

General Synod – Episcopal Standards (Child Protection) (Amendment) Canon 2022 Adopting Ordinance 2022

Explanatory Statement

Purpose of the bill

1. The *Episcopal Standards (Child Protection) Canon 2017* was adopted by the Synod of the Diocese of Sydney on 1 November 2017. The Canon sets out an episcopal standards regime for diocesan bishops (and former diocesan bishops) in relation to child abuse and related forms of examinable conduct.
2. The purpose of the bill is to amend the *Episcopal Standards (Child Protection) Canon 2017* in order to implement recommendation 16.52 of the Royal Commission into Institutional Responses to Child Sexual Abuse relating to complaints handling processes.
3. The main effect of the amendment is to provide for the mandatory suspension of a Bishop against whom a plausible complaint involving a sexual offence relating to a child is made.

Recommendations

4. Synod receive this report.
5. Synod pass the Bill as an ordinance of the Synod.

Evidence Given

6. The evidence for this Bill is set out in the explanatory memorandum that was provided to the General Synod. The Explanatory Memorandum is included as an Appendix to this report.

For and on behalf of the Standing Committee

DANIEL GLYNN
Diocesan Secretary

22 August 2022

Episcopal Standards (Child Protection) (Amendment) Canon 2022

Explanatory Memorandum

General Background: The Royal Commission into Institutional Responses to Child Sexual Abuse

1. In January 2013, the Royal Commission into Institutional Responses to Child Sexual Abuse was established and its terms of reference include “what institutions ... should do to better protect children against child sexual abuse and related matters in institutional contexts in the future”.
2. In March 2017, the failure to achieve a nationally consistent approach to child protection in this Church was highlighted by the Royal Commission at its public hearing in Case Study 52 inquiring into the current policies and procedures of Anglican Church authorities in Australia in relation to child-protection and child-safety standards, including responding to allegations of child sexual abuse. Leaders of this Church appearing before the Royal Commission in Case Study 52 committed to core national minimum standards for safe ministry to children.
3. In September 2017, the General Synod passed the Episcopal Standards (Child Protection) Canon 2017 which is designed that effective action to protect the members of the church and the public can be taken against a current or former diocesan bishop against whom a complaint of child abuse has been made.
4. In December 2017, the Final Report of the Royal Commission into Institutional Responses to Child Sexual Abuse made the following recommendation to all religious institutions on their complaint handling processes which are relevant to the amendments in this canon:

16.52 – All religious institutions’ complaint handling policies should require that, if a complaint of child sexual abuse against a person in religious ministry is plausible, and there is a risk that person may come into contact with children in the course of their ministry, the person be stood down from ministry while the complaint is investigated.

5. Since 2018, this Church has been publicly accountable on its progress towards implementing the recommendations from the Royal Commission into Institutional Child Sexual Abuse through an annual report to the National Office of Child Safety. By passing this canon this Church will implement this recommendation.

Object of the canon

6. The object of this canon is to amend the Episcopal Standards (Child Protection) Canon 2017 in order to implement recommendation 16.52 of the Royal Commission into Institutional Responses to Child Sexual Abuse relating to complaints handling processes.

Main provisions of the canon

7. This canon provides for the mandatory suspension of a Bishop against whom a plausible complaint involving a sexual offence relating to a child is made.

Notes on clauses

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| Clause 1 | states the title of the canon. |
| Clause 2 | states the purpose of the canon. |
| Clause 3 | provides that once the Episcopal Standards Commission has commenced an investigation of a complaint involving a sexual offence relating to a child by a person who is a Bishop, and the complaint is plausible, that Bishop must be suspended from their duties of office and is deemed to be on paid leave and to be absent from the jurisdiction of the office. |