Children Ordinance 2018 Amendment Ordinance No 64, 2020
St Andrew's House Corporation Ordinance 2018 Amendment Ordinance No 65, 2020
St Mary's Balmain Variation of Trusts Ordinance No 66, 2020
Professional Standards Unit (Funding) Ordinance No 67, 2020
Willoughby Trust Ordinance No 68, 2020
Willoughby Land Sale Ordinance No 69, 2020
Nomination Ordinance 2006 Amendment Ordinance No 1, 2021
Parramatta (Further Vesting of Property) Ordinance No 2, 2021
South Head Variation of Trusts and Amendment Ordinance No 3, 2021
Quakers Hill Trust Ordinance No 4, 2021
Synod Fund Application Ordinance No 5, 2021
Oakhurst (Richard Johnson Anglican School) Leasing and Variation of Trusts Ordinance No 6, 2021
Anglican Church Growth Corporation (Pilot Program) Amendment Ordinance No 7, 2021
Sydney Diocesan Services Ordinance 2017 Amendment Ordinance No 8, 2021
Endowment of the See Capital Fund Ordinance 2021 Amendment Ordinance No 9, 2021
Interpretation Ordinance 1985 Amendment Ordinance No 10, 2021
Parramatta (Indemnity of Private Trustees) Ordinance No 11, 2021
Wollongong Regional Council (Sussex Inlet) Variation of Trusts and Mortgaging Ordinance No 12, 2021
North Sydney Mortgaging Ordinance No 13, 2021