

Offences Ordinance 1962 Amendment Ordinance 1994

Explanatory Statement

Introduction

1. The Standing Committee appointed a committee to consider issues relating to the commission of offences by a member of the clergy.
2. In its report, the committee said there were certain serious criminal offences for which conviction itself should be grounds for the bringing of a charge.
3. Under the Offences Canon 1962 the Synod may prescribe offences for which proceedings before the Diocesan Tribunal may be heard and determined.

Bill for the Offences Ordinance 1962 Amendment Ordinance 1962

4. A bill has been drafted to amend the Offences Ordinance 1962 so as to create a new offence. The bill is at the 2nd reading stage, the 1st reading having occurred in October 1993.
5. Under the bill, if passed as an ordinance, the following will be prescribed as an offence for which a charge may be heard and determined by the Diocesan Tribunal -

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.

Recommendation

6. The Standing Committee recommends that the Synod pass the bill.

For and on behalf of the Standing Committee

MARK PAYNE
Legal Officer

3 February 1995