

2019 Session of Synod

Book 1

(Pages 1 to 197)

Annual Report of the Standing Committee and Other Reports and Papers

**Standing Committee of the Synod
Anglican Church Diocese of Sydney**



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.



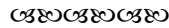
2019 Report of the Standing Committee and other Reports and Papers

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2019 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 usually held in the Heath Centre, Level 5, St Andrew’s Cathedral School, St Andrew’s House. 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 DiocesanSecretary@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 Services (**SDS**) at www.sds.asn.au.

1.3 Meetings and members

Since October 2018 we have met 9 times. The names of the members are listed below.

The Archbishop
Archbishop Glenn Davies

The Chancellor
Mr Michael Meek SC

The Regional Bishops
Bishop Chris Edwards
Bishop Peter Hayward
Bishop Ivan Lee
Bishop Peter Lin
Bishop Michael Stead

The Registrar
Mr Doug Marr

The Diocesan Secretary
Mr Daniel Glynn

The Archdeacon
Archdeacon Kara Hartley

The Chief Executive Officer of Sydney Diocesan Services
Mr Robert Wicks

Dean of St Andrew’s Cathedral
Dean Kanishka Raffel

Laypersons Elected by Whole Synod
Mr Michael Easton
Mr Stephen Hodgkinson
Mr John Pascoe

The Principal of Moore Theological College
The Rev Dr Mark Thompson

Ministers Elected by Whole Synod
The Rev Nigel Fortescue
The Rev Stephen Gibson
The Rev Craig Roberts
The Rev Philip Wheeler

Ministers Elected by Georges River Regional Electors
Canon Phillip Colgan
The Rev Zac Veron

Ministers Elected by Northern Regional Electors
The Rev Gavin Parsons
The Rev Craig Schafer

Ministers Elected by South Sydney Regional Electors
The Rev Andrew Katay
The Rev Justin Moffatt

Ministers Elected by Western Sydney Regional Electors
The Rev Dr Raj Gupta
The Rev Gavin Poole

Ministers Elected by Wollongong Regional Electors
Canon Sandy Grant
The Rev Joe Wiltshire (*elected 21/6/2019, ex-the Rev Stephen Semenchuk died 12/05/2019*)

Dr Laurie Scandrett
Dr Claire Smith
Dr Robert Tong AM
Mrs Melinda West (*elected 12/11/2018, ex-Dr Robert Mackay died 3/09/2018*)
The Hon Peter Young AO QC

Laypersons Elected by Georges River Regional Electors
Mr Clive Ellis
Mr James Flavin
Mrs Jeanette Habib
Dr Ian McFarlane (*elected 8/04/2019, ex-Mrs Tara Sing resigned 18/3/2019*)

Laypersons Elected by Northern Regional Electors
Mr John Driver
Miss Jenny Flower
Mr Phillip Shirriff
Ms Nicola Warwick-Mayo

Laypersons Elected by South Sydney Regional Electors
Ms Michelle England
Mr Gavin Jones
Ms Yvette McDonald
Dr Karin Sowada

Laypersons Elected by Western Sydney Regional Electors
Mr Jeremy Freeman
Mrs Patricia Jackson
Mr Malcolm Purvis
Mr Lyall Wood AM RFD

Laypersons Elected by Wollongong Regional Electors
Mr Peter Evans
Dr David Nockles
Mrs Emma Penzo
Mr Tony Willis

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

- A vacancy arose in the position of a lay person elected by the Georges River Region upon the resignation of Mrs Tara Sing. The Regional Electors of the Georges River Region elected Dr Ian McFarlane to fill the vacancy.
- A vacancy arose in the position of a minister elected by the Wollongong Region upon the death of the Rev Stephen Semenchuk. The Regional Electors of the Wollongong Region elected the Rev Joseph Wiltshire to fill the vacancy.

1.4 Management and structure

Our permanent subcommittees are –

Affiliated Churches Committee

Diocesan Resources Committee

Finance Committee

General Synod Relations Committee

Ministry in Socially Disadvantaged Areas Committee

Registrar's Committee for portraits, plaques & photographs

Religious Freedom Reference Group

Royal Commission Steering Committee

Service Review Committee

Social Issues Committee

Minute Reading Committee	Stipends and Allowances Committee
Ordinance Reviewers and Panels	Strategy and Research Group
Professional Standards Oversight Committee	Work Outside the Diocese Committee

The terms of reference and the membership of our permanent subcommittees are posted at www.sds.asn.au.

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 Dr Robert Tong AM

We noted Dr Robert Tong AM was elected a member of Standing Committee by the Synod in October 1978 and therefore Robert has completed 40 years of continuous membership of Standing Committee, and –

- (a) gave thanks to God for the enormous contribution Robert has made to the work of the Standing Committee, the Diocese of Sydney and the wider church,
- (b) expressed its appreciation to Robert for his service to date and ongoing ministries,
- (c) recognised the support of Winsome and the service by so many of their relatives over multiple generations, and
- (d) prayed for God's blessing on Robert and Winsome and their family.

1.6 Death of the Rev Stephen Semenchuk

We noted with sadness the death of the Rev Stephen Semenchuk, a member of Standing Committee since 1996 and the Rector of the Parish of Dapto since 2002, on Sunday 12 May 2019; and gave thanks to God for the life and faithful service of Stephen.

1.7 Executive Assistant to the Bishop of Wollongong

We noted that the Archbishop appointed the Rev Anthony Douglas to the position of Executive Assistant to the Bishop of Wollongong with effect from 1 January 2020. Anthony is currently Rector of the parish of Shoalhaven Heads and will resign from this position at the end of this year. Mr Tony Willis will continue his current role of part time Executive Assistant through the 2020 year.

1.8 Death of Mr Allan Perryman

We noted with sadness the sudden death of Mr Allan Perryman, the Hon Treasurer of General Synod; thanked God for his astute leadership in General Synod financial matters and extended its sympathy to his widow Laurie and their family.

1.9 Death of Bishop Tony Nichols

We gave thanks to God for the life and ministry of Bishop Tony Nichols, including as a lecturer at Moore College (1968-1981), CMS missionary in Indonesia (1981-1987), Principal of Nungalinya College, NT (1982-1987), Principal of St Andrew's Hall, Victoria (1991), and Bishop of North West Australia (1992-2003). Tony was an indefatigable cross-cultural evangelist, a learned and much respected teacher, a diligent and courageous bishop, a faithful pastor and a trusted counsellor to many. He was a man of prayer and faith. We expressed our thankfulness to God, and deep sympathy and condolence to Judith and the family and assured them of our prayers.

1.10 Election of the Rev Dr Mark Short as Bishop of Canberra and Goulburn

We noted that the Rev Dr Mark Short had been elected to be the next Bishop of Canberra and Goulburn, congratulated Dr Short on his appointment, and assured him of our prayers and good wishes in his new role.

1.11 Election of Archdeacon Donald Kingsley Kirk as the eleventh Bishop of Riverina

We noted that Archdeacon Donald Kingsley Kirk, then Rector of the Parish of Hamilton in the Diocese of Ballarat and Archdeacon of the South West region of Ballarat, had been elected the 11th Bishop of Riverina, congratulated Archdeacon Kirk on his appointment, and assured him of our prayers and good wishes in his new role.

1.12 Election of the Rev Keith Dalby as the 5th Bishop of The Murray

We noted that the Rev Keith Dalby, then Rector of the Parish of Gordon, had been elected as the 5th Bishop of The Murray, congratulated him on his election and assured him of our prayers and good wishes in his new role.

2. Actions with the Archbishop

2.1 Strategy & Research Group

The Strategy & Research Group (SRG) comprises the following members –

Archbishop Glenn Davies (Chair)	Mr Peter Mayrick
The Rev Dr Raj Gupta	Mr Graham Murray
The Rev Dr Andrew Katay	The Rev Andrew Robson
Bishop Peter Lin	The Rev Craig Schafer
Dr Ruth Lukabyo	Ms Nicola Warwick-Mayo

In addition, the SRG is well served by Dr John Bellamy, who attends each meeting as a consultant to the Group and has provided a significant depth of research and analysis.

The SRG is an advisory group for the Archbishop and the Standing Committee in their formulation of high level vision and missional goals for consideration and adoption by the Synod. The Group is tasked –

- (a) to identify, research, evaluate and develop for Standing Committee's consideration the strategies and structures which optimise the capacity of the diocesan network to achieve the vision and missional goals adopted by the Synod, and
- (b) to oversee the objective measurement of and reporting to the Standing Committee on progress toward achieving those missional goals.

The SRG typically meets quarterly for full day meetings. Since the last Synod, the SRG has met 4 times including a two-day Strategic Retreat at the start of the year with the members of the episcopal team to focus specifically on matters of high level vision, strategy and structure within the Diocese.

Development of Key initiatives

At the 2019 Retreat, the SRG reviewed SWOT and Key Issues analysis (incorporating input from the members of the episcopal team, the Mission Area Leaders and Standing Committee members), and considered options for possible new initiatives in support of Mission 2020. Ultimately the Group focused on initiatives that would support the work of Evangelism and New Churches and Youthworks, as well as support parishes through consultancy and mentoring.

Following the Retreat, the SRG met with Mission Area Leaders in a joint conference on 8 May 2019. The annual conference is an opportunity for partnership and for the SRG to ventilate ideas and seek feedback. The SRG shared with the Mission Area Leaders the initiatives under consideration and ultimately refined these further in light of the conference.

In August 2019, the SRG met with the Diocesan Resources Committee (DRC) in order to discuss potential funding requirements for the initiatives under consideration, as well as opportunities for the SRG and the DRC to partner in preparation of the triennial funding principles, produced by the DRC.

The SRG is continuing its work in pursuit of implementation of these initiatives, but has not yet completed its work.

Newcomers Study

The attraction and retention of newcomers forms a key goal of Mission 2020 (adopted by the Synod in 2014). Mission 2020, among other things, sets a goal to raise the level of newcomers to 12% of attenders by 2020. However, despite the priority given to newcomers, it is likely that the Diocese will fall well short of this goal. The SRG commissioned a study, carried out by Dr Bellamy, on Newcomer levels in the Diocese of Sydney and strategies and actions that may be taken by parishes to increase newcomers. The Newcomers Study is in its final stages before circulation to parishes.

Mission 2020

The SRG agreed that it would recommend that Synod continue to utilise the vision, mission, values and priorities of Mission 2020 until the SRG, under the chairmanship of the next Archbishop, has had opportunity to consider any recommendations for any new iteration of our mission of making and maturing disciples of Christ.

2.2 Parramatta '54 Free Fund

The income of this fund is to be distributed among the objects of the Diocese of Sydney as determined by

the Archbishop-in-Council. The amount of \$2,226 was paid from this fund to cover the attendance and travel equalisation costs for the March 2019 Australian Bishops' Conference held in Perth. The fund did not have a sufficient amount available to cover the entire cost of the conference and travel. The Archbishop made up the balance with a distribution of \$910 from the Archbishop of Sydney's Discretionary Trust.

2.3 Guidelines for termination of appointments under the Assistant Ministers Ordinance 2017

In accordance with the request of paragraph (d) of Synod resolution 45/18, the Archbishop-in-Council approved guidelines under clause 7 of the *Assistant Ministers Ordinance 2017*. The guidelines are available on the SDS website.

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

The Archbishop-in-Council agreed that, provided sufficient funds are available in Client Fund 369, up to \$40,000 be applied each year from the Grant (Sisters) Endowment Fund for distribution at the discretion of the Archbishop for the purpose of Christmas grants.

2.5 Appointment of a new assistant bishop for the Diocese of Sydney

Under clause 5 of the *Assistant Bishops Ordinance 1947*, the Archbishop-in-Council approved of the appointment of Canon Malcom Richards as an assistant bishop in the Diocese of Sydney, noting that the bishop will be styled the Archbishop of Sydney's Bishop for International Relations.

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, a risk management report and a charities group status report. During the first ordinary session of each Synod, the reports also include a statement which assesses an organisation's compliance with the Synod's governance policy and explains any areas of non-conformity.

The reports must be lodged by 30 June each year. A later lodgement date has been approved for two organisations, Anglican Community Services and The Archbishop of Sydney's Anglican Aid whose financial year ends on 30 June.

Some of these 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, Parish Funds and the Synod-St Andrew's House Fund

The annual financial statements for the Amalgamated Synod Funds, Amalgamated Parish Funds and the Synod – St Andrew's House Fund have been prepared and reviewed according to agreed upon procedures rather than a formal audit. These reports are printed separately.

3.3 Ordination Training Fund

In 2019 this Fund received a Synod allocation of \$41,000 (2018 \$40,000) which it used to provide a book allowance of \$1,000 to first year candidates studying through Moore Theological College or Youthworks College for ordination in Sydney, and to meet a number of specific costs associated with preparing candidates for ordination. In exceptional cases the Fund may also provide bursaries or financial assistance to some of the candidates.

3.4 Ordinances

The following table shows the number of ordinances passed and assented to in 2013 to 2018, and in 2019 up to 26 August 2019 –

	2013	2014	2015	2016	2017	2018	2019
Standing Committee	60	42	46	53	40	42	31
Synod	6	7	6	4	11	8	0
	66	49	52	57	51	50	31

A separate report lists the ordinances passed by us since the 2018 ordinary session of the Synod. There are 15 ordinances of particular interest.

(1) The *Anglican Community Services Constitution Ordinance 1961 Amendment Ordinance 2018* amended the *Anglican Community Services Constitution Ordinance 1961* to provide for the establishment of a Gift Fund that would identify and record Gifts, Deductible Contributions and any other similar contributions to Anglican Community Services.

(2) The *Arden Anglican School Council Ordinance 1962 Amendment Ordinance 2019* amended the *Arden Anglican School Council Ordinance 1962* by reducing the number of members of the School Council from 14 to 12 (being ten elected by the Synod and 2 appointed by the Archbishop), and updating the constitution of Arden to ensure that it better complies with modern standards and practices for corporate governance, current legislative requirements and the Diocesan Policy on Corporate Governance. Obsolete terms were removed or updated within the constitution.

(3) The *Assistant Ministers Ordinance 2017 Amendment Ordinance 2018* amended the *Assistant Ministers Ordinance 2017* as requested by Synod resolution 45/18, namely –

- (a) omitting the words “where a genuine and recorded performance management program or similar has been unsuccessful in resolving the issue or issues” in clause 3(3)(b)(i),
- (b) inserting a new clause to state that if the Parish requires the Assistant Minister to live in a certain location, that the housing arrangements for the Assistant Minister must be approved as suitable by the Archbishop,
- (c) inserting a new clause to require rectors to consult with the Regional Bishop before making a communication to the parish about the termination of the appointment of an Assistant Minister licensed to the Parish.

(4) The *Barker College Ordinance 1978 Amendment Ordinance 2019* amended the *Barker College Ordinance 1978* to broaden the existing requirement about persons appointed as Chaplains so that it includes deacons as well as presbyters, while also addressing a number of administrative changes (such as changing “Headmaster” to “Head” throughout the ordinance).

(5) The *Campbelltown Anglican Schools Ordinance 1995 Amendment Ordinance 2018* amended the *Campbelltown Anglican Schools Ordinance 1995* to –

- (a) provide that the Archbishop (rather than Bishop of Wollongong) is President (but not a member) of Campbelltown Anglican Schools Council (CASC),
- (b) reduce the number of members from 13 to 10, being the Rector of the Parish of Campbelltown, six members elected by the Synod, and three elected by the Parish Council of Campbelltown,
- (c) simplify the Council’s responsibilities and exclude Parish Council from having a governance or management role in the Schools.

(6) The *Cost Recoveries Framework Ordinance 2008 Amendment Ordinance 2019* amended the *Cost Recoveries Framework Ordinance 2008* to specify that any Parental Leave Pay received from the Australian Government Department of Human Services (Centrelink) by a parish is excluded from the calculation of the net operating receipts of the parish.

(7) The *Church of England Boys’ Society Prohibition Ordinance 2018* prohibits a parish from conducting activities, or allowing any third party to conduct activities, if those activities are named or styled as being activities of or in association with the Church of England Boys’ Society (including by the acronym “CEBS”).

(8) The *Endowment of the See Corporation Ordinance 2019* and the *Endowment of the See Variation of Trusts and Amendment Ordinance 2019* established a body corporate to be the trustee of certain assets of the Endowment of the See, and redeclared the trusts of the EOS Expenditure Fund to create a new trust to hold both the income and capital of the Endowment of the See. This change was made as the previous structure (enacted in 2012 based on partial implementation of the recommendations of the Strategic Commission on Structure, Funding and Governance) produced significant uncertainty in relation to key

responsibilities related to EOS finances, and have led to inefficient and costly administrative procedures.

(9) The *Miscellaneous Amendments Ordinance 2019* amended the *Cathedral Ordinance 1969*, the *Interpretation Ordinance 1985*, the *Conduct of the Business of Synod Ordinance 2000*, the *Ordinance Procedure Ordinance 1973*, the *General Synod – Holy Orders (Removal from Exercise of Ministry) Canon 2017 Adopting Ordinance 2017*, the *Anglican National Superannuation Board Ordinance 2017*, the *Campbelltown Anglican Schools Ordinance 1985*, the *Parochial Cost Recoveries and Church Land Acquisitions Levy Ordinance 2018*, the *Sydney Anglican (National Redress Scheme) Corporation Ordinance 2018 Amendment Ordinance 2019* and the *Nomination Ordinance 2006*. In general, the *Miscellaneous Amendments Ordinance 2019* rectified administrative errors such as incorrect words, grammatical mistakes and spelling mistakes as well as updating references and words to more modern variations. It also inserted provisions that make administrative processes more effective or to remove ambiguities. The more significant amendments included –

- amending the *Interpretation Ordinance 1985* to –
 - (a) ensure the same formula is used to convert pre-decimal currency for ordinance purposes as is used in Australian law, and
 - (b) allow the Archbishop-in-Council to determine when the Dean of the Chapter is to be included in a reference to Rector, Parish Council or Warden in particular ordinances.
- amending the *Ordinance Procedure Ordinance 1973*, in relation to the notice to be given in church upon a proposed ordinance relating to church trust property held for the benefit of the parishes –
 - (a) clarifying that it is appropriate to lodge objections via email to the Diocesan Secretary, and
 - (b) removing the requirement that the notice must contain or be accompanied by a sketch plan of any land affected by the proposed ordinance.
- amending the *Nomination Ordinance 2006* to address the circumstance where a person who is both a diocesan nominator and a parish nominator, and has been elected to participate in one of those capacities; the amendment clarified that serving in one capacity does not result in a permanent resignation from the other capacity.

(10) The *Parish Administration Ordinance 2008 Amendment (Use of Church Buildings) Ordinance 2019* amended the *Parish Administration Ordinance 2008* (PAO) to provide greater flexibility in relation to the use of church buildings. Previously, the schedules to the PAO specified that all buildings intended to be used regularly for public worship must be licensed or consecrated as a church and subsequently can *only* be used for the conduct of a service of public worship, an activity of the parish or a meeting of a non-Anglican congregation pursuant to rule 5.7 of Schedule 1 or 5.6 of Schedule 2 (as the case may be). This amendment allows the Archbishop (or the Regional Bishop) to approve other purposes, either in a particular cases or classes of cases.

(11) The *Safe Ministry to Children Ordinance 2018 Amendment Ordinance 2019* amends the *Safe Ministry to Children Ordinance 2018* to limit the requirement for a Safe Ministry Check in relation to persons who undertake ministry to children on a voluntary basis. The effects of the amendments are –

- For ministries to children in preschool, infants and primary school: those with organisational responsibility for the leaders of the ministry will be required to complete the Safe Ministry Check, but not those who merely lead the ministry (noting that both categories, as before, will be required to have a Working with Children Check)
- For ministries to children in high school: all adult leaders will be required to complete the Safe Ministry Check (in addition to the existing requirement of a Working with Children Check).

(12) The *Sydney Diocesan Secretariat (Change of Name) Ordinance 2019* changed the name of the Sydney Diocesan Secretariat to “Sydney Diocesan Services”.

(13) The *Synod Appropriations and Allocations Ordinance 2019* gave effect to the Synod’s general intention with respect to the appropriation and allocation of Synod funds. The amount of income available is \$169,000 more than the estimates provided to Synod in 2018, primarily due to higher than estimated distributions received from the parishes of St James King Street and Ryde. At the same time, there has been an increase of \$165,000 in the allocation needed to meet this Diocese’s General Synod statutory assessment in 2020. The allocation to the Work Outside the Diocese Committee has been increased by \$8,000 to maintain our commitment to allocating 5% of the total funds available to Synod for this purpose. The following five additional allocations have been made for 2020, resulting in a corresponding decrease in the balance available for contingencies –

- (a) an allocation of \$10,000 for printing & mailing hard copy Synod materials to members who opt-in,

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- (b) a specific allocation of \$12,000 for Standing Committee venue hire and catering,
- (c) a specific allocation of up to \$10,000 for Cathedral staff car parking in St Andrew's House, previously funded from Contingencies,
- (d) an allocation of \$11,000 to fund qualified persons to interview ordination candidates in relation to domestic abuse, and
- (e) a special allocation of \$100,000 to Evangelism and New Churches as a contribution towards the cost of funding the new position of Assistant Director (Parish Evangelism) as a response to the request of resolution 5/18 (see item 7.10).

(14) *The Archbishop of Sydney's Anglican Aid Ordinance 2011 Amendment Ordinance 2019* amends *The Archbishop of Sydney's Anglican Aid Ordinance 2011* to change the title of the Executive Director to the Chief Executive Officer.

(15) *The Wollongong Regional Council Land Variation of Trusts Ordinance 2018* varied the Trusts of certain lands at Wollongong to provide that it is held on trust for the purposes of the Wollongong Regional Council.

3.5 Parochial cost recoveries – arrears

The following table compares the arrears of cost recovery charges as at 30 June 2019 and 2018 –

	2019	2018	
Greenacre	7,673	4,719	
Hornsby Anglican Chinese Church	7,768	-	(paid in full in July 2019)
Richmond	237	5,875	
St Clair	9,708	-	
	<u>25,386</u>	<u>\$10,594</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 2019, 88 parochial units (33%) had not lodged a set of prescribed financial statements (compared with 103 at the same time in 2018). By 30 June 2019 this had improved so that only 20 parochial units had not lodged their financial statements, although some others had only lodged incomplete or unsigned financial statements.

The Finance Committee has processes in place to remind parochial units of their obligations under the Ordinance, to assist with any enquiries and to 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.

We instructed Sydney Diocesan Services to calculate the net operating receipts for any parish that had not lodged its 2018 audited financial statements by 15 September 2019, based on the figure for the previous year + 20% (in accordance with clause 15 of the *Cost Recoveries Framework Ordinance 2008*).

3.7 Local revenues test for parish status

In 2018 a total of 9 parishes had local revenue below the requisite amount defined in the *Parishes Ordinance 1979*. For 6 of those parishes it was the first year they have recorded insufficient local revenue, and for 2 others (Brighton/Rockdale and Greystanes-Merrylands West) it is the second year. Each of those 8 parishes have been advised of the importance of ensuring their 2019 and future revenues meet the relevant threshold figures in order to retain their parish status. In the case of Coogee, this was the third consecutive year of revenue below the threshold and accordingly this parish will revert to provisional status on 31 December 2019 unless the South Sydney Regional Council exercises its discretion under clause 8(1A) of the *Parishes Ordinance 1979*.

3.8 Stipends, allowances and benefits for 2020

A report on stipends, allowances and benefits for 2020 is printed separately.

We agreed to set the recommended minimum stipend for 2020 at \$67,856, representing a 1.6% increase over 2019. We also approved *Guidelines for the Remuneration of Parish Ministry Staff for 2020* reflecting a 1.6% increase in recommended minimum spend.

3.9 Work Outside the Diocese

In the 6 months to 30 June 2019, the Work Outside the Diocese Committee had applied \$213,077 to support gospel ministry outside the Diocese from a total Synod allocation in 2019 of \$309,000 (5% of the total funds available to Synod). It is expected that further amounts will be applied during the 6 months to 31 December 2019 from the 2019 allocation, and the opening reserves of \$13,246.

In addition, in the 6 months to 30 June 2019, \$120,000 has been applied towards funding for the Diocese of Bathurst from a special Synod allocation of \$250,000 for that purpose.

3.10 Recommended distribution from the Diocesan Endowment for 2020

We noted the advice of the Glebe Administration Board that, for the purposes of clause 5(1) of the *Diocesan Endowment Ordinance 1984*, \$2.880 million could prudently be distributed from the Diocesan Endowment for spending by the Synod in 2020, being the second year in the current funding triennium (2019: \$2.804 million).

3.11 Distribution from St Andrew's House Fund 134

We noted the advice of the Finance Committee that the amount of the distribution from the newly created Synod – St Andrew's House Fund 134 in 2019 available for appropriation by Synod in 2020 is expected to be \$2.600 million.

3.12 Parochial cost recoveries for 2020

A report on the cost recoveries charge in respect of ministry costs and parochial network costs for 2020 is printed separately. These charges and costs have been determined in accordance with the method or methods prescribed in the *Parochial Cost Recoveries and Church Land Acquisitions Levy Ordinance 2018*.

3.13 12 monthly Parish Cost Recovery charges from 2020

Currently, parishes pay their PCR charges in 10 equal monthly instalments from 1 March to 1 December each year. Traditionally this has been seen as a concession to help parishes manage their cash flow through the summer holiday period when attendance, and hence cash-based offertory, may be lower than normal. However, as an increasing proportion of parish offertory is received electronically the need for a 'holiday' from PCR charges in the first two months of the year has diminished. Additionally, a number of parishes have indicated that it would help their budgeting to receive invoices and pay their PCR charges evenly throughout the year as the costs are incurred. Accordingly, we agreed to move to a system of 12 monthly PCR charges from January 2020.

A report about this matter is printed separately.

3.14 General Synod statutory assessment

The General Synod statutory assessment for 2018 totalled \$393,012, payable in 4 quarterly instalments of \$98,253. The total is \$35,012 more than the allocation of funds for this purpose made under the Synod Appropriations and Allocations Ordinance 2017. We allocated \$35,012 from Synod Fund Contingencies to meet the shortfall in the 4th quarter of 2018.

The statutory assessment for 2019 totalled \$481,250, which is significantly higher than Sydney's share (\$406,000) of the forecast 2019 Statutory Assessment based on the budget papers initially tabled at General Synod in 2017. This increase arose as a result of additional funding required for the Royal Commission / Safe Ministry resolutions passed at the session of General Synod in 2017, and further increased by resolution of the General Synod Standing Committee in November 2018 to accommodate legal costs for the Episcopal Standards Commission.

The final assessment for 2019 is \$79,250 more than the amount of \$402,000 allocated for this purpose in the Synod Appropriations and Allocations Ordinance 2018, which had been based on the 2018 actual assessment plus 2.4% for inflation. We agreed to fund the shortfall of \$79,250 from the working capital of Synod Fund 129.

See also item 3.4(13).

3.15 Stipend Continuance Insurance renewal

We decided in late 2018 to maintain the existing benefit design of Stipend Continuance Insurance even though it would involve an increase of 21.6% (being the lowest price quote after going to tender) to the premium payable in 2019. As a result, in 2019 the portion of the premium applicable to parishes is expected to exceed the recovery from parishes by an amount in the order of \$220,000. The Finance Committee indicated that this shortfall would be able to be funded from resources within the existing PCR group of Funds.

However, a continuing under-recovery of this magnitude is not sustainable and in August 2019 we agreed to renew the Stipend Continuance insurance for 2020 with a slightly reduced benefit structure in order to contain the cost to something approximating the estimates incorporated in the *Parochial Cost Recoveries and Church Land Acquisition Levy Ordinance* passed by Synod in 2018.

3.16 Clergy Assistance Program

We have agreed on the eligibility criteria and logistics for handling a significant extension of the Clergy Assistance Program to include authorised lay ministers. When this extension is implemented, it will become known as the Churchworker Assistance Program. However, we decided not to implement that decision in 2019 or 2020, because to do so would require parishes being charged an amount of \$120 pa for each such person, and this cost was not included in the estimates incorporated in the ordinance passed by Synod in 2018. We anticipate that the cost to extend the CAP will be included in the proposed budget for the next funding triennium (2022-2024).

3.17 Public Liability Insurance cover for One Off Hirers of church premises

One-off hirers of church premises are required to provide evidence of Public Liability Insurance cover, which may be taken out on a per event basis for approximately \$160. A subsidy of \$100 has been available towards the cost to the hirer, paid from reserves of the Anglican Church Property Trust and recovered from parishes in the following year through Parish Cost Recoveries. We requested the ACPT to cease subsidies for one-off hirers of church premises. This change took effect from March 2019.

3.18 Implications of the implementation of the Property Receipts Levy

Property Income Worksheet

We prescribed a form of Property Income Worksheet for the purposes of the definition in clause 2 of the *Property Receipts Levy Ordinance 2018*.

Amendment of standard form of parish trust ordinance

We authorised an amendment to the standard form of parish trust ordinance by substituting the existing clause 9(1)(b) with the following –

“(b) the rental payable by the lessee or licensee is not more than any limit that is determined by the Standing Committee by resolution from time to time for the purposes of this clause”,

and determined the amount for the purposes of clause 9(1)(b) in all parish trust ordinances to be \$500,000.

The effect of this change is that the monetary limit on the leasing and licensing power of the ACPT in the standard form trust ordinance has increased from \$50,000 to \$500,000 pa (noting that the limit in clause 9(1)(a) that a lease or licence not exceed 5 years will remain unless the parish applies to amend its ordinance).

Delegation to extend review date

We delegated to the Finance Committee the authorisation of an automatic roll over of the review date in an ordinance where that extension can be given by resolution, after consulting with the relevant regional bishop, except if –

- (a) all or part of a parish's property income is exempt from the levy (other than due to its Net Operating Receipts being below \$120,000 pa), or
- (b) a parish has an alternative arrangement under ordinance in respect to all or any part of its property income.

Property (Lease, Licence and Investment) Receipts Policy

We adopted an amended form of the *Large Lease and Investment Policy*, renamed the *Property (Lease, Licence and Investment) Receipts Policy*, containing our policy regarding applications for concessions or exemptions to the Property Receipts Levy. The policy may be found at item 3.2 of the Policies of the Standing Committee on the SDS website.

3.19 Parish of Bondi and Waverley – Strategic Masterplan

We supported in-principle stage 1 of the Church 2050 Strategic Masterplan put forward by the Parish of Bondi and Waverley. Stage 1 includes the sale of the three properties and redevelopment of the parish's Wairoa and Birrell Street sites.

3.20 Parish of Leichhardt – Property Development Project

We approved in-principle a proposed development project from the Parish of Leichardt, which includes the sale of the property at 126A Norton Street.

3.21 ACPT management fee – Sydney Anglican Indigenous Peoples' Ministry Committee

Having noted some detail of the history of this Diocese's ministry with Indigenous peoples, we resolved that the funds held by the ACPT for the Sydney Anglican Indigenous Peoples' Ministry Committee (ACPT C/F 0378) should be exempt from the application of the ACPT's management fee.

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, while others are made by the Standing Committee in its own right.

From November 2018 to August 2019, 67 such positions were filled (165 for the same period in 2017 – 2018).

4.2 Filling of contested vacancies for a regional representative on Standing Committee

Having trialled the use of an online ballot to fill a contested vacancy for a regional representative on Standing Committee, we authorised, in accordance with 3(3A) of the Standing Committee Ordinance 1897, the use of an online ballot to administer any future contested casual vacancies for a member of the Standing Committee elected by the Regional Electors of a region.

4.3 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. This year the annual reports are printed as a compilation. Any reports for reclassification of provisional parishes under the *Parishes Ordinance 1979* are printed separately.

4.4 Review of the services of Sydney Diocesan Services to the Synod and Standing Committee

We confirmed that SDS has satisfactorily provided services to the Synod and the Standing Committee under the current Service Level Standards document for the period between November 2017 and October 2018.

4.5 Affiliated Churches

We declared Camden Valley Church, Elderslie and Singleton Evangelical Church, Singleton to be affiliated with the Diocese under the *Affiliated Churches Ordinance 2005*.

4.6 AICD governance training for members of diocesan boards and school councils

We agreed to contribute \$6,000 from Synod Fund Contingencies to fund the participation in the 3 day AICD governance training course being run by SDS in June-July 2019 of 2 persons who might not otherwise have the resources to participate.

5. Relations with Government

5.1 Social Issues Committee

The Social Issues Committee (SIC) comprises the following members –

Mrs Emma Penzo (Chair)	Mr Darren Mitchell
Dr Megan Best	Dean Kanishka Raffel
The Rev Dr Andrew Ford	The Hon John Ryan AM
Dr Chase Kuhn	Ms Simone Sietsma

The SIC provides advice to the Archbishop on issues which are referred by him. It also provides advice on issues referred to it by the Standing Committee or at the request of the Synod. When resources allow, the SIC also identifies and initiates the study and discussion of social issues and matters of public policy among Anglicans in the Diocese and interacts with Government and other external organisations through submissions to parliamentary and public inquiries. The SIC is often the first point of contact for community groups and other organisations wishing to engage with the Diocese on matters of public policy.

Since the last Synod, the SIC has met 4 times and has devoted considerable further work to the Gender Identity Guidelines, producing a draft report for the Gender Identity Subcommittee.

The SIC has also produced a substantial report regarding Ministry with Indigenous Australians, for the Taskforce appointed in response to Synod resolution 22/18. This report provides a history of the dealings of the Anglican Church with the Indigenous Australians in the area covered by this diocese, and proposes resources to be used by each individual parish.

At very short notice the SIC provided a submission to the enquiry by the NSW Legislative Council Standing Committee on Social Issues relating to the Reproductive Health Care Reform Bill 2019 regarding abortion.

The Committee is continuing to monitor parliamentary and general community matters, particularly with regard to euthanasia and assisted suicide, and bio-medical ethics.

6. The International, National and Provincial Church

6.1 Appellate Tribunal – Affiliated Churches Ordinance 2005

We reported in 2018 that in August 2017, a reference was made to the Appellate Tribunal concerning our *Affiliated Churches Ordinance 2005*. In December 2018, the matter was concluded, with the Tribunal indicating that none of the constitutional grounds advanced for invalidity of the *Affiliated Churches Ordinances 2005* (Sydney) had been established.

6.2 New Zealand Extra Provincial Diocese

Participation in the consecration of the Bishop of New Zealand extra provincial diocese

We reported in 2018 that the Anglican Church in Aotearoa, New Zealand and Polynesia (ACANZP) had agreed to permit clergy to conduct services blessing same gender relationships.

This year, we noted that as a consequence of that decision, a number of parishes and clergy resolved to leave the ACANZP. This departure involved leaving parish buildings and parish accommodation, and relocating to rented premises. Those parishes resolved to form themselves into an extra-provincial diocese named the Church of Confessing Anglicans Aotearoa/New Zealand which met in Synod on 17-18 May 2019 in Christchurch.

Following that inaugural Synod, we noted with thankfulness the election of the Rev Jay Behan, formerly Vicar of St Stephen's Anglican Church, Christchurch, as the first Bishop of the Church of Confessing Anglicans Aotearoa/New Zealand.

We encouraged Archbishop Glenn Davies and the Assistant Bishops in the Diocese, as they are able, to participate in the consecration of the Bishop of the Church of Confessing Anglicans Aotearoa/New Zealand.

6.3 Special session of the General Synod 2020

We noted that the General Synod Standing Committee (GSSC) had recommended to the Primate that a special session of General Synod be convened between 31 May and 5 June 2020 (the dates previously advised for the next ordinary session of General Synod). The primary business proposed for the special

session is to be the Anglican Church in Australia's response to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

We further noted that the GSSC had resolved that in conjunction with the special session, a conference would be convened involving some or all General Synod members and possibly others to consider the range of issues the Anglican Church in Australia is facing in relation to human sexuality, same-sex relationships and marriage, and "possible ways forward".

7. Sydney Synod Matters

7.1 Prioritisation of Synod requests

We requested the Diocesan Secretary to provide a report to the Standing Committee meeting following the ordinary session of Synod each year, providing a recommended relative priority of the requests of resolutions of Synod, taking into account the urgency, importance and anticipated labour and costs involved addressing each request. We also agreed that if we determine not to address a Synod resolution (in full or part), a brief report should be provided to the following session of the Synod and the mover and seconder of the resolution be informed.

A report is printed separately about this matter.

7.2 16/16 Diversity and Inclusion policies

By resolution 16/16, the Synod, among other things, requested the Diocesan Doctrine Commission or the Social Issues Committee to provide a report on the biblical understanding of 'diversity and inclusion' so as to assist our organisations in the formulation of such policies, and to report back to the next session of Synod.

We agreed that since the resolution seeks a theological perspective of biblical understanding, the SIC would not be involved in the matter. The Diocesan Doctrine Commission has not yet provided a report on this matter.

7.3 30/16 Consumerism

By resolution 30/16, the Synod requested the Social Issues Committee (SIC) to report on the culture of consumerism and its impact on our society and churches with recommendations on how we can respond better to the challenges it presents.

In March 2019, we received a report from the SIC indicating that it does not have capacity to address all of the matters that have been referred to it. The same report identified the request of Synod resolution 30/16 as a non-urgent matter that the SIC could not address in light of its other priority work, and sought our endorsement not to address the request of 30/16.

Noting that the workload of the SIC also includes substantial work addressing the Synod's request on several matters of particular time sensitivity (including Gender Identity and Constitutional recognition for Aboriginal and Torres Strait Islander Peoples), we endorsed the decision of the SIC not to address the request of this resolution, and wrote to the mover of the resolution indicating this outcome.

7.4 14/17 Forum of Synod

By resolution 14/17, the Synod requested us to review the arrangements for the Diocesan Synod and report to the next Synod in relation to –

- (a) the logistics of contracting the meeting time from the current format which comprises 5 afternoon and evenings,
- (b) possible alternative arrangements in relation to the convening of Synod in so far as they relate to the times and where Synod meets.

The committee we constituted to address the request of this resolution has completed its work. A report about this matter is printed separately.

7.5 27/17 Gender Representation on Diocesan Boards and Committees

By resolution 27/17, the Synod requested the Standing Committee to bring a report to the next Synod which outlined the composition of the various Diocesan boards, committees and councils in so far as they reflect the gender participation of those groups.

We provided a report with numerous recommendations to the session of Synod in 2018. However, due to

insufficient time, the matter was not considered. Following that session, we constituted a committee to prioritise the recommendations contained in the report provided to Synod on this matter in 2018, and provide a revised report with recommendations for this session of the Synod.

A report about this matter is printed separately.

7.6 Ministry Spouse Support Fund

32/17 Assistance for spouses and families of clergy and lay stipendiary workers where separation has occurred due to domestic violence

At its session in October 2018, the Synod established a Ministry Spouse Support Fund (MSSF), providing funding of \$150,000 pa from which to allocate financial support for spouses of clergy and lay stipendiary workers who have been, or will be, left in financial hardship as a result of their need to separate from their spouse due to domestic abuse. We authorised an approval mechanism for the MSSF, and asked that a high-level report outlining the use of the MSSF be provided each year for Synod.

A report from the Professional Standards Unit about this matter is printed separately.

7.7 33/17 Clergy professional development

By resolution 33/17, the Synod, among other things, requested Standing Committee to make a recommendation of an appropriate amount per clergy to be included in annual parish budgets for professional development. We agreed that it would not be appropriate to recommend that all parishes budget a particular amount per clergy for professional development expenses, and asked the Finance Committee to include a note in future editions of the Explanatory Notes accompanying the Prescribed Financial Statements –

- (a) indicating the current cost of the Developing Rectors program delivered by the Centre for Ministry Development at Moore College, and
- (b) recommending the wardens and parish council consider the professional development needs of their ordained and lay ministry staff and include an appropriate amount to cover those expenses in their annual parish budget.

7.8 43/17 Composition, purpose and role of Synod

By resolution 43/17, the Synod asked us to bring a report to the October 2018 session of Synod on the composition, purpose and role of Synod. The committee we constituted to address the request of the resolution has produced a draft report, but has not yet completed its work. It is anticipated that a final report will be provided to the 2020 session of Synod.

7.9 4/18 People affected by disability

By resolution 4/18, the Synod noted its resolution 34/09 which, among other things –

- (a) recognised “that for people with disabilities, their families and carers, daily life can be practically, financially, socially and emotionally more difficult than it is for most people”, and
- (b) 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”,

and among other things, requested 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.

The Committee we asked to address the request of this resolution has not yet completed its work.

7.10 5/18 Evangelism and New Churches’ support for evangelism in parishes

By resolution 5/18, the Synod, among other things, strongly supported ENC’s policy 4: regrow mission and the evangelistic edge of existing churches, and requested the Standing Committee –

- (a) to identify ways that ENC might be better equipped and funded to increase that area of its work that focuses on policy 4 and encouraging, supporting and equipping parishes in their evangelism, and
- (b) to prioritise funding of that work when additional funds become available over this triennium and in determining future funding principles and priorities.

We have allocated \$100,000 to Evangelism and New Churches in 2020 as a contribution towards the cost of funding a new position of Assistant Director (Parish Evangelism) in response to the request of paragraph (a).

7.11 10/18 The contribution of churches and other Christian organisations to the Australian economy

At its ordinary session in 2018, the Synod passed resolution 10/18 in the following terms –

‘Synod, noting –

- (a) the increasing opposition from certain sections of Australian society to the Christian faith and, in particular, its public expression through the activities of churches and Christian organisations, and
- (b) that a recent study in the USA found that the total economic contribution of religious activity (predominantly Christian) amounts to nearly \$1.2 trillion per annum – a significant proportion of that nation’s GDP of about \$20 trillion,

considers that such a study for Australia could be a salutary reminder to our secular society of the substantial economic value of Christianity and therefore requests that Standing Committee investigate how the contributions of churches and other Christian organisations to the Australian economy could best be determined, and report back to the next ordinary session of Synod.’

We asked the Social Issues Committee to address the request in resolution 10/18.

At a subsequent meeting, we received a report from the SIC comprehensively interacting with the request. The SIC report included among other things, that to determine the contribution of churches and other Christian organisations to the Australian economy in the quantitative manner proposed would –

- (a) ignore that this contribution is not financially driven, but made that Christ may be glorified,
- (b) be reductive, limiting the contribution of the church to one set of numbers, and
- (c) be open to challenge, since the quantitative assumptions are necessarily subjective.

The SIC report also concluded that the process itself would be inherently complex and hence the results would be inevitably biased to understate the contribution of Christianity; while being open to challenge on scope and credibility, and to misinterpretation. Such an exercise would also carry significant cost.

We agreed with the recommendation of the SIC report, that we should not pursue the matter further and conveyed this decision to the mover of the resolution, along with a copy of the SIC report.

7.12 11/18 Steps taken to encourage ordination

By resolution 11/18, the Synod, among other things, requested the Standing Committee to investigate what steps are being taken and what steps could be taken –

- (a) to encourage godly and gifted men and women who are in the process of studying at Moore College to consider ordination as the way that God might desire that they best use the gifts He has given them in his service;
- (b) to prioritise the recruitment of godly and gifted men to study at Moore College with the aim of ordination to the presbyterate.

We constituted a committee to address the request of this resolution. A report about this matter is printed separately.

7.13 12/18 Approval and consultation process of parish property developments

By resolution 12/18, the Synod, among other things, asked that the Standing Committee define the role of the Mission Property Committee, the Anglican Church Growth Corporation (the Growth Corporation), the ACPT and Standing Committee, and give particular clarity to the timing of consultation of the parish with bodies such as these.

Given both the infancy of the Growth Corporation, and its intended central role in relation to property development, we noted that the responsibilities of the organisations listed in the Synod resolution will need to be further developed as the Growth Corporation becomes established. In this context, we asked the Growth Corporation to address the request of the resolution in consultation with the other organisations listed in the resolution.

7.14 14/18 The role of the Archbishop of Sydney Archbishop of Sydney Election Ordinance 1982

By Synod resolution 14/18, the Synod, among other things, requested the Standing Committee to prepare, for this session of Synod, a Bill to amend the *Archbishop of Sydney Election Ordinance 1982* which incorporates the characteristics of the Archbishop of Sydney as expressed in paragraphs 44-50 of the Doctrine Commission report, 'An Evangelical Episcopate'. We established a committee to consider the request of the resolution and any other matters relevant to the election of an Archbishop and to provide a report with recommendations.

The Committee we appointed to address the request of the resolution has completed its work. A Bill addressing the request of this resolution for the consideration of Synod, along with an accompanying report, is printed separately.

7.15 23/18 Responding to Domestic Abuse: Policy and Good Practice Guidelines

By resolution 23/18, the Synod, among other things, requested the Standing Committee to ensure that the "Responding to Domestic Abuse: Policy and Good Practice Guidelines" (the Guidelines) be professionally laid out and prepared for publication and distribution to all ministers and parish councils; and also requested the Standing Committee to review the Guidelines after four years' operation.

We have appointed a monitoring committee which has produced a report about this matter for the Synod, which is printed separately.

7.16 27/18 Voluntary Relinquishment of Incumbency Review of the Parish Relationships Ordinance 2001

By resolution 27/18, the Synod, among other things, requested the Standing Committee to review the operation of and need for the *Parish Relationships Ordinance 2001* in light of the Policy and, as appropriate, amend or repeal (or bring recommendations to the Synod to amend or repeal) the Ordinance.

A review of the *Parish Relationships Ordinance 2001* in light of the new policy has not yet been completed.

7.17 37/18 General Synod – Safe Ministry to Children Children serving in ministry leadership to other children

By resolution 37/18, the Synod, among other things, requested the Standing Committee, after consulting with Youthworks ministry support team and others, to report to the next ordinary session of Synod regarding the appropriateness of children between the ages of 12 & 15 serving in ministry leadership to other children.

A report about this matter is printed separately.

7.18 40/18 Synod business rules

By resolution 40/18, the Synod, in light of feedback from Synod members regarding trial arrangements concerning moving amendments to motions and any other matters concerning the conduct of Synod business, requested the Standing Committee to –

- (a) consider bringing a Bill to amend the *Conduct of the Business of Synod Ordinance 2000* to the next ordinary session of Synod, and
- (b) identify training needs and provide resources to further equip members in their understanding of, and engagement with, the business of Synod.

We constituted a committee to address the requests of this resolution. Ultimately, flowing from the work of this committee and feedback received from Synod members, we agreed to recommend a number of changes to the operation and rules of Synod. These are set out in the separate reports, '40/18 Synod Standing Orders' (and accompanying Bill for the Conduct of the Business of Synod 2000 Amendment Ordinance 2019), and '40/18 Enhancing engagement of Synod Members'. Included in the various changes, it is worth noting that we recommended to the Archbishop that Synod be held towards the end of school Term 3 for the year 2021 and beyond. The Wesley Theatre has been booked to host the 2nd ordinary session of Synod, on the dates 6, 7, 8, 13 and 14 September 2021.

7.19 43/18 Implementation of recommendations of the Royal Commission

By resolution 43/18, the Synod, noting that an independent review of the position of the Diocese of Sydney with respect to the final recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse was being considered by the Safe Ministry Board and the Standing Committee's Royal

Commission Steering Committee, requested that a full report be provided to the next ordinary session of Synod in relation to the implementation of the recommendations of the Royal Commission addressed to the Anglican Church, including –

- (a) any sources of funding which may enable their implementation, and
- (b) any draft ordinances or policies still required to facilitate their implementation.

We referred the request of the resolution to the Safe Ministry Board (SMB) and the Royal Commission Steering Committee (RCSC).

A report with recommendations about this matter is printed separately.

7.20 45/18 Appointment of assistant ministers and employment of stipendiary lay workers 46/18 Committee to review the Ministry Standards Ordinance 2017 and the Assistant Ministers Ordinance 2017 Provision of Parish Human Resources Expertise

By resolution 45/18, the Synod, among other things, requested the Standing Committee –

- (a) to amend the *Assistant Ministers Ordinance 2017*, in several specified ways,
- (b) to give further consideration regarding options for mechanisms for appropriate consequences when there is a failure in the termination of an Assistant Minister to follow due process specified under the *Assistant Ministers Ordinance 2017*, to enact such changes by amending the ordinance if thought appropriate, and to report back to the next session of Synod, and
- (c) to consider providing appropriate human resources expertise to support bishops, rectors, wardens and church staff.

By resolution 46/18, the Synod requested the Standing Committee to appoint a committee to consider if further mechanisms within the *Ministry Standards Ordinance 2017* are required to deal with issues of failure to follow proper practices with regard to staff management, and make any appropriate recommendations.

We amended the *Assistant Ministers Ordinance 2017* as requested in paragraph (a) above (see item 3.4(3)).

We constituted a committee to address the request in paragraph (b) above, and the request of resolution 46/18. A report about this matter, with accompanying Bill for the Synod's consideration, is printed separately.

We approved a 12 month pilot program for the provision of an HR partner to address the request in paragraph (c) above, responsible for –

- (a) preparing, and consolidating existing, online HR resources (e.g., templates and guides) for parish use,
- (b) advising rectors, wardens, church staff, bishops and other senior diocesan clergy, on HR matters, and
- (c) collaborating with MT&D and CMD on the provision of HR training to rectors, wardens, bishops and other senior Diocesan clergy.

7.21 47/18 Property Use Policy

By resolution 47/18, the Synod, among other things, requested the Standing Committee to review the Property Use Policy, including with reference to Resolution 8/17, and bring recommendations to the next ordinary session of the Synod.

A report with recommendations about this matter is printed separately.

7.22 Resolutions made by the Synod in 2018 and not mentioned in this report

Circulars were sent to parishes and organisations about the matters arising from the 2018 Synod session. Copies of Synod resolutions were sent to appropriate persons and organisations.

7.23 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.

Synod Funds – Amalgamated

Annual Financial Report – 31 December 2018

Incorporating –

Fund 127	Work Outside the Diocese Fund
Fund 128	Mission Areas Fund
Fund 129	Synod Appropriation and Allocation Fund
Fund 130	Sydney Representative at General Synod Fund
Fund 131	Sydney Diocesan Synod Fund
Fund 132	Social Issues Committee Fund
Fund 133	Diocesan Research Fund
Fund 153	The Archbishop's Professional Standards Unit
Fund 189	Ordination Training Fund

Discussion and Analysis report for the year ended 31 December 2018

The Synod Funds' (the **Fund**) Discussion and Analysis report provides an overview of the Fund's financial activities for the year ended 31 December 2018. 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 25.

The Fund is an amalgamation of the individual funds listed below. At 31 December 2018 the Synod Funds comprised of 9 funds (2017: 9 funds):

Fund 127	Work Outside the Diocese Fund
Fund 128	Mission Areas Fund
Fund 129	Synod Appropriation and Allocation Fund
Fund 130	Sydney Representatives at General Synod Fund
Fund 131	Sydney Diocesan Synod Fund
Fund 132	Social Issues Committee Fund
Fund 133	Diocesan Research Fund
Fund 153	The Archbishop's Professional Standards Unit
Fund 189	Ordination Training Fund

The main sources of funds during 2018 were distributions from the Diocesan Endowment (**DE**) and various parish ordinances. A distribution from the Diocesan Endowment of \$4,690,000 (2017: \$4,400,000) was made available to the Fund for spending in 2018. The amount distributed to the Fund by various parish ordinances totalled \$882,015 (2017: \$1,703,718). The Professional Standards Unit received \$360,000 (2017: \$563,000) as proceeds of claims from the ACPT Church Insurance Fund 0799. The Fund also received contributions under the Parochial Cost Recoveries (**PCR**) 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. Interest is earned on surplus cash held on deposit with the Diocesan Cash Investment Fund.

The Fund's total revenues decreased by \$778,456 or 10% to \$6,970,398 (2017: \$7,748,854). Parish/ACPT distributions were down \$537,432 (40.6%), with a fall in distribution from Church Hill Trust, and a temporary cessation of distribution from Manly Leasing and Variation Trust. Other income was down with proceeds received from the ACPT Insurance Fund for the Care and Assistance program being down by \$203,000 to \$360,000 (2017:\$563,000).

The application of funds is divided between:

- grants appropriated by the Standing Committee in the *Synod Appropriations and Allocations Ordinance 2015*,

- grants as appropriated under the delegations of the various committees of the comprising funds, and
- administrative and Care and Assistance Scheme expenses of the Professional Standards Unit.

The Fund's total outgoings rose \$305,551 or 4.2% to \$7,564,285 (2017: \$7,258,734). This increase reflects greater grants from Work Outside the Diocese and the Synod Appropriation Fund than paid in 2017.

However, the Net Assets of the Fund decreased by 30.7% to \$1,410,877 (2017: \$2,036,456) partly due to increased grants paid from Work Outside the Diocese and the Synod Appropriation Fund and reduced income from Parish/ACPT distributions. The assets of the Fund are composed mainly of cash and receivables. Liabilities of the Fund represent accrued expenses and provisions for staff leave entitlements.

Fund 131 will receive \$300,000 during 2019 from the Synod Appropriation Fund 129. As such Fund 131 will achieve the target equity of \$1,000,000, contingent on what payments are made from the Fund.

Fund 134 Synod – St Andrew's House is not included in this amalgamated report. Fund 134 has been established to administer the Synod's interest in one undivided half of St Andrew's House Corporation.

Reasons for not including Fund 134 in the amalgamated report include:

- the substantially different purposes of those funds which are amalgamated to that of Fund 134, and
- the disproportionate difference in Net Assets.

Redress Scheme Contingent Liabilities Disclosure

The Standing Committee of the Synod of the Anglican Diocese of Sydney has elected to participate in the *National Redress Scheme for People who have Experienced Child Sexual Abuse* (the **Scheme**). The Diocese is responsible for satisfying its financial liabilities to the Scheme, should such liabilities occur. There are no such known liabilities as at 31 December 2018.

There are no matters that have arisen since 31 December 2018 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 4 April 2019.

continued...	Fund 127 Work Outside the Diocese Fund	Fund 128 Mission Areas Fund	Fund 129 Synod Approp. & Allocation Fund	Fund 130 Sydney Reps. at General Synod	Fund 131 Sydney Diocesan Synod Fund	Fund 132 Social Issues Committee Fund	Fund 133 Diocesan Research Fund	Fund 153 Archbishop's Professional Standards Unit	Fund 189 Ordination Training Fund	Elimination	Total	Actual 12 Months ending 31 December 2017
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Depreciation	-	-	-	-	-	-	-	2,931	-	-	2,931	3,315
Advertising	-	-	-	-	-	-	-	12,363	-	-	12,363	13,574
Office	1,228	466	13,742	-	-	-	-	6,922	-	-	22,358	12,062
Miscellaneous	-	-	-	-	25,000	-	-	45,538	-	-	70,538	65,546
Grants	295,663	16,585	5,020,172	-	348,160	-	-	489,955	23,548	(801,459)	5,392,624	5,150,207
Bad Debts (Recovery)	-	-	-	-	-	-	-	1,915	-	-	1,915	-
Fund reserves	-	-	-	-	-	-	-	-	-	-	-	-
Total expenses	309,591	20,234	5,997,094	16,520	381,347	89	31,492	1,575,018	34,359	(801,459)	7,564,285	7,258,734
Net surplus/(deficit)	(85,077)	(17,835)	(420,458)	3,995	(64,717)	366	12,855	(30,837)	7,821	-	(593,887)	490,120
Transfer from current year surplus/(deficit)	-	-	(100,000)	-	-	-	-	-	-	-	(100,000)	182,952
Net available surplus/(deficit) after transfer to reserve	(85,077)	(17,835)	(320,458)	3,995	(64,717)	366	12,855	(30,837)	7,821	-	(493,887)	307,168

Standing Committee of Synod - Synod Funds

Balance Sheet as at 31 December 2018

	Fund 127 Work Outside the Diocese Fund	Fund 128 Mission Areas Fund	Fund 129 Synod Approp. & Allocation Fund	Fund 130 Sydney Reps. at General Synod	Fund 131 Sydney Diocesan Synod Fund	Fund 132 Social Issues Committee Fund	Fund 133 Diocesan Research Fund	Fund 153 Archbishop's Professional Standards Unit	Fund 189 Ordination Training Fund	Elimination	Total	Actual 31 December 2017	
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Assets	Note												
Cash		13,044	140,480	254,008	37,378	868,404	31,171	33,201	75,965	57,106	-	1,510,757	2,130,330
Receivables		194	639	3,127	141	4,270	124	88	108	247	-	8,938	14,134
Fixed Assets		-	-	-	-	-	-	-	3,030	-	-	3,030	5,961
Other		8	-	160	-	-	-	-	1,260	280	-	1,708	3,177
Total assets		13,246	141,119	257,295	37,519	872,674	31,295	33,289	80,363	57,633	-	1,524,433	2,153,602
Liabilities													
Payables		-	-	16,961	-	-	-	-	10,513	2,826	-	30,300	51,291
Provisions - Employee Benefits	4	-	-	-	-	-	-	-	83,256	-	-	83,256	65,855
Total liabilities		-	-	16,961	-	-	-	-	93,769	2,826	-	113,556	117,146
Net assets		13,246	141,119	240,334	37,519	872,674	31,295	33,289	(13,406)	54,807	-	1,410,877	2,036,456
Equity													
Capital	5	-	-	-	-	985,000	34,186	-	-	-	-	1,019,186	1,019,186
Reserve		-	-	55,000	-	-	-	-	900	-	-	55,900	187,592
Accumulated Funds		98,323	158,954	505,792	33,524	(47,609)	(3,257)	20,434	16,531	46,986	-	829,678	522,510
Current year		(85,077)	(17,835)	(320,458)	3,995	(64,717)	366	12,855	(30,837)	7,821	-	(493,887)	307,168
Total Equity		13,246	141,119	240,334	37,519	872,674	31,295	33,289	(13,406)	54,807	-	1,410,877	2,036,456

Notes to the financial report for the year ended 31 December 2018

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, or credited to the Fund's current account with the Sydney Diocesan Services, 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.

Cash includes an unsecured loan to the Diocesan Cash Investment Fund (**DCIF**). This loan is at call. DCIF pays interest quarterly.

(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) Reserves

Appropriate reserves are created to enable PSU to meet projected Domestic Violence Task Force expenditure. A reserve within Synod Appropriation and Allocation Fund has been established in 2017 to part compensate for loss of income under St Matthew's Manly ordinance in 2018.

(l) Employee benefits

Wages, salaries, annual leave and personal 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 personal leave, as there is no provision made for personal leave and it is not considered that any personal 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.

(m) Goods and Service Tax (GST)

The funds are members of the Sydney Diocesan Services GST group and the Anglican Church of Australia GST Religious 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 expense or as part of the cost of acquisition of the asset.

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.

(n) 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 – Synod Appropriation and Allocation Fund (Fund 400)

	2018	2017
	\$	\$
Ryde (Kirkby Gdns. & Archbold) Ordinance 2000	499,584	529,877
St James Hall	217,008	216,992
Church Hill Trust (No1 York Street)	94,550	247,964
Wollongong Parish Leasing and Licensing Property Fund	31,540	29,465
Narellan (Elderslie) Land Sale Ordinance 1980	19,494	20,065
South Sydney Variation of Trusts Ordinance 50/97	5,622	5,682
Sydney St Phillip (Resumption) Ordinance 19/1983	3,876	3,908
Surry Hills Trust	1,515	387
Manly Leasing and Variation of Trusts Ordinance 2006	-	257,742
Retained net income from ACPT Fund 0400 for year ended 31/12/2016	8,826	12,815
	882,015	1,324,897

3. Current liabilities - Provisions

		2018	2017
Current		\$	\$
Employee benefits - annual leave		45,507	34,109
Employee benefits - long service leave		14,724	12,987
		60,231	47,096

4. Non-current liabilities – Provisions

		2018	2017
(a) Non-current		\$	\$
Employee benefits - long service leave		23,025	18,759
(b) Provisions	Note	\$	\$
Provisions - Current	3	60,231	47,096
Provisions - Non-current	4(a)	23,025	18,759
Balance 31 December		83,256	65,855

5. Equity - Capital

Use of the capital of the Sydney Diocesan Synod Fund (Fund 131) is restricted to meeting material external liabilities which affect the Diocese as a whole and which are not properly met by other Diocesan organisations or funds.

There are no restrictions on the use of the capital of Fund 132.

6. Contingencies

Under the *Sydney Anglican (National Redress Scheme) Corporation Ordinance 2018* the Synod Funds have an obligation to provide funding to the Sydney Anglican (National Redress Scheme) Corporation to meet a share of ongoing administrative expenses of the Corporation and also claims that derive from defunct bodies. As at 31 December 2018 the Synod Funds had no outstanding obligations to the Corporation.

7. 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 2018.

The financial statements were authorised for issue on 4 April 2019 by the Finance Committee of Standing Committee.

MEMBERS DECLARATION

The members of the Finance Committee of Standing Committee of Synod declare that the financial statements and notes set out on pages 23 to 31 –

- (a) comply with the accounting policies set out in note 1,
- (b) give a fairly presented view of the Fund's financial position as at 31 December 2018 and of its performance 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.

Assurance Procedures

The Finance Committee engaged PricewaterhouseCoopers to undertake a range of "Agreed upon procedures" to provide assurance to the Finance Committee on the matters attested to in this declaration. The Agreed upon procedures covered the range of funds in the Synod group and included procedures covering the validity of the balances by reference to the general ledger, tests of income received, and tests of key expenses including Synod grants. The Finance Committee reviewed the results of the work undertaken by PricewaterhouseCoopers in forming its opinion on the Annual financial report.

JOHN PASCOE
Member

RODNEY COSIER
Member

4 April 2019

Synod Funds Amalgamated

Report of factual findings to the members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney

Agreed upon procedures for the following funds –

Fund 127	Work Outside the Diocese Fund
Fund 128	Mission Areas Fund
Fund 129	Synod Appropriation and Allocation Fund
Fund 130	Sydney Representative at General Synod Fund
Fund 131	Sydney Diocesan Synod Fund
Fund 132	Social Issues Committee Fund
Fund 133	Diocesan Research Fund
Fund 153	The Archbishop's Professional Standards Unit
Fund 189	Ordination Training Fund

We have performed the procedures agreed with you to report factual findings for the purpose of assisting you in assessing, in combination with other information obtained by you, the validity, accuracy and authorisation of the selected transactions for the entities listed in Appendix 1 and Appendix 2 below. *[Appendix 1 and Appendix 2 not reproduced here.]* The procedures performed are detailed in the terms of the engagement dated 27 August 2018 and described below Appendix 1 and Appendix 2 with respect to the validity, accuracy and authorisation of the selected transactions for the entities listed in Appendix 1 and Appendix 2.

The responsibilities of the members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney for the procedures agreed

The members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney 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 validity, accuracy and authorisation of the selected transactions for the entities listed in Appendix 1 and Appendix 2.

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 applicable 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 the selected transactions of the entities listed in Appendix 1 and Appendix 2. Had we performed additional procedures or had we performed an audit or a review of the entities listed in Appendix 1 and Appendix 2 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 the selected transactions for the entities listed in Appendix 1 and Appendix 2. 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 use of the members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney 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 validity, accuracy and authorisation of the selected transactions for the entities listed in Appendix 1 and Appendix 2. As required by ASRS 4400, 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 the members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney for any consequences of reliance on this report for any purpose.

PricewaterhouseCoopers

FRANCOIS BRUDER
Principal

Sydney
27 March 2019

Parish Funds – Amalgamated

Annual Financial Report – 31 December 2018

Incorporating –

Fund 951	Parish Costs Recovery Fund
Fund 952	Stipend Continuance Fund
Fund 953	Sydney Diocesan Long Service Leave Fund
Fund 954	Sydney Diocesan Sickness and Accident Fund
Fund 955	Clergy Removals Fund

Discussion and Analysis report for the year ended 31 December 2018

The Parish Funds' Discussion and Analysis provides an overview of the Parish Funds' financial activities for the calendar year ended 31 December 2018. The Discussion and Analysis should be read in conjunction with the unaudited financial report for the same period beginning on page 36.

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 2018 the Parish Funds amalgamation is comprised of 5 funds (2017: 5) –

Fund 951	Parish Costs Recovery Fund
Fund 952	Stipend Continuance Fund
Fund 953	Sydney Diocesan Long Service Leave (Clearing) Fund
Fund 954	Sydney Diocesan Sickness and Accident Fund
Fund 955	Clergy Removals Fund

The source of funds during 2018 were mainly from Parochial Cost Recoveries Charges on Parochial units as determined in the *Parochial Cost Recoveries and Church Land Acquisitions Levy Ordinance 2015* passed by the Synod of the Diocese of Sydney on 13 October 2015, and signed by the Archbishop of Sydney on 19 October 2015, and as amended by various Amendment Ordinances. Certain Diocesan organisations are also levied Long Service Leave and Stipend Continuance Insurance charges for ordained staff. A distribution is received from ACPT Fund Moorebank Estate for the purposes of the Clergy Removal Fund. Interest is earned on deposits held with the Diocesan Cash Investment Fund (**DCIF**). Significant monies are also received from the Long Service Leave Fund and the Stipend Continuance Insurer in respect to individual claims.

The Parish Funds total revenues increased by \$666,478 or 3.86% to \$17,933,123 (2017 \$17,266,645). This reflects increased recoveries for the annual parish property and liability insurance program, Stipend Continuance Insurance and the Church Land Acquisition Levy.

Claims on insurers via the Stipend Continuance Fund were down \$10,688 or 0.87% to \$1,223,400 (2017: \$1,234,088). At 31 December 2018 there were 11 clergy receiving stipend continuance claims (2017: 11). LSL payments rose \$178,438 or 16.37% to \$1,268,189 (2017: \$1,089,751).

The application of funds is divided predominately between fixed "ministry costs" and variable "parochial network costs". Ministry costs are a fixed cost per minister, comprising contributions to clergy superannuation funds, the Long Service Leave Fund, the Sydney Diocesan Sickness and Accident Fund and cost of obtaining stipend continuance insurance.

Under the *Parochial Cost Recoveries and Church Land Acquisitions Levy Ordinance 2015* parochial network costs during 2018 were principally comprised of –

- the property and liability insurance program,
- the Church Land Acquisition levy,
- the parish related work of the Professional Standards Unit
- the parish risk management program,
- the safe ministry training program,
- the contribution towards the costs of the Diocesan archives, and
- the Clergy Assistance Program.

Funds were also applied to expenses such as Sydney Diocesan Services administration fees. The Parish Fund total outgoings increased by \$496,572 or 2.86%, to \$17,848,382 (2017: \$17,351,810).

The Net Assets of the Parish Funds increased by 4.4% (2018: \$2,028,300, 2017 \$1,943,559). As anticipated after the decrease of Net Assets in 2017 due to the deficit within the Stipend Continuance Fund (0952) that fund returned to a surplus position as the increased premiums were included in the Parish Cost recoveries income. The assets of the Parish Funds are composed of deposits with DCIF and receivables. Liabilities of the Parish Funds represent accrued expenses and other payables.

The Equity of each Parish Fund represents accumulated surpluses from operations which are retained to provide working capital for the operations of each Fund. The principal component of working capital is in Fund 951. It is required to provide liquidity for the timing differences between payment of ministry costs (principally superannuation which is paid monthly) and receipts of Parish Costs Recoveries (**PCR**) charges (collected March to December).

Finance Committee remitted \$3,974 of 2018 parochial network charges for a parish once the parish had gone into arrears. Remaining unpaid as at 31 December 2018 was \$17,771 of the Parish Cost Recoveries invoiced to parishes, and \$435 of the fourth quarter Long Service Leave (**LSL**) charges invoiced to organisations. By mid-January \$12,629 and \$435 had been received for PCR and LSL respectively. The amounts that remain outstanding are expected to be received.

The Stipend Continuance insurance premium is paid in advance based on estimates of the number of clergy eligible for cover and stipend rates. After the conclusion of the year the underwriter (**AMP**) calculates the premium due and an adjustment premium is invoiced. An amount of \$70,667 is accrued as a payable in anticipation of the premium adjustments for 2018.

There are no other matters that have arisen since 31 December 2018 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 4 April 2019.

Sydney Diocesan Parish Funds

Amalgamated income and expenditure statement for the period ending 31 December 2018

	FUND 951 PARISH COST RECOVERY	FUND 952 STIPEND CONTIN- UANCE FUND	FUND 953 LONG SERVICE LEAVE	FUND 954 SICKNESS & ACCIDENT	FUND 955 CLERGY REMOVALS FUND	ELIMIN- ATIONS	TOTAL	Dec-17 TOTAL
	\$	\$	\$	\$	\$	\$	\$	\$
INCOME								
<i>Parochial Network Costs recoveries</i>								
PCR Variable Charge Recovery	4,091,054	-	-	-	-	-	4,091,054	3,881,957
PCR Professional Standards Unit Recovery	781,402	-	-	-	-	-	781,402	764,742
PCR Risk Management Recovery	230,125	-	-	-	-	-	230,125	225,623
PCR Safe Ministry Recovery	145,071	-	-	-	-	-	145,071	141,768
PCR Administration Fee	201,109	-	-	-	-	-	201,109	196,678
PCR Archives Recovery	68,039	-	-	-	-	-	68,039	67,888
PCR Relief or Remission Recovery	10,006	-	-	-	-	-	10,006	9,988
PCR Clergy Assistance Program	57,851	59,489	-	-	-	(57,851)	59,489	65,076
PCR Clergy Contact Person Program	29,893	29,893	-	-	-	(29,893)	29,893	-
Parochial Network Costs recoveries Sub-total	5,614,550	89,382	-	-	-	(87,744)	5,616,188	5,353,720
<i>Clergy Support Cost recoveries</i>								
PCR Superannuation Recovery	5,377,962	-	-	-	-	-	5,377,962	5,381,678
PCR LSL Recovery	757,663	-	756,983	-	-	(756,983)	757,663	752,735
PCR LSL - Admin Fees	49,319	-	49,297	-	-	(49,297)	49,319	44,452
LSL - Organisations	-	-	114,809	-	-	-	114,809	146,664
LSL - Organisations - Admin Fees	-	-	7,000	-	-	-	7,000	8,661
PCR Stipend Continuance Recovery	994,022	993,602	-	-	-	(993,602)	994,022	886,121
PCR Stipend Continuance Admin Fees	48,209	48,208	-	-	-	(48,208)	48,209	43,224
Stipend Continuance Organisations	-	99,837	-	-	-	-	99,837	104,485
Stipend Continuance Orgs - Admin Fees	-	4,902	-	-	-	-	4,902	5,155
PCR S&A Recovery	61,645	-	-	61,622	-	(61,622)	61,645	61,664
Clergy Support Cost recoveries Sub-totals	7,288,820	1,146,549	928,089	61,622	-	(1,909,712)	7,515,368	7,434,839
PCR Church Land Acquisition Levy	2,198,862	-	-	-	-	-	2,198,862	2,091,430
AMP Stipend Continuance receipts	-	1,223,400	-	-	-	-	1,223,400	1,234,088
LSL - Buy-backs	-	-	57,919	-	-	-	57,919	18,121
LSL - Claims - Anglican LSL Fund	-	-	1,268,189	-	-	-	1,268,189	1,089,751
Interest on cash	21,110	716	3,906	5,871	976	-	32,579	24,346
Moorebank Estate - Distribution	-	-	-	-	20,618	-	20,618	20,350
TOTAL INCOME	15,123,342	2,460,047	2,258,103	67,493	21,594	(1,997,456)	17,933,123	17,266,645

	FUND 951 PARISH COST RECOVERY	FUND 952 STIPEND CONTIN- UANCE FUND	FUND 953 LONG SERVICE LEAVE	FUND 954 SICKNESS & ACCIDENT	FUND 955 CLERGY REMOVALS FUND	ELIMIN- ATIONS	TOTAL	Dec-17 TOTAL
	\$	\$	\$	\$	\$	\$	\$	\$
EXPENSES								
<i>Parochial Network Costs</i>								
PCR Insurance	4,097,469	-	-	-	-	-	4,097,469	3,893,583
Professional Standards Unit	781,402	-	-	-	-	-	781,402	764,742
Parish Risk Management Program	230,125	-	-	-	-	-	230,125	225,623
Safe Ministry Training Program	145,071	-	-	-	-	-	145,071	141,768
Accounting & Secretarial Fees	207,936	50,923	50,923	12,731	5,623	-	328,136	318,576
PCR Archives Charges	68,039	-	-	-	-	-	68,039	67,888
PCR Clergy Assistance Program	57,851	61,138	-	-	-	(57,851)	61,138	45,575
PCR Clergy Contact Person Program	29,893	338	-	-	-	(29,893)	338	-
Parochial Network Costs Sub-total	5,617,786	112,399	50,923	12,731	5,623	(87,744)	5,711,718	5,457,755
<i>Clergy Support Cost contributions</i>								
PCR Superannuation	5,373,426	-	-	-	-	-	5,373,426	5,379,811
PCR LSL	806,280	-	-	-	-	(806,280)	-	-
LSL - Payments to the Anglican LSL Fund	-	-	925,364	-	-	-	925,364	907,590
PCR Stipend Continuance	1,041,810	-	-	-	-	(1,041,810)	-	-
Stipend Continuance Insurance Expense	-	1,092,288	-	-	-	-	1,092,288	1,111,882
PCR S&A	61,622	-	-	-	-	(61,622)	-	-
Clergy Support Cost contributions Sub-total	7,283,138	1,092,288	925,364	-	-	(1,909,712)	7,391,078	7,399,283
Church Land Acquisition Levy	2,201,401	-	-	-	-	-	2,201,401	2,091,430
Claims Paid	-	1,223,400	1,268,190	19,426	13,351	-	2,524,367	2,385,613
Audit Fees	13,005	-	-	-	-	-	13,005	12,597
Bad Debts Expense	-	-	-	-	-	-	-	-
Consulting Costs	-	-	-	-	-	-	-	-
Operating Costs	217	-	-	-	-	-	217	908
PCR Relief or Remission costs	3,974	-	-	-	-	-	3,974	-
Sundry Expenses	2,622	-	-	-	-	-	2,622	4,224
TOTAL EXPENSES	15,122,143	2,428,087	2,244,477	32,157	18,974	(1,997,456)	17,848,382	17,351,810
NET SURPLUS/(DEFICIT)	1,199	31,960	13,626	35,336	2,620	-	84,741	(85,165)

Amalgamated Balance Sheet as at 31 December 2018

	FUND 951 PARISH COST RECOVERY	FUND 952 STIPEND CONTIN- UANCE FUND	FUND 953 LONG SERVICE LEAVE	FUND 954 SICKNESS & ACCIDENT	FUND 955 CLERGY REMOVALS FUND	ELIMIN- ATIONS	TOTAL	Dec-17 TOTAL
	\$	\$	\$	\$	\$	\$	\$	\$
Assets								
Cash	1,141,557	242,350	448,121	400,624	78,818	-	2,311,470	2,198,642
Fund 951 - Receivable	-	-	-	-	-	-	-	-
PCR Receivables - Parishes	17,771	-	-	-	-	-	17,771	17,627
Less: Provision for Doubtful Debts	-	-	-	-	-	-	-	-
Organisations Receivable	-	-	435	-	-	-	435	21,569
Prepayments	4,172	-	-	-	-	-	4,172	-
Other receivables	8,176	148	993	1,602	5,628	-	16,547	15,037
TOTAL Assets	1,171,676	242,498	449,549	402,226	84,446	-	2,350,395	2,252,875
Liabilities								
LSL Fund Payable	-	-	215,293	-	-	-	215,293	223,251
S&A Fund Payable	-	-	-	-	-	-	-	-
Stipend Continuance Fund Payable	-	-	-	-	-	-	-	-
Superannuation Clearing Account	-	-	-	-	-	-	-	6,876
Other Payables	16,366	82,720	7,716	-	-	-	106,802	79,189
TOTAL Liabilities	16,366	82,720	223,009	-	-	-	322,095	309,316
Net Assets	1,155,310	159,778	226,540	402,226	84,446	-	2,028,300	1,943,559
Equity								
Accumulated Surplus - Prior Year	1,154,111	127,818	212,914	366,890	81,826	-	1,943,559	2,028,724
Net Surplus/(Deficit) - Current Year	1,199	31,960	13,626	35,336	2,620	-	84,741	(85,165)
TOTAL Equity	1,155,310	159,778	226,540	402,226	84,446	-	2,028,300	1,943,559

Notes to the financial report for the year ended 31 December 2018

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 amalgamated income and expenditure 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.

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) 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.

In addition to cash and cash equivalents balances the Parish Funds have adopted a policy which includes short-term investments as a cash and cash equivalent balance. These investments include unsecured loans to the Diocesan Cash Investment Fund (**DCIF**). The loans made to DCIF are separate from those made by any other lender and makes the Parish Funds an unsecured creditor of DCIF. Loans are repayable on request by the Parish Funds in accordance with the conditions set out in the loan Agreement between the Parish Funds and DCIF.

(e) 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.

(f) Fair value estimation

The fair value of financial assets and financial liabilities must be estimated for recognition and measurement or for disclosure purposes.

(g) 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.

(h) 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.

(i) Goods and Service Tax (GST)

The funds are members of the Sydney Diocesan Services GST group and the Anglican Church of Australia GST Religious 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.

(j) 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 2018.

The financial statements were authorised for issue on 4 April 2019 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 36 to 40 –

- (a) comply with the accounting policies set out in note 1,
- (b) give a fairly presented view of the Fund's financial position as at 31 December 2018 and of its performance 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.

Assurance Procedures

The Finance Committee engaged PricewaterhouseCoopers to undertake a range of "Agreed upon procedures" to provide assurance to the Finance Committee on the matters attested to in this declaration. The Agreed upon procedures covered the range of funds in the Parish Funds group and included procedures covering the validity of the balances by reference to the general ledger, tests of key expenses, tests of the accuracy of Parish Cost Recoveries charges and a test of the accuracy of superannuation payments for ministers under the Parish Cost Recoveries system. The Finance Committee reviewed the

results of the work undertaken by PricewaterhouseCoopers in forming its opinion on the Annual financial report.

JOHN PASCOE
Member

RODNEY COSIER
Member

4 April 2019

Parish Funds Amalgamated

Report of factual findings to the members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney

Agreed upon procedures for the following funds –

Fund 951	Parish Costs Recovery Fund
Fund 952	Stipend Continuance Fund
Fund 953	Sydney Diocesan Long Service Leave Fund
Fund 954	Sydney Diocesan Sickness and Accident Fund
Fund 955	Clergy Removals Fund

We have performed the procedures agreed with you to report factual findings for the purpose of assisting you in assessing, in combination with other information obtained by you, the validity, accuracy and authorisation of the selected transactions for the entities listed in Appendix 1 and Appendix 2 below. *[Appendix 1 and Appendix 2 not reproduced here.]* The procedures performed are detailed in the terms of the engagement dated 27 August 2018 and described below Appendix 1 and Appendix 2 with respect to the validity, accuracy and authorisation of the selected transactions for the entities listed in Appendix 1 and Appendix 2.

The responsibilities of the members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney for the procedures agreed

The members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney 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 validity, accuracy and authorisation of the selected transactions for the entities listed in Appendix 1 and Appendix 2.

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 applicable 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 the selected transactions of the entities listed in Appendix 1 and Appendix 2. Had we performed additional procedures or had we performed an audit or a review of the entities listed in Appendix 1 and Appendix 2 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 the selected transactions for the entities listed in Appendix 1 and Appendix 2. 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 use of the members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney 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 validity, accuracy and authorisation of the selected transactions for the entities listed in Appendix 1 and Appendix 2. As required by ASRS 4400, 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 the members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney for any consequences of reliance on this report for any purpose.

PricewaterhouseCoopers

FRANCOIS BRUDER
Principal

Sydney
27 March 2019

Synod – St Andrew’s House Fund

Annual Financial Report – 31 December 2018

Statement of comprehensive income for the year ended 31 December 2018

	Notes	2018 \$	For the period 1/09/2017 to 31/12/2017
Revenue from continuing operations			
Interest		19,724	-
Distributions from St Andrew's House Trust		2,649,000	-
Total revenue from continuing operations		2,668,724	-
Expenses from continuing operations			
SDS Management fee		184,000	-
Total expenses from continuing operations		184,000	-
Share of net profit of investments	5	6,809,610	1,521,985
Surplus for the year		9,294,334	1,521,985
Other comprehensive income			
Funding of provision for distribution	6	(2,460,000)	-
Total comprehensive income for the year		6,834,334	1,521,985
Transfer from current year surplus			
Transfer to future rental costs reserve	8	(250,000)	(250,000)
Transfer to future non-sinking fund capital works reserve	8	(250,000)	(346,250)
Transfer to strategic projects reserve		-	(1,375,000)
Net available surplus/(deficit) after transfer to reserves		6,334,334	(449,265)

The above Statement of comprehensive income should be read in conjunction with the accompanying notes.

Statement of financial position as at 31 December 2018

	Notes	2018 \$	2017 \$
ASSETS			
Current assets			
Cash and cash equivalents	3	2,475,213	-
Receivables	4	9,511	-
Total current assets		2,484,724	-
Non-current assets			
Investment in St Andrew's House Trust	5	88,556,641	81,747,031
Total non-current assets		88,556,641	81,747,031
Total assets		91,041,365	81,747,031
LIABILITIES			
Current liabilities			
Provisions	6	2,460,000	-
Total current liabilities		2,460,000	-
Net assets		88,581,365	81,747,031
EQUITY			
Capital	7	78,945,046	78,945,046
Reserves	8	3,751,250	3,251,250
Accumulated surplus		5,885,069	(449,265)
Total equity		88,581,365	81,747,031

The above Statement of financial position should be read in conjunction with the accompanying notes.

Statement of changes in equity for the year ended 31 December 2018

	Notes	Capital	Reserves	Accumulated surplus	Total
		\$	\$	\$	\$
Balance at 31 August 2017		-	-	-	-
Initial transfer of half share of SAHT on 1 September 2017		78,945,046	1,280,000	-	80,225,046
Surplus for the period held		-	-	1,521,985	1,521,985
Total comprehensive income for the year		-	-	1,521,985	1,521,985
Transactions with beneficiaries:					
Share of SAHT’s movement in future rental costs reserve	8	-	250,000	(250,000)	-
Share of SAHT’s movement in future non-sinking fund capital works reserve	8	-	346,250	(346,250)	-
Share of SAHT’s movement in strategic projects reserve	8	-	1,375,000	(1,375,000)	-
		-	1,971,250	(1,971,250)	-
Balance at 31 December 2017		78,945,046	3,251,250	(449,265)	81,747,031
Surplus for the period held		-	-	6,834,334	6,834,334
Total comprehensive income for the year		-	-	6,834,334	6,834,334
Transactions with beneficiaries:					
Share of SAHT’s movement in future rental costs reserve	8	-	250,000	(250,000)	-
Share of SAHT’s movement in future non-sinking fund capital works reserve	8	-	250,000	(250,000)	-
		-	500,000	(500,000)	-
Balance at 31 December 2018		78,945,046	3,751,250	5,885,069	88,581,365

The above Statement of changes in equity should be read in conjunction with the accompanying notes.

Statement of cash flow for the year ended 31 December 2018

	Note	2018	For the period 1/09/2017 to 31/12/2017
		\$	
Cash flows from operating activities			
Interest received		10,213	-
Distributions received		2,649,000	-
Payments to suppliers (SDS Management fee)		(184,000)	-
Net cash inflow from operating activities		2,475,213	-
Net increase in cash held		2,475,213	-
Cash at the beginning of the period		-	-
Cash at the end of the period	3	2,475,213	-

The above Statement of cash flow should be read in conjunction with the accompanying notes.

Notes to the financial report for the year ended 31 December 2018

1. Purpose

The Synod – St Andrew’s House Fund (the **Fund**) is held by the Anglican Church of Australia Diocese of Sydney (**Synod**) upon the trusts set out in the *St Andrew’s House Trust (Variation) Ordinance 2017*.

The purposes of the Trust are:

- Hold the half share of the trust property for the general purposes of the Anglican Church of Australia in the Diocese of Sydney;
- Act so that the income of the property be paid to and applied or otherwise dealt with by the Standing Committee in accordance with the determination and direction of the Synod as the governing body of the Diocese.

2. 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. The Fund is not-for-profit for financial reporting.

(a) Basis of preparation

These special purpose financial statements have been prepared in accordance with the *Accounts, Audits and Annual Statements Ordinance 1995* and the *St Andrew’s House Trust (Variation of Trusts) Ordinance 2017* for the sole purpose of providing financial information to Synod and for distribution to the members of Synod and must not be used for any other purpose.

Historical cost convention

These financial statements have been prepared under the historical cost convention, as modified by the revaluation of financial assets and liabilities at fair value through profit or loss, and revaluation of land and buildings to market value.

Critical accounting estimates

The preparation of financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the Fund’s accounting policies.

The material area of the financial statements where assumptions or estimates are used is the valuation of the beneficial interest in the St. Andrew’s House Trust (refer note 2).

(b) Investment in St Andrew’s House Corporation

Under the *St Andrew’s Trust (Variation of Trusts) Ordinance 2017* the Fund has a 50% beneficial interest in St Andrew’s House Trust (**SAHT**). The principal asset of SAHT is the land and building known as St Andrew’s House.

In the statement of financial position the beneficial interest in SAHT is stated at fair value, measured as 50% of the SAHT’s accumulated funds and provision for distribution. Revaluation increments/decrements are credited/debited directly to the operating surplus.

The key accounting policies and critical accounting estimates applied in St Andrew’s House Trust are:

(i) Lease income

Lease income from operating leases is recognised in income on a straight-line basis over the lease term, where it has a material effect on the accounts.

(ii) Investment property

Investment property, comprising an office complex, carpark and a retail arcade, is held for long-term rental yields. In St Andrew’s House Trust, investment property is carried at fair value, representing open-market value determined annually by external valuers. Changes in fair values are recorded in St Andrew’s House Trust’s surplus. The valuation of investment property requires the use of critical accounting estimates.

Valuation basis

Fair value of investment property is the price at which the property could be exchanged between market participants under current market conditions. The best evidence of fair value is given by current prices in an active market for similar property in the same location and condition.

An independent valuation of the Tower, the St Andrew’s House car park and Town Hall Square Arcade has been undertaken by Mr Richard Lawrie FAPI MRICS (valuer no. 3826) of Jones Lang LaSalle Advisory Services Pty Ltd as at 31 December 2018. For valuation purposes, St Andrew’s House is considered to be a single asset and its separate parts not independently realisable. The values provided for the Tower, Car Park and Town Hall Square Arcade are notional assessments of the value of the separate parts of the building.

The capitalisation rates adopted by the valuer are as follows:

	2018	2017
	%	%
Tower and Car Park	6.750	7.000
Town Hall Square Arcade	6.000	6.000

The valuation is as follows:

	2018	2017
	\$	\$
Tower and Car Park	134,000,000	123,500,000
Town Hall Square Arcade	41,500,000	42,000,000
	175,500,000	165,500,000

The fair value of the investment properties at 31 December 2018 includes the amortised cost of lease incentives and the impact of straight-lining rental income in accordance with Australian Accounting Standards.

(iii) Sinking fund

On 16 February 2001 the Glebe Administration Board, in its capacity as owner and manager of St Andrew’s House Corporation (lessor), entered into a lease agreement with St Andrew’s Cathedral School (the lessee). Under the agreement the school leased levels 6-8, the roof and the school’s Kent Street entrance for a period of 120 years. Part of the lease agreement required the establishment of a fund (sinking fund) to provide for structural works. The school currently contributes 34.36% and the lessor 65.64% of the required amounts.

The St Andrew’s House Corporation’s share of the sinking fund is set aside as a restricted cash balance. The St Andrew’s Cathedral School’s share of the sinking fund which is not spent at year end is classified as a deferred income in the balance sheet. The deferred income will be released to the income statement as and when the capital expenditure relating to the maintenance of the building is occurring.

(iv) Reserves

Reserves are set aside under the terms provided for in the *St Andrew’s House Trust Ordinance 2015*.

Clause 5(b) for the ordinance provides for amounts to be reserved for replacement or refurbishment of the St Andrew’s House tower, shopping arcade and car park.

Clause 5(b) of the ordinance provides amounts to be reserved for other purposes that St Andrew’s House Corporation may determine including amounts set aside for distributions in future years.

(c) Revenue recognition

Income (with the exception of grants and donations) is recognised on an accruals basis. It is measured at the fair value of the consideration received or receivable. Grants and donations are recognised on a cash basis. Amounts disclosed as revenue are net of goods and services tax (GST) where applicable.

Dividends and distribution from unlisted trusts are brought to account as revenue when equities and units are quoted "ex distribution". Distributions are recorded as revenue in the period in which they are received. The Trust's proportion of the unpaid surplus is included in the value of the beneficial interest owned.

Other revenue is brought to account on an accruals basis, except as otherwise disclosed.

(d) Income tax

The Trust is exempt from income tax under Section 50-5 of the *Income Tax Assessment Act 1997*.

(e) 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 plus costs directly attributable to the acquisition.

(f) Impairment of assets

Assets are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the assets carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use. Where the future economic benefits of the asset are not primarily dependent on the asset's ability to generate net cash inflows and where the Trust would, if deprived of the asset, replace its remaining future economic benefits, value in use is the depreciated replacement cost of the asset. For the purposes of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash inflows (cash generating units).

(g) Cash and cash equivalents

For statement of cash flow 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.

In addition to cash and cash equivalents balances noted above, SDS has also adopted a policy which includes short-term investments as a cash and cash equivalents balance. These investments include unsecured loans to the Diocesan Cash Investment Fund (**DCIF**). The loans made to DCIF are separate from those made by any other lender and makes SDS an unsecured creditor of DCIF. Loans are repayable on request by SDS in accordance with the conditions set out in the Loan Agreement between SDS and the DCIF.

(h) Receivables

Receivables are recognised initially at fair value and subsequently measured at amortised cost, less provision for impaired receivables. Receivables are generally due for settlement no more than 30 days from the date of recognition.

Collectability of receivables is reviewed on an ongoing basis. Debts, which are known to be uncollectible, are written off. A provision for impaired receivables is established when there is objective evidence that the Trust 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 Statement of comprehensive income.

(i) Payables

These amounts represent liabilities for goods and services provided prior to the end of financial year that is unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

(j) Goods and Service Tax (GST)

The Fund is a member of the Sydney Diocesan Services 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 Statement of financial position.

Cash flows are presented on a net basis. The GST components of cash flows arising from operating, investing or financing activities, which are recoverable from, or payable to the ATO, are presented as operating cash flow.

(k) Capital

Amounts will be added to the capital of the Trust where they represent additions to the “Capital Fund” as defined in the Capital Ordinance.

3. Current assets – Cash and cash equivalents

	2018	2017
	\$	\$
Current account with Sydney Diocesan Services	2,963	-
Diocesan Cash Investment Fund (DCIF)	2,472,250	-
	2,475,213	-

Included as a cash equivalent is an unsecured loan to the DCIF. The DCIF is a wholesale charitable investment fundraiser. The Glebe Administration Board is trustee of the DCIF. The loan amount is regarded as cash as the unitised interests are valued at \$1.00, which are payable at call. The underlying investments of DCIF are cash accounts at call, term deposits and cash trusts.

4. Current assets – Receivables

	2018	2017
	\$	\$
Diocesan Cash Investment Fund interest receivable	9,511	-

5. Non-current assets – Investment in St Andrew’s House Trust

	Note	2018	2017
		\$	\$
Beneficial interest in the St Andrew’s House Trust		88,556,641	81,747,031
Movements in carrying amounts of investment in associate			
Carrying amount at 1 January		81,747,031	-
Initial transfer of half share in SAHT’s capital and accumulated surplus as at 1 September 2017		-	78,945,046
Initial transfer of half share in SAHT’s reserves as at 1 September 2017		-	1,280,000
Share of net profit of investments		6,809,610	1,521,985
Carrying amount at 31 December		88,556,641	81,747,031
Comprised of:			
Capital invested		4,714,615	4,714,615
Future rental costs reserve	8	1,010,000	760,000
Non-sinking fund capital works reserve	8	1,366,250	1,116,250
Strategic projects reserve	8	1,375,000	1,375,000
Accumulated surplus		80,090,776	73,781,166
		88,556,641	81,747,031

(a) Summarised financial information of associates

The Fund's share of the results of its investment in the St Andrew's House Trust and its aggregated assets and liabilities are as follows:

	Ownership	Synod - St Andrew's House's share of:			
	Interest	Assets	Liabilities	Revenues	Surplus
	%	\$	\$	\$	\$
2018					
St Andrew's House Trust	50	93,815,003	5,258,362	11,978,037	9,458,609
2017					
St Andrew's House Trust	50	87,986,426	6,239,395	22,158,881	19,674,436

(b) Share of capital commitments

	2018	2017
	\$	\$
Share of capital commitments	-	11,449

6. Provisions

	2018	2017
Current	\$	\$
Provision for distribution to the Synod Appropriations Fund	2,460,000	-

7. Capital

	2018	2017
	\$	\$
Balance 31 December	78,945,046	78,945,046

Capital has been contributed by variations of the trusts declared in the *St Andrew's House Trust Ordinance 2015*. New trusts were established by *St Andrew's House Trust (Variation of Trusts) Ordinance 2017* so that the trust by which one undivided half of the SAHC property was held for the purposes of the Diocesan Endowment Fund were varied and such undivided half of the property is to be held for the general purposes of the Anglican Church of Australia in the Diocese of Sydney. The balance transferred as at 1 September 2017 represents a 50% share of the capital and accumulated surplus of SAHT as at 31 August 2017, while recognising the 31 December 2017 valuation as also applying to the 31 August transfer date. Also transferred at 1 September was a 50% share of the SAHT reserves, refer Note 8.

8. Reserves

	2018 \$	2017 \$
Share of SAHT’s future rental costs reserve	1,010,000	760,000
Share of SAHT’s future non-sinking fund capital works reserve	1,366,250	1,116,250
Share of SAHT’s strategic projects reserve	1,375,000	1,375,000
	3,751,250	3,251,250
Movements:		
Future rental costs reserve (a)		
Balance at 1 January	760,000	-
Initial transfer of half share of SAHT	-	510,000
Share of increase in SAHT’s future rental costs reserve	250,000	250,000
Balance at 31 December	1,010,000	760,000
Future non-sinking fund capital works reserve (b)		
Balance at 1 January	1,116,250	-
Initial transfer of half share of SAHT		770,000
Share of increase in SAHT’s future non-sinking fund capital works reserve	250,000	346,250
Balance at 31 December	1,366,250	1,116,250
Strategic projects reserve (c)		
Balance at 1 January		
Balance at 1 January	1,375,000	-
Share of increase in St Andrew’s House Corporation’s strategic projects reserve	-	1,375,000
Balance at 31 December	1,375,000	1,375,000
Total Reserves	3,751,250	3,251,250

Nature and purpose of reserves

(a) Future rental costs reserve

This represents the Fund’s share of the reserve of St Andrew’s House Trust to provide for future rental void, incentive and leasing costs for St Andrew’s House.

(b) Future non-sinking fund capital works reserve

This represents the Fund’s share of the reserve of St Andrew’s House Trust to provide for future non-sinking fund capital works for St Andrew’s House.

(c) Strategic projects reserve

This represents the Fund’s share of the reserve of St Andrew’s House Trust to provide for strategic projects to better position St Andrew’s House.

9. Events occurring after the balance sheet date

The members are not aware of any events occurring after the reporting period that impact on the financial report as at 31 December 2018.

The financial statements were authorised for issue on 4 April 2019 by the Finance Committee of Standing Committee.

MEMBERS DECLARATION

The members of the Finance Committee of Standing Committee of Synod declare that the financial statements and notes set out on pages 43 to 51 –

- (a) comply with the accounting policies set out in note 2,
- (b) give a fairly presented view of the Fund's financial position as at 31 December 2018 and of its performance 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.

Assurance Procedures

The Finance Committee engaged PricewaterhouseCoopers to undertake a range of "Agreed upon procedures" to provide assurance to the Finance Committee on the matters attested to in this declaration. The Agreed upon procedures covered the range of funds in the Synod group and included procedures covering the validity of the balances by reference to the general ledger, tests of income received, and tests of key expenses including Synod grants. The Finance Committee reviewed the results of the work undertaken by PricewaterhouseCoopers in forming its opinion on the Annual financial report.

JOHN PASCOE
Member

RODNEY COSIER
Member

4 April 2019

Synod – St Andrew's House Fund

Report of factual findings to the members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney

Agreed upon procedures for the following fund –

Fund 134 Synod – St Andrew's House Fund

We have performed the procedures agreed with you to report factual findings for the purpose of assisting you in assessing, in combination with other information obtained by you, the validity, accuracy and authorisation of the selected transactions for the entities listed in Appendix 1 and Appendix 2 below. *[Appendix 1 and Appendix 2 not reproduced here.]* The procedures performed are detailed in the terms of the engagement dated 27 August 2018 and described below Appendix 1 and Appendix 2 with respect to the validity, accuracy and authorisation of the selected transactions for the entities listed in Appendix 1 and Appendix 2.

The responsibilities of the members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney for the procedures agreed

The members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney 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 validity, accuracy and authorisation of the selected transactions for the entities listed in Appendix 1 and Appendix 2.

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 applicable 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 the selected transactions of the entities listed in Appendix 1 and Appendix 2. Had we performed additional procedures or had we performed an audit or a review of the entities listed in Appendix 1 and Appendix 2 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 the selected transactions for the entities listed in Appendix 1 and Appendix 2. 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 use of the members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney 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 validity, accuracy and authorisation of the selected transactions for the entities listed in Appendix 1 and Appendix 2. As required by ASRS 4400, 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 the members of the Finance Committee of the Standing Committee of the Synod of the Anglican Church Diocese of Sydney for any consequences of reliance on this report for any purpose.

PricewaterhouseCoopers

FRANCOIS BRUDER
Principal

Sydney
27 March 2019

2/05 Stipends, Allowances and Benefits for 2020

(A report from the Standing Committee.)

Key Points

- Recommended minimum stipend for 2020 is \$67,856 which is 76% of AWE and represents a 1.6% increase over 2019.
- The structure of remuneration package remains unchanged.

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 2020” (the **Guidelines**) was published in July this year and provides details of the recommended stipends, allowances and benefits for ministers, assistant ministers and lay ministers for 2020.

Recommended Minimum Stipends

3. Standing Committee’s policy adopted in August 2016, and modified in 2018, calls for the recommended minimum to be set at 75% of Average Weekly Earnings from 2021 onwards.
4. We therefore agreed to set the recommended minimum stipend for 2020 at 76% of AWE, which is a 1.6% increase over the recommended minimum stipend for 2019 –

	% of Minister's Recommended Minimum Stipend	2020 Recommended Minimum Stipend \$ pa
Minister	100	67,856
Assistant Ministers, Lay Ministers & Youth and Children's Ministers (Theological degree or Advanced Diploma) –		
5 th and subsequent years	95	64,463
3 rd and 4 th year	90	61,070
1 st and 2 nd year	85	57,678
Youth and Children's Ministers (Diploma) –		
7 th and subsequent years	85	57,678
4 th to 6 th year	75	50,892
1 st to 3 rd year	65	44,103

Remuneration Packaging

5. The maximum level of stipend that may be sacrificed to a minister’s expense account (**MEA**) remains set at 40%, 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 2019*. Superannuation for lay ministers is paid separately. As for 2019, the amount of the superannuation contribution is generally set at approximately 17% of the applicable minimum stipend, accordingly the annual contributions proposed for 2020 are –

	2020
Minister	11,536
Assistant Ministers, Lay Ministers & Youth and Children's Ministers (Theological degree or Advanced Diploma)– 7 th and subsequent years 1 st to 6 th year	11,536 10,382
Youth and Children's Ministers (Diploma) – 7 th and subsequent years 1 st to 6 th year	9,805 8,652

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 2020 is calculated in accordance with the following scale –
- (a) a fixed component of \$8,047 (2019 – \$8,047) per annum to cover depreciation, registration, insurance etc, plus
 - (b) a reimbursement at the rate of \$246 (2019 – \$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 –

	2020
	\$
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 (2019 – 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 (2019 – 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 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 2020 is –

	% of Minister's Minimum Stipend	2020 \$ pa
Studying for a degree	12.5	8,482
Studying for a diploma	10.0	6,786

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 2019 the national minimum wage for adults has been \$19.50 per hour. This means that the recommended stipend allows for no more than 8.3 hours work per week if studying for a degree, and 6.6 hours if studying for a diploma. The minimum wage will be reviewed next on 1 July 2020.
 - (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) Worker's 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

29 July 2019

Children serving in ministry leadership to other children

37/18 General Synod – Safe Ministry to Children

(A report from the Standing Committee.)

Key Points

- Childrens' and youth ministry is carried out in teams with supervision.
- Any leaders between 12 to 15 years of age who are engaged in ministry to other children are under the supervision of at least 2 adults who have been trained and screened.
- A Safe Ministry Junior Leaders course is available for junior leaders in the age range 14-17 years. Youthworks also run a Leaders in Training program involving hundreds of youth each year, across a large number of parishes.
- There are many benefits that flow from engaging junior leaders in children's ministry.

Purpose

1. The purpose of this report is address the question of Synod resolution 37/18 regarding whether it is appropriate for children between the ages of 12 and 15 to serve in ministry leadership to other children.

Recommendation

2. Synod note this report.

Background

3. At its 2018 session, the Synod resolved as follows –

Synod resolution 37/18

That the *General Synod - Safe Ministry to Children Canon 2017 Adopting Ordinance 2017 Amendment Ordinance 2018* pass as an ordinance of the Synod, and that Synod request the Standing Committee, after consulting with Youthworks ministry support team, among others, to report to the next ordinary session of Synod regarding the appropriateness of children between the ages of 12 and 15 serving in ministry leadership to other children.

4. The Standing Committee appointed its Safe Ministry to Children Canon Subcommittee to consider the request in the resolution in consultation with the Royal Commission Steering Committee, and to co-opt additional members as necessary. The Youthworks ministry support team has also been consulted in the preparation of this report.

Introduction

5. It is common practice in many parishes within the Diocese of Sydney, to engage youth aged leaders (aged 12-15 years) (**Junior Leaders**) to assist with the running of children's ministry programs.
6. To make an assessment it is important to look at the current safe ministry guidelines and practices at the parish level in relation to children serving in ministry to other children.

Safe Ministry Training for Junior Leaders

7. This issue has been considered previously at a policy level. In December 2016, the Safe Ministry Board stated the following in the context of safe ministry training in response to queries from parishes –
 - (a) A Junior Leader is a person who has been appointed to a leadership role in children's or youth ministry in a parish who is under 18 years of age.
 - (b) In general, it is more appropriate for a Junior Leader to complete the Safe Ministry Junior Leaders course. However, at the discretion of the Rector a junior leader who is 16 or 17 years old who has greater leadership responsibilities (e.g., has some teaching responsibilities or has the maturity to be included in leader to child ratios) should complete the Essentials course.
8. The situation described in paragraph 7(b) above is the exception rather than the rule and is not considered to be common practice.
9. The "Junior Leaders Training" course, which although not compulsory, is being taken up by many parishes across the Diocese and is encouraged for all children's ministry volunteers 14 to 17 years of age. As at 9 May 2019, 30 parishes had utilised Junior Leader training and 101 participants had completed the training.

Team Ministry Structures & Existing Safe Ministry Guidelines

10. The majority of children's and youth ministry being carried out in the Diocese of Sydney is carried out in teams with supervision. Adult ministry team leaders are responsible for ensuring safe ministry takes place and for supervising junior leaders.
11. The Safe Ministry Blueprint for Parishes include suggested ratios, with a minimum requirement for 2 adult leaders for all activities. The Blueprint specifically excludes leaders under the age of 16 years for the purposes of the ratio.
12. This means that any leaders between 12 to 15 years of age who are engaged in ministry to other children are under the supervision of at least 2 adults who have been trained and screened in accordance with the existing requirements prescribed by the *Parish Administration Ordinance 2008* and Safe Ministry guidelines.

Benefits of Youth Leadership Programs

13. There are many benefits that flow from engaging junior leaders in children's ministry, including –
 - (a) **Engagement:** Giving youth the opportunity to serve as active contributors and participants in their church by being a part of a leadership team. Providing leadership pathways will encourage youth into a lifetime of serving others in church.
 - (b) **Discipleship:** Leading and serving at church is not just a task to be done, it also forms Christian character in the junior leader, so they are being disciplined to maturity in Christ.
 - (c) **Role modelling:** Providing a context for mentoring relationships to form between junior leaders and adult leaders who can model servant leadership.
 - (d) **Culture:** Facilitating a culture of servant leadership among the teenage cohort in a parish where church is seen as a place to serve and not just be served.
 - (e) **Training:** Allowing youth to gain real experience of ministry and develop skills.
14. For many decades the Diocese has run leadership programs designed for youth aged leaders. The longest running is the Youthworks Leaders in Training conference (**LIT**). Conferences and training programs like LIT further serve to equip and encourage junior leaders to take up the call to Christian ministry and to actively serve in their churches. In 2018, LIT involved 474 youth and 156 leaders representing 109 parishes.

On behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

30 July 2019

Worship and Prayer in the Christian Assembly

16/15 Doctrine Commission's report "A theology of Christian assembly"

(A report from the Sydney Diocesan Doctrine Commission.)

Resolution 16/15: Doctrine Commission's report "A theology of Christian assembly"

That this Synod –

- (a) requests the Diocesan Doctrine Commission to revisit its report "A theology of Christian assembly" (4 September 2008), and
- (b) noting that the Commission's current report –
 - (i) makes no reference to WORSHIP, and
 - (ii) makes only passing reference to PRAYER,
 requests the Commission to give due consideration to (and advice on) the proper place for worship and prayer in Christian assembly.

1. Introduction

- 1.1 The Doctrine Commission report of 2008 (to which this Resolution refers) came in response to a request asking it "to prepare a report for the next Synod presenting a theology of Christian assembly which can help shape authentic, biblical and Anglican orders of service suitable for the contemporary church."¹
- 1.2 In doing so, the 2008 report surveyed the Bible's teaching, and identified three main purposes for Christian assemblies, within the over-arching purpose of God to gather his people to himself in Christ, to the praise of his glory. Those three purposes were:
- to act as a testimony to Christ,
 - for fellowship in Christ, and
 - for building the body towards maturity in Christ.
- Each of these purposes was explored within the framework of God's gracious initiative towards us ("divine achievement") and our grateful response to God ("human activity").
- 1.3 The various activities that should take place in the Christian assembly were located and expounded within these this broader context—activities such as the reading, preaching and mutual speaking of God's word, and our response to God in repentance, faith, confession, prayer, praise, thanksgiving and rejoicing.
- 1.4 The three main purposes of Christian assembly highlighted by the 2008 Report are not, of course, the only three themes or purposes around which the rich teaching of the Bible on Christian assembly could be organized or articulated. Nevertheless, the current Commission sees no reason to revisit the theological judgements of the 2008 report, and regards its conclusions as sound.
- 1.5 Within this theological framework, what additional advice might be given with regard to "worship" and "prayer"?

2. Worship in the Christian Assembly

- 2.1 The term "worship", as it appears in most English Bibles, translates a range of Hebrew and Greek terms that cover multiple expressions of human action directed towards God in response to his

¹ The report, "A Theology of Christian Assembly," may be found here: https://www.sds.asn.au/sites/default/files/synod/Synod2008/Theol%20of%20Xn%20assembly-final.pdf?doc_id=NDc2Mg=.

saving grace, such as homage or submission to God, reverence or respect for God, and service to or in the name of God.

- 2.2 Under the old covenant, the worship of God was largely (although not exclusively) centred around the tabernacle or temple, the mediatorial ministry of Israel's priests and the various sacrifices prescribed by the law. Under the new covenant, true worship is first of all offered *by* Jesus (as the perfect priest and sacrifice), then offered *through* Jesus (as the new, true temple) as well as *to* Jesus (as the one who, with the Spirit, shares the being and throne of God). Consequently, Jesus describes new covenant worship as no longer being tied to the temple in Jerusalem (John 4:21), but as "worship in Spirit and truth" (v. 24)—that is, worship offered to the Father on the basis of the redeeming and revealing work of the Son and the regenerating and illuminating work of the Spirit.
- 2.3 Echoing such an understanding, the apostle Paul appeals to Christians to present their bodies, "by the mercies of God," as "a living sacrifice, holy and acceptable to God." This, he writes, "is your spiritual worship" (Rom 12:1). In other words, the appropriate sacrificial response to the revelation of God's mercy in Jesus Christ is not the offering of animals but the offering of our *whole selves* ("body" = the total person in all aspects of life, cf. Rom 12–15). The implication of this is that new covenant worship (that is, acts of submission to God, honouring of God, service of God) while expressed in the activities of the Christian assembly, is not restricted to those activities nor even to relationships within the Christian community. Indeed, it is noteworthy that in those texts where the apostles explicitly teach about the nature and practices of Christian assemblies, the language of worship plays only a minor part.²
- 2.4 This last observation has sparked a discussion within the Diocese over the past several decades as to whether worship language is the best way to describe the nature, purposes and activities of Christian assemblies—whether in relation to particular activities within the assembly, such as singing, or applied as a descriptive category to the assembly as a whole.³ In an attempt to avoid being distracted by this discussion, the 2008 Report sought to discuss the issues with minimal reference to worship language.
- 2.5 As was clear within the 2008 Report, Christian assemblies feature actions that flow from God to us (e.g., God speaking to us by his Word), from us to God (e.g., us responding to God in prayer), and from us to one another (e.g., as we speak the word to each other, and encourage each other). In fact, many of the activities of the Christian assembly participate in more than one of these dimensions at the same time, as Paul's description of singing psalms, hymns and spiritual songs makes clear (Eph 5:19; Col 3:16). That is, singing can be (at the same time) a means by which God speaks his Word to us, a way of responding to him in joyful thanksgiving, and a Spirit-enabled form of mutual encouragement.⁴
- 2.6 There seems to be little disagreement on all sides that all three of these dimensions are vital, and that none of them should be downplayed at the expense of another. The conversation has turned on the helpfulness of using various labels and categories to speak about these different dimensions and about the purpose of the congregational gathering as a whole. Some are concerned that using worship language about church reinforces common misunderstandings about worship (and church), and over-emphasizes the us-to-God dimension of the assembly at the expense of mutual edification. Others are concerned that avoiding worship language risks diminishing the Godward dimension, turning the assembly into a purely horizontal exercise of mutual encouragement and disconnecting us from the language of our liturgical heritage.
- 2.7 Both of these concerns are valid. To lose worship language from our vocabulary entirely seems unwarranted, and deprives us of an important strand of biblically and historically rich language for talking about our corporate response to God. However, the limitations of "worship" language should also be recognized, particularly the risk that it becomes the sole label for describing all the dimensions of a church gathering. The 2008 Report was written with this particular risk in mind and,

² For example, 1 Cor 11:17–14:40; Eph 4:1–16; Col 3:12–17; 1 Tim 2:8–15; 4:13–14; 5:17–21; Heb 10:19–25.

³ For a survey of the issues from different sides of the discussion, see D. A. Carson, "Worship Under the Word" in *Worship by the Book* (ed. D. A. Carson. Grand Rapids: Zondervan, 2002), pp. 11–63, esp. p. 49; Tony Payne, *The Tony Payne Collection* (Sydney: Matthias Media, 2017), pp. 275–312; David Peterson, "A Church Without Worship?," *Southern Cross* (23 February 2009): https://sydneyanglicans.net/blogs/ministrythinking/a_church_without_worship.

⁴ See Mike Raiter & Rob Smith, *Songs of the Saints: Enriching Our Singing by Learning from the Songs of Scripture* (Sydney: Matthias Press, 2017), pp. 196–197.

without wishing to deny either of the above concerns, sought to find fresh ways to describe the various purposes and dimensions of the Christian assembly.

- 2.8 Whatever language is used to articulate the different dimensions of the gatherings of God's new covenant people (and Scripture provides us with a range of options), the most important thing is that God's people give meaningful expression to each of these dimensions—i.e., that we hear from the living God, that we respond to him in prayer, praise and thanksgiving, and that we encourage one another in faith, hope and love.

3. Prayer in the Christian Assembly

- 3.1 The 2008 Report spoke briefly about prayer, along with other congregational activities. What follows is a fuller account of the nature and function of prayer and its place in the Christian assembly.
- 3.2 Like "worship", the English word "prayer" is also used to translate a variety of different Hebrew and Greek terms. What all of these terms have in common is that they are essentially petitionary. That is, to pray is to ask—whether for oneself, for others or for the glory of God. This is why Jesus not only uses the language of asking in prayer (Matt 21:22; Mark 11:24) but teaches his disciples to pray by providing a series of requests (Matt 6:9–13; Luke 11:2–4). Jesus' own prayers are also petitionary in character (Matt 26:39; Luke 23:34; John 17). Such an understanding of prayer is further underlined by Paul's instruction in Philippians 4:6: "Do not be anxious about anything, but in every situation, by prayer and petition, with thanksgiving, present your requests to God."⁵
- 3.3 In contemporary Christian parlance, and even in much theological discussion, the language of prayer is frequently used more broadly to cover any form of divine address—e.g., adoration, confession and thanksgiving. Indeed, such a practice is embedded in our Anglican heritage, as the title given to the *Book of Common Prayer* (which contains creeds, confession, praises, thanksgiving and much else besides) illustrates. Provided that petition is not denigrated or marginalised as a consequence, this way of speaking is not greatly problematic.⁶ Nevertheless, if we are to be guided by the normal pattern of Scripture, then these other, equally important forms of divine address are better regarded as things that ought to accompany prayer (e.g., Ezra 10:1; Dan 9:4; Phil 4:6; Col 4:2) or, alternatively, things that will naturally be accompanied by prayer.
- 3.4 It is clear from the New Testament that prayer can take place in a range of ways and contexts: e.g., privately and individually (Matt 6:6; Mark 1:35), within the marriage relationship (1 Cor 7:5; 1 Pet 3:7) and between any two or more Christian brothers and sisters (Matt 18:19–20; James 5:16). The New Testament is likewise replete with examples of corporate prayer. The book of Acts, for instance, describes the first believers in Jerusalem as being devoted to "the prayers" (2:42); after Peter and John were threatened by the Jewish authorities, the Jerusalem church prayed as one that the gospel might continue to be preached boldly (4:24–31); when Peter was later imprisoned by Herod, the church again gathered to pray for his release (12:5). Acts also records a variety of other descriptions of corporate prayer in connection with the ministry of Paul (13:3; 14:23; 20:36; 21:5).
- 3.5 The Pauline epistles are not only peppered with reports of Paul's own prayers for his churches (e.g., Rom 1:10; 2 Cor 13:7–9; Eph 1:16–18; 3:16–17; Phil 1:4–11; Col 1:3–14; 1 Thess 1:2; 3:10; 2 Thess 1:11–12; Phlm 4–6) but with numerous exhortations and instructions to believers about prayer (e.g., Rom 12:12; 15:30; Eph 6:18–20; Phil 4:6; Col 4:2–4; 1 Thess 5:17, 24; 2 Thess 3:1–2; 1 Tim 2:1, 8). While such teaching can clearly be applied to personal, private prayer, it is addressed to churches and expressed in plural form. This suggests, if not requires, that it should also be carried out in corporate settings.
- 3.6 In Romans 15:30, for example, Paul calls upon his readers "to strive together (Gk. *sunagōnizomai*) with me in your prayers to God on my behalf." Similarly, in Ephesians 6:18, at the end of a long series of corporate commands, Paul urges his readers to pray together "at all times in the Spirit, with all

⁵ The two terms, "prayer" (*proseuchē*) and "supplication" (*deēsei*), appear together in Paul's writings at a number of points (e.g., Eph 6:18; 1 Tim 2:1). While the first is often a more general term for requests and the second focussed more on specific needs, here the two terms seem to function as virtual synonyms. See Peter T. O'Brien, *The Epistle to the Philippians* (Grand Rapids: Eerdmans, 1991), pp. 492–493.

⁶ It may even be seen to have a precedent in Luke 18:11, where the Pharisee's prayer consists of thanksgiving (if not self-congratulation). However, in context, this use of *proseuchē* could well be ironic—as Jesus' point is that the Pharisee is blind to his need and therefore doesn't ask for anything.

prayer and supplication.” The *Book of Common Prayer* is, therefore, again correct to see “common prayer” as one of the chief reasons why believers assemble; that is, we gather “to ask those things which are requisite and necessary, as well for the body as the soul” (“Order for Morning Prayer”).

- 3.7 While common prayer may be offered in liturgical form and may even be spoken collectively (i.e., in unison), individual and spontaneous prayer can also be offered corporately. This is the situation Paul envisages in 1 Corinthians 14 and why he is so insistent that any words spoken to God must be intelligible to others. If they are not, writes Paul, “how can anyone in the position of an outsider say ‘Amen’ to your thanksgiving?” (v. 16). But if the meaning is clear, then others will be in a position to express their collective agreement with their corporate “Amen” (i.e., “let it be so”). In this way, prayer offered by one person in the midst of the congregation is as much a corporate act as prayer spoken by all.
- 3.8 Finally, the New Testament provides no shortage of guidance as to what believers ought to pray for, not only privately but also in their assemblies. Jesus sets the fundamental parameters with the concerns articulated in “The Lord’s Prayer” (Matt 6:9–13) and Paul’s repeated requests that prayer be made for the progress of the gospel and the faithfulness and boldness of gospel preachers also indicates a central concern (Eph 6:19–20; Col 4:3–4). Prayer, of course, may be offered for any matter (for things “as well for the body as the soul”), but ought to reflect God’s will for his world and his concern for “all sorts and conditions of men” (*BCP*, “A Collect or Prayer for all Conditions of Men”). Particularly instructive, therefore, are Paul’s words to Timothy: “I urge, then, first of all, that petitions, prayers, intercession and thanksgiving be made for all people—for kings and all those in authority, that we may live peaceful and quiet lives in all godliness and holiness” (1 Tim 2:1–2).

4. Conclusion

- 4.1 We commend the 2008 Report together with these further reflections and trust that they clarify the proper place of worship and prayer in Christian assemblies.

On behalf of the Diocesan Doctrine Commission.

BISHOP MICHAEL STEAD

Acting Chairman

14 March 2019

The Implications of Domestic Abuse for Marriage, Divorce and Remarriage

18/18 The nature of marriage

(A report of the Sydney Diocesan Doctrine Commission.)

1. The reference

In Resolution 18/18, the Synod of the Anglican Diocese of Sydney, 'noting that it has been sadly aware for some years of the misuse by some husbands of the biblical teaching on marriage to justify abuse of their wives,' requested Diocesan Doctrine Commission –

- (a) to acknowledge the extreme urgency of addressing prevention of domestic abuse of women within our Diocesan churches; and therefore
- (b) to bring to Synod in 2019, and no later, its conclusions on the referral to it, by Standing Committee, concerning how 'the Biblical material on [two matters, namely (i) divorce and remarriage, and (ii)] the nature of marriage, including the relevance of submission and headship, intersects with domestic abuse, its prevention, and the care of victims in our midst.'

2. The essential questions

2.1 The Synod has put forward a question concerning the biblical teaching on marriage, divorce and remarriage in the light of domestic abuse (sometimes known as intimate partner abuse).¹ In response to the question of divorce, the overwhelming emphasis in Scripture is that marriage is a life-long commitment of loving faithfulness. However, the Bible recognises our fallen human condition. Even in Christian communities we must be realistic about sin's destructive presence among us until Jesus' return. This means that although we are commanded not to break a marriage, marriages are sometimes broken because of sin. The patterns of behaviour that lead to marital breakdown always involve sin. None of us are sinless and no marriage is immune from the impact of sin. Sometimes it is the particular sin of one partner that is decisive in a particular marriage breakdown, sometimes the sin of both parties, and sometimes the situation is compounded by the sin of others outside the marriage. Nevertheless, while some sin has wider and more enduring consequences than others, all sin requires the forgiveness that comes only from the mercy of God in the atoning death of Jesus Christ. Divorced people need to be assured that the same mercy and forgiveness available to all who place their trust in Christ is available to them.

2.2 However, in relation to domestic abuse, the issues become more complicated. Here the culpability for a marriage breakdown will rarely be equally shared between the two parties, since often there will be a clear perpetrator whose actions attack the very fabric of the marriage. In the past, many perpetrators' actions have been hidden, which has further empowered them. Sadly, churches have not always been vigilant in this area, and appropriate church discipline has not been exercised. However, recently there has rightly been a shift to address this behaviour publicly. Scripture utterly opposes all forms of marital abuse. This is why it is reprehensible that it should be hidden or that Scripture would be used to validate such behaviour. In cases of normal marital conflict, couples should address the issues within their marriage and with whatever outside help is necessary. However, domestic abuse is not a matter of normal marital conflict. It is important to emphasise that someone should never be told to stay with their spouse if they or their dependents are in danger. No one should live in fear of harm, especially from those closest to them. Rather, victims must be protected. Congregations should actively assist them as they seek safety and offer them ongoing support.

2.3 As noted above, the Bible recognises the reality of marital breakdown in a fallen world. While neither desirable nor inevitable, divorce and remarriage are real possibilities under certain circumstances. To understand the Bible's teaching on divorce and remarriage we must consider the Bible's teaching on the nature of marriage; the legitimate grounds for divorce and remarriage; and the place of

¹ While domestic abuse occurs in many different kinds of intimate relationships and living arrangements, the focus of this report is upon acts of cruelty, violence or abuse between married couples. Domestic abuse includes physical, sexual, verbal, social, emotional, psychological, social and spiritual abuse. One common feature of domestic abuse is that of an ongoing pattern of behaviour aimed at controlling one's partner through fear (e.g., threatening behaviour). Some domestic abuse is criminal in nature and some non-criminal in nature.

singleness as an alternative to marriage. Once these issues are examined, we can then address the question as to whether domestic abuse is grounds for divorce and, if so, whether it is also grounds for remarriage. Needless to say, this report addresses a deeply painful subject. It should not be treated as a stand-alone report but should be read in conjunction with the Sydney Diocesan Domestic Abuse policy,² training on domestic abuse and in consultation with domestic abuse advisors. Without this wider context, the danger is that pastoral advice may be insensitive and incomplete. Ministers should be conscious that they have a position of power and that this should be exercised with compassionate understanding, especially when they are ministering to vulnerable people who have already suffered because of the misuse of power in their marriages.

- 2.4 In addition to this question of divorce and remarriage, the second question posed concerns the nature of marriage and asks if the biblical doctrine of submission and headship justifies, produces, promotes or creates the conditions for domestic abuse. This question does not, in the first instance, relate to the breakdown of marriage but to its essential design and asks if this design is good or dangerous. It must be stated that it is beyond the scope of this report to research each of the distortions and misrepresentations of this doctrine and precisely how they have been used in cases of domestic abuse. However, it must also be affirmed that this would be an important avenue of further study where an inappropriate use of the Bible needs to be identified and held to account. As stated above, the pastoral implications are substantial.

3. The four fundamental principles guiding this report

- 3.1 This report has been compiled with four fundamental principles in mind. First, what the Bible teaches about moral action in the world (e.g., about marriage and divorce) is as good and true a guide today as when it was written. This principle is based on three related theological truths:
- (a) that all knowledge and experience of goodness and truth come from the infinitely good and true God, whose goodness and truth is evident in all that he has made, but has been revealed most perfectly in Jesus Christ;
 - (b) that knowledge of God's perfect self-revelation in Christ is given to us in an inspired and objective form exclusively in the Scriptures, which also authoritatively reveal the truth about what it means to act rightly within the moral order of the world; and
 - (c) that the goodness of the world's moral order is an objective and abiding feature of its createdness, and that although the world is disrupted and damaged by the effects of the fall, it remains the field for our moral action now, as it has been for all of humanity throughout all of history.
- 3.2 Second, the scriptural revelation of what it means to live rightly within the moral order of the world comes to us in various forms (law, wisdom, prophetic history, gospel, epistle, and so on) – all of them set within particular contexts and situations, and all of them embedded within the long unfolding biblical history of the Father's purpose to glorify his Son in the redemption of sinful people and the restoration of fallen creation. This history has the shape of promise and fulfilment (2 Cor 2:20), of shadow and reality (Heb 10:1), of being under a guardian to the freedom and maturity of sonship (Gal 3:23-26).
- 3.3 Third, as the church, we joyfully submit to the authority of this Scriptural revelation as those 'upon whom the end of the ages has come' – that is, as God's people in the final chapter of the story, redeemed from the slavery of sin, groaning for the redemption of our bodies, and set free to live godly lives of faith, hope and love within the good order of creation. This means that we read and apply the moral truth of Scripture through the lens of the apostolic gospel and by following the apostolic example. We learn, for example, that while the Old Testament speaks truly about the same moral order we inhabit today, it does so in an elementary or provisional way that finds its fulfilment in Christ (Gal 3:23-26; Heb 10:1f.).
- 3.4 Fourth, applying the teaching of the Scriptures to various situations today requires moral reasoning and deliberation – that is, a movement of thought from a theologically determined truth to a form of action that is good and/or right for the particular situation we are confronting. Scripture not only provides the materials for this process of moral thought but is our teacher in how it is conducted – that is, it not only reveals morally significant theological truths, and many examples of their application in specific commands and virtues, but also trains us in how to apply which theological

² Anglican Diocese of Sydney, *Responding to Domestic Abuse: Policy and Good Practice Guidelines* (2018): https://www.sds.asn.au/sites/default/files/Responding%20to%20Domestic%20Abuse%20-%20Policy%20Guidelines%20and%20Resources.complete.pdf?doc_id=NTUyOTc=.

truths to which sort of morally significant situations. By reading and applying the Bible as devoted apprentices to its own forms of moral reasoning, we can avoid distorting or misusing the Bible's teaching for our own foolish and sinful ends.

4. The biblical teaching on marriage

- 4.1 The Bible presents the joining of a man and a woman in the one-flesh relationship we call marriage as part of God's good and perfect creational design. In Genesis 1, male and female together are described as 'in the image of God' (vv. 26-27) and in Genesis 2, the man and his wife are described as both 'naked' and 'not ashamed' (v. 24). Union, delight and a complete openness to one another, from whom they fear no threat, is God's original design for marriage and the picture of the marriage relationship given to us in Genesis 1–2. Although marriage is a creational good, it must be remembered that it is not the only good. The Bible commends both singleness and marriage as modes of life that bring glory to God (Matt 19:1-12; 1 Cor 7:7-9, 32-35).
- 4.2 In light of this, it is not surprising that when questioned by the Jewish leaders about the grounds for divorce, Jesus appealed to the Genesis account with its exposition of God's intention for marriage 'from the beginning.' It also explains why he redirected the question from divorce to God's original intention for marriage. The critical issue was how to honour, guard and rejoice in marriage as God's good gift, not how to enlarge or reduce the grounds on which it might be dissolved. Jesus also spelled out the unavoidable implications of Genesis 2:24, adding the comment, 'So they are no longer two but one flesh. What therefore God has joined together, let not man separate' (Matt 19:6). In so doing, he was not simply agreeing with one side of a contemporary debate on the question of divorce but was challenging both sides with God's original design.
- 4.3 In his teaching on marriage, Jesus emphasises the primary concern of the Scriptures: the divinely forged, one-flesh union of marriage ought to be honoured, nurtured, protected and not broken by human beings. Life-long union is God's intention, not separation. Divorce is always a tragedy and an acknowledgement that in one way or other sin has played havoc with a relationship which God intended to be loving, exclusive and permanent.
- 4.4 That sin should distort and undermine marriage, as it does every other aspect of human life, is not surprising and is demonstrated from Genesis 3 onward. Indeed, the first casualty of the Fall was the innocent delight of the man and the woman in each other. 'They were naked and were not ashamed' (Gen 2:25) quickly becomes 'Then the eyes of both were opened, and they knew that they were exposed. And they sewed fig leaves together and made themselves loincloths' (Gen 3:7). Self-protection and mutual recrimination characterise their conversation before the LORD God following their sin. Married life is not as it was before. The good and ordered relationship between the man and the woman is reaffirmed by God but from this point on it will exist with strain. There will be a struggle between the woman and her husband which will play itself out in different ways in different contexts (Gen 3:16). Just as sin has marred the image of God in us and yet it has not obliterated it, so sin has marred the relationship between the man and the woman and yet the essential goodness of marriage remains.
- 4.5 At various points throughout the Old Testament, the concept and terminology of marriage is applied to the relationship between the LORD and his chosen people Israel. Often the faithfulness of LORD as the 'husband' of Israel is contrasted with the faithlessness of Israel as his bride. This is an analogy which, like all analogies, contains both similarities and differences. Therefore, 'we must avoid too close an identification between human marriage and the divine marriage.'³ Nevertheless, this connection is an important preparation for developments in the New Testament, as well as a testimony to the significance of the human marriage bond in God's sight.
- 4.6 The fact of marriage is always presented positively in the Bible. As the *Book of Common Prayer* service for the 'Solemnization of Matrimony' notes, the first of Jesus' signs was performed at the wedding in Cana (as recorded in John 2). As seen above, in Matthew 19, Jesus appealed to God's creational intention to insist that marriage is something to be valued and protected. Furthermore, he used the imagery of marriage, and especially the wedding feast, to speak of the end for which God's redeemed people need to be prepared (Matt 25:1-13). He also identified himself as 'the bridegroom'

³ Geoffrey W. Bromiley, *God and Marriage* (Edinburgh: T. & T. Clark, 1981), 33.

with whom the wedding guests rejoice (Matt 9:15). John the Baptist, too, confirmed Jesus' identity as 'the bridegroom,' for he is 'the one who has the bride' (John 3:29).

- 4.7 This imagery is taken further and put to a particular use by the apostle Paul, as he explains what it means to walk 'not as unwise but as wise, making the best use of the time, because the days are evil' (Eph 5:15). In an intriguing and deeply challenging passage, Paul sees human marriage as an analogue of the relationship between Christ and the church. In particular, a husband is to act towards his wife in self-sacrificial love modelled on that of Christ's love for the church; in particular, the fact that he 'gave himself up for her' (Eph 5:25). It is significant that this is presented as an indispensable element of Christian discipleship; a key part of what it means to be 'filled with the Spirit' (Eph 5:18). The apostle Peter insists that the way a husband acts towards his wife cannot be separated from his relationship with God and, in particular, his prayer life (1 Pet 3:7). Marriage is God's good gift which is 'to be received with thanksgiving by those who believe and know the truth' (1 Tim 4:3). It is to be held in honour by all and the marriage bed is to be undefiled because 'God will judge the sexually immoral and adulterous' (Heb 13:4).
- 4.8 Furthermore, this is not just the case when the marriage is between believers. Marriage is, after all, anchored in God's creational intention for all humanity and not just his redemptive purposes for his people. In 1 Corinthians 7 the apostle Paul writes that 'the unbelieving husband is made holy because of his wife, and the unbelieving wife is made holy because of her husband' (v. 14). He then described the children of that union in the same terms: 'they are holy' (v. 14). While this does not mean that an unbeliever is 'saved' because of the faith of his or her believing spouse (see v. 16), it does demonstrate that God views a marriage involving an unbeliever as a valid marriage. Therefore, the conversion of one marriage partner should not lead the believer to separate from their unbelieving spouse (vv.12-13).
- 4.9 In the light of such teaching, we should be careful to avoid addressing the realities of life in our fallen world in any way that might undermine God's intention that marriage be life-long, generous, and loving. Jesus made clear that God's original intention for marriage is still his intention for marriage. Nevertheless, there is only one perfect marriage and that is the union of Christ and his bride, the church. The full and final reality of this marriage will be seen on the last day when Christ will 'present the church to himself in splendour, without spot or wrinkle or any such thing' (Eph 5:27; cf. Rev 21:9–22:5).
- 4.10 All human marriages have difficulties this side of the Fall – even those that seek to pattern themselves on the model of Christ and the church. As one important study puts it, 'Two partners in marriage have to consider that, in spite of romantic views of one another, both are sinful and therefore their love will also have to be grace on both sides, a love for someone who really does not merit love.'⁴ In practice this means that repentance and forgiveness are important features of married life, just as they are in every other dimension of our fallen human existence. Grace acknowledges that as God has reached out to us in the midst of our brokenness and rebellion, so we ought to forgive as we have been forgiven (Matt 6:12, 14-15; Col 3:13). Reconciliation remains a priority in our relationships with each other, as it is in our relationship with the God who saved us. Repentance and forgiveness need to be real, of course, and a sham repentance that is little more than regret, with no genuine amendment of life, can do further harm to the marriage relationship. Even where there is sincere repentance and forgiveness, human sinfulness may still have ongoing consequences. Moreover, in cases of domestic abuse, separation for the sake of the protection of those under threat and even legal action against the perpetrator may be necessary. These actions are not inconsistent with forgiveness.
- 4.11 Since marital love is modelled on the character and actions of Christ there can be no place for domination, bullying, manipulation, or any other form of abuse. However, the Bible's teaching on headship and submission in marriage has sometimes been twisted – beyond recognition – to justify abusive behaviour by husbands. This is not a reason to abandon what the Bible teaches. However, it is vitally important that it is taught accurately and carefully; that husbands are called to account if they misinterpret Scripture as justifying abuse in the name of 'headship;' and that wives are helped to understand that Scripture does not require them to 'submit' to abuse.
- 4.12 The Bible's teaching about headship and submission in marriage cannot properly be considered apart from Jesus Christ. He is the context in which the New Testament speaks in terms of the relationship between a husband and a wife. Christ's exercise of headship is not coercive but loving and self-sacrificial. He sought the welfare of others at enormous cost to himself. He expresses his

⁴ Bromiley, *God and Marriage*, 34.

headship of the church by dying for her. When, in Ephesians 5, a husband is spoken of as head of his wife, 'as Christ is the head of the church,' it is explicitly filled out in terms of self-sacrificial love for the sake of her godliness: 'as Christ loved the church and gave himself up for her' (v. 25). A husband's headship involves taking the initiative in serving his wife, seeking her welfare above his own, bearing the cost of enabling her to flourish as a disciple of Christ and in every other way. The fuller New Testament picture of Christ's service, involving humility, gentleness, compassion, bearing without retaliation the hostility of those he had come to save, adds depth to the picture in Ephesians. Unlike Christ, a husband is not the saviour of his wife – there are limits to this analogy too – yet his love for his wife is to be modelled on that of Christ's love for the church.

- 4.13 In such a context, a wife's submission recognises and makes room for the exercise of that self-sacrificial love. It is a particular expression of the mutual submission that is to characterise the relationships of all who are 'filled with the Spirit' (Eph 5:18). It is not something that is demanded by the husband but something that is freely given, once again in the light of all that Christ has done: 'as to the Lord' (v. 22). It is not to be confused with subservience or docility but is rather an active partnership in life and ministry. The partnership of Priscilla and Aquila (Acts 18; Rom 16:3; 1 Cor 26:19) is an example of faith worked out in the context of a gospel-shaped marriage.
- 4.14 Headship is briefly mentioned again in 1 Corinthians 11. What is particularly significant in that instance is that both headship and submission are modelled on Christ.

But I want you to understand that the head of every man is Christ, the head of a wife is [her] husband, and the head of Christ is God (1 Cor 11:3).

The central clause of this sentence is the relationship between 'a wife' and 'a husband.' For both the husband who is the head, and the wife who recognises this headship, their pattern is Christ. He is the head of every man, and the way he exercises this headship is the model for the husband. At the same time, Christ lived in joyful recognition of his Father's headship, and this becomes the model for the wife. To exercise headship in a way that is inconsistent with the character and the self-sacrifice of Christ is a misunderstanding and abuse of the biblical teaching. Similarly, to exercise submission in a way that is inconsistent with the character and self-sacrifice of Christ is a misunderstanding and abuse of the biblical teaching. There is no biblical basis for a husband demanding submission in any sphere of the couple's life together. Similarly, there is no biblical basis for a wife demanding her husband's self-sacrifice.

- 4.15 Since headship means taking the initiative in self-sacrificial service, and submission means recognising, respecting and rejoicing in the leadership expressed in this way, it is clear that any appeal to these biblical concepts to justify domineering, harsh or manipulative treatment, or to insist upon simply enduring such treatment, is an abuse of biblical teaching. That abuse needs to be called out and addressed by a return to the biblical texts explored above. Again and again, we need to return to the example of Jesus. A spouse who abuses their partner is denying the faith by their actions. They are not following the pattern of Christ. A spouse ought never to think that Christian discipleship requires the bearing of such abuse.

Biblical Teaching on Divorce and Remarriage

The Old Testament

- 5.1 There are several key passages of the Old Testament – especially Deuteronomy 24:1-14, Exodus 21:7-11 and Malachi 2:10-17 – which are potentially relevant to the issues of divorce and remarriage. In addition, the marriage analogy in the Prophets, in which God's people have been 'unfaithful' to the Lord, and to which the Lord responds with 'a certificate of divorce', provides an important parallel.
- 5.2 The key Old Testament text on divorce is Deuteronomy 24:1-4. The surprising thing is that the focus is not on divorce *per se*, but on a particular limit to remarriage. Specifically, a man is prevented from remarrying a woman he has previously divorced and who in the interim has been married to someone else. The text describes a scenario in which a husband finds 'a cause of indecency' in his wife, writes her a certificate of divorce and 'sends her from his house.' The woman remarries, but this second marriage comes to an end, either because the second husband dies, or because he 'dislikes' (literally 'hates', Heb. *sana*) his wife, and he too writes her a certificate of divorce and sends her from his house. In this scenario, the first husband cannot remarry his ex-wife, because she had become 'unclean' (Heb. *tama*) for her former husband to remarry. The text is silent as to whether it was

appropriate for the first husband to have divorced his wife because of 'a cause of indecency' and whether it was appropriate for the second husband to divorce her because of dislike/hate. The text assumes and regulates the then-current practice of divorce and remarriage.

- 5.3 Deuteronomy 24:1-4 emphasises the seriousness of the decisions that have been made and the fact that they have, and continue to have, consequences. Both the original 'sending away' and the subsequent remarriage to another were public realities which substantially changed the nature of the relationship between the woman and her first husband. For him to take her back would be so serious that it would 'bring sin upon the land that the LORD your God is giving you for an inheritance' (v. 4). Deuteronomy 24:1-4 is not an endorsement of divorce but a recognition that when it does happen it has permanent consequences.
- 5.4 Exodus 21:7-11 is argued by some to be relevant to the issue of divorce, not so much because of the subject matter of the text, but because of the subsequent rabbinic extrapolation from the text.
- (a) The text addresses the situation of a man who acquires a female slave. Whereas male slaves had to be released in the seventh year, female slaves were not to be released, because they had become part of the family of the owner. If the owner had selected her for himself, and she subsequently became displeasing to him, he must allow her to be redeemed (presumably by a kinsman-redeemer, so that she could return to live with her original family). If the owner selected her for his son, he must treat her like a daughter (v. 9). If the owner 'takes another for himself', he must continue to provide the first woman with food, clothing and habitation/cohabitation (v. 10).⁵ If the owner does not provide these three things, then she is to be freed, without payment (of the redemption price – cf. v. 8). Rabbinical interpretation extrapolated a broader principle about marriage from these verses about female slaves. It was reasoned that since Exodus 21:10-11 permits a female slave to leave a master who neglected her, then surely a wife should not have less protection than a female slave, and therefore any woman (slave or free) should be free from a master/husband who neglected to provide food, clothing and (co)habitation.⁶
- (b) However,
- (i) because the female slave is nowhere described as a wife – at most she might be a concubine, but even this is not clear,
- (ii) the 'going out' of the female slave is not a 'divorce.' The condition of slavery is ended either by payment of a redemption price (v. 8) or by redemption without price in the case of neglect (v. 11), and the female slave is able to leave a neglectful master.
- (iii) the text, then, is silent as to the implications that this freedom has for her marriage to another man.
- (c) Exodus 21, then, is best understood as addressing the particular circumstance of female slavery, and not as a paradigm for divorce. Indeed, neither the Old Testament nor the New Testament uses female slavery as an analogy of marriage. It is, therefore, unwise to accept the rabbinic extrapolations from Exodus 21.⁷
- 5.5 Several of the prophets use the analogy of marriage to describe the relationship between the Lord and his people, whose *idolatry* is represented by the metaphor of *adultery* (Hos 1:2). The punishment for idolatry is *exile*, which is generally represented in the marriage metaphor by *divorce* (Isa 50:1; Jer 3). These texts do not seek to modify the laws of marriage and divorce. They have no legal force. On the contrary, they use a shared understanding of the Mosaic law to strengthen the rhetoric of judgment and mercy. The analogy moves from the human experience to the relationship between God and his people (the former providing a way of understanding the latter rather than the other way around). Because adultery was a shameful violation, it was an effective way to attach shame to Israel's covenant violation; and the shocking idea of a man returning to his adulterous wife helps Hosea's listeners feel the shock of God's decision to keep loving his people (Hos 3:1). Jeremiah quotes Deuteronomy 24:4 for the same purpose. To paraphrase Jeremiah 3:1: 'The wife in

⁵ C. Pressler, 'Wives and Daughters: Bond and Free: Views of Women in the Slave Laws of Exodus 21:2-11,' in V. H. Matthews (ed.), *Gender and Law in the Hebrew Bible and the Ancient Near East* (JSOT Supp. 262; Sheffield: Sheffield Academic Press, 1998), 147-172.

⁶ The word *'onah* occurs only in Exodus 21:10. If it is from the root *'nh* 'to answer,' then it means 'intercourse' (i.e., conversation), cf. LXX *homilia* 'intercourse, association, company, sexual intercourse.' Alternatively, if *'onah* is related to the word *me'onah* 'habitation' (from the root *'nn* 'to dwell') then it refers to the woman's dwelling place.

⁷ For the later Rabbinic interpretation, see further David Instone-Brewer, *Divorce and Remarriage in the Bible: The Social and Literary Context* (Grand Rapids: Eerdmans, 2002), 23, 214ff.

Deuteronomy married another, but you, Judah, have had many lovers. So if the husband may not return to his ex-wife, how much more may you not return to God!' When God then calls adulterous Israel to return (Jer 3:6-14) he is not legitimising remarriage but highlighting the unthinkable lengths to which God will go out of love for his people. If anyone had thought God was now legitimising an ex-wife's remarriage to her first husband, the whole point of Jeremiah's analogy would be lost.

5.6 Malachi 2:16 – Translation

- (a) Malachi 2:16a is the most challenging of the prophetic texts, and the fact that RSV and NIV 1984 differ from ESV and NIV 2011 requires a careful historical explanation. The verse may be woodenly rendered as follows:

'If he hates by divorcing [or, divorces hatefully], says Yahweh the God of Israel, then he covers his garments with violence, says Yahweh of hosts.'

The key translation questions are: (i) Who is doing the hating? (ii) What is the link between hating and divorcing? (iii) How do the 'if' and 'then' sections relate to one another?

- (b) The earliest translators, both Jewish and Christian, (i) read the whole verse as describing the husband; (ii) discerned a reference to Deuteronomy 24:3, which contains the verbs 'he hates ... he divorces'; and (iii) concluded that Malachi was quoting Deuteronomy 24:3 in order to accuse his listeners of abusing it (see Mal 2:14f.). As Jerome explains, 'this indeed was commanded in the law, but [only] because of the hardness of your heart ... [However,] whoever unjustly dismisses his wife, except for the case of fornication, "iniquity shall cover his garment."⁸

- (c) The Geneva Bible (1599) follows the reading above, but the KJV says:

'For the LORD, the God of Israel, saith that he hateth putting away: for one covereth violence with his garment, saith the LORD of hosts.'

This reading (i) makes Yahweh the one hating; (ii) takes 'divorcing' to mean 'divorce' ('putting away'); and (iii) begins both halves with 'for.'

- (d) Although many modern versions follow KJV, the expression 'God says that he hates' is almost certainly wrong. Not once in the many hundreds of times a divine speech is announced does God then refer to himself in the third person. Eventually, the Revised Version (1884) removed the problem by (i) emending the Hebrew text: 'For I hate putting away, saith the Lord'; and by (ii) taking the second part of the verse as an independent statement: '... and him that covereth his garment with violence.' This was the reading that influenced most major 20th century Bible translations, including RSV, NRSV, and NIV 1984.

- (e) Major English versions in this century (ESV, NIV 2011, CSB and REB) have moved back towards the earliest translations, by rightly rejecting the nineteenth-century emendation of the Hebrew and restoring the 'if ... then' connection. Thus NIV 2011:

'The man who hates and divorces his wife,' says the Lord, the God of Israel, 'does violence to the one he should protect,' says the Lord Almighty.

5.7 Malachi 2:16 – Interpretation

- (a) Hating is a powerful attitude or emotion (Mal 1:3; 2 Sam 13:15) that in Deuteronomy 24:3 leads to divorce. The divorce in Malachi 2:16 is depicted as an act of violence or injustice. Whereas Deuteronomy makes no judgment about the second husband's action, Malachi uses Deuteronomy in a context where hating and divorcing is clearly wrong. Yet that context is one of spiritual adultery (Mal 2:10; 'unfaithful' alludes to Jer 3:8). It is not the 'adultery' of Baal worship, which Hosea and Jeremiah condemned as a breach of the Sinai Covenant, but the 'adultery' of mixed marriages (2:11), which Malachi condemns as a covenant violation against one another. By using the language of covenant in 2:14, Malachi strengthens the parallel between unfaithfulness to one's wife (by means of re-marriage) and unfaithfulness to God (by means of idolatry).
- (b) Unfaithfulness to the wife of one's youth evokes Israel's abandonment of God (Jer 2:2). This does not mean we should spiritualise Malachi 2:16, which clearly applied to actual marriages

⁸ Jerome, *Commentaries on the Twelve Prophets, Volume 2*. Ancient Christian Texts (Downers Grove: IVP, 2016), 134.

being terminated in the context of marrying foreign women (cf. 2:10). Rather, Malachi makes a strong connection between the violation of the marriage covenant and the Sinai Covenant. This helps to explain why Ezra, at around the same time, commanded Jewish men to divorce their foreign wives (Ezra 10). Why were some divorces commanded and others prohibited? The principle underlying both was that the marriage covenant should not undermine the Sinai Covenant. (Note that all the above points are consistent with the older English versions as well.)

5.8 A Summary of the Teaching of the Law and the Prophets.

- (a) Commandments 5–10 of the Decalogue gave practical expression to the first. The essence of the covenant was exclusive loyalty to Yahweh, and to turn from him to idols was no ordinary sin but destroyed the relationship and the nation with it (Deut 29:18-28). Loyalty in marriage was to echo this. While divorce and remarriage were not forbidden, to return to a marriage once the covenant had been dissolved and a second marriage contracted was to undermine the permanence and seriousness of the marriage covenant itself, and to turn it into an arrangement of convenience. Hosea and Jeremiah use this marriage law, which Israel recognised, to expose the people's covenant infidelity (idolatry), which Israel did not recognise. However, in Malachi's time the problem was no longer idolatry, but marital infidelity, and he reverses the analogy: Do not betray your wife as Israel betrayed God when they turned away from him to serve idols. When your wife is faithful to the Sinai and marriage covenants (as implied by 'wife of your youth'), do not betray her and God by divorcing her. To hate and divorce a faithful wife is a form of abuse (violence).
- (b) The Old Testament begins (Gen 2:24) by establishing marriage as a union that binds any and every human who enters it. The analogy of the Sinai Covenant helped to clarify for Israel the obligations marriage brings with it. It is always wrong to be the one who violates a marriage covenant, whether by turning from your spouse to seek another, or by hating and abusing them. By the end of the Old Testament, we see Israelites marrying outside the Sinai Covenant. The problem here is not that a mixed marriage is somehow invalid or non-binding, but that it must not be allowed to destroy the covenant community. Likewise, divorcing a fellow covenant-member (Mal 2:14) betrays both the marriage covenant and the Sinai Covenant. Marriage must exemplify covenant faithfulness, not undermine it.

The New Testament

- 5.9 Jesus spoke about divorce briefly in the Sermon on the Mount (Matt 5:31-32). The context is Jesus' insistence that 'unless your righteousness exceeds that of the scribes and Pharisees, you will never enter the kingdom of heaven' (v. 20). Jesus used a number of examples to challenge a use of the Law which seeks to limit its application and to evade its intention. Addressing the command against adultery, he first spoke of committing adultery in one's heart. The physical act does not need to have been performed in order for the law to be broken. He then raised the prospect of divorce. Surely when a divorce has taken place, and a legal 'certificate of divorce' has been provided, seeking another wife is not adultery. Jesus' reply was 'Everyone who divorces his wife, except (Gk. *parektos*) on the ground of sexual immorality, makes her commit adultery, and whoever marries a divorced woman commits adultery' (v. 32). The exception clause ('except on the ground of sexual immorality') is often called 'the Matthean exception.' Where one's spouse has committed sexual immorality, then not only is divorce permissible but remarriage also.
- 5.10 There are several observations that need to be made about this important passage. First, Jesus' aim is to teach a high view of marriage over against a lax view of divorce and remarriage. Second, Jesus names a single exception to this teaching: sexual immorality (Gk. *porneia*). His point is that only sexual immorality has the potential to sever the one-flesh union of marriage. The decision to divorce does not in and of itself do that. Third, we need to recognise the danger of probing Jesus' words in order to find ways around God's law and creational intention. This is precisely the attitude of the Pharisees, which Jesus condemned.
- 5.11 Jesus addressed the issue of divorce and remarriage once more in the encounter with the Pharisees recorded in Matthew 19:1-12 (cf. Mark 10:1-9). The context is an attempt by the Pharisees to 'test' Jesus (v. 3). It is widely recognised that the background to Matthew 19 is the debate in first century Judaism between the rabbinical schools of Hillel and Shammai about the meaning of Deuteronomy 24:1, which refers to divorce for 'a cause of indecency.' The Hillelites interpreted Deuteronomy 24:1

as allowing two distinct types of divorce – for ‘indecenty’ and for ‘[any] cause.’ The Shammaites interpreted Deuteronomy 24:1 as allowing divorce for ‘nothing except indecenty.’⁹

- 5.12 Jesus responds to a question about the legitimate grounds for divorce (‘Is it lawful to divorce one’s wife for any cause?’ v. 3), not by taking one side or the other but by returning to God’s creational intention for marriage (vv. 4-5). Marriage is not merely a social or covenantal contract between two parties – it is also a one-flesh union, established by God. This leads to Jesus’ conclusion: ‘What therefore God has joined together, let not man separate’ (v. 6).
- 5.13 The attempt by the Pharisees to refocus the debate on divorce involved an appeal to the certificate of divorce mentioned in Deuteronomy 24. Jesus responded by citing ‘your hardness of heart.’ Because the hearts of husbands were hardened by selfishness, stubbornness, and indifference to the needs of their wives, the Mosaic law relates the practice of divorce based on the issuance of a ‘certificate of divorce’ (v. 7). Yet Jesus immediately went on to say, ‘but from the beginning it was not so’ (v. 8).
- 5.14 In this context, Jesus reiterated the ‘Matthean exception’ (‘except for sexual immorality’). However, as the structure of the sentence makes clear, Jesus’ emphasis is not on the exception but on all other cases but the exception. Divorce followed by marrying another entails adultery – except where the divorce was the result of sexual immorality. This is not remotely an endorsement of divorce, even if Moses, faced with Jewish hardness of heart, regulated divorce under God’s instruction. The new element in Matthew 19, though, is the explicit mention of remarriage: ‘whoever divorces his wife, except for sexual immorality, *and marries another*, commits adultery’ (v. 9). It is not the divorce itself which makes a person an adulterer but divorcing and then marrying another. This leaves open the possibility that there might be circumstances in which it is permissible to divorce, but which do not entail a freedom to remarry. But, based on Matthew 19, the only ground on which remarriage would not be adulterous (and therefore permissible) is that of a spouse’s sexual immorality.
- 5.15 This understanding of Matthew 19 has been questioned in recent years, most notably by David Instone-Brewer and those who have built on his conclusions. Instone-Brewer argues Matthew 19 has been almost universally misunderstood for two millennia. This is, in his view, because of a failure to recognise it as a highly summarised account of a first century rabbinic debate involving semi-technical jargon, in which Jesus was asked for his view on ‘any cause’ divorce (that is, Hillel’s interpretation of Deuteronomy 24:1), rather than his view on ‘divorce for any cause.’ Instone-Brewer argues that Jesus rejects Hillel’s ‘any cause’ interpretation and affirms Shammai’s interpretation, that Deuteronomy 24:1 only permits divorce for a ‘cause of indecenty.’ However, according to Instone-Brewer, this still leaves open the question as to whether Jesus permitted divorce on other grounds, as permitted by other Scriptures. He points to the fact that both the Hillelites and the Shammaites allowed a divorce on the three grounds arising from Exodus 21 (failing to provide food, clothing and (co)habitation – see section 5.4 above and comments there on the applicability of this text). He argues,

Jesus used the same terminology as the Shammaites, in the same context, at the same period, and in a debate where Shammaites or their rivals the Hillelites were present. We may therefore confidently conclude that he meant to convey the same meaning by these words that the Shammaites were trying to convey. When the Shammaites said ‘except ... for a matter of indecenty’ in the context of this debate about ‘any matter’ divorces, they meant that Deuteronomy 24:1 allows no type of divorce except that for indecenty. They did not mean that Scripture allows no divorce except that for indecenty because they allowed other divorces on the grounds in Exodus 21.¹⁰

Consequently, Instone-Brewer concludes that, since Jesus makes no comment either way about other divorces on the grounds of Exodus 21, ‘in the absence of further evidence, we have to assume that [Jesus] accepted all four Old Testament grounds for divorce, as did all other Jews.’¹¹

- 5.16 There are several reasons why this interpretation is unlikely to be correct. Firstly, it does not work as an explanation of what Jesus says about divorce in Matthew 5:31-32. Matthew 5 makes no reference

⁹ Instone-Brewer, *Divorce and Remarriage in the Bible*, 110-114.

¹⁰ Instone-Brewer, *Divorce and Remarriage in the Bible*, 186.

¹¹ David Instone-Brewer, ‘Divorce for “Any Cause,”’ *Whitefield Briefing* 8, no. 5 (December 2003), 3: <https://static1.squarespace.com/static/5c9e3e63e8ba4496c1df9458/t/5caf915b71c10b0d272bf8f3/1555009884870/8.5+WB+Instone+Brewer.pdf>. For an extensive critique of Instone-Brewer’s methodology, see Daryl Wingerd, ‘Dr. David Instone-Brewer’s *Divorce and Remarriage in the Bible: A Critical Review*,’ *Christian Communicators Worldwide* (April 9, 2009): <https://www.ccwtoday.org/2009/04/dr-david-instone-brewers-divorce-and-remarriage-in-the-bible-a-critical-review>.

– explicitly or implicitly – to the rabbinic debate about ‘any cause’ divorce versus ‘cause of indecency’ divorce. Although it is true that Matthew 5:31 begins with an allusion to Deuteronomy 24:1, what Jesus says in response is not an interpretation of that verse alone, but a statement of principle about marriage and divorce.

- 5.17 Secondly, the argument fails to recognise that Jesus’ words in Matthew 19:4-5 are the primary answer to the question he was asked in verse 3 (‘Is it lawful to divorce ...’). Instone-Brewer regards these verses as a ‘digression’ that are not directly relevant to the question at hand. However, when Matthew 19:4-5 is given due weight, it cannot be said that Jesus has taken no position on divorce generally and is only offering an opinion on a rabbinic debate about Deuteronomy 24. Rather, in Matthew 19:4-5, Jesus establishes, on the basis of Genesis 1–2, that every marriage is meant to be a lifelong one-flesh union, as the two have been joined together by God. They are not, therefore, to be separated by just any human action or decision. Given the force of this statement and its context, the naming of a single exception (‘except for sexual immorality’) should be read as the *only* exception (not merely the only exception from Deuteronomy 24:1) to the lifelong unbreakable one-flesh union.
- 5.18 Thirdly, and perhaps most significantly, the argument assumes that Jesus has agreed with the Shammaites against the Hillelites. This, however, does not take seriously enough Jesus’ words in verse 6, nor does it account for the reaction of the disciples in verse 10. It is more likely, then, that Jesus fully affirms neither position. As was noted above in relation to Matthew 5, Jesus expects those who belong to the kingdom of God to live by a higher standard than the Law (as interpreted by the religious leaders of the day) required. Jesus’ words in Matthew 5:20 are apposite: ‘For I tell you that unless your righteousness surpasses that of the Pharisees and the teachers of the law, you will certainly not enter the kingdom of heaven.’ And so, even if both Shammaites and Hillelites permitted divorce on the grounds of Exodus 21, we should not assume that this is a pattern of behaviour that Jesus allows for his followers. Moreover, even where the Old Testament does permit a divorce, Jesus describes this as a concession to ‘hardness of heart.’
- 5.19 For these three reasons, we conclude that this new interpretation of Matthew 19 is not correct. In Matthew 19, as in Matthew 5, Jesus teaches that a divorce does not necessarily bring to an end that which God has joined together. For a couple who seek to live in obedience to God’s pattern for marriage, divorce and remarriage are not options. The only exception that Jesus grants is in the case of sexual immorality (Gk. *porneia*) by one of the spouses.
- 5.20 Notwithstanding the flaws in Instone-Brewer’s approach, it is worth asking what it is about *porneia* that prompts Jesus to nominate it as the sole exception in Matthew 5:32 and 19:9. Given Jesus’ reference to Genesis 2:24 (in Matthew 19:5), it would seem that sexual immorality on the part of one of the marriage partners strikes at the very heart of the one-flesh bond that constitutes marriage, making it possible (although not always necessary) for the marriage to come to a legitimate and real end. Such an understanding is supported by Paul’s teaching in 1 Corinthians 6:16, where he asks: ‘Or do you not know that he who is joined to a prostitute becomes one body with her? For, as it is written, “The two will become one flesh.” This implies that the act of *porneia* is creative of a new (illicit) ‘one flesh’ union. Hence the command and explanation of verse 18: ‘Flee from sexual immorality (Gk. *porneia*). Every other sin a person commits is outside the body, but the sexually immoral person sins against his own body.’¹² Consequently, when a married person commits *porneia*, they compromise something fundamental to the union that God has established, such that while the wronged spouse may choose to pursue restoration and reconciliation, should divorce ensue, a subsequent marriage is permissible.
- 5.21 Jesus does not explicitly address the question of mixed believer/unbeliever marriages. This matter is, however, addressed by the Apostle Paul in 1 Corinthians 7:10-16. Immediately prior to these verses Paul writes of the value and special challenges of singleness (vv. 6-9), an important subject in itself that is neglected in our contemporary culture and even in many Christian circles. He then addresses believing couples, insisting they should not separate from each other or divorce each other, but if they do, then they must remain unmarried, or else be reconciled to one another (vv. 10-11). Paul is evidently aware of the teaching of Jesus in relation to divorce and remarriage, since he gives the source of the command in 1 Corinthians 7:10-11 as ‘not I, but the Lord.’ Consistent with Matthew 19, remarriage to another is not one of the possibilities – the only options for believing couples are either to remain separate/unmarried or to be reconciled. It should be noted that

¹² While there is some debate about whether the words ‘Every [other] sin a person commits is outside the body’ are Paul’s own or a Corinthians slogan, the apostle’s point would seem to be that ‘sexual sin is uniquely body-defiling because it is inherently body-joining.’ See Bruce N. Fisk, ‘Πορνεία as Body Violation: The Unique Nature of Sexual Sin in 1 Corinthians 6.18,’ *NTS* 42 (1996), 557.

remaining unmarried – the chaste, single life of one who was previously married – is considered a genuine, liveable option. This is all the more remarkable in a culture where there was ordinarily very little support for women who were unmarried. Paul does not consider the single state to be one of deprivation but of opportunity.

5.22 The second paragraph in this passage (7:12-16) addresses the case of a marriage between a believer and an unbeliever. Paul recognises that Jesus' explicit teaching about marriage does not directly apply to this scenario: the source of the teaching is 'I, not the Lord' (v. 12). It is evident from vv. 12-14 that the Corinthians assumed a believing spouse should leave their unbelieving partner. Paul's explanatory language – 'sanctified ... unclean ... holy' – suggests that they thought a believer and their children would be defiled by such a marriage. This holiness language derives from the Old Testament. In the Mosaic covenant intermarriage was banned on the grounds that the unbelieving spouse 'will turn your children away from following me' (Deut 7:2f.). Mixed marriages threatened the covenant community. Now, however, the unbelieving partner is 'sanctified' through the believing partner. The believer, 'sanctified in Christ' (1 Cor 1:2), has a holiness that cleanses what it touches: in other words, the gospel has the power to protect the believer and the body of Christ.¹³ Therefore in mixed marriages 'the Christian partner is not to take the initiative in a move towards separation.'¹⁴ However, if the unbeliever decides to leave the marriage (v. 15), then Paul reasons that the abandoned believer is not to consider themselves bound to the marriage, because they cannot count on the possibility that their (ex-)spouse will turn to Christ.¹⁵ Paul does not require the believer to stand in the way of separation, no matter how heartbreaking that may be. Separation can occur and the believer is free to take advantage of the opportunities for serving the Lord that singleness offers (v. 16).

5.23 1 Corinthians 7:15 is difficult because Paul's apparent silence on the question of remarriage is ambiguous. For instance, Paul explicitly disallows remarriage in verse 11, but not here. Should we carry the prohibition forward, or take the absence of a prohibition as permission? Two lines of argument are possible.

(a) Four points may be made against seeing verse 15 as entailing a freedom to remarry:

- (i) In Romans 7:2 and 1 Corinthians 7:39, Paul teaches that a wife is *bound* (Gk. *deō*) to her husband as long as he is alive. Only his death frees her to remarry. If Paul had remarriage in view in 7:15, why does he use a different verb to say, 'the brother or sister is not *bound*' (Gk. *douloō*, 'bound [as a slave]')? The lack of an explicit affirmation of the believer's freedom to remarry in 7:15 leaves us with no grounds to insist that *douloō* entails this freedom.
- (ii) While, in Paul's time, it is likely that divorce entailed the right to remarry,¹⁶ the Church was a deeply counter-cultural institution. The teaching of Jesus (which Paul appears to reference in 7:10-11) cuts across the standard first century expectations of divorce and remarriage in delineating sexual immorality as the only circumstance under which remarriage after divorce is permissible.
- (iii) Throughout the early part of this chapter, Paul gives fresh and counter-cultural prominence to the single life. He does not command singleness, and recognises that 'each has his [or her] own gift from God' (v. 6), but he does commend it as a good option 'to the unmarried and the widows' (v. 8). Given this encouragement, we have reason to be cautious in interpreting the silence on remarriage in 7:15 as permission to remarry.
- (iv) The theme of the chapter is that a believer should not seek to change their status. There are exceptions to this rule, allowing a change in status from single to married or vice versa, but these exceptions do not involve a change in partner.¹⁷

(b) Four points may also be made in favour of seeing a right to remarry in verse 15:

¹³ See the discussion in Ciampa and Rosner, *First Letter to the Corinthians*, 297-302.

¹⁴ O'Brien, 'Divorce and Remarriage,' 181.

¹⁵ Commentators and translations are divided over whether 1 Cor 7:16 is primarily pessimistic or optimistic. The wider context is optimistic, but the immediate context of vv. 15f. brings the negative possibility into prominence.

¹⁶ This is the contention of David Instone-Brewer who claims that 'all Jewish divorce certificates and most Greco-Roman ones contained the words "you are free to remarry any man you wish," or something very similar' (*Divorce and Remarriage in the Bible*, 191).

¹⁷ Gordon D. Fee, *The First Epistle to the Corinthians*, NICOT (Grand Rapids: Eerdmans, 1987), 303.

- (i) It is important not to overplay the difference between the meaning of the two verbs used to describe a woman who is 'not bound,' given that they are used synonymously elsewhere in Paul (Rom 7:1-6).
- (ii) Variations in meaning arise from usage. Given that *deō* is used by Paul for being bound as long as a husband lives, it is not surprising that he would use a different term (*douloō*) to describe a bond broken while a husband or wife is still alive. The change in verb is not the reason for the absence of explicit permission to remarry in 7:15. Rather, the positive 'bound to her husband' in 7:39 leaves the post-marriage situation unspecified, and so requires the positive qualification 'free to marry.' However, the negative 'not bound' of 7:15 already describes the post-marriage situation without further qualification.¹⁸
- (iii) While the Church of Christ cuts across Jewish and Roman expectations and norms, given the failure of the Corinthians to grasp their Christian counter-culture, would we not have expected Paul to be explicit in excluding permission to remarry in 7:15, as he did in 7:11?
- (iv) While affirming that 'remaining as you are' should always be one's first choice, 1 Corinthians 7 does provide for second choices, and 'not bound ... would be a curious expression to use if Paul meant "is bound to remain unmarried".'¹⁹

A majority of the Doctrine Commission takes the view that 1 Corinthians 7:15 grants abandoned believers the freedom to remarry, but it is recognized that there are good arguments on both sides, and that the difference comes down to judging the onus of proof in the absence of an explicit positive instruction. Some caution must therefore be exercised in resting on 1 Corinthians 7:15 alone as the basis for a doctrine of divorce and remarriage.

Synthesis of the biblical teaching

5.24 No single text settles all the questions of divorce and remarriage. We need to bring all the biblical evidence together and engage in theological synthesis.

- (a) First, the overwhelming emphasis of the Scriptures, Old Testament and New, is on the sanctity of marriage, understood as the life-long, exclusive sexual union of a man and woman. Whatever else we might say, this truth must not be compromised or undermined. A divorce does not, in and of itself, dissolve the one-flesh union. The only action the Bible explicitly tells us will allow a divorce to dissolve this union, so that a subsequent remarriage is not adulterous, is sexual unfaithfulness. Even here, genuine repentance and forgiveness are also appropriate responses.
- (b) Second, marriage is not merely a private affair, and in Israel the marriage covenant was brought into close relationship with the Sinai covenant. In the New Covenant, marriage is a foreshadowing of the perfect union of Christ and the Church, and in heaven marriage will give way to the greater reality to which it points. In both Testaments, marriage among members of the covenant was expected to reflect God's ideal for humanity. It is an expression, on an individual level, of the relationship between God and his people as a whole (see §5.8). This connection is especially significant when we come to reflect more deeply on 1 Corinthians 7:10-16. Why is a deserted believer no longer bound to their unbelieving ex-spouse? It is not because of *porneia*, but it may well be because the unbeliever is not a member of the body of Christ, and there is no spiritual union to be honoured.
- (c) Finally, both Paul and Jesus recognise the ongoing reality of sin in the lives of the regenerate. Divorce still occurs, even between believers, and it is no mere legal fiction. It terminates the marriage *covenant*, whatever we may think about the subsequent status of the one-flesh *union*. It is the responsibility of the church to care for the members of a broken marriage so that they will be able to remain as they are. It is the responsibility of separated and divorced believers not to cause a breach in the body of Christ by forming new bonds of marriage within the body of Christ. In contrast, where an unbelieving spouse abandons a believer and initiates a divorce, the believer is not bound to the marriage. Under such circumstances, the majority of the members of the Doctrine Commission take the view that while it is good for such a person to remain as they are, it is permissible for an abandoned believer to remarry without the new marriage being considered adulterous. However, in both situations – divorce between

¹⁸ It is interesting that in neither verse does Paul say, 'you are loosed,' which would be the normal negation of 'bound' (e.g., 1 Cor 7:27). In 7:39 it would be stating the obvious and fall short of permission to remarry. The same is true in 7:15, as it would simply be specifying that the unbelieving partner's desertion amounted to divorce, whether formal or de facto. The stronger negation, 'not bound as a slave,' equates to 'you are free' rather than 'you are loosed.'

¹⁹ Leon Morris, *1 Corinthians*, TNTC (Leicester: IVP, 1985), 107.

believers who do not remarry, and abandonment by a non-believer resulting in freedom from the marriage – the church must be consistent in its witness to the world: its married members must exhibit a faithfulness in marriage and even in divorce that bears testimony to God's faithfulness to us in Christ.

- 5.25 The biblical texts considered above do not explicitly address the situation of domestic abuse, where the safety of a spouse (and/or children) is at risk, and where there is no genuine repentance, nor any serious prospect of repentance, and the basic trust which should characterise marriage relationships has been irreparably destroyed. The application of the principles above to the situation of domestic abuse will be addressed in section 7.

6. Divorce and Remarriage in Church History and Current Practice

Divorce and Remarriage in the Early Church Fathers

- 6.1 In general, the early church fathers were very strict on the issue of divorce and remarriage. In the second century, *The Shepherd of Hermas* (c. 140) considered it sinful for a Christian man to remain married to an adulterous wife, except where the wife repented and the two were reconciled. There was no remarriage. In fact, for many of the pre-Nicene fathers the marriage bond continued beyond the grave.
- 6.2 Tertullian (c. 200) in his *Treatise on Marriage and Remarriage* strongly objected to a woman's remarriage even after her husband's death since, he reasoned, she would have two husbands in the New Creation. Further, he claimed that the new law of Christ had annulled the Old Testament laws permitting divorce and remarriage. The only possibility for remarriage existed in circumstances where a man or woman was married prior to conversion. By way of contrast, Origen in his *Commentary on Matthew* was less strict. In his reading of Matthew 19:1-9, Christ had rejected the possibility of a wife being 'put away for any cause.' Yet he writes of some church leaders permitting a divorced woman to remarry, even while her ex-husband lived, since this was a lesser of evils (*Comm. Matt.* 1.14.23).
- 6.3 Some later views, like that of Ambrosiaster (c. 366–383), went against the historic trend by allowing an 'innocent' husband (but, curiously, not an innocent wife) to remarry after adultery. Furthermore, in line with the (so-called) 'Pauline privilege' of 1 Corinthians 7:15, any deserted Christian spouse (male or female) was able to remarry. Augustine, however, stood against such views, insisting that 'a marriage once for all entered upon in the City of our God [i.e., by Christians], where, from the first union of the two, the man and the woman, marriage bears a certain sacramental character, can no way be dissolved but by the death of one of them' (*On the Good of Marriage*, §17). In other words, the marriage bond is of such a nature that it cannot be 'loosed, save by the death of the husband or wife' (*On the Good of Marriage*, §32). Consequently, a divorced believer (even when their former spouse has committed adultery) is not permitted to remarry as long as their former spouse lives. This understanding of the marriage bond, with further articulation and refinement from theologians such as Thomas Aquinas, was eventually enshrined in the canon law of the Western Church.

Divorce and Remarriage at the Time of the Reformation

- 6.4 At the time of the Reformation, the Roman Catholic Church conceived of marriage as a sacrament, regulated through the church courts, and (death excepting) understood to be indissoluble. With the rejection of the sacramental status of marriage, the Reformers strove to understand marriage and divorce according to the Scriptures. There was a variety of positions among the Reformers, with Martin Luther on the restrictive end of the spectrum and Martin Bucer on the more permissive end.
- 6.5 During the reign of Edward VI, a number of English Reformers drafted a major revision of canon law called the *Reformatio Legum Ecclesiasticarum*, which took a moderate position on the subject. Divorce was permissible in several circumstances, the logic of which largely revolved around the grounds of adultery and desertion. In the *Reformatio*, the discussion of deadly hostility and ill-treatment as grounds for divorce does not neatly map onto contemporary debates over domestic abuse as a ground for divorce. The presupposed processes of discipline are largely absent in today's church and society, and the fundamental argument behind both grounds was the impossibility of cohabitation due to an unrelenting intention to murder one's spouse (seen as a recurring pattern of violent and reprehensible behaviour). The *Reformatio* was ultimately a failure in that it was vetoed by Lord President Northumberland and was thus never implemented. This alerts us to the danger of ascribing too much significance to the *Reformatio*. Its approach was never formally adopted.

Additionally, the shrouding of individual contributions behind the collective nature of its composition should warn us against ascribing too much to particular theologians (e.g., Thomas Cranmer). While the thought-provoking arguments for divorce and remarriage of the *Reformatio* deserve our consideration, the major point of contemporary significance is its reminder for evangelical theologians to submit to the authority of Scripture – a salient point on which all the Reformers agreed, despite their divergent positions on divorce and remarriage.

- 6.6 Notwithstanding the recognition in the *Reformatio* that adultery and desertion constituted grounds for divorce and remarriage, when the church ultimately revised its canon law on this issue, the 1604 canons set forth parameters for marriage and divorce more restrictive than the pre-reformation situation: impediments were small in number, separation was permitted, but divorce itself was not. The sacramental status of marriage had been rejected but the indissolubility of marriage had not.

The Current Situation in the Diocese of Sydney

- 6.7 Following the enactment of the *Matrimonial Causes Act 1892* (NSW), the Bishops of the Province of NSW issued a circular to all Church of England clergy to remind them that ‘the Church of England recognises Divorce for one case only, viz. infidelity to the Marriage Vow,’ and that any application for remarriage after divorce required the approval of the Bishop, and that no remarriage would be permitted for ‘the guilty party in a Divorce suit.’ Moreover, Holy Communion should not be administered to the guilty party in a divorce suit unless there had been public repentance and amendment of life.
- 6.8 The practice of requiring episcopal permission for remarriage after divorce continues to be the case. Successive Archbishops of Sydney have only permitted remarriage after divorce in such circumstances as ‘God’s word doth allow.’
- 6.9 The enactment of the *Family Law Act 1973*, which provided for ‘no fault’ divorce, led to protracted debates about divorce both at the General Synod, and within the Diocese of Sydney.
- 6.10 The General Synod’s *Marriage of Divorced Persons Canon 1973* was declared by the Appellate Tribunal in 1973 to be inconsistent with the Constitution (and therefore invalid) because it was too permissive in allowing remarriage after divorce. According to the Appellate Tribunal, the only permissible grounds for remarriage were:
- (a) *porneia*, that is, adultery or other such sexual offences as the word *porneia* connotes; or
 - (b) any other exception which is recognised in the New Testament.
- 6.11 The 1980 Opinion of the Appellate Tribunal established that it would be permissible to permit remarriage after divorce in such cases where the Diocesan Bishop believed that the remarriage ‘did not contravene the teaching of Holy Scripture.’
- 6.12 On this basis, the General Synod provisionally passed the *Marriage of Divorced Persons Canon 1981*, and this Canon came into effect in 1985. Clause 4 of the Canon requires that
- Consent shall not be given by a bishop under this canon unless the bishop and the proposed celebrant are satisfied that the marriage of the divorced person would not contravene the teachings of Holy Scripture or the doctrines and principles of this Church.
- 6.13 This Canon was in force in the Diocese of Sydney between 1985 and 2011. In 2011, the operation of the Canon was excluded in the Diocese, and replaced by the *Solemnisation of Marriage Ordinance 2011*. This ordinance only permits remarriages after divorces which are ‘in accordance with the laws of this Church,’ which similarly rules out any remarriage which contravenes the teachings of Holy Scripture or the doctrines and principles of this Church.
- 6.14 The Sydney Doctrine Commission produced a report in 1984 to assist in the determination of when a remarriage would not contravene the teachings of Holy Scripture.²⁰ The report concluded that there were two circumstances where the absolute prohibition against divorce and remarriage were qualified in the Scriptures.

²⁰ Sydney Diocesan Doctrine Commission, ‘21/82. The Remarriage of Divorced Persons (1984)’: <https://www.sds.asn.au/sites/default/files/reports/R/Remarriage%20of%20Divorced%20Persons%20%2821.82%29%20%281984%29.pdf>.

- (a) Adultery: When one spouse has acted decisively to repudiate a marriage by entering into some other sexual relationship, the other spouse is free to divorce and to remarry. (see §4.5.)
 - (b) Abandonment: In the situation where a Christian is married to an unbeliever who desires to separate ... the Christian is to let the unbelieving partner separate in this case and is 'not bound' (1 Cor 7:15). The majority of the Doctrine Commission, following a long history of interpretation, believes that this permission means 'not bound' to the prohibition of Christ against the dissolution of a marriage and, therefore, free to remarry (see §4.8).
- 6.15 Successive Archbishops of Sydney have regulated the practice of remarriage after divorce in a manner consistent with the conclusions of the 1984 report. Permission for remarriage are recorded in a register, citing the reason why remarriage was permitted. In the majority of cases, the reason given is 'adultery.' In some cases, it is 'abandonment'.
- 6.16 In July 2019, the Archbishop, cognisant of the contents of this report, issued a circular to clergy explaining the current practice in relation to divorce and remarriage in the Diocese of Sydney. This circular is included as an appendix to this report. In relation to the issue of remarriage after a divorce on the grounds of domestic abuse, the Archbishop's circular makes the following statement:
- In many cases of domestic abuse, it is evident that the abusing spouse is an unbeliever who has demonstrably 'abandoned' the marriage by the manner in which they have treated their spouse (notwithstanding the fact that the victim may be the one who leaves the marital home for reasons of safety). Even in cases where the abusing spouse still claims to be a believer, the bishops recognise that he or she is acting like an unbeliever in perpetrating domestic abuse. In such cases the principles of Matthew 18:15-17 and 1 Corinthians 5:11 may well apply, so that the person is treated as an unbeliever. It is also possible, however, that there are circumstances where there are legitimate grounds for divorce, which may not satisfy the biblical grounds for remarriage.

7. Domestic abuse and the marriage bond

- 7.1 While it has been important to outline the broad biblical teaching on the subjects of marriage, divorce and remarriage, the nub of the issue, as far as the reference to the Doctrine Commission is concerned, surrounds the issue of domestic abuse. Though this has been touched upon in earlier sections of this report, it is important that it be addressed directly at this point.
- 7.2 There is no justification under any circumstances for domestic abuse. The marriage relationship, as God intends it, is a good gift of God in which a man and a woman ought to feel safe and experience the loving care of each other that enables them to thrive as human beings and as disciples of Christ. There is no place for domination or control, manipulation or aggression, self-centredness or intimidation. There is no place for threats or violence of any kind. In particular, biblical headship does not mean dominance or control, but taking the initiative in sacrificial service. Similarly, biblical submission does not mean servility or subservience, but a free and joyful recognition of that headship modelled on Christ's self-sacrificial service of his bride.
- 7.3 Domestic abuse is a particularly egregious expression of human sin and one that affects people in all communities. Section 4 outlines the biblical view of marriage and argues that, rightly understood, it is antithetical to any and every form of domestic abuse. Nevertheless, this does not mean that the biblical teaching on marriage cannot be twisted and distorted in order to support of domestic abuse. This disturbing phenomenon deserves further research and examination, as any views that malign the gospel and pervert God's good design for marriage need to be exposed and challenged. Ultimately, domestic abuse needs to be seen for the evil it is, and those who perpetrate it should to be held to account, while victims are offered care, support and protection.
- 7.4 Domestic Abuse is not restricted to cases of physical violence. It can be emotional and psychological, involving the intimidation and manipulation of the victim. Various forms of control and domination may be involved: physical, sexual, financial, social, spiritual, intellectual. Victims are often isolated from anyone who might enable them to recognise the abuse and provide them with support. Confidence and resilience are broken down, trapping the victim in a cycle of abuse. In cases of domestic abuse within Christian marriages, the abused spouse may wrongly believe that their Christian discipleship requires them to suffer quietly, to forgive whatever is done to them no matter how many times it occurs, and to believe that there is no way out. The Christian abuser might express

remorse and even ask for forgiveness after each incident of abuse only to return to this behaviour and continue the cycle. This, however, is not genuine repentance. Furthermore, while forgiveness is an important part of a victim's healing, patterned on that shown to us by Christ, it is not to be naïve. Domestic abuse in any form is entirely unacceptable and no Christian is required to endure it.

- 7.5 While none of this should be qualified in any way, it needs to be recognised that there is a difference between an abusive marriage and a difficult marriage. Because of the Fall, all marriages are affected by sin. Husbands and wives will inevitably sin against each other from time to time and in various ways. Consequently, repentance and forgiveness are regular features of even the best of Christian marriages and, while God's design for marriage is clear in the Bible, there is no promise that we will all have happy marriages. However, domestic abuse is different from these general difficulties. It is important that church members, and especially leaders, familiarise themselves with the unique dynamics of domestic abuse, such as the perpetrator's controlling behaviour and the victim's feelings of fear or humiliation. For a more expansive description of domestic abuse, see Appendix 1 of the diocesan Policy, *Responding to Domestic Abuse*. If indicators of domestic abuse are present in a marriage, the 'Good Practice Guidelines' outlined in Section 2 of the Policy, should be followed.
- 7.6 Most domestic abuse occurs away from the public eye in the privacy of the home. As a result, while some evidence and indicators of domestic abuse are visible to those outside the relationship, many are not. The deeply traumatic nature of domestic abuse often makes it difficult for victims to seek help. In a large number of cases a significant part of the abuse involves the abuser blaming the victim and, sometimes, the abused person blaming themselves. This only further compounds the problem. For these reasons it is important to involve trained professionals as early as possible in the care of domestic abuse victims. It is also important for the local congregation to be a safe place where victims can be supported and encouraged as they escape the abuse cycle and seek the help they need.
- 7.7 A paramount concern in circumstances of domestic abuse is the safety of victims. It is entirely right for an abused spouse to flee to safety, especially where the marital home has become a place of control and domination expressed through violence of any kind. The flight to safety might be a temporary arrangement while attempts are made to rescue the marriage. Depending on the circumstances, reporting the abuse to legal authorities may be necessary. Help should be sought from those qualified to provide it with the hope that genuine repentance and forgiveness might lead to reconciliation and a restoration of the marriage. However, this may not be possible. Too much harm may have been done and it may not be possible to re-establish confidence that the other partner will always seek the welfare of his or her spouse. If so, it may be necessary to separate permanently and even seek the legal protections that come from divorce.
- 7.8 It is not wrong for a victim of domestic abuse to separate and/or divorce an abusing spouse. According to 1 Corinthians 7:10-11, a believing couple should either reconcile or remain separated/divorced.²¹ Tragically, reconciliation is often impossible in situations of domestic abuse, and therefore permanent separation or divorce are necessary. However, as we have seen in the survey of biblical material, not every instance of divorce carries with it the right to remarry. The one clear situation in the Scriptures where remarriage is permissible is where the other spouse has committed sexual immorality (Matt 19:9), but this is not necessarily relevant in situations of domestic abuse.
- 7.9 In the view of the majority of the Doctrine Commission, remarriage may be permissible after divorce in circumstances other than those envisaged in Matthew 19. Jesus' words in Matthew 19 do not speak exhaustively about every possible circumstance of remarriage after divorce. This is evident from the fact that Paul feels able to address the situation of believer/unbeliever marriages as a scenario not directly addressed by Jesus (cf. 'I, not the Lord' in 1 Cor 7:12). This is especially the case if, as argued above, 1 Corinthians 7:15 allows for remarriage after abandonment by an unbelieving spouse, since Paul has recognised an 'exception' not covered by Jesus (abandonment), just as Jesus has recognised an 'exception' not mentioned by Paul (sexual immorality).
- 7.10 There is an important principle of method here (cf. §3.4 above). Given that the Scriptures speak authoritatively to the moral order of the world, our approach to applying them in any particular aspect or situation – particularly one that is not exactly the same as the one addressed by Scripture – is to learn from and submit to the theological judgments and moral reasoning of the biblical passages we have

²¹ Under Jewish law, only the husband could initiate a 'divorce,' whereas the wife could 'separate' from a husband. In 1 Corinthians 7:10-11, 'separate' and 'divorce' are not describing sequential stages in a marital breakdown (as in contemporary usage – i.e., first separate, then divorce). Rather, they are describing the marriage-terminating action undertaken by a wife and a husband respectively. 'A wife must not separate from her husband' (v. 10) is functionally equivalent to 'a husband must not divorce his wife' (v. 11).

considered. Faithful Christian living constantly requires us to undertake redeemed moral reasoning, in which we recognize the order and patterns of moral life in the world, having been taught how to respond to them by the theological reasoning of Scripture, even though each new situation we confront will have its own features that vary in particulars from the contexts explicitly addressed in Scripture.

- 7.11 This is relevant to the discussion of domestic abuse. Following the work done by the Diocesan Task Force on Domestic Abuse, we take 'domestic abuse' to refer to a dysfunctional pattern of destructive power, in which one partner dominates, controls and humiliates the other through the threat or actuality of physical violence, or through other forms of demeaning emotional or psychological manipulation. The kind of behaviour pattern described by the contemporary term 'domestic abuse,' and its destructive effects, is not explicitly addressed by either Jesus or Paul.
- 7.12 How then should we reason morally about the effects of domestic abuse on marriages, and are these effects of such a nature that a victim of domestic abuse should be deemed free not only to divorce an abusive spouse but to marry someone else?
- 7.13 A case can be made for answering the question in the affirmative by first taking note of the moral logic of Paul's argument in 1 Corinthians 7:15 regarding remarriage after abandonment by an unbelieving spouse. Typically, in situations of domestic abuse, the abusing spouse does not abandon the marital home – it is usually the abused spouse who is forced to flee from the home. However, the principle is not so much about the abandonment of the marital home, but the abandonment of the *marriage* through unrepentant abusive actions. By making it impossible for their believing spouse to remain in the marriage, it may be argued that the abusive spouse has unilaterally abandoned the marriage. Following the moral logic of 1 Corinthians 7:15, this would suggest that in such circumstances the believing spouse is no longer bound to the marriage and is free to remarry.
- 7.14 But what if the abusing spouse is a believer (or claims to be a believer)? Such a person is acting like an unbeliever, by abusing their spouse. In this case, the principle of 1 Corinthians 5:11 applies. In 1 Corinthians 5:11, Paul says 'I am writing to you not to associate with anyone who bears the name of brother if he is guilty of sexual immorality or greed, or is an idolater, reviler, drunkard, or swindler – not even to eat with such a one.' In such cases, Paul counsels the withdrawal of fellowship and exclusion from the Christian community (5:13), to demonstrate to one who purports to be a believer the need for repentance (cf. 5:5). Matthew 18:15-17 describes a three-stage process by which the brother or sister who sins is made aware of their sin and called to repentance. If they refuse to listen, the church should regard them as a 'a gentile and a tax collector'; that is, as someone outside the community of faith. So if a person purports to be a Christian but abuses their spouse then the church has a responsibility to show him or her the error of their ways, and call for repentance. But if, after the careful three-stage process has occurred there is no repentance, then the church should 'expel the wicked person from among you' (1 Cor 5:13). Since their sinful action amounts to an abandonment of the marriage, then, on the basis of the argument from 1 Corinthians 7:15 accepted by the majority of the Doctrine Commission, the believing spouse is freed from the marriage and therefore free to remarry.
- 7.15. The caution raised above at 5.23 needs to be reiterated at this point. There is room for legitimate disagreement regarding the meaning of 1 Corinthians 7:15 and, in particular, its application to the marriage of a man and woman who both profess faith in Christ. Some Christian scholars remain unconvinced that the principle of 1 Corinthians 5:11 can be extended in this way as part of a justification for the freedom to remarry. The difficulty is compounded by a realisation that every situation is different and each needs to be considered carefully in a way that takes all the circumstances into account. Considerable pastoral wisdom is necessary in assessing how the Bible's teaching applies in each particular situation.

8. Conclusion

- 8.1 The issues surrounding marriage and divorce are deeply personal. They require sensitivity and compassion. This is all the more the case when the collapse of a marriage is associated with the trauma of domestic abuse. In such situations, the first priority is the safety and protection of the victim. To ensure this, it may be necessary for the victim to flee from the abusive marriage.
- 8.2 In all cases it is important that Christian pastoral practice should be theologically driven, which means it should be shaped and directed by the word of God given to us in Scripture. Theology must interpret

experience and shape practice rather than the other way around. Our doctrines of marriage and divorce are to reflect the teaching of the Bible rather than the current cultural consensus or even that of the ancient Near East or the Graeco-Roman world.

- 8.3 God's created intention for marriage must provide the framework for any discussion of these topics and how they intersect. God intends the marriage of a man and a woman to be characterised by grace, intimacy, self-sacrificial love and life-long faithfulness. The behaviour of both partners is to be modelled on Christ, whose love was epitomised by his sacrifice on the cross and whose commitment to the mission entrusted to him led him to always seek to do his Father's will. Marriage is to be held in honour by all (Heb 13:4) and seen as a good gift given to humanity by our Creator (1 Tim 4:3).
- 8.4 We must recognise the terrible impact of sin on all our relationships. Life in this fallen world exhibits brokenness, sinfulness and hard-heartedness in these areas, as it does elsewhere. Consequently, no human marriage is perfect and genuine repentance and forgiveness are vital features of any healthy marriage. Nevertheless, despite the impact of sin, marriage is still good.
- 8.5 The biblical focus on God's creational intention for marriage (itself exemplified in Jesus' response to the Pharisees in Matthew 19) explains why divorce is never viewed positively in the Bible. It is always a tragedy, even if it is possible to see good arising from it (e.g., a freedom from abuse and violence). This is not what God intended.
- 8.6 Since spousal love is modelled on the character and actions of Christ there is no place for domination, bullying, manipulation, or any form of abuse. The biblical teaching on headship and submission in marriage, understood rightly, is a challenge to such behaviour. Only by separating this teaching from its anchor in Christ and ignoring the way it is explained in the New Testament can a distortion of it be used to justify abusive behaviour. When that is the case it needs to be exposed as the distortion it is and the truth of the doctrine, as taught in the New Testament, needs to be presented with clarity and confidence. It also needs to be presented with an awareness that those who have suffered abuse may hear a justification of that behaviour in the words, 'headship' and 'submission.' Therefore, we need to be careful to explain what these words really mean in the Bible with a deep attentiveness to these concerns. Once again, it is by careful attention to the way both are exemplified in Christ, and are patterned in his relationship to the church, that such a mishearing of the doctrine can be rectified.
- 8.7 Domestic abuse of any kind is sinful and unacceptable. It needs to be confronted and addressed. The safety and protection of victims is of paramount importance. Fleeing to safety is an entirely appropriate course of action. Professional help and the love and support of the Christian congregation are critical in such cases. Some of these actions will be time critical – safety first. However, working toward the eventual goal of reconciliation will include the three-stage process in pursuit of the abuser's repentance (Matt 18:15-17), even as the victim is preparing for the possibility of permanent separation. It may be that such harm has been done that there is no reasonable prospect of reconciliation and the separation needs to be permanent and secured by law through a divorce. This does not mean that domestic abuse ought to be considered an additional ground for divorce but that divorce is properly a way of protecting victims in an exceptional and deeply tragic situation.
- 8.8 Divorce does not always and necessarily entail a freedom to remarry. The circumstances leading to the divorce need to be weighed in the light of the Bible's teaching. The New Testament envisages alternatives to remarriage such as reconciliation and remaining unmarried (1 Cor 7:11). Even if one is persuaded that Paul permits a believer who has been deserted by their unbelieving spouse to remarry, it is another step again to extend this exception to a Christian marriage – albeit an abusive one. Nevertheless, in cases where domestic abuse amounts to an abandonment of the marriage and the abuser remains adamant in their refusal to follow Christ, remarriage after divorce may be permissible. However, careful, prayerful thought and consultation are needed to discern what is both possible and advisable in each case.
- 8.9 We need to give fresh attention to the value and significance of a life of singleness, including the single life of those who were once married. In a culture which is highly sexualised and in which there are few models of single men and women rejoicing and functioning effectively in life and ministry, this is an urgent need. The New Testament teaching about the advantages of a devoted single life needs more prominence than it has been given. Furthermore, we ought to challenge any suggestion that our identity is secured by, or our value is located in, our marital status. Single people make a vital contribution to the life and ministry of God's people. It is also important that Christian congregations give renewed attention to how they might provide a rich and deep environment of

familial love and support for those who are unmarried. Pastoral care of those who for whatever reason find themselves single needs to be an important priority for each local church.

- 8.10 It is essential to remember that the gospel of Jesus Christ is a gospel of grace, of sins forgiven and washed away, of reconciliation, freedom from guilt, and new life. Jesus died to deal with all sin, even sin in this area and so we should be careful not to create barriers to fellowship and service that are inconsistent with this truth.
- 8.11 In the light of this report, the Doctrine Commission urges every church to treat questions of discipline and community with the utmost seriousness. It takes a strong culture of godly discipline and accountability to help Christians in relational turmoil make wise and godly decisions, especially when these decisions are difficult. Regretfully, many divorced Christian couples remarry because the church fails to be a community that makes singleness a plausible alternative, a community in which 'everyone who has left houses or brothers or sisters or father or mother or wife or children' for Jesus' sake receives a hundred times as much (Matt 19:19). Unless the church can model whole-hearted discipleship, provide proper counsel and discipline, and be a new family for those who have lost family for Christ, it will fail to be the community of love that it is called to be.

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Divorce and Remarriage at the Time of the Reformation

On the Eve of the Reformation

At the time of the Reformation, the Roman Catholic church considered marriage one of the seven sacraments. Due to its sacramental nature, marriage was regulated through church courts rather than civil courts. Moreover, because of its sacramental nature, marriage was generally considered indissoluble until death (in which instance, remarriage was permitted). Based on this indissolubility, divorce was not lawful. However, while divorce was not permitted, other options were. There was provision for the annulment of a marriage, and provision for the separation of a spouse from bed and board. Annulment did not dissolve a marriage but rather declared that it had always been null and void. The legal ground of an annulment was the presence of an impediment to marriage (e.g., marriage within the degrees of consanguinity, precontract of marriage to another party, coital incapacity, insufficient age, prior religious vows, etc.). Like annulments, separation did not dissolve a marriage, but it enabled marriage partners to live independently without continued sexual relations. The legal grounds for marital separation were generally related to adultery, domestic violence, and heresy. Despite this provision of separation, the ecclesiastical magistrates throughout Europe were reluctant to grant it, and often worked hard to reconcile marriage partners. Notwithstanding the dominance of the church courts and their administration of canon law, there were notable Roman Catholics, such as Erasmus of Rotterdam (1466–1536) and Thomas More (1478–1535), who tentatively approved of divorce on the eve of the Reformation. However, with the ensuing revolution of the Protestant Reformation, the Council of Trent formally codified the principle of the indissolubility of marriage into canon law: those who said the church has erred in its doctrine of marriage were to be anathematised.

Wittenberg and Northern European Directions

Martin Luther (1483–1546) repudiated the sacramental status of marriage in his *Babylonian Captivity of the Church* (1520). In this treatise Luther also railed against certain annulling impediments set forth in canon law, which he considered without basis in Scripture. Furthermore, he equivocated about divorce, even suggesting that bigamy be preferable (which Luther elsewhere suggested in the case of Henry VIII and Katherine of Aragon, and which later embarrassed him with the actual bigamy of Philip of Hesse). By the publication of *The Estate of Marriage* (1522), Luther's position had evolved, and not only did he provide a sharper analysis of the canonical impediments to marriage, but he specified various grounds for divorce which he believed to be based upon Scripture: impotence (he previously discussed this as a legitimate impediment), adultery (as per the Matthean Exception), and through sexual deprivation and physical avoidance (through his understanding of 1 Cor. 7:4-5). This latter ground first required spousal admonition and ecclesial rebuke, and only afterwards the intervention of the civil magistrate. Luther provided one further ground for divorce: 'some reason other than conjugal duty.'²² This was a largely undefined category, but included the examples of a bitter wife, and a rude, brutal, and unbearable husband. Philip Melancthon (1497–1560), Johannes Bugenhagen (1485–1558), and the various jurists within the University of Wittenberg held reasonably similar views to Luther, and their teaching on marriage and divorce filtered down into the civil courts and was dispersed throughout the northern Germanic and Scandinavian regions. In their implementation of marriage law, virtually none of these civil courts adopted a Scripture only approach, but rather held to the supremacy of Scripture while implementing Scripturally compatible aspects of marriage and divorce law from the received body of civil and canon law.

Zürich and Southern European Directions

Like Luther, the reformers of Zürich rejected the sacramental status of marriage and understood it to be a divine institution involving a social contract. Huldrych Zwingli (1484–1531) wrote the *Marriage Ordinance* which was promulgated by the city magistrates in 1525. This document outlined the constitution and legislative principles of the matrimonial council for Zürich. As with Luther, the traditional impediments to marriage were discussed. Impotence was stated as a legitimate ground for divorce (after a one year waiting period). Adultery was also a valid ground for divorce, with the innocent party given the freedom to remarry,

²² Martin Luther, "The Estate of Marriage, 1522," in *Luther's Works* (55 vols.; eds. Jaroslav Pelikan and Helmut T. Lehmann; Philadelphia: Muehlenberg and Fortress, and St. Louis: Concordia, 1955-86), 45:34.

and the guilty party handed over to the civil magistrate for punishment. Divorce was also provided for by 'greater reasons than adultery': danger to life, lunacy, desertion, remaining abroad for a long time without permission, having leprosy, 'or other such reasons.'²³ The unstated logic in this approach to divorce is likely similar to that specified in Heinrich Bullinger's (1504–1575) *The Christian State of Matrimony* (1540):

What the right occasion of divorce is, Christ has mentioned in the Gospel and named whoredom or adultery. With the which no doubt he has not excepted like and greater occasions but understood and comprehended them therein.²⁴

As he spelt out elsewhere in the treatise, Moses and the Apostle Paul demonstrated that other grounds for divorce exist, and it was theologically reasonable to argue for more serious attacks on marriage than adultery. Nevertheless, Bullinger was insistent that divorce was a last resort, and that all manner of reconciliation should be attempted while there was hope of amendment. This general approach to divorce was followed in the matrimonial courts of Oswald Myconius (1488–1552) and Simon Grynaeus' (1493–1541) in Basel and that of Joachim Vadian (1484–1551) in St. Gallen.

John Calvin (1509–1564), like the Swiss reformers Zwingli and Bullinger, viewed marriage as more than a social contract. It was a divinely instituted covenant between man and woman. In Calvin's Geneva, however, a far more conservative approach was taken to divorce law than in Zürich. In 1545, Calvin and four members from the Small Council of the city drew up the *Marriage Ordinance* which regulated marriage formation and dissolution. The consistory court could provide annulments where a small range of impediments for marriage were proven, and it could provide divorces where properly contracted marriages could be dissolved. Calvin was nervous about granting divorce for slight causes and rash reasons, holding that marriage could only be dissolved on the biblically obvious grounds of adultery and desertion (not cruelty, leprosy, or other grounds granted in Zürich and its surrounds). In the case of adultery, the innocent party could remarry but the guilty party faced criminal punishment. Desertion was more complicated to prove (evidenced by the protracted divorce case of Calvin's own brother). For example, cases where a husband went overseas for business but could not be found required a ten-year waiting period before he was presumed dead, and cases where a husband was found overseas but refused to return required various efforts to cajole him back (and face discipline) before eventually a divorce would be granted. Although Calvin wrote regularly on marriage in his *Institutes* and throughout his commentaries, it was Theodore Beza who incorporated Calvin's ideas into his own exhaustive treatise on the subject, *De Repudiis et Divortiis* (1563). The conservative Genevan approach to divorce and remarriage found its way into Scotland via John Knox (though with a four-year period required to prove desertion), Holland (though over time the Dutch civil authorities' concept of desertion expanded well beyond Calvin's view), and the ideas of prominent English Puritans.

The English Reformation and its Legacy

On 23 May 1533 the marriage of King Henry VIII and Queen Katherine was annulled (importantly, not divorced). The European wide debate over the legitimacy of this annulment centered upon whether the Pope could have formerly dispensed with the Levitical prohibition against sexual relations between a man and his brother's wife (Lev. 18:1-19; cf. Lev. 20:21, Deut. 21:5), and thus whether Henry was ever validly contracted to Katherine of Aragon, who was previously married to Henry's brother, Arthur. In short, it was a complicated debate over biblical interpretation and the extent of the Pope's powers of dispensation. We need not concern ourselves with the unfolding of the debate, except to note that Protestants themselves were divided over the key exegetical question. Luther and Melancthon believed that Henry's marriage was valid (since the Levitical prohibitions did not apply to Christians) and that he ought to choose bigamy over divorce. However, Basel's Johannes Oecolampadius (1482–1531) and Zürich's Zwingli believed that Henry's marriage was invalid (since the Levitical prohibition stood as an impediment to marriage for Christians) and he was therefore free to marry Anne Boleyn.

In contrast to the reformations on the European continent, reformation England continued to regulate marriage law within the framework of the ecclesiastical rather than civil courts. Thus, King Henry attempted to revise the traditional canon law with his own native canon law in 1535 (largely a scissors and paste job from the *Corpus iuris canonici*). The work of the committee which drew up the Henrician canons was interrupted for unknown reasons, and the project failed to progress much further. However, during the reign of Edward VI, the revision of canon law received another lease of life through an act of parliament in 1549.

²³ Samuel Macauley Jackson (ed.), *Selected Works of Huldreich Zwingli (1484-1531): The Reformer of German Switzerland* (Philadelphia: University of Philadelphia Press, 1901), 122.

²⁴ Modernised from Heinrich Bullinger, *The Christen State of Matrimonye* (Antwerp: M. Crom, 1541 [1540]), RSTC 4045, sig. K.6^r.

On 6 October 1551, the Privy Council commissioned thirty-two men to attend to the reformation of canon law. This commission was comprised equally of bishops, divines, civilians, and lawyers – even including two foreign divines, Peter Martyr Vermigli (1499–1562) and John à Lasco (1499–1560). One month later, the illustrious group of thirty-two was narrowed down to a more manageable eight persons, including Archbishop Thomas Cranmer (Canterbury), Bishop Thomas Goodrich (Ely), Richard Cox, Peter Martyr Vermigli, William May, John Taylor, John Lucas, and Richard Goodrich.²⁵ This committee drafted up the canon law, and the larger committee finalised it during February 1552.²⁶ However, when the newly reformed canon law was finally presented to parliament in April the following year, the work of the English reformers came to nothing, for the *Reformatio Legum Ecclesiasticarum* was vetoed by Lord President Northumberland himself.

Notwithstanding its eventual failure within the Church of England, the *Reformatio* provides a unique insight into the collective thought of senior English reformers concerning marriage and divorce. Just as with the marriage courts on the continent, the *Reformatio* plundered the traditional body of canon law according to its compatibility with Scripture. Separation from bed and board was abolished, impediments to marriage were reformed, and divorce was permitted. Grounds for divorce that were explicitly rejected included minor disagreements and incurable diseases occurring after lawfully contracted marriage. Grounds for divorce which were accepted included adultery (although reconciliation was strongly preferred), desertion, prolonged absence without news (presumed death), deadly hostility (attempted murder), and the crime of ill-treatment (domestic abuse).

The latter two grounds require some explanation. Deadly hostility covered a wide set of circumstances where a spouse was proven guilty in court of attempting to take the other spouse's life. The logic of this argument was that an attack on life constituted a greater attack on marriage than adultery or desertion, and since there could not be any fellowship in such a circumstance, the marriage partners could not live together, and the marriage ought to be dissolved. The ground of ill-treatment depended on the logic of the ground of deadly hostility. In the circumstances where the ecclesiastical magistrate could not coerce the spouse guilty of 'excessive harshness of word or deed' to abandon such cruelty, the victim of such ill-treatment was considered at risk of life, and the situation allowed for divorce as in the situation of deadly hostility. Therefore, the fundamental argument behind both grounds of deadly hostility and ill-treatment was the impossibility of cohabitation due to an unrelenting intention to murder one's spouse. As to the biblical basis for this argument, the *Reformatio* stated that it is 'according to the teaching of Paul.'²⁷ We cannot be certain, but this most likely refers to Paul's teaching about a believer not being bound to an unbelieving spouse who wishes to separate from them (1 Cor. 7:15). That is, repeated and recalcitrant attempts to take the life of one's spouse were tantamount to an unbeliever's actual abandonment of their spouse. As the English Puritan, William Perkins, would summarily put it many years later, 'For to depart from one, and drive one away by threats, are aequipollent.'²⁸

It is sometimes argued that the matrimonial canons in the *Reformatio* are indebted to the great Alsatian reformer, Martin Bucer (1491–1551). However, while Bucer exerted considerable influence upon various theological matters from his position as Regius Professor of Divinity in Cambridge, this was not the case for the canons concerning marriage and divorce. He had died before the *Reformatio* was drafted, and his views set forth in *De Regno Christi* (1551) not only envisaged civil jurisdiction over matrimonial disputes but contained other views out of step with the *Reformatio*. Bucer, for example, held that marriage required cohabitation, deep love and affection, the leadership of the husband and helpfulness of the wife, and conjugal benevolence. If anyone, through stubbornness or inability, could or would not perform these duties, then there was no true marriage and they ought not to be counted man and wife. To Bucer's mind, divorce could even be granted by sheer mutual consent of the marriage partners. His liberal views on marriage and divorce were well-known, with one evangelical writing to Heinrich Bullinger that 'Bucer is more than licentious on the subject of marriage. I heard him once disputing at table upon this question, when he

²⁵ The initial subgroup (4 November, 1551) also included Bishop Nicholas Ridley (London), Richard Cox, Bartholomew Traheron, and John Gosnold, who were replaced with the above listed members on the revised subgroup (11 November 1551).

²⁶ The members of the commission included the bishops: Thomas Cranmer (Canterbury), Nicholas Ridley (London), John Ponet (Winchester), Thomas Goodrich (Ely), Miles Coverdale (Exeter), John Hooper (Gloucester), William Barlow (Bath and Wells), and John Scory (Rochester); the divines John Taylor of Lincoln, Richard Cox, Matthew Parker, Anthony Cooke, Peter Martyr Vermigli, John Cheke, John à Lasco, and Nicholas Wotton; the civilians: William Petre, William Cooke, Rowland Taylor of Hadley, William May, Bartholomew Traheron, Richard Lyell, and Richard Reade; the common lawyers James Hales, Thomas Bromley, Richard Goodrich, John Gosnold, William Stamford, John Caryll, John Lucas, and Robert Brooke.

²⁷ Gerald Bray (ed.), *Tudor Church Reform: The Henrician Canons of 1535 and the Reformatio Legum Ecclesiasticarum* (Woodbridge, Suffolk: Boydell Press, 2000), 271.

²⁸ William Perkins, *Christian Oeconomie: or, A short survey of the right manners of erecting and ordering a familie according to the scriptures*. (London: Felix Kyngston, 1609), 107.

asserted that a divorce should be allowed for any reason, however trifling.²⁹ Given the controversial nature of Bucer's views, it is not surprising that Cranmer rejected his suggestion to revise the 'Solemnization of Matrimonie' service in the *Book of Common Prayer* by raising mutual help to the foremost purpose of marriage (before procreation and sex).

Just as with many of his theological convictions, Cranmer's views evolved slowly. In 1540, Cranmer wrote to his father-in-law, Andreas Osiander (1498–1552), indicating his belief in the indissolubility of marriage. However, by 1547 Cranmer and a theological committee, which included Nicholas Ridley and William May, found that the previous separation of William Parr from his adulterous wife in 1543 was in fact a circumstance which afforded divorce, and thus Cranmer granted the Marquis of Northampton the freedom to remarry. By the time of the *Reformatio*, Cranmer's opinion clearly evolved and became agreeable to the view that desertion was a legitimate ground for divorce. If any other divine on the drafting committee of the *Reformatio* had a significant hand in its matrimonial discussion, it would likely have been Peter Martyr Vermigli. He argued, that the Israelite civil law concerning marriage was repudiated by Christ (along with the ceremonial laws), and thus concluded, contra Bucer, that Deuteronomy 24:1 was not applicable to a Christian theology of divorce – i.e., the New Testament only sanctioned divorce for adultery and desertion.³⁰ Therefore, although we cannot be certain of the primary contributors to the matrimonial sections of the *Reformatio*, we can be reasonably confident that Cranmer and Vermigli were agreed that the two major grounds for divorce were adultery and desertion, with the latter providing the foundation for divorce upon the grounds of deadly hostility and ill-treatment.³¹

By the end of King Edward VI's reign, the *Reformatio* was a dead letter. It had not passed through Parliament, nor through Convocation. It was again floated during the reign of Queen Elizabeth but debates over ecclesiastical polity took precedence over ecclesiastical law. Indeed, only in 1604 would the Church of England produce its own body of canon law. The irony of this achievement of a reformation goal was that the 1604 canons set forth parameters for marriage and divorce more restrictive than the pre-reformation situation: impediments were small in number, separation was permitted, but divorce itself was not. The sacramental status of marriage had been rejected but the indissolubility of marriage had not. As Diarmaid MacCulloch writes,

So the Church of England remained without divorce law, and in fact, through this accident rather than any basic theological conviction, right up to the end of the twentieth century, it kept the strictest laws on marriage in all western Christendom, scarcely mitigated by the numerous ingenious reasons for annulment with which the Roman Catholic Church lawyers relieve Catholic canon law on marriage.³²

²⁹ John Burcher to Heinrich Bullinger, 8 June 1550, in Hastings Robinson (ed.), *Original Letters Relative to the English Reformation*, 2 vols. (Cambridge: Cambridge University Press, 1846), 2:665-666.

³⁰ Pietro Martire Vermigli, *The common places of the most famous and renowned diuine Doctor Peter Martyr ...* (London: Denham and Middleton, 1583), RSTC 24669, 463.

³¹ Interestingly, some on the larger *Reformatio* finalising committee took the view that adultery was the sole ground for divorce. See John Ponet, *A Defence for Mariage of Priestes ...* (London: Reynold Wolff, 1549), RSTC 20176, B.iii^{rv}, *An Apologie Fully Aunsvveringe by Scriptures ...* (Strasbourg: Kopfel, 1556), RSTC 20175a, 19, and John Hooper, *A Declaration of the Ten Holy Commandments ...* (Zürich: Augustin Fries, 1549), RSTC 13746, CLXIII-CLXVII.

³² Diarmaid MacCulloch, *Reformation: Europe's House Divided* (London: Penguin Books, 2004), 660-661.

Letter to Members of Synod Regarding Domestic Abuse and Remarriage

I am writing to you in regard to resolution (50/18) which was passed at the last session of Synod.

Synod, noting that it is the prerogative of the Archbishop or a Regional Bishop, in accordance with the laws of this Church, whether or not to approve the remarriage of a divorced person, requests the Archbishop and Regional Bishops to consider approving the remarriage of a divorced person, where that person has been abused physically or emotionally by their former spouse.

While the resolution did not ask for a response from the Archbishop and Regional Bishops, I thought it would be helpful for members of Synod to know that we have carefully considered this request. I met with the Regional Bishops and Archdeacon for Women's Ministry, for a full day's reflection on the issue, in Bible study, prayer and discussion. I also thought it wise to consult the Doctrine Commission, who are preparing a further report on the topic of divorce and remarriage, which is in the final stages of completion.

The approval of the remarriage of divorced persons is regulated by the *Solemnisation of Marriage Ordinance 2011*, which states:

Marriage shall not be solemnised in the Diocese...where either or each of the parties to be married is a divorced person, unless, in accordance with the laws of this Church, the Archbishop has given permission for the solemnisation of the marriage in this Diocese or a regional bishop has given his permission for the solemnisation of the marriage in his region.

It has long been the practice in the Diocese of Sydney for the Archbishop to allow the remarriage of a divorced person on certain grounds, namely, where the previous marriage was broken by the sexual immorality of one of the parties, or where an unbelieving spouse has abandoned the marriage. These grounds reflect the teachings of Jesus in Matthew 19:1-9 and of Paul in 1 Corinthians 7:15, and are effectively the same grounds for divorce reflected in the Doctrine Commission's Report of 1984. Nonetheless, the Standing Committee has asked the Doctrine Commission to revisit this issue with a fresh report.

Jesus' teaching is that marriage is for life: 'what therefore God has joined together, let no one put asunder' (Matthew 19:6). These words are echoed in the service for the Solemnization of Marriage in the *Book of Common Prayer*. Yet, Jesus recognises the effects of sin in a fallen world, and the hardness of heart, even of God's people. Whereby, he reiterates the exception of 'sexual immorality' as a legitimate ground for divorce. This is widely seen as a reiteration of the Mosaic provision established in Deuteronomy 24:1.

The further ground that the apostle Paul allows is when a believer is married to an unbeliever, and the unbeliever no longer wishes to remain in the marriage, in which case the believer is 'not bound' (1 Corinthians 7:15). It is generally acknowledged that those who are 'not bound' are free to remarry, and this understanding has informed the practice of successive archbishops.

Paul also recognises that there are situations for believers where a separation or divorce from the marriage does occur, other than on grounds of sexual immorality. In such circumstances, he exhorts the two parties to remain separated or else be reconciled (1 Corinthians 7:11).

In the Synod debate last year, members recognised the sensitive nature of the topic of domestic abuse and the deep emotions bound up in questions about divorce and remarriage within the Christian community. I want to make it quite clear that any kind of domestic abuse, especially violence, is abhorrent. It is contrary to Christ's teaching and deserves our strongest condemnation. It has no place in the life of a marriage, especially within the covenant community. I also recognise that we have a responsibility to uphold the sanctity of marriage and its permanence, but this is not always possible, and situations sadly exist where it is a proper course of action for one spouse to leave the other. Domestic abuse is one such circumstance where separation may, for example, be the only safe option for a woman, whose husband blatantly abrogates his responsibility to love his wife as Christ commands.

It is appropriate for a person to separate from their spouse in a situation of domestic abuse which puts the safety and well-being of that person (and their children) at risk. Ministers should never counsel a person to remain in an unsafe environment where they would continue to suffer abuse. While domestic abuse may lead to separation, each situation is different and the circumstances will determine the appropriateness of considering divorce and remarriage.

The Regional Bishops assess each application for remarriage on a case by case basis. In many cases of domestic abuse, it is evident that the abusing spouse is an unbeliever who has demonstrably 'abandoned' the marriage by the manner in which they have treated their spouse (notwithstanding the fact that the victim may be the one who leaves the marital home for reasons of safety). Even in cases where the abusing spouse still claims to be a believer, the bishops recognise that he or she is acting like an unbeliever in perpetrating domestic abuse. In such cases the principles of Matthew 18:15-17 and 1 Corinthians 5:11 may well apply, so that the person is treated as an unbeliever. It is also possible, however, that there are circumstances where there are legitimate grounds for divorce, which may not satisfy the biblical grounds for remarriage.

I can assure Synod members that the Regional Bishops are well aware of the complexities of marital breakdown and sensitive to the needs of those who are victims of domestic abuse. They are especially aware of the likelihood that the existence of domestic abuse is often hidden. They exercise pastoral care when responding to applications by clergy for the remarriage of divorced persons. Moreover, any application from a member of the clergy must include a statement to the effect that they believe the remarriage is in accordance with the teaching of the Bible and the Anglican Church in this diocese.

In responding to applications for remarriage, the Regional Bishops' responsibility is to uphold the doctrine of Christ, which includes their showing the compassion of Christ. These issues require much wisdom and sensitivity, but I have no doubt that each Regional Bishop seeks to exercise his delegated responsibility with pastoral care and integrity, so that Christ may be honoured in our Church.

Dr Glenn N Davies
Archbishop of Sydney

17 July 2019

Domestic Violence Response Progress Report

23/18 Responding to Domestic Abuse: Policy and Good Practice Guidelines

(A report from the Standing Committee.)

Key Points

- At its session in 2018, the Synod adopted the *Sydney Anglican Policy on Responding to Domestic Abuse*. Following that session, the Standing Committee appointed a monitoring committee to oversee the implementation of the requests of Synod resolutions, and direction from the Standing Committee, regarding the Diocese's response to Domestic Abuse.
- The "Responding to Domestic Abuse: Policy and Good Practice Guidelines" has been made available online. Funds saved by not printing and posting the guidelines were used for translation of display material for distribution to churches.
- A PSU training module is anticipated to be launched at this ordinary session of Synod.
- Diocesan organisations (including schools) have been asked to consider having short to medium term bursaries available to assist the families of clergy and lay stipendiary workers where separation has occurred due to domestic abuse.

Purpose

1. The purpose of this report is to provide a progress report to the Synod regarding the Diocese's response to domestic abuse.

Recommendation

2. Synod receive this report.

Background

3. At its ordinary session in 2018, the Synod passed resolution 23/18 in the following terms –

'Synod, having passed the Sydney Anglican Policy on Responding to Domestic Abuse as a policy of the Synod –

- (a) requests Standing Committee to ensure that the "Responding to Domestic Abuse: Policy and Good Practice Guidelines" be professionally laid out and prepared for publication and distribution to all ministers and parish councils for their attention, along with assistant ministers and lay ministers, with a request that parishioners be made aware of the policy,
- (b) requests that all parishes be encouraged to consider adopting the suggested parish policy statement (from the Resource section) as their own parish policy on domestic abuse, or to revise their existing policy in light of revisions to the Synod's "Responding to Domestic Abuse: Policy and Good Practice Guidelines",
- (c) authorises the Standing Committee to make amendments to the 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 –

- (i) made in consultation with the Professional Standards Unit and the Anglicare Domestic Violence Adviser, and ^[17]_[SEP]
 - (ii) reported to the next ordinary session of the Synod, and
 - (d) requests the Standing Committee to review the “Responding to Domestic Abuse: Policy and Good Practice Guidelines” after four years’ operation following the passing of the Policy by the Synod and provide a report on the outcome of the review to the 1st ordinary session of the 53rd Synod in 2023.’
4. At its meeting on 12 November 2018 the Standing Committee noted policies and resolutions passed at the 2018 session of the Synod related to the area of domestic abuse, including 23/18, and appointed a monitoring committee comprising Canon Sandy Grant and Archdeacon Kara Hartley to –
- (a) exercise a watching brief on progress responding to and implementing the requests of these resolutions,
 - (b) provide oversight and guidance implementing the decisions of Standing Committee expressed in the following resolutions relating to domestic violence, and
 - (c) provide a brief report regarding progress in these matters to the Standing Committee meeting in June 2019.

Discussion

5. The monitoring committee members have kept a close watch on matters expressing the Diocesan response to domestic abuse, in particular to do with the implementation of the Policy and the associated resolutions of Synod and Standing Committee. We have met and corresponded with each other and various stakeholders in preparation of this progress report.

The “Responding to Domestic Abuse” Policy

Progress report

6. Canon Grant and the Diocesan Secretary conferred regarding the request in paragraph (a) of resolution 23/18. They agreed that there was no need to spend money on professional layout, nor on printing and postage of the whole document with its policy, guidelines and resources.
7. Rather, the final form approved by Synod has been published in electronic form, and is available both at the ‘Policies and Guidelines’ tab of the SDS website, and also at the diocesan ‘Safe Ministry’ website, under the ‘Domestic and Family Abuse’ tab from the drop down menu for the ‘Info & Resources’ section.
8. This approach ensured limited funds were retained for the translation and visual display material referred to below.
9. The Diocesan Secretary further reports regarding the request in paragraph (b) that parishes were encouraged to consider adopting the policy through the Circular sent to all rectors, wardens and Synod reps following Synod. Under the heading “Actions for parishes and Synod members” was the action –
- ‘Responding to Domestic Abuse: Policy and Good Practice Guidelines – Synod passed the Sydney Anglican Policy on Responding to Domestic Abuse as a policy of the Synod, and encouraged all parishes to consider adopting the suggested parish policy statement (within the resource section) as their own parish policy on domestic abuse, or to revise their existing policy. (See also the description of the policy on p.7 of this circular, and resolution 23/18.)’
10. Regarding the request in paragraph (b), we are unaware how many parishes may have adopted or further revised a policy on domestic abuse in light of the diocesan Policy agreed at the last session of Synod.
11. The monitoring committee expects to recommend in 2020 that Standing Committee request the Diocesan Secretary to organise another short online survey of Rectors, but this time also including

Assistant Ministers and Lay Ministers. This survey would help to determine how much culture on the parish 'frontline' has been developing. It would canvass their awareness of the Diocesan Policy, whether there has been adoption of a parish policy, and whether it has been drawn to parishioners' attention, along with other matters (similar to those canvassed in a previous online survey), regarding the number of cases of domestic abuse that have come to the attention of ministry staff, the display of key contacts and/or flowchart, and the conduct of parish education on domestic abuse by sermon, seminar or other method within the last two years.

12. Regarding the request in paragraph (d) to review the policy after four years, although the Standing Committee review and report on the operation of the "Responding to Domestic Abuse: Policy and Good Practice Guidelines" will take place after four years, the monitoring committee already noted feedback that suggests the Policy and Good Practice Guidelines document could be judiciously 'slimmed down'. For example, some of the statistics in Appendix 3, and Appendix 4, regarding the legal situation in Australia, could arguably be removed, along with Appendix 10, which outlines a timeline of public statements from diocesan leadership in the area, and is largely of historical interest only.

Development of content for churches

13. At its meeting on 12 November 2018, the Standing Committee –
 - (a) requested section 1 of the Policy (as revised by Synod), including the flowchart and table of contacts to be translated into Korean, Arabic and Chinese, in line with paragraph 22 of the 2018 Report regarding Domestic Abuse made to Synod, and
 - (b) requested that the Anglicare Domestic Violence Adviser and the Chaplain of the PSU collaborate in developing content suitable for visual display in churches, to be graphically designed, then published and distributed to each parish in the Diocese in line with paragraph 23 of the 2018 Report regarding Domestic Abuse made to Synod, and
 - (c) noting that these projects will utilise the residue of funds held on the Task Force's behalf by the PSU and the balance of costs will need to be paid by Synod Fund Contingencies in 2018 and 2019, requested the monitoring committee to advise the Standing Committee prior to proceeding if the amount required from Synod Fund contingencies is likely to exceed \$15,000, and
 - (d) authorised up to \$15,000 to be allocated from Synod fund contingencies to cover the balance of the expenses for these two projects, noting that approximately \$11,988 is anticipated to be available in 2018 contingencies, and therefore \$3,012 may be required from 2019 contingencies.

Progress report

14. Regarding translation work (1(a)), the Director of the Professional Standards Unit (**PSU**) has advised that the flowchart and table of contacts has been translated into Chinese and is being made available on the Safe Ministry website. Korean and Arabic will take a little longer but we aim for this to be done before Synod.
15. Regarding visual display materials for parishes (2(b), (c) & (d)), the Director of the PSU has advised that the PSU is looking at a few options with this. At this stage they are proposing a printed/laminated poster set for each parish to be delivered at Synod, together with USB stick with posters that can be printed by individual churches, and varying sizes for different situations. This will probably also include smaller, pocket-size cards as well. They will look at developing a pamphlet also, but probably after the online training module is completed. The cost depends on the numbers of printed material required initially for the first run.
16. The design work for the display material is being coordinated by the Anglicare Domestic Violence Adviser and the Chaplain of the PSU and is advancing with care.
17. The monitoring committee notes that the translation work has only been applied to the flowchart and table of contacts, and not to the actual policy text of section 1 of the Policy.
18. At its meeting on 17 June 2019, the Standing Committee reaffirmed its desire that the policy text of Section 1 be translated as previously requested, and directed the monitoring committee to discuss the mechanics of this with the PSU.

PSU Report re. training module

19. At its meeting on 12 November 2018, the Standing Committee requested the PSU to provide a progress or completion report by June 2019 regarding its production of the training module requested previously, under supervision of the Safe Ministry Board, in liaison with Anglicare, in line with paragraphs 24-26 of the 2018 Report regarding Domestic Abuse made to Synod.

Progress report

20. The Director of the PSU has advised that the training module is currently on track to be launched at Synod 2019.
21. To date no specific consideration has been given to training in relation to supporting children as indirect victims of domestic abuse (as the PSU were unaware of this suggestion), but the PSU undertakes to give this some thought and work out whether this can be easily incorporated into the existing training proposal.
22. As background, the monitoring committee notes that it submitted the following suggestions to the PSU and the Anglicare DV Adviser, about matters that should be considered for training, whether in the basic training module requested above, or in other contexts. These suggestions arose from feedback received from thoughtful Anglicans involved in ministry within our diocese by members of the Monitoring Committee in the course of our involvement in this area –
- What does it mean to “listen with acceptance” and why do we say, “don’t ask for proof” and “debrief with a professional within 48 hours of a disclosure” (see our flowchart)? How does this fit with any obligations that might exist if some level of church discipline might be required, when there are then some procedural fairness issues?
 - How can we keep helping clergy and church workers understand that domestic abuse is not just the actual physical assault? Rather it can be emotional and spiritual, verbal and psychological, coercive and/or controlling behaviours, including unwanted sexual demands etc.?
 - How can we ensure that experienced clergy and church workers keep being trained in this area, and not just rely on an occasional session every second or third compulsory triennial FIS training?
 - How can we proactively educate young men about what is acceptable behaviour and expectations within marriage?
 - And how do we help men (especially) and women to recognise and address bad habits (e.g. shouting, swearing, ‘aggro’) or controlling tendencies in their intimate relationships, that might be called pre-abusive at the initial level, but which, if left unaddressed, might develop into abuse?
 - Also what does it mean for assessing “risk of serious harm to children” and mandatory reporting, when children are indirect victims of domestic abuse between partners, e.g. they are in a family where it is happened, but are not necessarily present or witnessing it, and/or it’s not necessarily physical, but emotional etc., or just a general controlling kind of environment. We suppose the basic answer is that our people need to realise to “get advice” from the professionals, and consider reporting using MRG or the hotline, although not every example will end up being judged as a “risk of serious harm”.

Progress Updates (a) Anglicare and Schools, (b) New Minister Advice Mechanism

23. At its meeting on 12 November 2018, the Standing Committee –
- (a) requested the Diocesan Secretary to write to Anglicare and the Anglican Schools Corporation, seeking a progress update in how each organisation has responded to relevant recommendations made to them in Synod’s resolution 32/17, namely –
 - (i) that Anglican Schools Corporation schools have short to medium term bursaries available to assist the families of clergy and lay stipendiary workers where separation has occurred due to domestic abuse, and
 - (ii) that Anglicare give priority for emergency assistance to the families of clergy and lay stipendiary workers where separation has occurred due to domestic abuse, and

- (b) requested the Diocesan Secretary and Registrar to consider a mechanism whereby newly appointed Ministers, Assistant Ministers and Lay Ministers in the Diocese may be made aware of the existence, role and contact details for the Anglicare Domestic Violence Adviser (such notification could also extend to advising the existence of the Policy, Guidelines and Resources and other relevant material and points of contact and advice).

Progress report

- 24. At its meeting in December 2018, Standing Committee extended the request referred to in paragraph (a)(i) to other Anglican Schools in the Diocese. The Diocesan Secretary has written to the relevant organisations to convey this request. Anglicare, and the schools that have responded, indicate serious engagement with the issues raised with them and related matters. Some other schools may still be in the process of considering the matter, although they no doubt already have policies in place for families in various kinds of distress.
- 25. In regards to the mechanism in (b) for advising those appointed to new roles as ministers or assistants, a suitable reference to the DV Advisor, and to the policies of Synod, will be circulated to all office holders following parish AGMs each year, as part of their welcome / (re)appointment letter.
- 26. The Diocesan Secretary also advises that the intention is to provide this information on the letter sent from SDS to new rectors introducing services available. SDS is considering sending a similar annual letter to all clergy, in which the information about the DV coordinator could be included. Further work needs to be done identifying an approach to ensuring the information about Anglicare's DV coordinator is helpfully and suitably conveyed.

Screening processes

- 27. At its meeting on 12 November 2018, the Standing Committee –
 - (a) recommended that the Archbishop and the Director of Ministry Training and Development consider –
 - (i) ensuring any spouse of an applicant for candidacy for ordination be interviewed separately, with the interview to include some screening for domestic abuse,
 - (ii) extending the screening process described by the Director for candidates for ordination as a Deacon to apply to all applicants for stipendiary lay ministry positions in the Diocese (including, where relevant, a separate interview of a candidate's spouse), and
 - (b) invited Moore College and other diocesan education and training institutions to consider the merits of applying similar domestic abuse screening processes to applicants for study at their institutions.

Progress report

- 28. The Diocesan Secretary has written to the relevant organisations to convey this request.
- 29. The Director of Ministry Training and Development (**MT&D**) has made the following recommendations in response.
 - (a) MT&D recommends the addition of a separate interview of the spouse of an applicant for candidacy for ordination. This is because the 'selection' of Anglican ministers is one of the objects of MT&D and the serious matters associated with domestic abuse must be considered as part of the discernment process for candidates to such an important office.
 - (b) MT&D notes that extending the screening process currently used for candidates for ordination as a Deacon to all applicants for stipendiary lay ministry positions requires the interview process to be centralised. This is a significant philosophical change. This 'move to the centre' would change the nature of the relationship at the parish level for the employment of stipendiary lay ministers. Therefore we do not recommended that MT&D mimic the Deacon's screening process for Stipendiary Lay Ministers.
- 30. The PSU, in consultation with the Archbishop, is responsible for the confidential lifestyle questionnaire that applicants for Lay Authorisation are to complete. Accordingly, at its meeting on 17 June 2019 the Standing Committee –

- (a) Requested the PSU to review the confidential lifestyle questionnaire to consider if there are any additional questions which could be asked to capture any information about issues related to domestic abuse that may be relevant, and
 - (b) Advised MT&D and Moore College's Centre for Ministry Development to familiarise themselves with the PSU's safe ministry modules being developed for ministry staff regarding domestic abuse, and seek to incorporate awareness of that training into any HR modules they offer on selecting and managing staff.
31. In regards to the recommendation in paragraph (b) of the resolution (in paragraph 27), **Moore Theological College** provided information about the use of their policy, and **Youthworks college** continue to reflect on their practices and processes. Both colleges deal with issues related to domestic abuse at a number of places in their programmes, and both indicated a readiness to respond if issues related to domestic abuse are disclosed.

Ongoing Monitoring

32. At its meeting on 12 November 2018, the Standing Committee –
- (a) dissolved the Domestic Violence Response Task Force with effect from 31 December 2018,
 - (b) requested the Diocesan Secretary to notify the Safe Ministry Board of each resolution made at this meeting, as well as providing the accompanying Synod resolutions and the report provided to the recent session of Synod, and
 - (c) asked the Safe Ministry Board to note that following the conclusion of the work of the Domestic Violence Response Task Force, the Standing Committee considers that responsibility for monitoring matters related to the Domestic Abuse Policy in our churches rightly belongs to the Safe Ministry Board in liaison with the PSU and the Anglicare Domestic Violence Adviser.

Progress report

33. The Diocesan Secretary has written to the Safe Ministry Board (**SMB**) to convey this request.
34. The Chair of the SMB has confirmed that the Safe Ministry Board has actively noted the view of Standing Committee that the SMB has a monitoring and oversight role with regard to the Responding to Domestic Abuse Policy (**RDA Policy**) in liaison with the PSU and the Anglicare Domestic Violence Advisor.
35. While the SMB recognises that the core work is being undertaken by PSU staff and the Anglicare Domestic Violence Advisor, the SMB is receiving regular updates on progress at their Board meetings. The expectation of the SMB is that PSU staff will continue to provide updates regarding these matters so that the SMB can fulfil the intent of the Standing Committee resolutions passed last year pertaining to the dissolution of the Domestic Violence Response Task Force.

Other Matters

Work of the General Synod Family Violence Working Group

36. Following various resolutions of the 2017 session of General Synod, the General Synod Standing Committee has established a Family Violence Working Group (**FWVG**) to –
- (a) investigate a professionally designed, independent research study into the nature and prevalence of family violence within the Australian Anglican Church population,
 - (b) establish the nature and extent of current Family Violence policies, pastoral care frameworks and training modules across Dioceses,
 - (c) develop a “best practice” model policy and pastoral care framework for responding well to situations involving family violence within our parishes and organisations, and
 - (d) recommend curriculum content and/or guidelines to address unhealthy views about power or the marginalisation of women and other survivors of family violence.

37. Dr Karin Sowada and Canon Sandy Grant from this Diocese were among those appointed to the FVWG. Its overall membership represents something of the diversity of views in the Anglican Church of Australia.
38. The main achievements of the FVWG have been –
- (a) The commissioning of the Anglican Family Safety Study (**AFSS**), with funding from the General Synod, to be conducted by the NCLS organisation (after comparison to proposals from other university-based research bodies). The AFSS will conduct research, using mixed methods, quantitative and qualitative, into the following questions –
 - The nature of experiences of family violence for those with a connection with Anglican churches
 - The nature of attitudes, beliefs, knowledge and practices regarding family violence among Anglican Clergy and church leaders
 - Prevalence of instances of family violence among Australians who identify as Anglican.
 - (b) Encouraging each diocese to appoint a Contact Person in relation to matters to do with family and domestic violence, and collecting (and beginning to collate) policies and other statements and resources from each diocese relevant to the topic.
 - (c) Organising a National Working Conference: Strengthening The Churches Response to Family Safety, in Sydney in March 2019. This was attended by about 40 representatives from across Australia with a majority of dioceses represented, including our own PSU Chaplain and Anglicare Domestic Violence Adviser, alongside Karin Sowada and Sandy Grant. Alongside group work aimed at developing policy and training recommendations, this conference featured papers from –
 - Dr Kristin Aune (Coventry University, UK, on her research: “Church Responses to Domestic Abuse – A case study of Cumbria”)
 - Dr Ruth Powell (NCLS, on the AFSS)
 - Rev Scott Holmes (Our Watch on preventing violence against women).

Domestic Violence Leave

39. At its meeting in May 2019, Standing Committee received a report from the Stipends and Allowances Committee regarding its preparation of Remuneration Guidelines. Among other matters, this report noted that the Stipends and Allowances Committee had agreed to recommend to Standing Committee that it “consider passing an ordinance to establish a model policy for family and domestic violence leave for ordained ministry staff (perhaps along the lines of the *Parental Leave Ordinance 2016*) which either matches or exceeds the minimum standards now applicable to employees.”¹
40. The monitoring committee notes that Lay Ministers and other staff who are employees under the National Employment Standards in the Fair Work Act 2009 are now entitled to 5 days unpaid family and domestic violence leave each year.
41. At its meeting on 17 June 2019, the Standing Committee agreed to appoint a small committee, including some familiar with the work that resulted in the *Parental Leave Ordinance 2016*, to consider the matter of Domestic Violence Leave for clergy in time for Standing Committee to make a recommendation to the first ordinary session of Synod in 2020.

Ministry Spouse Support Fund

42. At its meeting in February 2019, the Standing Committee approved the procedure for allocations from the Ministry Spouse Support Fund (**MSSF**; for spouses who are or have been married to ministry workers and are victims of domestic abuse) to be distributed and requested that the Diocesan Secretary consult with the Archbishop, the Archdeacon for Women’s Ministry and the Director of the PSU regarding an appropriate mechanism for reporting to the Standing Committee annually on the operation of the MSSF.

¹ Although our Policy generally uses the phrase ‘domestic abuse’, when we refer to external organisations or standards, we use their preferred terminology (hence the occasional use of the term “domestic violence”, rather than “domestic abuse”).

43. Having consulted, the Diocesan Secretary noted that any report to Standing Committee needed to preserve the confidentiality of these matters. We also noted that the MSSF funding is per calendar year, which is in line with most of our financial and reporting practices.
44. Accordingly, at its meeting on 15 April 2019, the Standing Committee asked that –
- (a) a report be provided regarding the MSSF to the Standing Committee by June each year (commencing in 2020) detailing the total amount distributed from the MSSF and the number of 'cases' involved in the previous calendar year; along with an indication of the ongoing suitability of the level of funding and any additional commentary felt useful, and
 - (b) a preliminary report be provided to the Standing Committee in July 2019 indicating the initial use of the MSSF in its first six months (for promotion to the Synod).

On behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

29 August 2019

Enhancing engagement of Synod members

40/18 Synod business rules

(A report of the Standing Committee.)

Key Points

- By resolution 40/18, the Synod requested the Standing Committee to consider ways to enhance engagement of Synod members and to provide recommended amendments to the Synod business rules. This report addresses the first request, a separate report ('Synod Standing Orders') addresses the second request.
- In response to feedback received, including a survey of Synod members, among other things –
 - The ordinary session of Synod in 2021 will commence in September (during the last two weeks of school term) rather than in October (Synod is asked to endorse this change going forward)
 - Printed Synod materials will be posted to Synod members on an opt-in basis, following the August Standing Committee meeting; and all materials available to that point will be made available online.
 - A short report will be prepared by the Diocesan Secretary for each session of Synod, listing each matter that is included in Synod materials by the request of the Standing Committee which contains a substantive recommendation.
 - The format of Synod reports has been modified slightly following the advice of a communications consultant, to aid ease of readership and use at Synod.

Purpose

1. The purpose of this report is to address the request of Synod resolution 40/18 regarding the increase in engagement of Synod members.

Recommendations

2. Synod receive this report.
3. Synod endorse by resolution the decision to hold its ordinary sessions in the final weeks of School Term 3, rather than the first weeks of School Term 4, from 2021.

Background

4. At its ordinary session in 2018 the Synod resolved as follows –

40/18 Synod business rules concerning moving amendments to motions

'Synod –

- (a) encourages Members to provide comments regarding the trial arrangements concerning moving amendments to motions, and any other matters concerning the conduct of Synod business, to the Diocesan Secretary by 30 November 2018, and
- (b) requests the Standing Committee, in light of comments received from Synod Members, to consider bringing a Bill to amend the *Conduct of the Business of Synod Ordinance 2000* to the next ordinary session of Synod,

and requests the Standing Committee to identify training needs and provide resources to further equip members in their understanding of, and engagement with, the business of Synod.'

5. This report addresses the request of the rider of the resolution, regarding training needs and resources to equip members in their understanding of, and engagement with, the business of Synod. The request of paragraph (b) is addressed in a separate report, 'Synod Standing Orders'.
6. In preparing this report, the following resources were referred to –
 - (a) the *Conduct of the Business of Synod Ordinance 2000* (the Ordinance),
 - (b) the feedback provided by Standing Committee members during its meeting on 10 December 2018 meeting,
 - (c) feedback received by Synod members,
 - (d) the attached summary results of a Survey of Synod members regarding engagement, conducted from late February 2019 (Appendix 1), and
 - (e) the attached summary of time spent across types of business at Synod, 2017-2018 (Appendix 2).

Synod Survey on Engagement

7. At the request of Standing Committee, a survey was circulated on 22 February 2019 to Synod members regarding engagement at Synod. The questions in the survey incorporated suggestions received directly from Synod and Standing Committee members related to the issue of engagement. A total of 309 Synod members responded to the survey.
8. The following paragraphs present summary results of four key questions (questions 2, 3, 4 & 10), using a weighted average.¹ Summary results on all questions are attached as Appendix 1.
9. **Question 2:** To what extent did each of the following factors make it more difficult for you to meaningfully engage with the business of Synod prior to the session?

Q2. Factors making it more difficult to engage prior to Synod	Weighted Avg.
Other commitments resulting in not enough time	58%
Volume of materials (didn't know where to start)	48%
Softcopy Synod Books hard to follow	30%
Format of reports (hard to understand / follow)	30%
Didn't feel the need to pre-read (willing to rely on debates/research while at Synod)	24%
Materials not available early enough	24%
Printed Synod Books too hard to pickup from the city	21%

10. **Question 3:** To what extent did each of the following resources make it easier for you to confidently engage with the business of Synod?

Resources that made it easier to confidently engage	Weighted Avg.
Reading particular reports from the Synod books prior to Synod	66%
Having the Synod Books available in softcopy (to read on tablets, phones, etc)	64%
SDS webpage with Synod advice	37%

¹ Where a respondent indicated "no impact" or "N/A", their score for that factor translated to 0. Where the respondent indicated a "slight" impact, the resulting score was a 1. Similarly, a "moderate" impact resulted in a 2, between 'moderate' and 'great' resulted in a 3; and a "Great impact" resulted in a 4. This score was then divided by four times the total number of responses to that question.

Resources that made it easier to confidently engage	Weighted Avg.
Accessing the SDS Pre-Synod briefing online	36%
'How to survive Synod' guide	31%
Attendance at the SDS Pre-Synod briefing	18%
Regional pre-Synod meetings	10%
Mission-Area based pre-Synod gatherings	8%

11. **Question 4:** To what extent would each of the following initiatives help you to more meaningfully engage with the business of Synod prior to the session?

Initiatives that would help to more meaningfully engage	Weighted Avg.
A brief (2 pages) covering report, listing the matters of business with short commentary and page references to guide pre-reading	83%
Short printable guide explaining key rules and processes of Synod	61%
Materials available earlier in the year / as they are finalised	53%
Short online videos explaining key rules and processes of Synod	51%
Printed form of materials posted to you	39%
Expansion of SDS Pre-Synod briefing to include more topics	35%
Synod books or reports presented in different format (please describe in 'other' below)	23%

12. **Question 10:** To what extent do each of the following factors make it harder to engage with the business of Synod (voting with confidence, asking a question, moving an amendment etc)?

Q10. Factors making it more difficult to engage during Synod	Weighted Avg.
Complexity of business rules	52%
Complexity of business paper	45%
Not confident that my question / concern is valid / valued	43%
Pace of business	37%
Dislike of public speaking	27%
Willing to trust that someone else will raise my issue, so don't stand up	37%
Not called upon by the President	18%

Engagement prior to Synod

Timing of Synod – commencing in School term 3

13. The survey results contained a strong trend of open-ended comments indicating a desire not to commence Synod on the first day of school term 4 (Synod typically commences in either the first or second week of school term 4). After noting –
- that each of the ordinary sessions in 2019, 2020 and 2022 were booked to commence on the first day of term 4 and could not be moved back to the second week, and
 - the general undesirability of moving Synod closer to Christmas,
- the Standing Committee considered the costs and benefits of moving the timing of Synod forward to finish prior to the end of school term 3 and found as follows –
- there is not expected to be a material variation in the costs involved if Synod moved to the end of Term 3, from venue hire, parking, printing, or hotels,

- (ii) any organisations that have July-June Financial Year will have one month less to get their reports to Synod; but still should have enough time, and
 - (iii) the significant implications will be on the flow of the work in-between Synod sessions, the program for Standing Committee and the work of ad-hoc committees preparing reports for Synod (this is further discussed below).
14. Currently we may broadly characterise the flow of Synod work as follows: Synod meets in October, the Standing Committee digests and delegates the work coming out of Synod in November-December; existing committees may start work over summer, but ad-hoc committees will typically not meet to address a Synod resolution until February or March the following year. Reports to be promoted to Synod need to be dealt with by the Standing Committee preferably by July, with August and September progressively less desirable. This provides a realistic window of approximately 4-5 months in which to complete the work of ad-hoc committees (those typically addressing specific requests of the Synod).
 15. Moving the ordinary sessions of Synod to September (with one less meeting prior to Synod, and one extra meeting post-Synod in the calendar year) will place increased pressure on those few months, February to July to produce the work for Synod. However, if the pattern of meeting in September is established, the additional month prior to Christmas should allow ad-hoc committees and existing subcommittees much greater opportunity to meet and begin their work. Crucially, this will allow ad-hoc committees to have their first and possibly their second meetings prior to Christmas, and assign work to its members to address over summer. Conceivably, this is a more efficient approach, allowing a greater period for the work of Synod to be progressed.
 16. The recent survey to Synod members strongly supported the current format of Synod meetings (three midweek afternoon and evenings, followed by two midweek afternoon and evenings). It is assumed that this preference will translate to an earlier month.
 17. The Standing Committee ultimately recommended to the Archbishop that he instruct the Diocesan Secretary to reschedule ordinary sessions of Synod to commence in the final weeks of term 3, from 2021. The Synod is asked to endorse this pattern by resolution.

Format of Synod materials

18. The open-ended responses of Synod members in the Survey carried a very strong theme of desiring all related materials to be grouped together. There was also an oft-repeated theme requesting all materials to be included in one softcopy file. Both of these suggestions are intended to prevent the need to switch between different files in softcopy.
19. Regarding the suggestion to keep all related materials together: given the change in printing times outlined below, it now makes little sense to separate out principal legislation into a separate book (as has been our practice), and so the suggestion in the feedback will be taken up where logical to do so.
20. Regarding the single softcopy file suggestion: in 2018, a single softcopy file of all materials was provided alongside the individual files. This option received uniformly positive feedback when mentioned in the survey, although it seems that more attention needs to be drawn to its availability in future years. It is intended that this approach (providing both individual files and a single consolidated file of all materials) continue in the foreseeable future.
21. Further feedback received focused on making the format of the materials more helpful. Suggestions included –
 - (a) use of hyperlinks within the business paper and reports where possible,
 - (b) increased 'whitespace' to allow the taking of notes,
 - (c) revised approach to layout and headings (sizes, spacing, bold, underline etc), and
 - (d) colour coding of materials.
22. Standing Committee encouraged the Diocesan Secretary to review the format of reports for Synod in light of the feedback received and to consult with a communications consultant regarding any improvements to the layout and format of standard reports in light of increased use on tablets. Ultimately the advice included –

- (a) Use of colour in headings can be helpful if the document, in particular the header on the first page, has several colourful aspects. However, since that is typically not the case in reports to Synod and these reports will be printed in black and white for about half of Synod members, it is best to plan not to use colour, using increased spacing to compensate. (For example, the inclusion of colour only on some subheadings results in distraction unless there are other colour elements on the page.)
 - (b) To ease navigation of reports, greater emphasis should be given to sub-headings throughout the document, by both increasing the font size of subheadings and increasing the amount of white space above the subheadings. This allows the eye to more naturally identify a block of information and relate it to its heading.
 - (c) Standard Synod reports currently use two levels of subheading. Introducing a third level of subheading, ensuring there is noticeable difference between the three, will aid efficient navigation of the document and give the appropriate visual cues to aid implicit understanding of the content.
23. Standing Committee requested the Diocesan Secretary to transition future Synod reports to a format implementing the advice above. (This report, and others printed for Synod this year, adopt the new format.)
24. Feedback from members also included the desire from some for additional whitespace in reports – giving room to write notes or speeches. Current practice in preparing reports for Synod often sees SDS staff condensing text, and shrinking the space between lines in order to reduce the occurrence of reports finishing one quarter of the way down a page and leaving three quarters of a page of whitespace. Where possible (to fit within the limits of document size that can be printed and stapled) this practice will be avoided in future.

Production of a summary document

25. The results from Q2 of the survey indicated that the volume of Synod materials is a significant factor hindering the ability of members to engage, while the results of Q4 provided an overwhelming response in support of the initiative of providing a brief (approximately 2 pages) covering report, listing the matters of business with short commentary and page references to guide reading.
26. Accordingly, the Standing Committee requested the Diocesan Secretary to trial the provision of such a report having the following characteristics: For each matter included in Synod materials that includes a substantive recommendation —
- (a) utilise the summary statements or key points included in reports or explanatory material to describe the purpose of the matter being brought to Synod,
 - (b) clearly link related matters (such as ordinances to explanatory reports and principal versions of the ordinance), and
 - (c) provide page references and links to soft-copies of the reports.

Posting printed Synod materials

27. The detailed results of question 4 indicate that Synod members have polarised views on receiving a printed copy of the materials: a majority indicated absolutely no desire to receive posted printed materials, while 131 out of 302 respondents indicated that having the printed materials posted to them would have helped them to more meaningfully engage with the business of Synod prior to the session. We assume that this would translate to approximately 350 of the total Synod membership desiring a printed form of materials to be posted to them.
28. There are other relevant factors to consider in this matter –
- (a) Synod, by resolution 14/13 expressed its desire to operate on an “essentially paperless” basis by 2017.
 - (b) The approximate total cost to print and send Synod materials is \$18 per person, not including the labour involved to print and send the packs.
29. At its meeting on 18 March 2019 the Standing Committee requested the Diocesan Secretary to make the necessary arrangements to allow Synod members to ‘opt in’ to receive printed Synod materials by post and allocated up to \$10,000 from Synod Fund Contingencies for 2019 to cover this additional expense, while seeking sources of funding for future years in order to continue this arrangement.

Timing of Synod materials

30. The results of Question 2 indicate the factors that make it harder to engage with Synod *prior to* the session, while Question 4 suggests initiatives that may best address these factors. From a comparison of the results of the two questions, we see –
- (a) from Question 2, the most significant factor making it harder to engage was lack of available time (58%), which is taken to refer to busy schedules making it difficult to find time for pre-reading as the option “materials not available early enough” was demonstrably less impacting (24%).
 - (b) the Question 4 responses indicated a strong desire that materials are released earlier in the year (53%) nevertheless.
31. The following timetable records the key dates for release of Synod materials in 2018 –
- (a) Book 1 (all reports available at the conclusion of the August Standing Committee meeting) and provisional form of Book 3 (available Bills for ordinances and proposed policies) were released on Wednesday 5 September,
 - (b) the final meeting of Standing Committee prior to Synod was held Monday 24 September,
 - (c) the remainder of the materials, including Book 2 (reports available following the September Standing Committee meeting), the final form of Book 3 (all Bills for ordinances and proposed policies) and Book 4 (principal ordinances and background materials) were made available online on Friday 28 September, and
 - (d) Synod commenced on 15 October 2018.
32. The timeline in 2018 (which is consistent with prior years) resulted in Synod members having almost six weeks to read Book 1 and the provisional form of Book 3, but only 2 weeks to read the remainder of the materials.
33. At its meeting in May 2019, the Standing Committee encouraged the Diocesan Secretary to make arrangements for the printing of Synod materials as follows –
- (a) Following the penultimate Standing Committee meeting prior to Synod (currently August), compile all material that has been authorised by the Standing Committee to be printed for the forthcoming session of Synod (along with corresponding principal legislation) into ‘books’, and –
 - (i) publish the books online,
 - (ii) arrange a printer or mailhouse to distribute printed forms to those Synod members who have ‘opted in’ to receiving a printed copy by post,
 - (iii) make sufficient quantities available for those members who indicated a desire to have a printed copy, and
 - (iv) promote the expectation that no further printed copies of these books will be provided at the theatre or for pickup.
 - (b) Following the final Standing Committee meeting prior to Synod (currently September), any material then authorised for printing to be collected into a supplementary book (or books) and –
 - (i) published online, and
 - (ii) suitable quantities printed and made available for pickup from St Andrew’s House prior to Synod, and
 - (iii) suitable quantities printed and made available for pickup from the Wesley Theatre during Synod.
34. In this fashion, a significantly larger portion of Synod materials will be made available approximately six weeks prior to Synod, with only those materials finalised by Standing Committee at its final meeting prior to Synod being supplied in a supplementary pack, approximately two weeks prior to Synod.

Engagement during Synod

Production of a printable ‘Guide to Synod’ and online video

35. The results of Q10 of the Survey indicated that both the business rules and the business paper are viewed as the most significant factors of those listed that hinder engagement at Synod. The Standing Committee is promoting an ordinance to the Synod aimed at improving the business rules, including

where possible simplifying those that are most often misunderstood. The ordinance is described in the separate report, 'Synod Standing Orders'. This is only expected to partially address the engagement problem, so to ensure the rules are better understood, the Standing Committee –

- (a) encouraged the Diocesan Secretary to continue an existing initiative to produce a short (4 x A5 page) Guide to Synod, bringing the key rules and processes together in a single sheet, and
- (b) requested the Diocesan Secretary to provide an overview of key processes and rules at the next pre-Synod briefing, and make the recording of that segment available on the SDS website for the benefit of future sessions of Synod as well as the forthcoming session.

Location and forum of Synod

36. Matters related to the location and forum of Synod are addressed in a separate report, '14/17 Forum of Synod'. For the purposes of this report, the Standing Committee simply noted that 77% (234 of the 302) of respondents indicated that there were no changes which could be made to the Synod (meeting days, times, locations) which would increase their attendance in the future.

Other feedback

37. The largest volume of feedback from the open-ended responses noted that debates are dominated by the same group of people, and it can be both imposing and frustrating trying to participate in that environment. On the other hand, the view was expressed in a few of the open-ended responses that standing up and speaking doesn't equate to 'engagement' – you can be engaged and only ever vote, leaving the speeches up to others. One response that sums up this feeling while elegantly including a variety of views on the matter, follows –

“It feels like the regular speakers have it all under control. I don't want to waste the time of synod, or my time in preparing (the amount of energy required to engage with an issue, prepare a speech etc is not worth the effort given that others are doing it and it may not even get anywhere). I thank God for those who do serve us so well by preparing great speeches. I am a keen and mostly confident voter, and pleased to engage at that level. I find it pretty discouraging when some speakers imply that those who don't speak up front aren't really participating/engaging in Synod. The vast majority of us are there to vote – and to be honest if we all wanted to speak it would become very unmanageable and reduce the quality of debate. I am content with how it is now (although I think we'd benefit if some speakers spoke less often).”

Complexity of Synod

38. While we can try to simplify and help people understand the processes and rules of Synod, there needs to be recognition that it is in fact a reasonably complex process. Some considerations –
- (a) Other comparable bodies are orders of magnitude smaller: parliament has similar rules of debate but Synod has five times the people; and members of parliament are necessarily involved in speaking and debating regularly, becoming accustomed to the rules and process through forced involvement, and many more sitting days per year than Synod. Sydney Synod is also significantly larger than General Synod or the synod of any other diocese in this country.
 - (b) Because of the membership turnover, every Synod triennium will always include a significant portion of lay people (not to mention new clergy) in their first Synod – 24% of respondents to the survey had been members for 2 years or less; with a further 23% having been members for 3-5 years.
 - (c) There is also the problem of public speaking to 550 people: many Synod members do not expect to speak, but contribute by voting conscientiously.
39. Saying all that, we need to acknowledge that we will never get to a point where everybody is highly engaged and adept at participating in the meeting of Synod.

On behalf of the Standing Committee.

Synod Engagement - Survey Results Summary

Q1. How much time did you spend reading the materials prior to the most recent session of Synod?

Answer Choices	Responses	
< 1 hour	12%	38
1-3 hours	42%	129
3-7 hours	34%	103
7 hours+	12%	37
Answered		307
Skipped		2

Q2. To what extent did each of the following factors make it more difficult for you to meaningfully engage with the business of Synod prior to the session?

	No impact				Moderate impact				Great impact		N/A		Total	Avg.
Other commitments resulting in not enough time	11%	34	11%	34	33%	98	16%	49	27%	80	1%	4	299	3.36
Printed Synod Books too hard to pickup from the city	52%	157	7%	22	8%	23	6%	18	11%	34	16%	47	301	2.02
Softcopy Synod Books hard to follow	41%	124	17%	51	19%	57	9%	26	10%	31	4%	13	302	2.27
Format of reports (hard to understand / follow)	36%	109	22%	67	25%	75	9%	27	5%	16	2%	6	300	2.23
Volume of materials (didn't know where to start)	23%	70	15%	46	22%	68	19%	57	19%	57	2%	6	304	2.95
Didn't feel the need to pre-read (willing to rely on debates/research while at Synod)	32%	97	18%	55	25%	76	7%	20	2%	7	16%	49	304	2.16
Materials not available early enough	45%	135	21%	62	13%	40	8%	23	7%	21	7%	21	302	2.05
Other (please specify)													31	
Answered													307	
Skipped													2	

Q3. To what extent did each of the following resources make it easier for you to confidently engage with the business of Synod?

	No impact				Moderate impact				Great impact		N/A		Total	Avg.
Reading particular reports from the Synod books prior to Synod	6%	19	8%	25	26%	80	24%	73	33%	99	2%	6	302	3.7
Having the Synod Books available in softcopy (to read on tablets, phones, etc)	10%	31	12%	38	18%	54	18%	56	38%	116	3%	10	305	3.64
Attendance at the SDS Pre-Synod briefing	27%	82	8%	23	12%	36	5%	16	7%	20	41%	125	302	2.26
Accessing the SDS Pre-Synod briefing online	21%	64	7%	21	19%	59	11%	35	16%	49	25%	77	305	2.93
Regional pre-Synod meetings	33%	100	7%	20	5%	15	4%	12	3%	10	48%	146	303	1.8
Mission-Area based pre-Synod gatherings	36%	109	8%	23	3%	10	3%	8	3%	9	48%	146	305	1.65
'How to survive Synod' guide	28%	84	9%	26	17%	52	15%	45	9%	28	22%	66	301	2.6
SDS webpage with Synod advice	19%	59	14%	44	23%	71	15%	47	10%	31	17%	53	305	2.79
Answered													308	
Skipped													1	

Q4. To what extent would each of the following initiatives help you to more meaningfully engage with the business of Synod prior to the session?

	No impact				Moderate impact				Great impact		N/A		Total	Avg.
Materials available earlier in the year / as they are finalised	18%	53	14%	41	25%	75	20%	61	23%	68	1%	4	302	3.17
Printed form of materials posted to you	42%	126	11%	32	10%	30	9%	27	25%	74	4%	13	302	2.62
Synod books or reports presented in different format	43%	127	17%	49	13%	38	5%	15	9%	26	13%	38	293	2.07
A brief (2 pages) covering report, listing the matters of business with short commentary	3%	9	3%	8	12%	38	20%	60	62%	189	1%	3	307	4.36
Short online videos explaining key rules and processes of Synod	23%	70	11%	32	20%	61	18%	56	25%	75	3%	9	303	3.12
Short printable guide explaining key rules and processes of Synod	12%	35	13%	39	20%	62	21%	64	31%	95	3%	8	303	3.49
Expansion of SDS Pre-Synod briefing to include more topics	28%	85	17%	52	21%	63	11%	34	12%	37	10%	31	302	2.58
Other (please specify)													51	
Answered													307	
Skipped													2	

Q5. Which sessions of Synod do you typically find it hard to attend?

Answer Choices	Responses	
Afternoon	27%	82
Evening	6%	18
Both may be particularly difficult	5%	16
Neither are particularly difficult	62%	190
	Answered	306
	Skipped	3

Q6. If you did not attend all sittings of the last session of Synod, what was your main reason for not attending?

Answer Choices	Responses	
Work commitments	46%	102
Family/carer commitments	10%	22
Poor health	3%	7
Absent from Sydney (work or holidays)	5%	12
Too far to travel	4%	8
Too difficult to participate	1%	3
Business not relevant/interesting	6%	13
Other (please specify)	25%	55
	Answered	222
	Skipped	87

Q7. Please indicate below which formats of Synod would suit you and your availability.

Answer Choices	Responses	
(current practice) Meeting three days one week, two the next, with afternoon and evening sessions	64%	195
Meeting on a Saturday instead of, say, two of the mid-week evenings	17%	50
Meeting Friday afternoon and evening, and all day Saturday; then repeated two weeks later	20%	60
Compressing the current five days to four days	24%	72
Other suggestion	11%	32
	Answered	303
	Skipped	6

Q8. Are there any changes which could be made to the Synod (meeting days, times, locations) which would increase your attendance in the future?

Answer Choices	Responses	
No	77%	234
Yes (please elaborate)	23%	68
	Answered	302
	Skipped	7

Q9. How often have you spoken at (move motion, ask question, etc) at Synod?

Answer Choices	Responses	
Never	48%	146
Usually don't speak at a Synod (but have at least once)	35%	105
Usually do speak, usually on only one or two issues	14%	44
Always speak, often on multiple issues	3%	9
	Answered	304
	Skipped	5

Q10. To what extent do each of the following factors make it harder to engage with the business of Synod (voting with confidence, asking questions, moving amendments)?

	No impact								Great impact		Total	Avg.
Complexity of business rules	18%	53	19%	57	19%	57	23%	68	21%	61	296	3.09
Pace of business	28%	83	27%	80	19%	55	18%	52	8%	23	293	2.49
Complexity of business paper	21%	60	25%	73	21%	60	23%	68	11%	31	292	2.78
Dislike of public speaking	44%	131	23%	69	16%	48	10%	29	6%	18	295	2.1
Not called upon by the President	61%	177	21%	60	10%	29	5%	15	4%	11	292	1.71
Willing to trust that someone else will raise my issue,	29%	88	24%	73	22%	65	18%	55	6%	18	299	2.47
Not confident that my question / concern is valid / valued	29%	86	19%	56	19%	55	18%	52	16%	48	297	2.73
Other (please specify)											55	
Answered											302	
Skipped												7

Q11. In what capacity were you a member in October 2018?

Answer Choices	Responses	
Rector	27%	81
Parish lay representative	61%	184
Other clergy member	6%	17
Other lay member	6%	19
Answered		301
Skipped		8

Q13. In which Region is your parish?

Answer Choices	Responses	
Georges River	13%	40
Northern	25%	75
South Sydney	18%	55
Western	21%	64
Wollongong	22%	67
Answered		301
Skipped		8

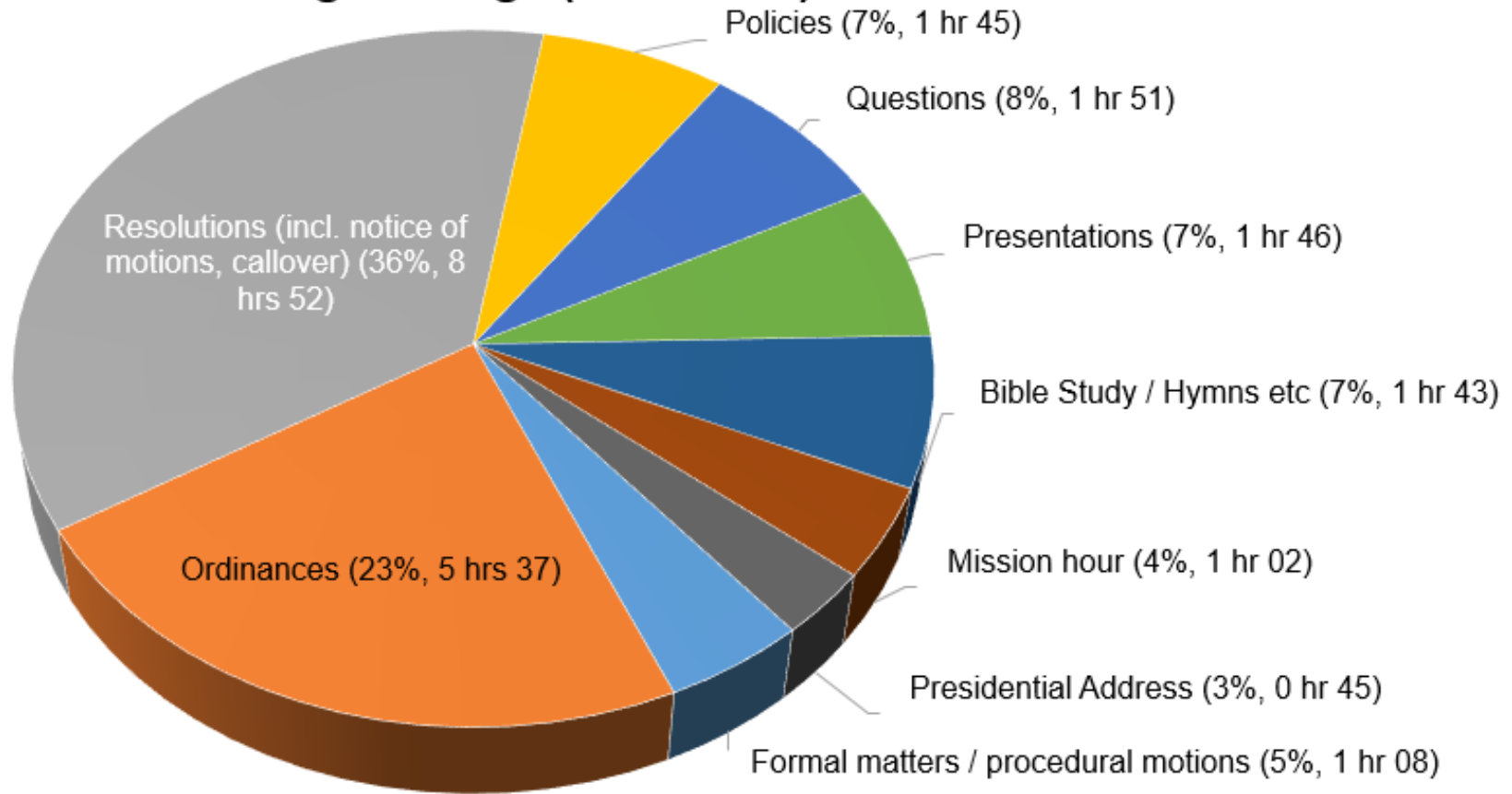
Q12. For how many years have you been a member of Synod?

Answer Choices	Responses	
0-2	24%	73
3-5	23%	69
6-11	28%	84
12-25	22%	66
26+	3%	10
Answered		302
Skipped		7

Time spent across types of business at Synod, 2017-2018

	Activity	Formal matters / procedural motions	Ordinances	Resolutions (incl. notice of motions, callover)	Policies	Questions	Presentations	Bible Study / Hymns etc	Mission hour	Presidential Address	TOTAL
2017	Minutes	48	390	389	130	145	138	95	60	45	1440
	Hours	4/5	6.50	6.48	2.17	2.42	2.30	1.58	1	3/4	24
	% of total time	3%	27%	27%	9%	10%	10%	7%	4%	3%	100%
2018	Minutes	87	283	675	80	77	73	110	64	45	1494
	Hours	1 4/9	4.72	11.25	1.33	1.28	1.22	1.83	1	3/4	24 8/9
	% of total time	6%	19%	45%	5%	5%	5%	7%	4%	3%	100%
Total / Average	Tot. Mins	135	673	1064	210	222	211	205	124	90	2934
	Tot. Hrs	2.25	11.22	17.73	3.50	3.70	3.52	3.42	2.07	1.50	48.90
	Avg Hrs	1 hr 08	5 hrs 37	8 hrs 52	1 hr 45	1 hr 51	1 hr 46	1 hr 43	1 hr 02	0 hr 45	23 hrs 20
	Avg. %	5%	23%	36%	7%	8%	7%	7%	4%	3%	100%

Average timings (2017-2018)



14/17 Forum of Synod

(A report from the Standing Committee.)

Key Points

- The current format of afternoons and evenings midweek remains the preferred format for Synod, although starting 45 minutes earlier and reducing Synod to 4 days is a compelling option to contract the overall meeting time.
- The Standing Committee has made no recommendation to reduce the number of days on which an ordinary session of Synod meets.
- The current location of the Wesley Theatre in the CBD remains the preferred location for Synod meetings, although seating capacity is concerning.

Purpose

1. The purpose of this report is to respond to the request of Synod resolution 14/17, regarding the arrangements for the forum of Synod.

Recommendations

2. Synod receive this report.

Background

3. At its session in October 2017, the Synod passed resolution 14/17 in the following terms —

‘Synod requests Standing Committee to review the arrangements for the Diocesan Synod and report to the next Synod in relation to –

- (a) the logistics of contracting the meeting time from the current format which comprises 5 afternoon and evenings,
- (b) possible alternative arrangements in relation to the convening of Synod in so far as they relate to the times and where Synod meets.

In preparing a report for the next Synod, Standing Committee should consider the reports, resolutions and learnings which came from Resolution 40/99 Weekend Meetings of the Synod.’

4. At its meeting on 26 March 2018, the Standing Committee constituted a committee (the **Committee**) to undertake the work requested in Synod resolution 14/17. The Committee members are –
 - The Hon Peter Young (Chair)
 - Mrs Robyn Donohoo
 - Mr Malcolm Purvis
 - Mr Michael Rowe
 - The Diocesan Secretary
5. The resolution specifically requested that the reports, resolutions and learnings which came from Resolution 40/99 Weekend Meetings of the Synod be taken into consideration. The Committee reviewed these, and several other reports provided to the Synod in recent years, namely —

- (a) 'Size and Structure of Synod' Report on Synod Resolution 28/84,
 - (b) 'Future Form of Synod Meetings' preliminary report to the Archbishop (1995) and 'Final Report to Synod' (1997),
 - (c) 'Weekend Synod Meetings' Report (1999),
 - (d) 'Weekend Meetings of the Synod (40/99)',
 - (e) 'Weekend Synod Meetings (9/01)', and
 - (f) 'Synod attendance' (2014).¹
6. The requests of the resolution will be addressed by first considering the efficiency of Synod business (focusing on alternative meeting days and formats), and then considering alternative locations and venues.

Efficiency of Synod Business & Alternative meeting formats

7. There are two components to be addressed if contracting the meeting time of Synod: (1) using the time available more effectively, allowing a reduced amount of time overall, and (2) selecting a suitable alternative meeting format in which to conduct the meetings over fewer days.
8. In response to Synod's resolution 40/18, the Standing Committee produced two reports for Synod ('Synod Standing Orders' and 'Enhancing Engagement of Synod Members') which among other things, recommend several measures intended to allow Synod to use its time more effectively, addressing component (1). Accordingly, this report makes some brief suggestions on efficiency but focuses on component (2) – the possible alternative meeting formats for Synod.

Efficiency of Synod business

9. Noting the significant amount of Synod business time given over to presentations (7% on average for the past two years), a number of options to limit the impact of presentations upon the time of Synod were considered, including –
- (a) Preventing organisations that have presented to Synod in the previous 2 years from making a presentation.
 - (b) Limiting presentations to 10 minutes.
 - (c) Limiting to 30 minutes the amount of time of Synod which may be scheduled for presentations (in addition to the Missionary Hour).
 - (d) Hosting a special evening, perhaps in the week prior to Synod in which organisations can make their presentations. It is not considered likely that many people would turn up to such an evening, and as a result, organisations would shortly seek to present at Synod regardless.
 - (e) Requiring all presentations to be in the form of a video and restricted to 5 minutes as per the approach frequently taken by Mission Property Committee. This forces a focused message and gives certainty around time, while also providing a change in the format of Synod. (Alternatively, all videos could be made available online.)
10. Ultimately, a key problem with introducing any rules for Synod presentations is that it is fairly common for those seeking to give a presentation to move a procedural motion suspending business rules to allow their presentation. Once that suspension of rules is approved by the Synod, any other rules (such as those suggested above) are ineffective. The Bill for the Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2019 and its accompanying report 'Synod Standing Orders', proposes introducing positive business rules for presentations into the Synod business rules. The intention is to give presentations slightly less prominence than motions, and less time, as well as restricting them to be held prior to the supper break. This approach removes the need for business

¹ Each of reports (b)-(f) are available on the SDS Document Search: <https://www.sds.asn.au/document-list> by searching the report title.

rules to be suspended for presentations that meet the conditions prescribed by the rules, making it more likely that –

- (a) Presentations are limited to the prescribed time and conditions, and
- (b) Presentations that seek to deviate from the prescribed limits are more likely to be opposed and successfully blocked.

Accordingly, this approach seems reasonable and likely to have some positive effect.

11. During the consideration of proposed policies and ordinances, the committee stage can become quite detailed with relatively few members participating in debate. In such circumstances, remitting the committee stage of bills to a special committee consisting of only those particularly interested in the Bill could prove fruitful. However, when the progress of the committee is reported to Synod, time would have to be spent summarising the amendments made in committee. On balance this could be beneficial to consider, although more extensive use of the current huddle system should make this move unnecessary.

Alternative Meeting days and formats

12. Synod typically meets over 5 days, with afternoon and evening sessions from 3.15 pm to 9.30 pm, having a meal break from 5:45 pm to 7:00 pm. The meeting days are Monday, Tuesday and Wednesday in one week and the Monday and Tuesday in the following week. The total time scheduled for business during Synod (excluding meal breaks) has recently been 24 hours and 45 minutes.
13. There are numerous possibilities for alternative formats for Synod meetings. Some possibilities that were specifically considered, along with some brief comments on each, include –
 - (a) Meeting Monday, Tuesday and Wednesday afternoon and evening (as current) followed by a final meeting day on the Saturday to focus on a key issue. This format would result in approximately three less hours for business and relies on a full day meeting Saturday. Synod members have expressed little appetite for meeting on a Saturday as described in 16(a) below.
 - (b) Holding the Synod service and Presidential address in the Cathedral on Monday evening and then meeting Tuesday through Thursday with either a Saturday special day or fixing a reserve day perhaps in the following week. Some synods in other dioceses adopt this approach, and little time is saved, although the format could be modified to have synod proper commence at 1:30pm on the first day. Again this format relies on a meeting on a Saturday.
 - (c) Splitting Synod into 2 sessions that are 6 months apart. This format was considered to be unhelpful due to the problems of (i) needing to repeat any business not resolved in the first portion of the session, and (ii) the reasonable expectation that during the months between portions of the Synod, the circumstances of matters of discussion may change making initial debates or even decisions irrelevant.
 - (d) Holding Synod in part or entirely during long weekends. (To be avoided.)
 - (e) An 'evening only' format meeting on Monday – Thursday evenings for 2 consecutive weeks from 6.00 pm to 9.00 pm was also briefly considered, noting that the evening sessions are considered easier for the majority of members to attend, and hence the more significant matters tend to be scheduled for the evening. This format would have a significantly larger impact upon family time, cost to attend and cost to host, accommodation, meals etc; and is not considered desirable.

Trial of weekend Synod in 2001

14. In 2001, the Synod trialled holding an ordinary session over four days, being Friday afternoon/evening sessions followed by an all-day Saturday session; repeated the following week. This allowed a total of 24 hrs for the meeting. Following that session, Synod members were surveyed and the results presented back to Synod in the report, *9/01 Weekend Synod meetings / Feedback from Synod Members*. The following are the key learnings –
 - (a) With regard to meeting on Saturdays, many Synod members valued the Saturday sessions in contrast to weekday evenings, as the longer meeting times on Saturdays allowed greater continuity of business; and for being *less* invasive upon work, home and ministry time. However, many other Synod members expressed that there was no relative benefit in meeting

on Saturday, and still other Synod members expressed a strong preference for the weekday evening sessions with rationale including —

- (i) the Saturday sessions intruded *more* upon family time, sports, etc than weeknight sessions,
- (ii) Saturday sessions intruded upon weekend ministries (e.g weddings), and
- (iii) the Saturday sessions were too long and contributed to additional fatigue, which had significant impact upon Sunday ministries.

Having been asked on balance whether they preferred the weekend Synod meetings or the usual weeknight format, only 85 out of 231 members who answered that question preferred the weekend, while 146 preferred the weeknight format.

- (b) With regard to contracting the session to four meetings of Synod, rather than five, there was a generally more positive response, with the following rationale given –
 - (i) Synod members had a reduction in costs associated with travelling to the session, parking, meals, accommodation and babysitting.
 - (ii) The shortened meeting time led to a sense of urgency in addressing the business of Synod.

Results of recent survey of Synod members

15. At its meeting in February, the Standing Committee requested that all Synod members be surveyed regarding their recent experience of Synod. The survey responses have provided data which speaks directly to this matter. A summary of the relevant data is provided in tables below.

Q7. Which formats of Synod suit you and your availability?	Responses
(current practice) Meeting three days one week, two the next, with afternoon and evening sessions	64%
Compressing the current five days to four days	24%
Meeting Friday afternoon and evening, and all day Saturday; then repeated two weeks later	20%
Meeting on a Saturday instead of, say, two of the mid-week evenings	17%
Other suggestion	11%

Q8. Are there any changes which could be made to the Synod (meeting days, times, locations) which would increase your attendance in the future?	Responses
No	77%
Yes	23%

16. By question 7, 64% of respondents indicated that the current format of Synod suited them and by question 8, 77% indicated that there were no changes which could be made to the Synod (meeting days, times, locations) which would increase their attendance in the future. In interpreting these results, we must recognise that there may be some element of self-selection: parishioners who cannot attend Synod in its known format will not allow themselves to become Synod members, and hence their view on preferred formats is excluded.
17. 302 Synod members responded to the survey. When the data was analysed further, the following emerged –
- (a) 10% (31 respondents) indicated the current format didn't suit them but meeting on a Saturday instead of two mid-week evenings would.
 - (b) 15% (44 respondents) indicated the current format didn't suit them but it would suit them to meet Friday afternoon and all day Saturday, then repeated two weeks later.
 - (c) 4% (13 respondents) fall into both categories listed above.
 - (d) Combining the data in (a)-(c) above, 21% of respondents indicated the current format didn't suit them and some other format would; but the best of the formats suggested only received 15% support.
 - (e) 15% (46 respondents) indicated the current format didn't suit them and simply desired a reduced meeting time from five to four days.

- (f) There were seven 'open ended responses' out of 302 respondents, stating a strong desire for Synod on Saturday; and four 'open ended responses' explicitly opposing the use of Saturdays.
18. Having considered the alternatives, the historical data and the survey responses, the current program for Synod meetings (afternoons and evenings mid-week across two weeks) clearly seems the most appropriate format with strong majority support expressed; although this clearly is not ideal for all members.

Meeting on fewer days

19. Having established that meeting afternoons and evenings during the week remains the most suitable format for Synod, we consider the logistics of meeting over fewer days within that format. The following paragraphs outline the logistics of two options: contracting the meeting time (1) to four days, or (2) to three days.
20. Some considerations –
- (a) Currently both sessions (afternoon and evening) of Synod are scheduled to last 2.5 hours. It is unreasonable to schedule a session to go beyond three hours without a break, and any break needs to be sufficient to accommodate 500 people exiting, refreshing and re-entering. Hence three hours must be an upper limit on session length with a preference for something closer to 2.5 hours; and any break should be at least 30, preferably 45 minutes.
 - (b) Many members find it hard to attend the afternoon sessions as it is, so extending earlier into the afternoon will disadvantage these members further.
 - (c) Many Synod members travel long distances home each night, and extending beyond 9:30 pm will further disadvantage these members.
 - (d) The current format of Synod meetings schedules 24 hours and 45 minutes of meeting time across five days. On each day of Synod, there is at least 30 minutes of material (Prayer and Bible Study, hymns, formal matters and some procedural motions) to start the day which presumably would not be required in the overall tally if that day of Synod is not held; so the total amount of time scheduled can be reduced accordingly. On this basis, in order to provide an equivalent amount of time for business, a four day Synod should aim for 24 hours and 15 minutes; and a three day Synod should aim for 23 Hours and 45 minutes.
 - (e) In the 'Synod Standing Orders' report and accompanying Bill addressing the request of resolution 40/18, the Standing Committee is proposing several modifications to the business rules intended to result in a greater proportion of Synod's time available for Synod business. Adopting these measures is expected to bring savings in time which should allow some flexibility in modifying the timing and format of Synod meetings.

Contracting the meeting time to four days

21. Holding Synod over four days could be achieved in the following format –
- (a) Meet on Monday and Tuesday one week, followed by Monday and Tuesday the following week.
 - (b) Commence the afternoon session at 2:30 pm (rather than 3:15 pm) and break for dinner at 5:20 pm (rather than 5:45 pm), resulting in 20 minutes of extra meeting time per day.
 - (c) Dinner break from 5:20-6:30 pm, resulting in 5 minutes less for dinner, but 5 minutes more for business.
 - (d) Commence the evening session from 6:30 pm (rather than 7:00 pm) and finish at 9:30 pm (as per current), resulting in 30 minutes of extra meeting time per day.
- Overall this would result in 55 minutes of extra meeting time per day.
22. This format would provide a total of 23 hours and 20 minutes of scheduled meeting time (55 minutes less than the desired amount for a four day session). While the start time could be set to 2:20 pm to bring the scheduled available time to 24 hours, that seems disadvantageous on balance due to the awkward start time and the 3 hour long afternoon session that would result.
23. If Synod were to plan only four days of meeting in a session, it may be tempting to hold the four days within one week, either consecutively or perhaps with a break on the Wednesday. For the following reasons, the recommendation is to meet two days one week, and two days the next –

- (a) Synod currently benefits from a few days between sessions to review and reflect upon the work done so far and proposed amendments yet to be considered. The return to business in week two often includes the fruit of collaboration, or opportunity to address problems raised in week 1. If the days are held within one week, much of the benefit and time saving associated with collaboration outside of sessions may be lost.
- (b) Some Synod members stay in rented accommodation during Synod. Holding the Synod over 4 consecutive nights will take these members away from home for the full four days. Holding the Synod in one week with a break on Wednesday will introduce a gap day, with associated increased expenses.
- (c) Any consecutive days of Synod are quite taxing upon Synod members, who not only attend Synod, but often work during the day and engage with Synod materials. Similarly, Synod staff work after the evening session and prior to the afternoon sessions the next day to answer questions, help members with amendments and procedural questions, and prepare the business paper. Holding four days in a row, or in one week, may simply be too demanding for all involved, especially if each day is commencing earlier than at present.

Accordingly, the four day session is most compelling as an option if held two days (presumably Monday and Tuesday) one week and two days (Monday and Tuesday) the next.

- 24. Adopting this format for Synod has the following benefits –
 - (a) There is one less day of expenses for members associated with accommodation, driving, parking, public transport, meals, baby sitters, time off work, etc.
 - (b) The slightly earlier meal time will mean more outlets in nearby food courts are open to serve dinner (many eateries in local food courts close by 6:30 pm).
 - (c) The cost to host Synod should reduce by 20% – approximately \$15,000 once venue hire, A/V, security, printing, and staffing costs are taken into consideration.
- 25. The 45 minute earlier start time will have a consequent reduction in the amount of time available to produce the business paper, which is already a demanding deadline. However, the Diocesan Secretary is confident that if the deadlines for notice of amendment were brought forward by 45 minutes to 10:15 am, and the Synod doors opened (with printed forms of the business paper available) 45 minutes prior to the session rather than the current 60 minutes, a shift to four days would be able to be managed, if held across two weeks as suggested.
- 26. The option to hold Synod over four days as described, by adoption of a 45-minute earlier start time and five minutes less for dinner is compelling. The question appears to be: Do the benefits of one less day overall outweigh the inconvenience of the earlier start time and the slightly reduced time for business?

Contracting the meeting time to three days

- 27. Holding Synod over three days requires a substantial shift in approach. Assuming the continued approach of midweek afternoons and evenings, Synod could be held using the current format with an additional session commencing each day at 12:00 noon, running until 2:40 pm; as described below –
 - (a) Commence the early afternoon session at 12:00 noon (rather than 3:15 pm) until 2:40 pm.
 - (b) Afternoon break from 2:40 pm to 3:15 pm.
 - (c) Commence late afternoon session from 3:15 pm to 5:45, as per current afternoon session.
 - (d) Break for dinner at 5:45 pm until 7:00 pm, as per current practice.
 - (e) Evening session from 7:00 pm to 9:30 pm, as per current practice.
- 28. This format would provide a total of 23 hours of scheduled meeting time, 45 minutes less than the desired amount for a three day session.
- 29. Adopting this format for Synod has the following benefits –
 - (a) There would be two less days of expenses for Synod members associated with accommodation, driving, parking, public transport, meals, baby sitters, time off work, etc.
 - (b) The cost to host Synod should reduce by 40% – approximately \$30,000 once venue hire, A/V, security, printing, and staffing costs are taken into consideration.
- 30. Additional issues –

- (a) A start time 3 hours and 15 minutes earlier than current will mean that 2/3rds of Synod business would be conducted prior to the dinner break; which is a serious disadvantage for those members who struggle to attend during the day.
- (b) There will be only three evening sessions in which to conduct the more serious matters.
- (c) The three days would need to be held with a day's break in-between (at least). This results from the time taken to turn around a business paper and the desire to allow time for members to collaborate between sessions on amendments and motions. The rationale is as follows –
 - (i) Printing the business papers for Synod takes 1.5 hours, and the absolute latest it can start is one hour prior to the doors opening for Synod, which is currently one hour prior to the session start. This would mean that the business paper would need to be finished with a target of 9:30 am and absolute deadline of 10:00 am.
 - (ii) Producing a business paper by 9:30 am would require a cutoff for additions to the business paper at 8:00 am at the latest, which would severely impede members from collaborating on amendments to motions, and reduce to nonexistence time to reflect on improvements to suggested motions and amendments while also removing any time for the Order of Business Committee to meet and determine recommendations for the order of business.
 - (iii) Such a timetable is unreasonable and would be unfruitful for productive consideration of the business of Synod, and leaves no time for contingencies, risking escalation of the problems experienced in 2018 when the printed form of business papers arrived late and were scarce for several sessions as a result of existing tight timeframes and a faulty printer.
- (d) If the three days are non-sequential, the timings and deadlines can be better managed; but it would introduce additional problems with members who would otherwise stay in a hotel during Synod, now left with days off in-between. This may also mean that the Synod setup and floor layout would need to be packed up and re-setup each day of Synod, to allow the Wesley Theatre to use the space on off days – or pay the equivalent hire charge, thereby cancelling most of the financial advantages of this model.
- (e) Holding Synod over three days would introduce the need to re-think the order of business over successive days. For example, currently questions are asked and notice of motions may be given only on the first three days, presumably the rationale for this approach would need to be applied to the shorter format, which given the problems with this model already described, seems a fruitless exercise for the purposes of this report.

31. For these reasons, a three day Synod is not recommended.

Alternative Locations and Venues

32. We return to consider the second aspect of the Synod resolution, namely whether there are alternative venues that would suit Synod's requirements. We consider issues relating to the geographic location of the meeting place, and then requirements for the venue itself, before considering some alternative venues.

Locations

33. The location for Synod needs –

- (a) to be accessible by public transport,
- (b) to offer sufficient parking,
- (c) to provide capacity for meals for 500 people simultaneously emerging from a session,
- (d) to be reasonably 'central' for the benefit of members from all areas of the Diocese, and
- (e) to offer sufficient options for accommodation,

and would be highly beneficial to be a short walking distance from St Andrew's House (given the need for staff to produce and provide daily business papers, amendment sheets, and answers to questions with a tight turnaround time).

34. In practice, these requirements all point to a location within the CBD and close to St Andrew's House.

35. The most persistent suggestion for a location outside the CBD has been to move the meeting of Synod to Parramatta (or thereabouts). In the recent survey, six respondents suggested this option providing the rationale that the centre of the Diocese is further west than the CBD. There is an obvious logic to this idea as there are significantly more members travelling east to get to Synod than there are those travelling west. However, those members travelling mainly south or mainly north (some with journeys of up to three hours) would be further disadvantaged should the Synod meeting location move to Parramatta.
36. In terms of determining a 'central location' it is the travel options (road and rail) that dictate the most equitable place to host the Synod meeting, not solely the geographical location. To illustrate this point, it is worth noting that the geographical centre of the Diocese (excepting Lord Howe and Norfolk Islands) is somewhere near Mittagong.
37. It is a simple reality that the CBD is the obvious and best location to host Synod owing to the travel options (roads and rail), and its ability to cater for the large size of Synod from the perspective of facilities, parking, meals and accommodation.

Capacity and features

38. The Wesley Centre replaced the seats in the Theatre in 2014, reducing the capacity from 830 to 759 seats (when setup in Synod format). During an ordinary session there is a need to set aside approximately 80 seats for a public gallery and for staff. Noting that there are just over 800 members of Synod, it is concerning that if all members attended, there would not be enough seats. However, the largest number of Synod members in attendance for an ordinary session in recent history was in 2005 when 628 people attended. The capacity issue is still a concern, and is taken into consideration in the comparison of venues below.
39. With regard to features, any theatre style venue is expected to be able to provide most of the features required for a Synod: an audio-visual system, multiple microphones, a foyer area, etc. However, in addition to these standard requirements, it is important to have sufficient seating on the one level for all Synod members, avoiding the situation where some members are forced onto a 2nd tier and unable to easily approach the front to participate in debate. It is desirable therefore, that any venue have sufficient seating on one level, to hold all Synod members in attendance.

Capacity during election Synods

40. There is some concern as to the Wesley Centre's ability to hold the Synod when significant matters are debated, and larger numbers attend. The next Archbishop Election Synod (in 2020) may be such an occasion. During the last Archbishop's election Synod (in 2013) Synod had 808 members and 758 were present to cast their ballot.
41. Thankfully, during election Synods a public gallery is not required and some extra rows at the front (which are removed for an ordinary session) become available for use, increasing capacity for Synod members by approximately 100 to a total of approximately 780. It is expected that these measures will largely address the issue, however to ensure that every Synod member can attend and participate, for the election Synod in 2020 an overflow room will be organised within the Wesley Centre which will carry a video feed and allow function for members to cast ballots.
42. While the use of an overflow room is not ideal, given the costs involved in considering an alternative venue (outlined below) and given that it is unclear whether there will be significant seating capacity problems, it seems the most reasonable approach. It may be that the future use of an overflow room when significant matters are considered may be beneficial for the purposes of convenience and comfort, even if not strictly required for capacity.

Venues

43. With the above capacity and features in mind, three alternative venues were identified for consideration within or near the CBD close to St Andrew's House. These were: Sydney Town Hall, the International Convention Centre in Darling Harbour and the City Recital Hall. In each case, the

cost for each venue was significantly higher than Wesley, and deemed unsuitable for Synod. (For reasons of commercial sensitivity, the figures are not provided.)

44. Aside from the problem of cost, the City Recital Hall does not offer the single tier of seating desired, and no other option provided any advantage over the Wesley theatre, save for seating capacity; which was not viewed as sufficient to justify the expense of alternative venues. Of course the Christian heritage and purpose of the Wesley Centre makes it a particularly fitting venue for the business of Synod, and brings with it a certain level of comfort and warmth in shared Christian mission.
45. If the rates of Synod attendance or membership significantly increase, either an overflow or an alternative venue will have to be utilised. Based on the information at hand, the likely alternative venue would be the International Convention Centre in Darling Harbour. Until such time as attendance and capacity cannot be ignored, Wesley Theatre is the logical and most cost effective choice of venue.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

29 August 2019

27/17 Gender representation on Diocesan boards and committees

(A report from the Standing Committee.)

Key Points

- The current participation of women on Diocesan boards has increased in recent years. However, there is potential for, and benefit in, further increasing the participation of women.
- The use of 'quotas', 'targets' and 'goals' causes confusion and produces strong responses when discussing gender participation. Gender quotas are not recommended for the Diocese of Sydney, since tying down membership of boards too tightly by way of any personal characteristic (i.e., gender, race or age) rather than qualification may stifle the ability of those with gifts to serve.
- The levers of change are on the nomination side of the process, rather than goals and targets in the electing side.
- Increasing the participation of women on Diocesan boards needs to address both issues of opportunity and supply, and demand. Various recommendations to address these issues are contained within the report.

Purpose

1. The purpose of this report is to provide the Synod with a revised response to the request of Synod resolution 27/17 regarding Gender representation on Diocesan boards, committees and councils.

Recommendations

2. Synod receive this report.
3. 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 *27/17 Gender representation on Diocesan boards and committees* –

- (a) requests the Standing Committee to ask the members of the 2019 Committee to oversee the implementation of the following initiatives –
 - (i) a survey of Synod members to determine logistical arrangements (such as times and locations) that should be considered by boards and committees,
 - (ii) analyse the responses to the survey, and convey relevant information to the boards and committees of the Diocese including –
 - (A) an outline of the value of increasing women's participation, and presenting the case for reconsideration of the skills matrix, if appropriate, to include broader competencies and life experiences in addition to traditional professional competencies,
 - (B) a suggestion that they give fresh consideration to their meeting logistics (such as times and locations) to ensure that any possible obstacles to serving are removed,
 - (C) encouragement to foster a culture of mentoring by appointing existing members as mentors for new members (or those considering membership),
 - (D) encouragement to develop a one-page overview of the work of their board or committee, to be made available to potential new members,

- (E) a request that when vacancies need to be filled, to include information on gender composition along with any recommendations regarding skills desired in a person to fill a vacancy,
- (iii) seek publication of articles in print and online media to stimulate interest in serving on boards and committees, and
- (b) encourages its members who are experienced as board or committee members to consider a ministry of mentoring women newly appointed to, or considering a position on, boards and committees in the Diocese,
- (c) requests SDS to –
 - (i) produce a short guide to participating on boards and committees in the Diocese,
 - (ii) provide annual statistics of gender composition on boards and committees to the Standing Committee,
- (d) encourages the Standing Committee in its existing practice of considering gender composition when filling casual vacancies.’

Background

4. At its ordinary session in 2017, the Synod passed resolution 27/17 in the following terms –

‘Synod requests Standing Committee to bring a report to the next Synod which outlines the composition of the various Diocesan boards, committees and councils in so far as they reflect the gender participation of those groups.

Synod requests the report to include –

- (a) the numbers and percentages of women and men on the Synod Diocesan boards, committees and councils,
 - (b) goals or targets that the Diocesan organisation could work towards to ensure greater balance of diverse representation of Diocesan boards, committees and councils,
 - (c) recommendations as to how to improve participation by women, and
 - (d) a summary of any theological considerations involved in reaching their decisions.’
5. At its ordinary session in October 2018, the Synod received a report (the **original report**) from the Standing Committee addressing the request of this resolution. The original report included several recommendations and was accompanied by a motion to be moved at Synod, at the request of the Standing Committee. The Synod did not have sufficient time to consider that motion.
6. At its meeting on 12 November 2018, the Standing Committee constituted a committee (the **2019 Committee**) to provide a revised report with prioritised recommendations and costings for Synod in 2019. The Standing Committee also agreed at that meeting that ‘a standardised gender quota, target or goal is undesirable for Diocesan boards and committees’. The discussion and recommendations at the conclusion of this current report are the fruit of the work of the 2019 Committee, while the following sections are a lightly revised version of the original report, retained for the context and convenience of the reader –
- (a) Analysis of gender participation on Diocesan boards
 - (b) Goals and targets
 - (c) Theological considerations.

Analysis of gender participation on Diocesan boards

(Revised from the 2018 report)

7. The Committee began its work with an analysis of the current gender composition on Diocesan boards and committees (hereafter, **Diocesan Boards**). In response to Resolution 27/17(a), the attached table provides numbers and percentages of women and men on Diocesan boards where at least some members are elected by the Synod (Appendix 1, updated to March 2019 figures). The table illustrates the complexity of both measuring and changing gender participation on Diocesan

Boards. Almost every board has a different composition and many involve quotas for certain kinds of people (e.g., indigenous, region, lay, clergy, or clergy with certain years' standing). The data is a starting point in understanding the gender composition of Diocesan boards, although it needs to be refined and maintained.

8. The current involvement of women on some boards, and the overall participation of women on Diocesan Boards is an encouragement, as is an observed increase in participation in recent years. However, there is potential for, and benefit in, increasing the participation of women, for theological and pragmatic reasons (see below). There are other factors that could be considered to increase the diversity of Diocesan Boards (e.g., age and cultural background) but these are beyond the remit of the Committee.
9. The use of 'quotas', 'targets' and 'goals' causes confusion and produces strong responses when discussing gender participation. Quotas and goals are not recommended in the context of mandated results which must be achieved. The terms 'goals' and 'targets' are used interchangeably and are aspirational outcomes. Terminology and definitions are further expanded in paragraphs 13-16 below.
10. A significant obstacle to greater participation of women appears to be that not enough women are being nominated to fill positions. That is, if electors (i.e., Synod and Standing Committee) were given the opportunity to elect more women they would do so. This means that the levers of change are on the nomination side of the process, rather than goals and targets in the electing side.

Goals and targets

(Revised from the 2018 report)

11. It is worth engaging briefly with various reports and information from corporate Australia. The Workplace Gender Equality Agency (**WGEA**) Report 'How to set gender diversity targets' encourages gender diversity but stops short of nominating an exact goal or target that it deemed as "best practice". Rather, the encouragement is to "improve the gender diversity" of the Australian workforce. The reasons given for improving gender diversity are –
 - gender diversity improves business performance, innovative creativity and agility
 - gender diversity is the "right thing to do"
 - gender diversity policies and reporting are increasingly common.
12. In our context, the first reason offered is compelling and is supported wholeheartedly: a more demographically diverse board usually produces more dynamic and innovative results because a variety of people bring a variety of perspectives and ideas to be considered. The second and third reasons provided in the WGEA Report are less persuasive, in the way they are stated. Reliance on the demand of rights or peer group pressure for improving gender balance or setting gender targets and goals runs contrary to the shape of the gospel. Moreover, the Diocese of Sydney, and the organisations within it, are fundamentally different from a for-profit company or government agency where women have at times been systematically denied opportunities for advancement, equal remuneration and career progression. We are a family of churches and organisations, an association of disciples of Christ, with different dynamics and foci from the secular world. Those who serve on Diocesan Boards do so as volunteers as part of their service of Christ. This is not to say that gender diversity is unimportant but that the motivation for it and the method of pursuing it in the church will be different from that in the world.
13. The WGEA report defined targets as 'achievable, time-framed objectives which organisations can set on a regular basis to focus their efforts on achieving improved outcomes'. The importance of achievable and measurable targets was clear in the literature and it was noted that targets can often have a negative impact on organisations and reduce motivation when not achieved.
14. In considering the request to include goals or targets that Diocesan Boards could work towards, it is recognised that it is not appropriate to nominate either a number or percentage at this point in time for a number of reasons, including –
 - the very different nature of our boards,
 - the different nominating provisions within the foundation or governing documents of the boards,

- the difficulty in obtaining and maintaining reliable data as to the current composition of boards, and
 - changing people's attitudes or openness to participation is more complicated than setting goals or targets.
15. With these things in mind, we now consider how to increase participation by women on Diocesan Boards beginning with some theological reflection.

Theological considerations

(Revised from the 2018 report)

16. It is clear from the Scriptures that men and women are created equally in the image of God with equal dignity and capacity to serve in a multiplicity of ways both inside and outside the church (Genesis 1:27-30; Romans 12:3-8; 1 Thessalonians 4:11). Men and women are not identical, and have been created to work together with complementary differences given by God, for our good and for the good of those we serve.
17. Scripture does not directly address the composition of boards. Neither does it describe boards that might provide examples for consideration. However for our purposes, it is significant that women are seen in gospel support roles throughout the New Testament. There are many instances of the support women provide to the ministry of Jesus (Matthew 27:55; Luke 10:44; John 12:2). Acts 16 describes Lydia as a generous gospel host who supports Paul's work. Romans 16 describes a long list of men and women who were benefactors and contributors to Paul's ministry, but they were not members of a committee. We might say that in addition to the 'vine' work of promoting the gospel, both men and women were involved in the 'trellis work' in the New Testament period.
18. Diocesan Board meetings generally are not occasions of public worship, teaching or pastoral discipline. For this reason, the New Testament instructions about church leadership do not directly apply to board membership (cf. 1 Timothy 2:11–3:13; Titus 1:5–9). Boards are primarily occupied with discussion, debate and decision making on matters of governance and policy. Although itself concerned with public worship, Colossians 3:16 probably comes closest to addressing the mutual participation and instruction that may occur on Diocesan Boards, as members teach 'one another' informally from the Scriptures. Accordingly, there is no reason why both men and women ought not generally be welcomed onto Diocesan Boards. However, the Committee did note there may be some Diocesan Boards which, because of their responsibilities, may require incumbents or people of a particular biological sex and that the specific tasks of a board should be taken into account when determining the optimal gender composition.
19. There is a variety of views on board leadership found within the complementarian framework broadly adopted throughout the Diocese. Some would deem it inappropriate for a woman to lead a board despite its purpose being governance and policy. At the same time, there are several women in leadership positions of Diocesan Boards (e.g., Chair) in the Diocese. This matter is considered beyond the remit of this report.
20. Besides mature Christian character and conviction, suitability for Christian leadership is a matter of competency or 'gifts'. Broadly speaking, we are to serve according to the gifts we have been given, and those gifts create a beautiful diversity in the body of Christ (Romans 12:3-8). God gives gifts to the church so that it may function well as the body of Christ for the common good (1 Corinthians 12:7). Not everyone has all gifts and it ought not be assumed that everyone in the church has the gifts to serve on boards. Among the gifts mentioned in the New Testament are *antilemphis* (perform helpful deeds) and *kubernesis* (govern or guide, administration) (1 Corinthians 12:28), indicating that it is God's provision that we might expect to find able persons who can serve on our boards in the body.
21. The encouragement of the Scriptures is that if one has a gift, they ought to use it for the common good and gospel benefit. 1 Corinthians 12 challenges those who either look down on some gifts or assume every Christian can do everything (12:11, 29). Rather, Christian people ought to be encouraged to determine the gifts God has given them and to serve using those gifts (1 Corinthians 12:12-26). While this is to happen in an orderly fashion (1 Corinthians 14:26-35), the only justification for barring someone with gifts from service where a need exists, appears to be lack of godliness (1 Corinthians 14:36–40; 1 Timothy 3:1-13) or considerations related to the specific context in which

those gifts would be used (1 Timothy 2:11-15). There is also a warning against stifling the gifting of the Spirit (1 Thessalonians 5:19).

22. There are no real theological arguments either for or against targets. This Committee decided against setting specific targets because it considered tying down membership of boards too tightly by way of any personal characteristic (i.e., gender, race or age) rather than qualification may stifle the ability of those with gifts to serve.

Analysis of recommendations for increasing participation of women

23. The original report indicated that increasing the participation of women on Diocesan boards needs to address issues of opportunity and supply, and also demand, and provided a list of recommendations and suggestions, along with commentary. The following paragraphs interact with each of these, grouping the original suggestions under three categories of initiatives –
- (i) Overcoming obstacles
 - (ii) Raising awareness
 - (iii) Mentorship and Training

Overcoming obstacles (i)

24. The original report considered barriers to women joining boards, and made the following suggestions and comments –

Address logistical barriers: Anecdotally, many women decline nomination to boards because they are unable to attend meetings at times and in locations that conflict with their family or employment responsibilities. Arguably this is also an issue for lay men. Boards might need to reconsider the location and time of meetings. One way of assessing this would be for SDS to survey all Synod members about their preferences and logistical obstacles to their availability and participation. This could then be compared with a corresponding survey of the meeting times and places of boards. One member of the Committee did not consider such a survey was necessary.

Address gate-keeper issues: As noted above, many rectors are reluctant to ‘lose good people’ to responsibilities beyond the local church. This is understandable, and there is a proper priority that should be given to ministry in the local Christian community. However, in doing so, rectors can intentionally or unintentionally discourage women from roles beyond the local church. Ideally rectors will be facilitators for the broader involvement of women in the life of the Diocese. Striking the balance will depend on the needs of the parish, and the gifts and needs of individual women. Assisting rectors to be facilitating gatekeepers could be addressed through the Centre for Ministry Development, Ministry Training & Development, at regional conferences, senior clergy in discussion with rectors, at Synod, and in *Southern Cross*. The Committee believes the role of rectors as gatekeepers is key to increasing the participation of women in boards, as they are best placed to know the character, competency, and availability of members of their congregations.’

25. More information is needed to understand the nature of logistical barriers. Accordingly –
- (a) Synod members may be surveyed to identify logistical factors (e.g., day, time, location) that limit their availability to serve on boards, and
 - (b) following analysis of the responses, relevant information may be conveyed to the boards and committees of the Diocese along with a suggestion that they give fresh consideration to their meeting logistics to ensure that obstacles to serving are removed.
26. The original report made the following suggestions and comments regarding the actions that boards and committees could take to encourage participation by women –

Articulate biblical guidelines: It is the view of this Diocese that Scripture teaches that men and women have different responsibilities within the church in regard to doctrinal and pastoral oversight, and discipline. While boards are not ‘church’, some boards

exercise roles and authority that significantly affect the doctrinal and pastoral oversight, and discipline of churches (e.g., the Nomination Board). Accordingly, the appropriate gender-mix of boards should be decided on a case by case basis, to ensure it is aligned with the biblical teaching.

Consider gender composition: Boards are to be encouraged actively to consider their current and ideal gender composition, and any constraints or requirements of the composition of that board regarding gender (e.g., a single sex school council might be rightly weighted towards the biological sex of the student body; the biblical constraints noted in paragraph 35). Boards should consider if current positions requiring an 'incumbent' might be filled by a 'clergy person'. The Committee encourages boards to provide detailed information to electors about all the above within the board's skills matrix, with the understanding that all information provided is considered when an election is held.

Review long-term membership: The common practice of re-electing sitting members to boards has the unintended effect of slowing the appointment of women, and raises broader questions about board renewal. If fixed term appointments are not desirable, boards could be encouraged to consider active steps to ensure board renewal.

Review 'ideal' qualifications: The career pathways of many women do not always track identically to those of their male counterparts. This can be due to child-rearing, family responsibilities, decisions to work part-time, and decisions to be involved in ministry. From a worldly perspective, these might not seem impressive on a CV, but Scripture and experience remind us that they are valuable, and would contribute a distinctive competency and perspective to the skills matrix of some boards. Accordingly, boards might review their 'ideal' qualifications for new members to determine if a vacancy could be filled by a suitable woman with the desired formal qualifications (e.g., degrees, professional membership), but without the career pathway that might be found in their male counterparts.'

27. Understanding the work of boards may be aided by –
- (a) encouraging boards and committees to develop a one-page overview of the work of their board or committee, to be made available to potential new members, and
 - (b) SDS producing a short guide to participating on boards and committees.

Raising awareness (ii)

28. The original report made the following suggestions and comments that hold in view the positive effect of initiatives around raising awareness and equipping women to serve on boards –

'Provide encouragement: Rectors and mentors can encourage women to consider how they might contribute to boards and in other roles within the Diocese. This can be done generally as part of the preaching/teaching program of the church, or specifically in personal conversation. Anecdotally, rectors can be reluctant to 'lose good people' to ministry outside the parish, so encouraging women in this way may require some sacrifice on the part of rectors and the local church community. Often the demands of board membership will impact a whole family, not just the individual member, so the encouragement and support of family is also a factor.

Provide vision: Many lay people, in particular, are not aware of the strategic value of boards to the work of the gospel. This vision can be provided by the 'centre' (e.g., *Southern Cross* or Synod), or by individual organisations (e.g., school newsletters, Moore College prayer diary). However, it also touches more broadly on the place of volunteerism, and the need for believers to have a ministry-mindset, which are best addressed through the preaching/teaching and discipleship programs at the parish level.

Provide information: There is little contact between, and awareness of, the operations of 'the Diocese' (including organisations and school boards) and regular congregation members. Providing information sessions for those interested (and possibly invited) might increase understanding, buy-in, and participation of both lay women and men. It

is possible existing Synod members would also benefit from such events. We recommend that SDS commission an Educator/consultant within the Diocese to write a program that may be run in conjunction with Synod information evenings each year. There may be a one-off cost, but SDS would own the Intellectual Property and could run the program each year.

Provide models: The adage is that 'you cannot be what you cannot see'. To this end, we need to provide examples of women serving on boards, in addition to those examples of women serving that are currently available. This might be done through *Southern Cross*, and the participation of women at Synod in various capacities.

Identify suitable women: Given the size of the Diocese and the number of boards within it, it is difficult to be aware of lay women who may be qualified and willing to fill vacancies. The same could be said about lay men. Two ways of addressing this would be to survey/audit Synod members, and formally ask rectors to identify suitable women within their congregations. This could happen during Synod with a simple paper survey to be filled out and returned, or a survey of Synod members by electronic means.

Create awareness of need: Boards and those electing their members need to be aware of the need to recruit and appoint women to vacancies. This will be an ongoing task that needs to be addressed at various levels. Possible measures include the following: it could be required on the Standing Committee agenda that, where appropriate, vacancy notices and election motions provide details of the current gender representation; tracking of board membership (annually); boards could be actively encouraged to increase representation of women; and the Archbishop could be encouraged to fill appropriate 'Archbishop's appointments' with women.'

29. Awareness of the value and types of vacancies available may be raised by —
- (a) publishing articles in print and online media,
 - (b) writing to all Diocesan Boards outlining the value of increasing women's participation, presenting the case for reconsideration of the skills matrix, if appropriate, to include broader competencies and life experiences in addition to traditional professional competencies, and
 - (c) encouraging the use of the anticipated parish portal by parish office holders and Synod members to convey relevant experience and qualifications that may be used to identify a wider pool of suitable candidates

Mentorship and Training (iii)

30. The original report made the following suggestions and comments that hold in view the positive effect of initiatives around mentorship and training —

Build confidence: Many women cite felt lack of confidence as a reason for not joining boards. Confidence grows when people experience success, and so graduated pathways of recruitment and service are needed (e.g., Bible study leader, parish councillor, regional councils, Synod). As women grow in their knowledge, skills, and experience, they will be more aware of and have more confidence in their ability to contribute to Diocesan life. They will also have more to contribute.

Provide training: Training women (and men) for board membership, would both build confidence and competence. Such training could be provided by SDS, or other groups. The cost of attending such training might be subsidised or discounted for women not in full-time employment, if the cost is to be borne by attendees.'

31. In 2018, Sydney Diocesan Services (**SDS**) engaged the Australian Institute of Company Directors (**AICD**) to run its three-day Foundations of Directorship course for members of diocesan organisations. The purpose of the course is to equip members to discharge their responsibilities, particularly in relation to governance, finance, strategy and risk. It is the current practice of the Archbishop and the CEO of SDS to consult with the Archdeacon for Women's Ministry to identify women to fill subsidised places on these courses.
32. The practice of mentoring and training may be increased by —

- (a) encouraging Synod members who are particularly experienced as board or committee members to consider a ministry of mentoring women newly appointed to, or considering a position on, other boards and committees, and
- (b) encouraging Diocesan Boards to foster a culture of mentoring by appointing existing members as mentors for new members (or those considering membership).

Implementation

- 33. The original report made a recommendation to constitute a subcommittee of the Standing Committee to oversee the composition of boards, reviewing progress and the implementation and effectiveness of initiatives, working with SDS to periodically monitor gender composition on boards, councils and committees. Given that any such subcommittee will not have power to ensure or enforce gender composition, on reflection it seems most appropriate to instead task a working group to implement initiatives recommended in this report and request SDS to provide annual statistics for the review of the Standing Committee.
- 34. To that end, Synod is encouraged to consider the recommendations in the motion at paragraph 3 of this report.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

29 August 2019

Appendix 1

Gender composition summary table (as at 25 May 2019)

Council / Board	Org. Type	Appointing Organisation	Gender comp. actual numbers (female)	Gender comp. actual numbers (male)	% Females elected by Synod (regardless of reqs) (a)	# female only positions	# male only positions (b)	Org w reqs precluding women (incumbency, male only) (c)	% Females on seats open to either sex (d)	% Females elected or appointed to non-clergy positions (e)	# women apt by ABP out of total women on the committee (f)	# clergy female appted by ABP	# ABP clergy female appt as proportion of total # clergy females
Affiliated Churches Committee	Diocesan Committee	S-C	0	4	0%	0	0	0	0%	0%	0 out of 0	0	0 of 0
Anglican Church Growth Corporation	Diocesan Org.	S-C	1	8	11%	0	0	0	11%	14%	0 out of 1	0	0 of 0
Anglican Church Property Trust Diocese of Sydney	Diocesan Org.	Synod	1	9	10%	0	0	0	10%		0 out of 1	0	0 of 0
Anglican Community Services (Anglicare)	Diocesan Org.	Synod	3	6	33%	0	1	1	38%	33%	1 out of 3	0	0 of 1
Anglican Education Commission	Diocesan Org.	Synod	5	6	50%	0	0	0	45%	45%	1 out of 5	0	0 of 0
Anglican Media Council	Diocesan Org.	S-C	3	6	17%	0	0	0	33%	33%	2 out of 3	0	0 of 0
Anglican National Superannuation Board	Diocesan Org.	Synod	1	6	14%	0	0	0	14%	14%	0 out of 1	0	0 of 0
Anglican Schools Corporation	Diocesan Org.	Synod	2	6	29%	0	0	0	25%	29%	0 out of 2	0	0 of 0
Arden Anglican School Council	Diocesan School	Synod	3	9	10%	0	0	0	25%	33%	2 out of 3	0	0 of 0
Blue Mountains Grammar School	Anglican School	S-C	3	3	50%	0	0	0	50%	50%	0 out of 3	0	0 of 0
Camperdown Cemetery Trust	Other	S-C	3	2	60%	0	0	0	60%	60%	0 out of 3	0	0 of 0
Council of Anglican Youth and Education Diocese of Sydney (Youthworks)	Diocesan Org.	Synod	1	7	17%	0	0	0	13%	20%	0 out of 1	0	0 of 0
Council of St Catherine's School, Waverley	Diocesan School	Synod	3	6	38%	0	0	0	33%	33%	0 out of 3	0	0 of 1
Council of Tara Anglican School for Girls	Diocesan School	Synod	3	4	33%	0	0	0	43%	50%	1 out of 3	0	0 of 0

Council / Board	Org. Type	Appointing Organisation	Gender comp. actual numbers (female)	Gender comp. actual numbers (male)	% Females elected by Synod (regardless of reqs) (a)	# female only positions	# male only positions (b)	Org w reqs precluding women (incumbency, male only) (c)	% Females on seats open to either sex (d)	% Females elected or appointed to non-clergy positions (e)	# women apt by ABP out of total women on the committee (f)	# clergy female appted by ABP	# ABP clergy female appt as proportion of total # clergy females
Council of Trinity Grammar School	Diocesan School	Synod	1	11	8%	0	6	1	17%	17%	0 out of 1	0	0 of 0
Diocesan Doctrine Commission	Diocesan Committee	S-C	2	8	20%	0	0	0	20%	20%	0 out of 2	0	0 of 0
Diocesan Resources Committee	Diocesan Committee	S-C	0	5	0%	0	0	0	0%	0%	0 out of 0	0	0 of 0
Diocesan Retirements Board	Diocesan Committee	S-C	2	7	22%	0	0	0	22%	50%	0 out of 2	0	0 of 0
Endowment of the See	Diocesan Committee	S-C	2	4	33%	0	0	0	33%	33%	1 out of 2	0	0 of 0
Evangelism and New Churches	Diocesan Org.	Synod	1	6	17%	0	0	0	14%	25%	0 out of 1	0	0 of 0
Finance Committee	Diocesan Committee	S-C	1	7	13%	0	0	0	13%	13%	0 out of 1	0	0 of 0
General Synod Relations Committee	Diocesan Committee	S-C	1	10	9%	0	0	0	9%	9%	0 out of 1	0	0 of 0
Georges River Regional Council	Diocesan Org.	Synod	3	4	43%	0	3	1	75%	50%	0 out of 3	0	0 of 1
Glebe Administration Board	Diocesan Org.	S-C	2	6	25%	0	0	0	25%	25%	0 out of 2	0	0 of 0
Macarthur Anglican School Council	Diocesan School	Synod	3	3	40%	0	0	0	50%	40%	1 out of 3	1	1 of 1
Ministry in Socially Disadvantaged Areas Committee	Diocesan Committee	S-C	1	3	25%	0	0	0	25%	25%	0 out of 1	0	0 of 0
Minute Reading Committee	Diocesan Committee	S-C	1	2	33%	0	0	0	33%	33%	0 out of 1	0	0 of 0
Mission Property Committee	Diocesan Committee	S-C	2	6	33%	0	0	0	25%	25%	0 out of 2	0	0 of 0
Moore Theological College Council	Diocesan Org.	Synod	1	7	13%	0	3	1	20%	25%	0 out of 1	0	0 of 0
New College Limited	Anglican Org.	S-C	2	5	29%	0	0	0	29%	29%	0 out of 2	0	0 of 0
Nomination Board	Diocesan Committee	Synod	0	6	0%	0	0	0	0%	0%	0 out of 0	0	0 of 0
Northern Regional Council	Diocesan Org.	Synod	1	5	17%	0	2	1	25%	25%	0 out of 1	0	0 of 0

Council / Board	Org. Type	Appointing Organisation	Gender comp. actual numbers (female)	Gender comp. actual numbers (male)	% Females elected by Synod (regardless of reqs) (a)	# female only positions	# male only positions (b)	Org w reqs precluding women (incumbency, male only) (c)	% Females on seats open to either sex (d)	% Females elected or appointed to non-clergy positions (e)	# women apt by ABP out of total women on the committee (f)	# clergy female appted by ABP	# ABP clergy female appt as proportion of total # clergy females
Panel for the Professional Standards Board	Diocesan Committee	S-C	4	4	50%	0	0	0	50%	60%	0 out of 4	0	0 of 1
Professional Standards Committee	Diocesan Committee	S-C	2	3	40%	0	0	0	40%	50%	0 out of 2	0	0 of 0
Registrar's Committee for portraits, plaques and photographs	Diocesan Committee	S-C	1	4	20%	0	0	0	20%	20%	0 out of 1	0	0 of 0
Religious Freedom Reference Group	Diocesan Committee	S-C	1	4	20%	0	0	0	20%	20%	0 out of 1	0	0 of 0
Robert Menzies College	Anglican Org.	S-C	3	5	38%	0	0	0	38%	38%	0 out of 3	0	0 of 0
Royal Commission Steering Committee	Diocesan Committee	S-C	1	7	13%	0	0	0	13%	13%	0 out of 1	0	0 of 0
Safe Ministry Board	Diocesan Committee	S-C	4	5	33%	0	0	0	44%	75%	2 out of 4	1	1 of 1
SCEGGS Redlands	Anglican School	S-C	2	1	67%	0	0	0	67%	67%	0 out of 2	0	0 of 0
SCEGGS Darlinghurst	Anglican School	S-C	3	1	75%	0	0	0	75%	75%	0 out of 3	0	0 of 0
Service Review Committee	Diocesan Committee	S-C	1	1	50%	0	0	0	50%	50%	0 out of 1	0	0 of 0
Social Issues Committee	Diocesan Committee	S-C	3	5	38%	0	0	0	38%	38%	0 out of 3	0	0 of 0
South Sydney Regional Council	Diocesan Org.	Synod	1	4	20%	0	3	1	50%	50%	0 out of 1	0	0 of 0
St Andrew's Cathedral Chapter	Diocesan Org.	Synod	2	6	33%	0	0	0	25%	33%	0 out of 2	0	0 of 1
St Andrew's House Corporation	Diocesan Org.	Synod	1	8	11%	0	0	0	11%	14%	0 out of 1	0	0 of 0
St John's Parramatta Endowment Fund	Diocesan Committee	Synod	1	4	20%	0	0	0	20%	20%	0 out of 1	0	0 of 0
St John's Regional Cathedral Parramatta Chapter	Diocesan Org.	Synod	1	3	25%	0	0	0	25%	50%	0 out of 1	0	0 of 0
St Michael's Regional Cathedral Wollongong Chapter	Diocesan Org.	Synod	1	3	25%	0	0	0	25%	50%	0 out of 1	0	0 of 0

Council / Board	Org. Type	Appointing Organisation	Gender comp. actual numbers (female)	Gender comp. actual numbers (male)	% Females elected by Synod (regardless of reqs) (a)	# female only positions	# male only positions (b)	Org w reqs precluding women (incumbency, male only) (c)	% Females on seats open to either sex (d)	% Females elected or appointed to non-clergy positions (e)	# women apt by ABP out of total women on the committee (f)	# clergy female appted by ABP	# ABP clergy female appt as proportion of total # clergy females
Standing Committee	Diocesan Committee	Synod	11	31	26%	0	0	0	26%	39%	0 out of 11	0	0 of 0
Stipends and Allowances Committee	Diocesan Committee	S-C	2	7	22%	0	0	0	22%	22%	0 out of 2	0	0 of 0
Strategy and Research Group	Diocesan Committee	S-C	1	7	17%	0	0	0	13%	20%	0 out of 1	0	0 of 0
Sydney Anglican (National Redress Scheme) Corporation	Diocesan Org.	S-C	1	2	50%	0	0	0	33%	33%	0 out of 1	0	0 of 0
Sydney Anglican Indigenous Peoples' Ministry Committee	Diocesan Committee	S-C	2	8	20%	0	0	0	20%	20%	0 out of 2	0	0 of 0
Sydney Anglican Loans Board	Diocesan Org.	Synod	2	6	25%	0	0	0	25%	40%	0 out of 2	0	0 of 0
Sydney Church of England Grammar School Council (SHORE)	Diocesan School	Synod	3	9	25%	0	6	1	50%	50%	0 out of 3	0	0 of 0
Sydney Diocesan Services	Diocesan Org.	S-C	3	6	25%	0	0	0	33%	38%	1 out of 3	0	0 of 0
Tertiary Education Ministry Oversight Committee	Diocesan Committee	Synod	2	6	25%	0	0	0	25%	25%	0 out of 2	0	0 of 0
The Archbishop of Sydney's Anglican Aid	Diocesan Org.	Synod	2	6	40%	0	0	0	25%	33%	0 out of 2	0	0 of 0
The Council of Abbotsleigh	Diocesan School	Synod	3	6	33%	3	6	1		43%	0 out of 3	0	0 of 0
The Council of Barker College	Diocesan School	Synod	4	4	50%	0	0	0	50%	50%	0 out of 4	0	0 of 1
The Council of Ministry Training and Development	Diocesan Org.	Synod	2	10	11%	1	3	1	13%	14%	1 out of 2	1	1 of 1
The Council of the Illawarra Grammar School	Diocesan School	Synod	2	9	18%	0	4	1	29%	29%	0 out of 2	0	0 of 0

Council / Board	Org. Type	Appointing Organisation	Gender comp. actual numbers (female)	Gender comp. actual numbers (male)	% Females elected by Synod (regardless of reqs) (a)	# female only positions	# male only positions (b)	Org w reqs precluding women (incumbency, male only) (c)	% Females on seats open to either sex (d)	% Females elected or appointed to non-clergy positions (e)	# women apt by ABP out of total women on the committee (f)	# clergy female appted by ABP	# ABP clergy female appt as proportion of total # clergy females
The Council of the King's School	Diocesan School	Synod	1	8	11%	0	4	1	20%	20%	0 out of 1	0	0 of 0
The Mission to Seafarers, Sydney Port Committee	Diocesan Committee	Synod	0	3	0%	0	0	0	0%	0%	0 out of 0	0	0 of 0
Western Sydney Regional Council	Diocesan Org.	Synod	1	5	17%	0	2	1	25%	25%	0 out of 1	0	0 of 0
William Branwhite Clarke College Council	Diocesan School	Synod	1	6	17%	0	0	0	14%	25%	0 out of 1	0	0 of 0
Wollongong Regional Council	Diocesan Org.	Synod	1	9	10%	0	5	1	20%	20%	0 out of 1	0	0 of 0
Work Outside the Diocese	Diocesan Committee	S-C	2	4	33%	0	0	0	33%	33%	0 out of 2	0	0 of 0
					25%				28%	32%		2	3 of 9

Comments -

Summary table above of all current Synod/Standing Committee elected positions on Diocesan boards, committees and councils; and excludes appointments by the board itself and ex officio positions, however does include Archbishop appointments.

The data was taken on 25 March 2019.

(a) - total women elected by Synod (excl. Archbishop appointments).

(b) - men only positions across elections and appointments (eg incumbency).

(c) - "1" indicates that the organisation has any position which is effectively for men only (ie incumbents or "a man" or "clergy man").

(d) - the number of women in positions open to either sex (i.e. excludes positions only for women, and only for men).

(e) - any females appointed or elected to non-clergy positions, divided by total number of non clergy positions.

(f) - the number of Archbishop-appointed women out of the total number of women on the committee.

Actual number of female clergy elected or appointed to any committee (and # men for comparison): 11 female clergy across 13 appointments (2 women appointed to more than one committee); 98 male clergy across 123 positions.

The Registrar's Department notes the complexity in calculating "total" number of female clergy rather than under a list of different categories.

Human Sexuality Pastoral Guidelines

34/15 Diocesan Doctrine Commission report on Human Sexuality

(Report from the Standing Committee originally received by the Synod in 2018.)

Key Points

- At its session in 2015, the Synod requested guidelines to be developed that would help people to care pastorally for those who are same sex attracted as well as for their family members and friends
- Guidelines developed in response to Synod's request are attached to the report
- Synod will be asked to encourage Rectors to share the guidelines to people involved in pastoral care in their parishes

Purpose of the report

1. The purpose of this report is to respond to Synod resolution 34/15 in respect to pastoral guidelines for pastors as they minister to Christians (and their family and friends) experiencing same-sex attraction.

Recommendations

2. Synod receive this report.
3. Synod, noting the report Human Sexuality Pastoral Guidelines –
 - (a) encourage rectors to provide the guidelines, *Same-Sex Attraction: A pastoral guide*, to people who are involved in pastoral care in their parishes, and
 - (b) request the Standing Committee to consider how the guidelines might be published in a form that would be helpful to a wider audience.

Background

4. At its session in 2015, the Synod passed resolution 34/15 in the following terms –

'Synod thanks the Sydney Diocesan Doctrine Commission for its recent publication Human Sexuality & the Same-Sex Marriage Debate and commends it to the churches of the Diocese for the clarification and confirmation of the biblical theology of human sexuality and commits to pray for those in our community who identify as lesbian, gay, bisexual, trans or intersex (**LGBTI**).

Synod requests Standing Committee to continue its work of developing pastoral guidelines for pastors as they minister to Christians experiencing same-sex attraction, their family and friends, and their churches; and that a committee be formed of sufficient size, breadth of experience, and expertise to accomplish this, to report to Synod in 2017.'

5. In order to address the request of the resolution, the Standing Committee formed a committee chaired by Bishop Chris Edwards to develop the guidelines. The committee has met 15 times.
6. Developing guidelines that are helpful across the Diocese proved to be a difficult task. The committee reviewed similar guidelines from other organisations around the world, which often ran over 100 pages in length. While some of these had helpful ideas, most failed to provide succinct, simple suggestions for ways to provide pastoral care. Instead they presented theological opinions on the issue of same-sex attraction, oftentimes unhelpfully.

7. A first draft which ran to 50 pages was presented to the Standing Committee in 2017, but was returned to the committee for further work. It was considered that theological issues within the draft were not beneficial in the guidelines, and the document should be shorter and in a form that would be easy for use in a parish context.
8. The committee returned to the task, and among other things, considered the format of guidelines addressing pastoral care for people in other circumstances. The committee settled on the presentation in the schedule to this report. Its brevity and format are considered by the committee to be a helpful way of highlighting pertinent issues in a succinct manner.
9. The committee does not consider the format to be attractive in a visual sense but hopes the Standing Committee might consider how the guidelines might be published in a form that would be helpful to a wider audience.
10. A form of this report was received by the Synod at its ordinary session in 2018, but due to a lack of time, the recommendations of the report were not considered.

For and on behalf of the Standing Committee.

Daniel Glynn
Diocesan Secretary

29 August 2019

Same-Sex Attraction: A pastoral guide

Theology

- Know the key biblical texts that speak of homosexual sexual activity and develop a robust biblical theology of sex, gender and marriage, based on the breadth of biblical teaching throughout redemptive history and not just 'proof texts'.
- Know the arguments around the interpretations about the specific passages that refer to homosexual sexual activity.
- Differentiate theologically between same-sex orientation/attraction, same-sex sexual temptation and same-sex sexual activity.
- How do you think theologically about same-sex 'orientation'? Are you consistent in the way you consider what is and isn't sin in this area compared to others?

Maturity

- Be patient with each person as you listen to their struggles and gently guide towards maturity in Christ.
- Remember sexual attraction is only one facet of a person's life. Don't treat same-sex attracted (**SSA**) people as 'single issue Christians'; encourage holistic maturity and sanctification.
- Each SSA person will approach their struggle differently. We need to help people think through God's guidance, singleness and marriage, celibacy, loneliness and more.
- Remind the SSA person that the gospel holds out both the hope of future glory, and the joys of life in Christ now.
- Many SSA Christians will have previously encountered "affirming theology" and may have found it emotionally engaging. How can you equip yourself well to respond to theologies like this?

History

- The pastoral needs of a person who has grown up as a Christian and hasn't engaged in sexual activity, are very different from that of a person who has turned to Christ from previous sinful practice.
- A person's cultural background will likely affect how these issues are seen by their primary support network. For example, eastern and western cultures often view same-sex attraction differently.
- Where family dysfunction, abuse in formative years, or mental health struggles are present, there will need to be extra pastoral support.
- Be aware of the way SSA Christians have been treated in the past, and how that affects their perception of the present. This may mean some topics are of particular sensitivity, and understandably so. When might it be appropriate to apologise for past hurts the church has caused people?

Emphasis

- Remember same-sex attraction, same-sex sexual temptation and same-sex sexual activity are different. Experiencing a disposition towards a certain sin is not the same as struggling with temptation or succumbing to sin.
- Bear in mind in today's cultural climate SSA Christians (and those close to them) may feel a higher level of guilt and shame when compared with other Christians.
- Treat an SSA person and their issues of temptation and sin as you would a heterosexual person who is tempted to sin sexually or in other areas. For example, some pastoral responses can feel heavy handed even if they are wise and well meant.
- When might you consider seeking advice or referring people to others?

Holiness

- The key to holiness is pursuing identity, joy and satisfaction in Christ, along with the other benefits of the Christian life including church family and Christian friendships.
- Like all Christians, the fight against sin and the pathway to holiness is real. The SSA Christian ought to be encouraged to resist temptation and sin. Many SSA Christians will often have a deep awareness of these issues.

- Create a culture of strong friendships within the church, especially ones where people can be open, accountable and vulnerable about struggles with temptation.
- While acknowledging that sexual orientation can be fluid for some, don't endorse so-called 'conversion therapies'. Holiness is the goal of the Christian life, not heterosexuality.
- Pornography is deeply unhelpful for any progress in Christian holiness. Accountability structures can be extremely helpful. Don't allow awkwardness to stop your recommending good practice. Computer software that restricts or reports pornographic material strengthens defences further.
- What other steps might someone take to help them guard against seeking satisfaction in anything or anyone other than Christ?

Sin

- When a person sins, every attempt should be made to restore them gently, holding out that the Christian life is one of repentance and faith.
- Be aware of the greater level of shame the person caught in same-sex sin may feel.
- Facing up to sin is an opportunity for spiritual growth but which also involves complexity and pain. This is particularly the case if the sin involves a romantic/emotional relationship.
- Going through church discipline and restoration is potentially a time when someone will be most vulnerable to falling away. Make sure the person is linked with another Christian (perhaps yourself) for help and support.
- When would it be appropriate to withdraw someone from serving in church ministry or in leadership? Where have you seen pastoral responses to sin modelled well?

Language

- Be quick to listen and slow to speak. Never use language that you know could be offensive.
- Assume and speak as though SSA people are in the room (church, Bible study, youth group etc). Be especially aware of your use of personal pronouns like 'they' and 'them.'
- Be careful in your use of terminology, because some terms in this area mean different things to different people.
- Make sure that you don't speak as if the goal of the Christian life is marriage. Consider the impact this way of speaking has on the celibate Christian.
- What words can helpfully be used to describe large church events, services? Would any Christian, especially the SSA Christian, who is committed to a life of singleness and celibacy feel included?

Culture

- Make it clear that being same-sex attracted in itself is not an impediment to leadership within the church.
- Highlight illustrations, testimonies and examples of celibate SSA Christians active in church life. Their stories can be powerful examples of living for Christ. Foster a culture of listening to one another's stories, particularly to those who feel least heard.
- Promote hospitality, where life is lived and shared with others outside the modern western notion of a nuclear family.
- Think through the life of a celibate SSA person from 20 years of age to 80 years. What pastoral, relational and spiritual help would that person need at different points for which you could possibly establish structures in your church?
- Does your church have a written policy on leadership? Does it include a note on the need for holiness among leaders - and what holiness is like?

43/18 Implementation of the Recommendations of the Royal Commission into Institutional Child Sexual Abuse

(A report from the Standing Committee.)

Key Points

- The Royal Commission has made 58 recommendations to 'religious institutions' and 'religious organisations'. Of these, 28 relate to institutions and organisations generally and 5 recommendations relate directly to the Anglican Church of Australia. The remainder relate to other specific religious institutions and organisations.
- Prolegis Lawyers were engaged to undertake an independent review and gap-analysis of the recommendations of the Royal Commission that apply to the Diocese of Sydney and the Royal Commission's 10 Child Safe Standards. The gap-analysis revealed that of the 33 recommendations that are applicable, the Diocese:
 - meets 14 recommendations;
 - does not yet meet 18 recommendations; and
 - that one recommendation is not relevant.
- In summary, the action required in order to meet the remaining 18 recommendations involves:
 - adopting the Child Safe Standards for the Diocese (to meet four recommendations);
 - putting in place conflicts of interest policies that reference child sexual abuse to meet two recommendations;
 - developing a combined strategy with Ministry Training and Development (to meet six recommendations);
 - psychosexual assessments of candidates for ordination;
 - effective oversight (management) and performance appraisals of people in religious or pastoral ministry;
 - professional or pastoral supervision of people in religious or pastoral ministry;
 - liaison with the General Synod to develop a consistent approach to the above,
 - developing strategies in respect of the intake of people from overseas;
 - amending the Ministry Standards Ordinance 2017 and Diocesan Tribunal Ordinance 2017 (to meet four recommendations); and
 - the remaining two recommendations would be met by implementing:
 - leadership training (with a promotion of child safety element); and
 - protective behaviours training for children.
- The specific action adopted by the Standing Committee in respect to each applicable recommendation of the Royal Commission is set out in the table in the Appendix.
- Further changes to safe ministry policies and procedures are also required to comply fully with the Royal Commission's 10 Child Safe Standards. These recommendations have been referred to the Safe Ministry Board for its review and action.

Purpose

1. The purpose of this report is to respond to Synod Resolution 43/18 by providing recommendations in relation to implementation of the recommendations of the Royal Commission into Institutional Child Sexual Abuse that are applicable to the Anglican Church Diocese of Sydney.

Recommendations

2. Synod receive this report.

3. Synod, noting the report 43/18 'Implementation of Recommendations of the Royal Commission' –
 - (a) endorse implementation of the Royal Commission's Child Safe Standards by all institutions of the Diocese of Sydney that have contact with children in conducting their operations,
 - (b) request the Standing Committee to provide a report to the next session of the Synod in relation to implementation of the actions set out in the report, and
 - (c) pending Standing Committee's report to Synod in 2020 (and except as otherwise addressed at the 2019 session of Synod) –
 - (i) refer questions of draft ordinances or policies required to facilitate their implementation to the Standing Committee, and
 - (ii) request the Standing Committee to bring recommendations on funding to enable implementation of the actions set out in the report for approval by Synod.

Background

4. The Royal Commission into Institutional Child Sexual Abuse (the **Royal Commission**) was established by Letters Patent issued by the Governor-General on 11 January 2013.
5. The Terms of Reference of the Royal Commission directed it to inquire into, and report on, 'institutional responses to allegations and incidents of child sexual abuse and related matters'. It expressly required inquiry into:
 - (a) what institutions and governments should do to better protect children against child sexual abuse and related matters in institutional contexts in the future
 - (b) what institutions and governments should do to achieve best practice in encouraging the reporting of, and responding to reports or information about, allegations, incidents or risks of child sexual abuse and related matters in institutional contexts
 - (c) what should be done to eliminate or reduce impediments that currently exist for responding appropriately to child sexual abuse and related matters in institutional contexts, including addressing failures in, and impediments to, reporting, investigating and responding to allegations and incidents of abuse
 - (d) what institutions and governments should do to address, or alleviate the impact of, past and future child sexual abuse and related matters in institutional contexts, including, in particular, ensuring justice for victims through the provision of redress by institutions, processes for referral for investigation and prosecution and support services.
6. The Royal Commission's final report was submitted to the Governor-General on 15 December 2017.

The nature of the recommendations

7. The Royal Commission has made 58 recommendations to 'religious institutions' and 'religious organisations'. Of these, 28 relate to institutions and organisations generally and 5 recommendations relate directly to the Anglican Church of Australia. The remainder relate to other specific religious institutions and organisations.
8. For the purposes of the Royal Commission's recommendations, the Diocese of Sydney is an 'institution', an 'organisation' and an 'affiliated institution' as defined by the Royal Commission. This follows because:
 - (a) The Royal Commission defines a 'religious institution' as "an entity that operates under the auspices of a particular religious denomination and provides activities, facilities, programs or services of any kind that provide the means through which adults have contact with children". It lists 'dioceses' as an example of a religious institution.
 - (b) The Royal Commission defines a 'religious organisation' as "a group of religious institutions from a particular religious denomination or faith that coordinate and/or organise together". The Anglican Church of Australia is a 'religious organisation' for this purpose.
 - (c) The Diocese of Sydney is an 'affiliated institution' for the purposes of some recommendations because of its relationship to the General Synod.
9. This report considers those recommendations of the Royal Commission that apply to the Anglican Church Diocese of Sydney in these various capacities.

Discussion

Synod Resolution 43/18

10. Synod resolved as follows at its 2018 session with respect to implementation of the recommendations of the Royal Commission:

‘Synod, noting that an independent review of the position of the Diocese of Sydney with respect to the final recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse (available on the Synod this year page of the SDS website) is being considered by the Safe Ministry Board and the Standing Committee’s Royal Commission Steering Committee, requests that a full report be provided to the next ordinary session of Synod in relation to the implementation of the recommendations of the Royal Commission addressed to the Anglican Church, including –

 - (a) any sources of funding which may enable their implementation, and
 - (b) any draft ordinances or policies still required to facilitate their implementation.’
11. At its meeting on 11 November 2018, the Standing Committee noted the request in the resolution and requested the Royal Commission Steering Committee (the **RCSC**) to liaise with the Safe Ministry Board to bring a report to the Standing Committee for promotion to Synod in 2019.
12. There are only 5 recommendations “addressed to the Anglican Church”. However it is assumed that the Synod resolution intends to also include recommendations that apply to the Diocese of Sydney as a religious institution, a religious organisation and an affiliated institution.

Review and gap analysis by Prolegis Lawyers

13. The Professional Standards Unit engaged Prolegis Lawyers to undertake a review and gap-analysis of the recommendations of the Royal Commission that apply to the Diocese of Sydney and the Royal Commission’s 10 Child Safe Standards, and provide advice on what would be required for the Diocese to implement these recommendations and standards.
14. The project was conducted by Ms Anne Robinson and Mr Sam Burnett. Mr Burnett was previously a Senior Legal Officer at the Royal Commission, with a particular focus on the public hearings involving religious organisations and was a contributing author of the part of the Royal Commission’s report addressing the religious sector.

The Royal Commission’s recommendations

15. Overall, Prolegis summarised the Diocese of Sydney’s position in relation to the Royal Commission’s recommendations as “positive”. The gap-analysis revealed that the Diocese –
 - (a) meets 14 recommendations;
 - (b) does not yet meet 18 recommendations; and
 - (c) that one recommendation is not relevant.

Proposed actions to meet the recommendations

16. Prolegis proposed the following actions in order to meet the remaining 18 recommendations –
 - (a) adopting the Child Safe Standards for the Diocese (and liaison with the General Synod and affiliated institutions) to meet four recommendations;
 - (b) putting in place conflicts of interest policies for key boards that reference child sexual abuse to meet two recommendations;
 - (c) developing a combined strategy with Ministry Training and Development to meet six recommendations;
 - (d) psychosexual assessments of candidates for ordination;
 - (e) effective oversight (management) and performance appraisals of people in religious or pastoral ministry;
 - (f) professional or pastoral supervision of people in religious or pastoral ministry;

- (g) liaison with the General Synod to develop a consistent approach to the above;
- (h) developing strategies in respect of the intake of people from overseas;
- (i) amending the *Ministry Standards Ordinance 2017*, and *Diocesan Tribunal Ordinance 2017* to meet four recommendations; and
- (j) the remaining two recommendations would be met by implementing –
 - (i) leadership training (with a promotion of child safety element); and
 - (ii) protective behaviours training.

Implementation of the Royal Commission's 10 Child Safe Standards

17. The Royal Commission has identified 10 Child Safe Standards to ensure consistent standards of care for children across Australia. These are –
- (a) Child safety is embedded in institutional leadership, governance and culture;
 - (b) Children participate in decisions affecting them and are taken seriously;
 - (c) Families and communities are informed and involved;
 - (d) Equity is promoted and diversity respected;
 - (e) People working with children are suitable and supported;
 - (f) Processes to respond to complaints of child sexual abuse are child focussed;
 - (g) Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training;
 - (h) Physical and online environments minimise the opportunity for abuse to occur;
 - (i) Implementation of child safe standards is continuously reviewed and improved; and
 - (j) Policies and procedures document how the institution is child safe.
18. Prolegis' review against the Royal Commission's Child Safe Standards determined that although the Diocese of Sydney meets many components of the Standards, there are further steps that could be taken, including –
- (a) developing a concise 'commitment to safety' for inclusion across all policies, job adverts, job descriptions, and online;
 - (b) addressing the gaps in the lay stipendiary worker pathway as part of a broader strategy between the Safe Ministry Board and Ministry, Training and Development
 - (c) developing a centralised register for screening and training information;
 - (d) amending all policies to include reference to the diverse needs of children, including acknowledgement of the importance of their cultural safety;
 - (e) creating a plain English overview document, which includes the complaints procedure, appropriate for –
 - (i) children;
 - (ii) people of diverse backgrounds, including linguistically and culturally diverse backgrounds, such as Indigenous people and Torres Strait Islanders; and
 - (iii) parents and families;
 - (f) developing a 'children's sense of safety' survey;
 - (g) inclusion of a 'Children's Champion' on the Safe Ministry Board; and
 - (h) developing a policy on children with harmful sexual behaviours (that is, child on child sexual abuse).

Action taken

The Royal Commission's recommendations

19. Synod resolution 43/18 calls for a full report in relation to the implementation of the recommendations of the Royal Commission addressed to the Anglican Church, including any sources of funding which may enable their implementation, and any draft ordinances or policies still required to facilitate their implementation.

20. The table in the Appendix –
 - (a) lists each of the 33 recommendations of the Royal Commission that apply to the Diocese of Sydney (in columns 1 and 2);
 - (b) indicates whether or not the recommendation is already met (in column 3); and
 - (c) sets out the actions that have been adopted by the Standing Committee in relation to the recommendations (in column 4).

21. The actions are based on the report from Prolegis, but differ in some respects. This is due to –
 - (a) Prolegis not having a full understanding of existing diocesan arrangements with respect to safe ministry relevant to the recommendation,
 - (b) changes to diocesan arrangements with respect to safe ministry since the review which mean the proposed action has already been implemented or needs to be implemented in a different way, and
 - (c) the proposed action with respect to the recommendation not being practical or capable of implementation for other reasons.

22. Some of the actions have already been implemented, some are proposed for implementation by the Synod this year (for example, through amendments to the *Ministry Standards Ordinance 2017*), and others are in the process of being implemented.

Implementing the 10 Child Safe Standards

23. Prolegis has also recommended certain steps in relation to the 10 Child Safe Standards. These primarily involve –
 - (a) amending existing safe ministry and workplace policies, procedures and training materials,
 - (b) introducing procedures to consult more widely in relation to the content of this documentation, and
 - (c) developing further documentation.

24. These recommendations have been referred to the Safe Ministry Board for its review and action, with a request that it report back concerning its consideration and implementation of the recommendations.

25. One of the recommended steps involves appointing a Children's Champion to the Safe Ministry Board with this person having the specific responsibility of advocating on behalf of children in relation to diocesan safe ministry arrangements (Standard 1.2, indicia 1.2.9). The Safe Ministry Board already represents a broad range of expertise and independence, so it may be a question of refining its functions rather than adding to its composition. Either way the change will likely involve amendments to the *Safe Ministry Board Ordinance 2001*. In the first instance it would be appropriate to hear from the Safe Ministry Board on this matter when it reports back concerning the other recommended steps.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

26 August 2019

Gap analysis of compliance with the recommendations of the Royal Commission addressed to the Anglican Church Diocese of Sydney

Key



= substantial compliance, though some action may still be recommended.











= yet to meet, additional action required.

1 Framework Recommendations concerning the Child Safe Standards

No.	Recommendation	Compliance	Action Taken
16.31	All institutions that provide activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children, should implement the 10 Child Safe Standards identified by the Royal Commission.	*	Synod resolve to endorse implementation of the Royal Commission's Child Safe Standards by institutions within the Diocese of Sydney.
16.32	Religious organisations should adopt the Royal Commission's 10 Child Safe Standards as nationally mandated standards for each of their affiliated institutions.	*	No formal action to adopt the Child Safe Standards be taken until after the 2020 session of the General Synod in order to maximise consistency between the <i>Safe Ministry to Children Canon 2017</i> and the <i>Safe Ministry to Children Ordinance 2018</i> .
16.33	Religious organisations should drive a consistent approach to the implementation of the Royal Commission's 10 Child Safe Standards in each of their affiliated institutions.	*	Amend the <i>Safe Ministry Board Ordinance 2005</i> (or otherwise clarify the Board's functions) to give it responsibility for driving implementation of the Royal Commission's Child Safe Standards in a consistent manner within the Diocese. Request the Safe Ministry Board to indicate if it requires any additional resources to fulfil this function and the other responsibilities given to it in relation to implementation of the Royal Commission's recommendations.
16.34	Religious organisations should work closely with relevant state and territory oversight bodies to support the implementation of and compliance with the Royal Commission's 10 Child Safe Standards in each of their affiliated institutions.	*	Request the Professional Standards Unit to maintain a positive relationship with the NSW Office of the Children's Guardian and NSW Ombudsman for the purposes of, among other things, capacity building and guidance on the implementation of the Child Safe Standards within the Diocese.
16.35	Religious institutions in highly regulated sectors, such as schools and out-of-home care service providers, should report their compliance with the Royal Commission's 10 Child Safe Standards, as monitored by the relevant sector regulator, to the religious organisation to which they are affiliated.	*	Request the Safe Ministry board to write to diocesan schools and Anglicare ('affiliated institutions') in relation to recommendations 16.33, 16.34 and 16.35 to encourage implementation of these recommendations and seek feedback. Require diocesan schools and Anglicare to report with respect to their implementation of and compliance with the Child Safe Standards.

2 Child Safe Standard 1: Child safety is embedded in institutional leadership, governance and culture


No.	Recommendation	Compliance	Action Taken
16.36	Consistent with Child Safe Standard 1, each religious institution in Australia should ensure that its religious leaders are provided with leadership training both pre- and post- appointment, including in relation to the promotion of child safety.		<p>Request Ministry Training and Development to develop leadership training for senior officeholders in the Diocese, in consultation with the episcopal team, as part of the Lifelong Ministry Development program, including for:</p> <ul style="list-style-type: none"> - the Archbishop; - the Assistant Bishops; - the Archdeacons; - the Dean; and - other senior diocesan officeholders. <p>MT&D should consult the Safe Ministry Board for input in determining the content of the training that relates to 'promoting child safety' and to assist in identifying appropriate trainers and content.</p>
16.37	Consistent with Child Safe Standard 1, leaders of religious institutions should ensure that there are mechanisms through which they receive advice from individuals with relevant professional expertise on all matters relating to child sexual abuse and child safety. This should include in relation to prevention, policies and procedures and complaint handling. These mechanisms should facilitate advice from people with a variety of professional backgrounds and include lay men and women.		<p>Amend the <i>Safe Ministry Board Ordinance 2001</i> to include:</p> <ul style="list-style-type: none"> - amendments to out-of date definitions (child abuse and child protection legislation) and ordinances; - revision by way of simplifying the 'functions of the board'; - reference to the Safe Ministry Board being the mechanism by which the Diocese of Sydney receives advice in relation to these matters; - power for the Board to seek any additional expert advice as required; - a conflicts of interest component within the Ordinance given Recommendation 16.2 and 16.39; - reference to the Board being the designated diocesan safe ministry authority under the <i>Safe Ministry to Children Ordinance 2018</i>.
16.38	Consistent with Child Safe Standard 1, each religious institution should ensure that religious leaders are accountable to an appropriate authority or body, such as a board of management or council, for the decisions they make with respect to child safety.		No action required.

No.	Recommendation	Compliance	Action Taken
16.1	The Anglican Church of Australia should adopt a uniform episcopal standards framework that ensures that bishops and former bishops are accountable to an appropriate authority or body in relation to their response to complaints of child sexual abuse.		No action required.
16.39	Consistent with Child Safe Standard 1, each religious institution should have a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child sexual abuse. The policy should cover all individuals who have a role in responding to complaints of child sexual abuse.		<p>Amend the Standing Committee 'Disclosure of Conflicts of Interest' regulation made on 26 May 2014 under cl 6(5) of the <i>Standing Committee Ordinance 1897</i> to include a new section on matters relating to child sexual abuse.</p> <p>Amend the <i>Safe Ministry Board Ordinance 2001</i> to include a section on conflicts of interest.</p> <p>Promote a Bill to the 2019 session of Synod to address conflicts of interest that may arise in relation to the role of director of professional standards, members of the PSC and PSB and Adjudicators.</p>
16.2	<p>The Anglican Church of Australia should adopt a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child sexual abuse, which expressly covers:</p> <ol style="list-style-type: none"> a. members of professional standards bodies; b. members of diocesan councils (otherwise known as bishop-in-council or standing committee of synod); c. members of the Standing Committee of the General Synod; and d. chancellors and legal advisers for dioceses. 		Request the Senior Legal Counsel, in consultation with the Safe Ministry Board, to develop a statement of principles concerning the management of actual or perceived conflicts of interest in relation to the engagement of lawyers and any advice from the staff of SDS, the Chancellor or a Deputy Chancellor in respect of child sexual abuse matters.
16.49	Codes of conduct in religious institutions should explicitly and equally apply to people in religious ministry and to lay people.		No action required.
16.3	The Anglican Church of Australia should amend <i>Being together</i> and any other statement of expectations or code of conduct for lay members of the Anglican Church to expressly refer to the importance of child safety.		Request the Safe Ministry Board to consider and make recommendations on whether 'community' or 'lay member' based safe ministry training should be developed as part of a layered approach to safe ministry training in the Diocese.





3 Child Safe Standard 2: Children participate in decisions affecting them and are taken seriously

No.	Recommendation	Compliance	Action Taken
16.40	Consistent with Child Safe Standard 2, wherever a religious institution has children in its care, those children should be provided with age-appropriate prevention education that aims to increase their knowledge of child sexual abuse and build practical skills to assist in strengthening self-protective skills and strategies. Prevention education in religious institutions should specifically address the power and status of people in religious ministry and educate children that no one has a right to invade their privacy and make them feel unsafe.		Encourage the Professional Standards Unit to continue its work in developing Protective Behaviours Training, and request the Safe Ministry Board to consider and make recommendations on the best way to make this training available to the children in our care.

4 Child Safe Standard 3: Families and communities are informed and involved

No.	Recommendation	Compliance	Action
16.41	Consistent with Child Safe Standard 3, each religious institution should make provision for family and community involvement by publishing all policies relevant to child safety on its website, providing opportunities for comment on its approach to child safety, and seeking periodic feedback about the effectiveness of its approach to child safety.		Encourage the Professional Standards Unit to develop – <ul style="list-style-type: none"> • a feedback@safeministry.org.au email address, • a statement in relation to welcoming feedback from the community and affix this to: <ul style="list-style-type: none"> - the contact page on safeministry.org.au and safeministry.training; - the end page of all published documents on safeministry.org.au and safeministry.training; and - the end page of all training modules provided on safeministry.training.

5 Child Safe Standard 5: People working with children are suitable and supported

No.	Recommendation	Compliance	Action
16.42	Consistent with Child Safe Standard 5, each religious institution should require that candidates for religious ministry undergo external psychological testing, including psychosexual assessment, for the purposes of determining their suitability to be a person in religious ministry and to undertake work involving children.		Request the PSU and Ministry Training and Development to review the psychological assessment for ordinands to ensure that it is an effective screening tool and to consider – (a) external testing including psychosexual assessment, and/or (b) supplementing the existing psychological assessment with additional questions to include a psychosexual component.
16.43	Each religious institution should ensure that candidates for religious ministry undertake minimum training on child safety and related matters, including training that: a. equips candidates with an understanding of the Royal Commission's 10 Child Safe Standards b. educates candidates on: i. professional responsibility and boundaries, ethics in ministry and child safety; ii. policies regarding appropriate responses to allegations or complaints of child sexual abuse, and how to implement these policies; iii. how to work with children, including childhood development; iv. identifying and understanding the nature, indicators and impacts of child sexual abuse.		Request Moore College, Ministry Training and Development and Youthworks College to ensure that a module on 'how to work with children, including childhood development' is incorporated into minimum training for candidates for ordination. Request MTD and the Safe Ministry Board to develop a broader strategy on Safe Ministry Training for ordinands and ordination candidates.
16.4	The Anglican Church of Australia should develop a national approach to the selection, screening and training of candidates for ordination in the Anglican Church.		Request Ministry Training and Development to write to the Ministry and Mission Commission of the General Synod to notify it of the standards for the selection, screening and training of candidates for ordination in the Diocese of Sydney for the Commission to consider as part of its work on the recommendation.
16.44	Consistent with Child Safe Standard 5, each religious institution should ensure that all people in religious or pastoral ministry, including religious leaders, are subject to effective management and oversight and undertake annual performance appraisals.		Request the episcopal team to indicate what they consider to be the best means of providing accountability for rectors and bishops and provide this to Ministry Training and Development for it to consult with the Centre for Ministry Development and report to the Standing Committee with recommendations on the available options.



No.	Recommendation	Compliance	Action
16.45	Consistent with Child Safe Standard 5, each religious institution should ensure that all people in religious or pastoral ministry, including religious leaders, have professional supervision with a trained professional or pastoral supervisor who has a degree of independence from the institution within which the person is in ministry.	*	<p>Standing Committee to bring proposals to the 2020 session of Synod –</p> <p>(a) for professional supervision as a condition on new licences and authorities for:</p> <ul style="list-style-type: none"> (i) first-time rectors, and (ii) assistant ministers and lay ministers who will be primarily ministering to children or youth, <p>including how this professional supervision should be funded, and</p> <p>(b) to increase the availability of suitable professional supervisors in the Diocese.</p>
16.5	<p>The Anglican Church of Australia should develop and each diocese should implement mandatory national standards to ensure that all people in religious or pastoral ministry (bishops, clergy, religious and lay personnel):</p> <ul style="list-style-type: none"> a. undertake mandatory, regular professional development, compulsory components being professional responsibility and boundaries, ethics in ministry and child safety b. undertake mandatory professional/pastoral supervision c. undergo regular performance appraisals. 	*	Request the Safe Ministry Board to review the Safe Ministry Training and Faithfulness in Services Training courses to ensure that they adequately include all elements identified by the Royal Commission in this recommendation.
16.46	Religious institutions which receive people from overseas to work in religious or pastoral ministry, or otherwise within their institution, should have targeted programs for the screening, initial training and professional supervision and development of those people. These programs should include material covering professional responsibility and boundaries, ethics in ministry and child safety.	*	Request Ministry Training and Development and the Safe Ministry Board to develop a 'targeted program' for people coming from overseas to minister in the Diocese which builds upon the existing requirements in the <i>Safe Ministry to Children Ordinance 2018</i> .

6 Child Safe Standard 6: Processes to respond to complaints of child sexual abuse are child focused


No.	Recommendation	Compliance	Actions
16.51	All religious institutions' complaint handling policies should require that, upon receiving a complaint of child sexual abuse, an initial risk assessment is conducted to identify and minimise any risks to children.	*	Promote a Bill to the 2019 session of Synod which includes amendments to provide for risk assessments in the form recommended by the Royal Commission.
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.	*	Promote a Bill to the 2019 session of Synod which includes the amendments making it mandatory for the Director of Professional Standards to recommend suspension if satisfied that – <ul style="list-style-type: none"> (a) the complaint or the substance of the complaint involves allegations of serious child-related conduct, (b) the complaint is not false, vexatious or misconceived, and (c) there is a risk that the respondent may come into contact with children in the course of their functions as a church worker.
16.53	The standard of proof that a religious institution should apply when deciding whether a complaint of child sexual abuse has been substantiated is the balance of probabilities, having regard to the principles in <i>Briginshaw v Briginshaw</i> .	✓	Promote a Bill to the 2019 session of Synod which includes relevant amendments.
16.54	Religious institutions should apply the same standards for investigating complaints of child sexual abuse whether or not the subject of the complaint is a person in religious ministry.	✓	Promote a Bill to the 2019 session of Synod to include: <ul style="list-style-type: none"> (a) a description of the role powers and duties of the Adjudicator in Chapter 5; (b) similar procedural fairness provisions and standards of proof as in Part 4D.
16.55	Any person in religious ministry who is the subject of a complaint of child sexual abuse which is substantiated on the balance of probabilities, having regard to the principles in <i>Briginshaw v Briginshaw</i> , or who is convicted of an offence relating to child sexual abuse, should be permanently removed from ministry. Religious institutions should also take all necessary steps to effectively prohibit the person from in any way holding himself or herself out as being a person with religious authority.	*	Wait for recommendations from the Professional Standards Commission of the General Synod before taking action on this recommendation.

No.	Recommendation	Compliance	Actions
16.56	<p>Any person in religious ministry who is convicted of an offence relating to child sexual abuse should:</p> <ol style="list-style-type: none"> in the case of Catholic priests and religious, be dismissed from the priesthood and/or dispensed from his or her vows as a religious in the case of Anglican clergy, be deposed from holy orders in the case of Uniting Church ministers, have his or her recognition as a minister withdrawn in the case of an ordained person in any other religious denomination that has a concept of ordination, holy orders and/or vows, be dismissed, deposed or otherwise effectively have their religious status removed. 	*	Wait for recommendations from the Professional Standards Commission of the General Synod before taking action on this recommendation.
16.57	<p>Where a religious institution becomes aware that any person attending any of its religious services or activities is the subject of a substantiated complaint of child sexual abuse, or has been convicted of an offence relating to child sexual abuse, the religious institution should:</p> <ol style="list-style-type: none"> assess the level of risk posed to children by that perpetrator's ongoing involvement in the religious community take appropriate steps to manage that risk. 	✓	No further action required.
16.58	<p>Each religious organisation should consider establishing a national register which records limited but sufficient information to assist affiliated institutions identify and respond to any risks to children that may be posed by people in religious or pastoral ministry.</p>	✓	No further action required.

7 Child Safe Standard 7: Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training

No.	Recommendation	Compliance	Action
16.47	Consistent with Child Safe Standard 7, each religious institution should require that all people in religious or pastoral ministry, including religious leaders, undertake regular training on the institution's child safe policies and procedures. They should also be provided with opportunities for external training on best practice approaches to child safety		No action required.
16.50	Consistent with Child Safe Standard 7, each religious institution should require all people in religious ministry, leaders, members of boards, councils and other governing bodies, employees, relevant contractors and volunteers to undergo initial and periodic training on its code of conduct. This training should include: <ol style="list-style-type: none"> what kinds of allegations or complaints relating to child sexual abuse should be reported and to whom; identifying inappropriate behaviour which may be a precursor to abuse, including grooming; recognising physical and behavioural indicators of child sexual abuse; that all complaints relating to child sexual abuse must be taken seriously, regardless of the perceived severity of the behaviour. 		Request the Diocesan Secretary to schedule a time for the Standing Committee to consider whether to - <ol style="list-style-type: none"> Amend the <i>Parish Administration Ordinance 2008</i> (with suitable transitional arrangements) to - <ol style="list-style-type: none"> extend the Safe Ministry Training requirements in Chapter 7 to parish councillors and wardens, make it a qualification for election or appointment as a parish councillor or warden that a person must have completed Safe Ministry Training (clauses 2.6 and 2.12), and provide that a person's office as a parish councillor or warden becomes vacant if they do not maintain the currency of their Safe Ministry Training in compliance with Chapter 7 (clauses 2.8 and 2.14). Amend the definition of 'Qualified Person' in the <i>Synod Membership Ordinance 1995</i> to include a requirement that the person has undertaken Safe Ministry Training.

8 Child Safe Standard 8: Physical and online environments minimise the opportunity for abuse to occur

No.	Recommendation	Compliance	Action
16.48	Religious institutions which have a rite of religious confession for children should implement a policy that requires the rite only be conducted in an open space within the clear line of sight of another adult. The policy should specify that, if another adult is not available, the rite of religious confession for the child should not be performed.		No action required.

Ordinances passed by the Standing Committee

(A report from the Standing Committee.)

Synod Fund Further Application Ordinance No 36, 2018
 Campbelltown (Variation of Trusts) Ordinance No 37, 2018
 Riverstone Variation of Trusts Ordinance No 38, 2018
 Rosemeadow (Picton Boundary Alteration) Variation of Trusts Ordinance No 39, 2018
 Culburra Beach Trust Ordinance No 40, 2018
 Anglican Community Services Constitution Ordinance 1961 Amendment Ordinance No 41, 2018
 Assistant Ministers Ordinance 2017 Amendment Ordinance No 42, 2018
 Belrose Trust Ordinance 2008 Amendment Ordinance No 43, 2018
 Bondi Trust Ordinance 2013 Amendment Ordinance No 44, 2018
 Campbelltown Anglican Schools Ordinance 1995 Amendment Ordinance No 45, 2018
 Campbelltown Trust Ordinance 2016 Amendment Ordinance No 46, 2018
 Church of England Boys' Society Prohibition Ordinance No 47, 2018
 Eastwood Trust Ordinance No 48, 2018
 Eastwood Land Sale Ordinance No 49, 2018
 Wollongong Regional Council Land Variation of Trusts Ordinance No 50, 2018
 Narellan (Spring Farm Sale Proceeds) Application Ordinance No 1, 2019
 Sydney Diocesan Secretariat (Change of Name) Ordinance No 2, 2019
 The Archbishop of Sydney's Anglican Aid Ordinance 2011 Amendment Ordinance No 3, 2019
 Archbishop of Sydney's Discretionary Trust Vesting and Amendment Ordinance No 4, 2019
 Keiraville Trust Ordinance No 5, 2019
 Mittagong Trust Ordinance No 6, 2019
 Sydney Anglican (National Redress Scheme) Corporation Ordinance 2018 Amendment Ordinance No 7, 2019
 Castlereagh with Cranebrook Cemetery Transfer Ordinance No 8, 2019
 Miscellaneous Amendments Ordinance No 9, 2019
 Endowment of the See Corporation No 10, 2019
 Endowment of the See Variation of Trusts and Amendment Ordinance No 11, 2019
 Sydney Anglican (National Redress Scheme) Corporation Ordinance 2018 Further Amendment Ordinance No 12, 2019
 Balgowlah Trust Ordinance No 13, 2019
 Barker College Ordinance 1978 Amendment Ordinance No 14, 2019
 Campbelltown Trust Ordinance 2016 Amendment Ordinance No 15, 2019
 Marrickville Trust Ordinance No 16, 2019
 North Sydney Trust Ordinance No 17, 2019
 North Sydney Variation of Trusts Ordinance No 18, 2019
 Springwood Trust Ordinance No 19, 2019
 Springwood Mortgaging Ordinance No 20, 2019
 Arden Anglican School Council Ordinance 1962 Amendment Ordinance No 21, 2019
 Cremorne Trust Ordinance No 22, 2019
 Hornsby Trust Ordinance No 23, 2019
 Parish Administration Ordinance 2008 Amendment (Use of Church Buildings) Ordinance No 24, 2019
 Chatswood Trust Ordinance 2018 Amendment Ordinance No 25, 2019
 Cost Recoveries Framework Ordinance 2008 Amendment Ordinance No 26, 2019
 Dulwich Hill Trust Ordinance 2002 Amendment Ordinance No 27, 2019
 Dundas/Telopea Trust Ordinance 2012 Amendment Ordinance No 28, 2019 (assent pending)
 Safe Ministry to Children Ordinance 2018 Amendment Ordinance No 29, 2019
 St Andrew's Cathedral Trust Ordinance 2016 Amendment Ordinance No 30, 2019
 Synod Appropriations and Allocations Ordinance No 31, 2019

For and on behalf of the Standing Committee.

DANIEL GYNN
Diocesan Secretary

28 August 2019

Parochial Cost Recovery instalments for 2020

(A report from the Standing Committee.)

Key Point

- Beginning in January 2020 Parochial Cost Recovery (**PCR**) charges will be payable in 12 monthly instalments instead of the previous arrangement of 10 instalments from March to December.
- Previously, charging PCR in ten instalments was intended as a concession to help parishes manage their cash flow through the summer holiday period when attendance, and hence cash-based offertory, may be lower than normal.
- As an increasing proportion of parish offertory is received electronically, the need for this concession has diminished; while some parishes have indicated the desirability for budgeting purposes to receive invoices and pay their PCR charges evenly throughout the year.

Purpose

1. The purpose of this report is to inform Synod of a change to the pattern of instalments of PCR charges for 2020.

Recommendation

2. Synod receive this report.

Background

3. At its meeting on 29 July 2019, the Standing Committee considered a report from the Finance Committee which recommended a change to the present arrangement whereby parishes pay their Parish Cost Recovery (**PCR**) charges in 10 equal monthly instalments from March to December each year.
4. The report noted this has been agreed as a concession to help parishes manage their cash flow through the summer holiday period when attendance, and hence cash-based offertory, may be lower than normal. Of course the underlying costs (principally insurance and superannuation) are incurred every month.
5. Over time, as an increasing proportion of parish offertory is received electronically, the need for a 'holiday' from PCR charges in the first two months of the year has diminished. Indeed a number of parishes have indicated recently that it would help their budgeting to receive invoices and pay their PCR charges evenly throughout the year.
6. We agreed to move to a system of 12 monthly PCR charges from January 2020, with all parishes to be advised of the change by email in August 2019 and a brief report to be provided to Synod in October 2019, and asked that a Bill to give effect to this change be prepared for a future meeting of the Standing Committee.
7. Beginning in January 2020 each of the 12 instalments of the PCR charge will fall due on the first day of a calendar month. In a continuance of the current practice, parishes that have provided an authority for payment of their PCR charges by direct debit are advised that the bank transfer will be processed on the second working day of each month.

For and on behalf of the Standing Committee.

DANIEL GYNN
Diocesan Secretary

28 August 2019

Prioritisation of Synod requests

(A report from the Standing Committee.)

Key Points

- In the last five years, there has been a substantial increase in requests from the Synod for the Standing Committee to address.
- In light of the reality of the limited capacity of Standing Committee and its members, the Standing Committee has agreed to determine the relative priority of the resolutions of Synod each year, taking into account the urgency, importance and anticipated labour and costs involved addressing each resolution; and consider carefully its capacity to proceed to address those with the lowest priority.
- If Standing Committee determines not to address a Synod resolution (in part or full), a brief report will be provided to the following ordinary session of the Synod and the mover and seconder of the resolution informed.
- Synod members are encouraged to consider carefully the implications, in terms of cost and anticipated labour, to address the requests of motions they move at Synod.

Purpose

1. The purpose of this report is to advise the Synod of a prioritisation framework that the Standing Committee has adopted in relation to requests for research, reports and other action from the Synod.

Recommendations

2. Synod receive this report.

Discussion

3. In recent years there has been a perception that is hard to quantify, that requests by resolution from the Synod have substantially increased in volume. Some recent actions of the Standing Committee serve to illustrate the outworking of this perception —
 - (a) At its meeting on 8 September 2018, the Standing Committee debated a motion which, if passed, would have seen a report with recommendations go to the 2018 session of Synod, seeking to ensure that the Synod consider the real costs associated with implementing Synod motions before passing them as resolutions.
 - (b) At its meeting on 18 March 2019, the Standing Committee endorsed the decision of the Social Issues Committee to not address the request of a Synod resolution (30/16) in light of the workload of the Social Issues Committee.
4. It is an unfortunate consequence of the good processes of Synod that a motion supported by a handful of members and not opposed by any of the rest, can easily become a resolution of the Synod, passed without debate. In this fashion it is easy to understand that motions asking the Standing Committee to investigate and report on a matter, or asking the Standing Committee to implement an idea, are readily passed; with one result being an increasing number of requests to the Standing Committee. Some of these give little consideration to the cost in time and expense required by the Standing Committee to address or implement them.
5. In order to attempt to quantify this perception, a tally was made of the number of requests (be they simple or complex) from the Synod to the Standing Committee over the last twenty years. The following table provides the results, grouped into five year blocks to make clear the extent of the recent increase –

Years	# of requests to Standing Committee	Average per year
1999-2003	50	10
2004-2008	45	9
2009-2013	55	11
2014-2018	113	22.6

6. As the volume of work and requests has demonstrably grown, for practical purposes the Standing Committee has agreed to determine the relative priority of the resolutions of Synod each year, taking into account the urgency, importance and anticipated labour and costs involved addressing each resolution; and consider carefully its capacity to proceed to address those with the lowest priority. The Synod needs to be aware of this reality.
7. If Standing Committee determines not to address a Synod resolution (in part or full), a brief report will be provided to the following ordinary session of the Synod and the mover and seconder of the resolution informed.
8. Any decision not to address the request of a resolution of Synod cannot be taken lightly; but is a necessary result of the increased requests and limited time and resources of the Standing Committee and its members. Correspondingly, Synod members are encouraged to consider carefully the implications of any motions they move at Synod in terms of the likely cost to action them.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

29 August 2019

11/18 Steps to encourage ordination

(A report from the Standing Committee.)

Key Points

- The need for ordained ministers of the gospel in the Diocese (let alone outside) is increasing. In particular, the number of senior minister positions becoming vacant in the next few years is expected to increase and there is a danger of supply not keeping up with demand.
- Since a high point in 2006, there has been a continuous decline in the number of students studying for full-time vocational ministry at Moore Theological College (**MTC**).
- In particular, fewer students are entering MTC as ordination candidates and many are leaving it much later in their studies to decide whether or not pursue ordination.
- A concerted effort needs to be made by the congregations of the Diocese, Ministry Training and Development (**MT&D**), as well as MTC and Youthworks College (**YWC**) to put a vision for ordained ministry before this generation of young men and women. This will involve –
 - MT&D becoming more active in the ministry recruiting space, providing resources and supporting local churches and senior ministers as they seek to recruit the next generation of gospel workers
 - MTC addressing the issue of the cost of theological education
 - Rectors and Assistant Ministers identifying and encouraging potential Christian leaders to explore full time gospel ministry, actively promoting MTC and YWC.

Purpose

1. The purpose of this report is to present to the Synod the recommendations of the Committee established to address the request in Synod resolution 11/18.

Recommendations

2. Synod receive this report.
3. Synod consider the following motion to be moved at the forthcoming session of Synod, “by request of the Standing Committee” –

‘Synod, noting the report 11/18 Steps to encourage ordination -

- (a) encourages rectors to –
 - (i) see a key part of their role is to raise up the next generation of full time gospel ministry workers, including those ordained in this Diocese,
 - (ii) promote a culture of gospel generosity in training and sending people beyond their parish into this Diocese and beyond the Diocese,
 - (iii) develop an apprenticeship training model that helps people discern their giftedness for ministry and prepares them for more formal education and ministry training,
 - (iv) promote Moore Theological College (MTC) as the first choice College for theological training and Youthworks College (YWC) for specialist youth and children’s ministry training, and
 - (v) challenge appropriately gifted and trained assistant ministers to be prepared to seek ordination as a presbyter to lead churches and intentionally train them for this responsibility,
- (b) encourages assistant ministers to see Christian leadership is marked by sacrificial service and if suitably gifted, be prepared to seek ordination to serve as rectors,

- (c) encourages MTC and YWC to keep equipping men and women for the work of the gospel and address the cost of theological education,
- (d) encourages Ministry Training & Development (MT&D) and MTC to -
 - (i) identify gifted men and women students to consider ordination for Anglican ministry in the Diocese, and
 - (ii) help rectors to build a training and recruiting culture and actively promote MTC, YWC and ordination, and
- (e) encourages congregations to –
 - (i) see themselves as training and sending churches, and
 - (ii) seeing the urgency of gospel proclamation, pray that the Lord will raise up workers for the harvest out of their congregation.’

Background

4. Synod passed resolution 11/18 in the following terms –

‘Synod –

- (i) praises God that Moore College trains and equips men and women for a variety of ministries, including but not limited to: ordination as deacons, ordination in other denominations, university ministry, involvement in independent church plants, overseas mission and serving as lay people in their home churches,
- (ii) recognises the important role, under God, that those ordained as Presbyters and who serve as Senior Ministers play in the growth of the Gospel in our Diocese, and
- (iii) praises God for the work of Moore College in training and equipping the ministers who fulfil this role in our Diocese.

In that light, Synod requests Standing Committee to investigate what steps are being taken and what steps could be taken –

- (a) to encourage godly and gifted men and women who are in the process of studying at Moore College to consider ordination as the way that God might desire that they best use the gifts He has given them in his service;
- (b) to prioritise the recruitment of godly and gifted men to study at Moore College with the aim of ordination to the presbyterate.’

5. Standing Committee constituted a committee comprising the Rev Brett Hall, the Rev Gary O’Brien, the Rev Carl Matthei, the Rev John Lavender and the Rev Dr Colin Bale to address the request of resolution 11/18. The Committee met 3 times.

Current situation, possible causes and initial response

6. Across Australia there has been a decline in people training for vocational ministry and undertaking vocationally-oriented theological training. Most theological colleges in Australia have reported falling full-time student numbers for the past decade. A recent visit to overseas seminaries by the Principal of Moore Theological College (**MTC**) revealed this trend is widespread across the US and the UK. The growing of pastors through full-time theological education is under increasing pressure.
7. The situation is urgent. The reduced number of students at MTC and Youthworks College (**YWC**) will have a significant impact on the ordination numbers over the next few years. Further, it will lead to a decline in the number of people offering for full-time lay ministry and critical parachurch ministries.
8. The complexities of modern parish life and the need for compliance push our ministers to become more like ministry executives or administrators than gospel workers. But we need gospel workers who lead our congregations and churches and model and teach that sharing the gospel is the most important thing any of us can do.

9. Some of our churches have become overly focussed on internal structures, processes and programs. Others are concerned about the rapid changes in the environment in which they are seeking to serve and are less comfortable sending out their gifted, godly and promising men and women when they are needed at home. Even some of our larger parishes are tending to 'hold on to' their best young leaders rather than sending them out to train at MTC and YWC and then serve elsewhere.
10. Settled, comfortable ministry does not promote the urgency of evangelism. Nor does defensiveness and inward-lookingness in the face of new and often strident opposition from influential voices in our wider community. The solution in both instances is a clear and confident proclamation of the word that generates a global gospel vision and promotes a culture of gospel urgency in all aspects of church life.
11. In general fewer rectors appear to be actively looking out for, recruiting and nurturing future gospel workers, and promoting full-time study at our theological college, MTC.
12. In large measure as a result of this, our churches generally appear to be less interested in promoting and encouraging vocational ministry. An increasing antagonism from our society, the lure of comfort and career, a misuse of the reformation concept of vocation that questions the timely urgency of vocational ministry, and the struggles, difficulties and 'sacrifices' of that ministry, have all had an impact.
13. Amongst those training for ministry there is –
 - (a) A significant increase in part-time and online ministry training with a consequent reduction in the number of those who see gospel ministry as a full-time vocation. This has arisen in part because of –
 - (i) the availability of part-time and online training options which are both convenient and attractive even if of varied quality (online programs at various levels are provided by most colleges in Australia and also overseas, but some are offering entire degree programs online, e.g. Reformed Theological Seminary, Southern Baptist Theological Seminary, Trinity Evangelical Divinity School, and Ridley College),
 - (ii) the structure and incentives created by HECS and Fee-Help and new uncertainty and concern surrounding the impact of student debt,
 - (iii) changes in policy and implementation of the Ministry Training Strategy,
 - (iv) a revival and particular application of the reformation concept of vocation, which rightly gives value to work but wrongly reduces the urgency and primacy of gospel proclamation (sometimes associated with variations on the teaching of Tim Keller), and
 - (v) the emergence a reductionist approach to ministry training and theological education that gives pride of place to the acquisition of skills and gives less attention to that character formation and deepening of convictions which arises from a broad and deep immersion in the word of God and the impact of an intentional learning community made up of those with a common ministry trajectory.
 - (b) A reluctance to commit to the Sydney Anglican Diocese due to –
 - (i) less commitment to institutions more generally,
 - (ii) a sense that the Diocese is less engaged and less invested in each ordination candidate (expressed as 'what is the benefit of being a candidate?' and 'what is lost if I am not a candidate?'),
 - (iii) a let's 'wait and see' attitude to keep all options open and consider alternatives to ordination,
 - (iv) the attractiveness of the less structured model offered by the Fellowship of Independent Evangelical Churches (FIEC) populated by entrepreneurial, innovative leaders, and
 - (v) the attraction of many needs and opportunities elsewhere in Australia and the world (e.g., para-church organisations, other dioceses and unreached people groups).
 - (c) An increasing number of 1st year MTC students coming from FIEC churches and less from Sydney Anglican parishes.
 - (d) An increase in the number of students with anxiety and mental health issues (some of whom may be unsuited to leadership). Mental health issues are becoming much more evident throughout the community and rectors, assistant ministers and other gospel workers are not immune from this struggle. For some it makes full-time gospel ministry, and ordained ministry in particular with its many demands, more intimidating.

- (e) Some are just not suited, or not aspiring, to a role as rector (with its requirements for team leadership, administration, etc) because they are content as a congregational leader/pastor. Perhaps people content to continue to serve as deacons may need more encouragement to 'step up' and lead a parish in mission.

14. MTC –

- (a) has given renewed attention to recruitment, with the strategic deployment of staff and a streamlining of procedures
 - (i) recognising that 2018 saw 400 enquiries but only 14% converted to students, the College this year appointed 2 new recruitment/follow-up positions to build relationships and to follow up and support inquirers,
 - (ii) the College has become clearer and more intentional in its messaging, more intentionally focussed on recruiting,
 - (iii) in particular the College is endeavouring to make known its extraordinary performance in successive QILT surveys which ranked it the second highest amongst the country's Higher Education providers and Universities for positive student experience and satisfaction, and
 - (iv) the College has embarked on a program of encouraging rectors to be active ambassadors for MTC and ordination,
- (b) while opening up a range of flexible pathways (including an online diploma), the College remains committed to the four year full-time residential theological degree (B.D.) as the best way of growing gospel workers through passing on knowledge, acquiring and honing ministry skills, deepening theological and ministry convictions, and shaping godly character in the critical context of godly relationships,
- (c) aware of the significant cost of this type of theological education (exacerbated by a 25% levy on student FEE-Help loans), is pursuing several ways of reducing the cost to students of the theological education it offers, for example –
 - (i) seeking to have the levy removed by lobbying the government and by investigating both a change of provider classification and a change the type of award offered,
 - (ii) exercising restraint in annual tuition fee increases, and
 - (iii) building a scholarship endowment that would allow many more students to receive financial assistance with resorting to FEE-Help loans, and
- (d) has noted the number of ordinands is sufficient for Sydney Diocese's current needs, but not for the future, nor is it providing more workers for the wider ministry; and so is exploring ways (in partnership with regional bishops and senior ministers) actively to promote Sydney parish ministry and the opportunities it provides.

15. The staff of Ministry Training and Development (**MT&D**) –

- (a) remain committed to recruiting only from MTC as our Diocesan training college, and YWC as our specialist youth and children's ministry training college,
- (b) continue to respond to invitations to visit Parishes, Mission Area meetings and Regional Conferences to promote the importance of identifying and recruiting men and women for full-time ministry and ordination and answering questions about ministry in the Diocese,
- (c) continue to support the role of rectors and assistant ministers as the primary recruiters of potential ordinands as they live and serve alongside them and are best able to identify the right people,
- (d) maintain a website with information on ordination and the selection processes involved, and
- (e) meet with enquirers to discuss the opportunities and pathways to ordained ministry.

Data from Moore Theological College

- 16. Attachment 1 provides an analysis of the number of students enrolling at MTC each year from 2001 to 2019, with brief explanatory notes under each graph.
- 17. 4 trends in particular should be noted –
 - (a) Overall student numbers have been declining across the period since 2001.

- (b) There has been a slight decline of enrolments of students who have undertaken a ministry apprenticeship but there is a marked decline in the number of enrolments of students entering College who have not been ministry trainees.
- (c) The trend of part-time enrolments has followed the same downtrend as fulltime enrolments (there was a spike in 2010 when part-time study in Year 1 of the degrees was introduced).
- (d) The main churches sending students to College over the last fifteen years have changed significantly. The top three churches are now Uni-church UNSW, Hunter Bible Church and EV Church.

Data from Ministry Training & Development

18. Attachment 2 provides an analysis of the number of people being ordained each year between 2009 and 2018.
19. Deacons –
- (a) In 2010 there was a change in ordination policy enabling people with less than a B.Th. or B.D. to be ordained for long term specialist ministry (e.g., youth and children's ministry). This led to a significant increase in ordinations (that may also have worked through the next few years as lay workers with some theological formation decided to apply for ordination).
 - (b) During 2011-2015 the average number of ordinands each year was in the mid-thirties. From 2016-2019 the average number of ordinands was in the high twenties (27 Sydney deacons were ordained this year, 2019).
 - (c) On average 3 women and 2 Youthworks graduates were ordained each year.
 - (d) In 2017 40% of those ordained were serving as lay ministers and 60% were new graduates. In 2019 77% of those ordained were serving as lay ministers and 23% were new graduates. This indicates that students are not rushing to ordination; there is no incentive for students to become candidates early so they often apply late in College to join the two-year discernment process, or after serving for a period in a parish. This is the 'options generation' and some like to keep their options open. They are encouraged to apply for candidature at the beginning of College but usually do not. This means MT&D have less time to partner with them and less input into their training while at College (including asking them to have different parish experiences during College).
20. Presbyters –
- (a) In 2014 there was a change in the ordination policy that meant assistant ministers could be ordained as a presbyter. This led to a significant increase in ordinations, capturing deacons who previously could not be ordained when it had been tied to appointment as a rector.
 - (b) This change in ordination policy also explains why the number of presbyter ordinations continues to be higher.
 - (c) Opening up the diaconate in 2010 was designed to provide for a 'permanent diaconate'. These numbers would indicate that this has become a reality. At least half of those ordained as deacon are content to stay as deacon.
 - (d) What is not clear in these numbers is that men are slow to apply to enter the two year discernment process for ordination as a presbyter. Over the last few years, in the Ministry Development Program (1-3 years after ordination as a deacon) only 4 or 5 men annually have asked to be considered as a presbyter, the majority of applicants have been in ministry for more than three years.

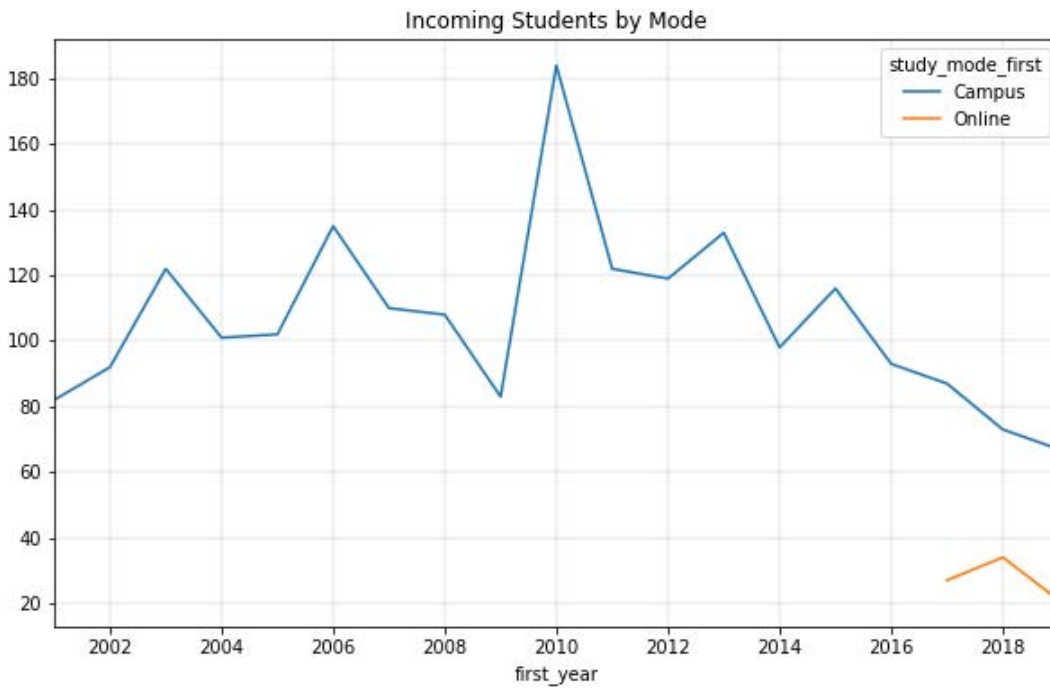
For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

29 August 2019

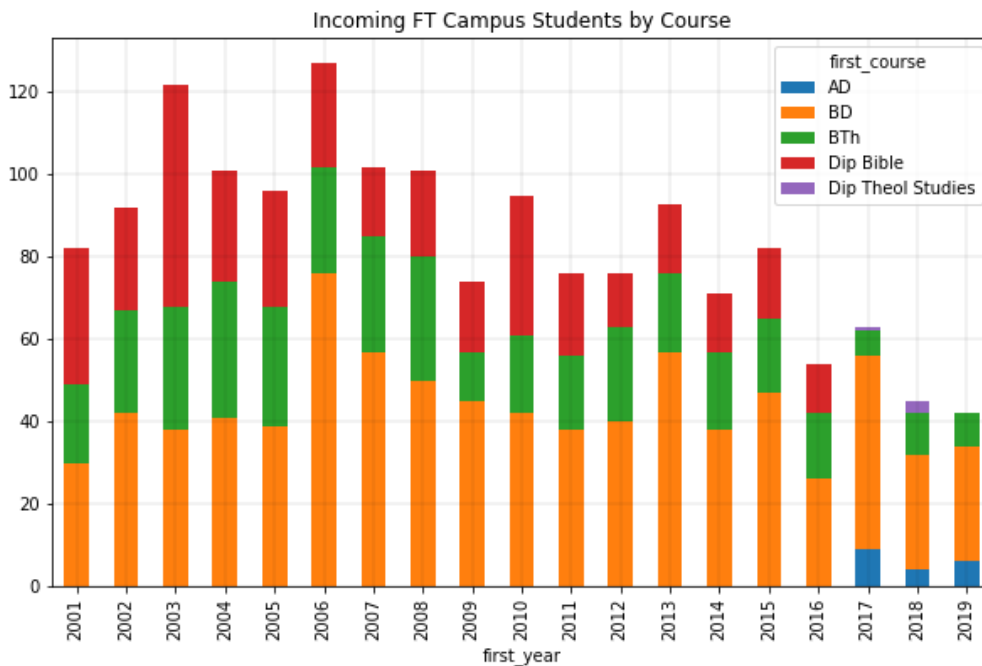
Incoming Students

Campus students have decreased since a 2010 high



- The 2010 spike is caused by the start of part-time study.
- The last few years have seen numbers consistently at the bottom of the 20-year dataset.

FT campus students have decreased by two thirds from their peak

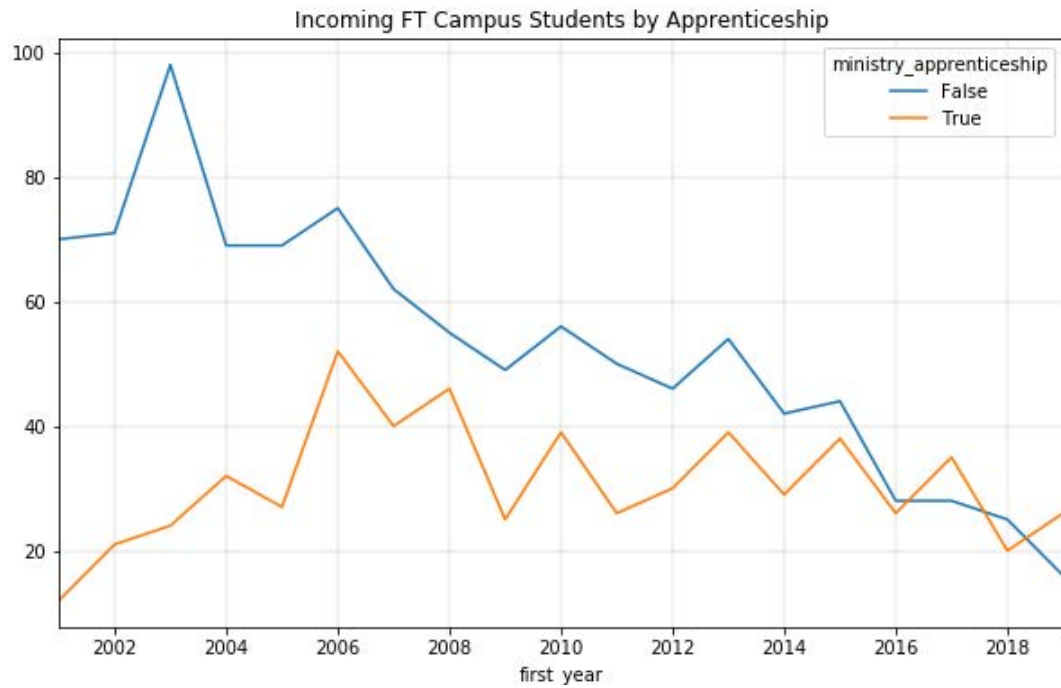


The 2019 cohort is a third of the 2006 peak, although this latter group is inflated by the start of FEE-HELP.

- These enrolments have a significant impact in the college finances.
- The AD course isn't matching the historical Dip Bible enrolments.

FT non-apprentices have decreased even more starkly

Incoming FT Bach Students by Apprenticeship



- Peak to trough, FT non-apprentices across campus courses have decreased about 80%.
- The 2009 down-step observed for FT students is present for both segments, although the 2016 down-step is particularly stark for non-apprentices.

Diocese of Sydney Ordinations 2009-2018

Deacon

YEAR	ORDAINED	NOTES
2009	33	
2010	56	Change in ordination policy opening it up to a wider group
2011	35	
2012	36	
2013	34	
2014	35	
2015	36	
2016	27	
2017	34	
2018	26	

Presbyter

2009	15	
2010	10	
2011	6	
2012	5	
2013	9	
2014	55	Change in ordination policy – assistant ministers could be ordained
2015	22	
2016	13	
2017	17	
2018	15	

Proposal to change the status of the provisional parish of Bayside to a parish

(A report of the Georges River Regional Council.)

Purpose

1. The purpose of this report is to propose that the Provisional Parish of Bayside (formerly known as the Provisional Parish of Arncliffe) be classified as the Parish of Bayside.

Recommendation

2. The Georges River Regional Council recommends that the provisional parish of Bayside be classified as a parish with effect from 1 January 2020.

Support of the Georges River Regional Council

3. On 12 March 2019 the Georges River Regional Council resolved to support the request that the Provisional Parish of Bayside be classified as a parish under the *Parishes Ordinance 1979*.

Parish Information

Background

4. Anglican ministry has had a visible presence on the current site on which the church building (St. David's) is situated since 22 January 1910 when the foundation stone was laid by Archbishop Wright. A second stone was laid by the Archbishop on 25 August 1914 (after a massive storm leveled the partly constructed building late in 1910) and the church building was opened by the Archbishop on 25 January 1915.
5. In 1919 Arncliffe became a district of its own on the appointment of the Rev. R.H. Pitt-Owen, not long returned from active service with the A.I.F., as the Curate-in-Charge. The following year the district was raised to the status of a parish by Synod, and Mr. Pitt-Owen became the first rector.
6. Long after the church's 'glory years' in the mid-1900s the parish became provisional again after many years of small attendances and insufficient finances.
7. In 2003, soon after the provisional parish could not afford the minimum stipend of a minister, the Rev M Ghazal was appointed to Arncliffe (AM 2003, CIC 2004, R 2012) with the re-potting of a multi ethnic ministry into Arncliffe, which outgrew the facilities at Asbury where it was previously located.
8. A year after Rev Ghazal's resignation to take up a ministry at Sydney University, the Rev Zachary Veron was appointed rector in May 2017. A strategic ministry planning process was initiated in September 2017 resulting in the launch of a 5-year plan called "Vision 2022". The provisional parish changed its name from "Arncliffe" to "Bayside" and operates its ministries as one church, in three congregations (Holy Communion, Family Service, and 20/20), all under the unifying name of "Bayside Anglican Church". The third Bayside congregation, called "20/20" (a sub-brand), focusing on young adults, was established in February 2018 and has recently celebrated its first anniversary.
9. Vision 2022 was developed over the second half of 2017, in a comprehensive and exhaustive process, with Bibles open and much discussion and debate, and with most of the church members providing input, before it was completed by the church's leaders and Parish Council at the end of that year. This 5 year strategic ministry plan (2018 – 2022) has already helped unify the church and provide clear direction over the next ministry enhancement and expansion steps they will take. This will also help all members be prayerful and thoughtful about how they can all get involved. In the

end, it is a plan that relies on God's sovereign rule over the world. It aims to give glory to God and be a blessing to many. It is a vision the church members can all own, because it is theirs.

Mission Statement

(What our purpose is)

We exist to

Love God and his people

Grow in Christlikeness through the Holy Spirit

Share the message of Jesus with people of all nations

... for the glory of God

Vision Statement

(What we pray we will see by the end of 2022)

A growing Christian community of all ages from many nations living out God's Word in their daily lives. We dream of –

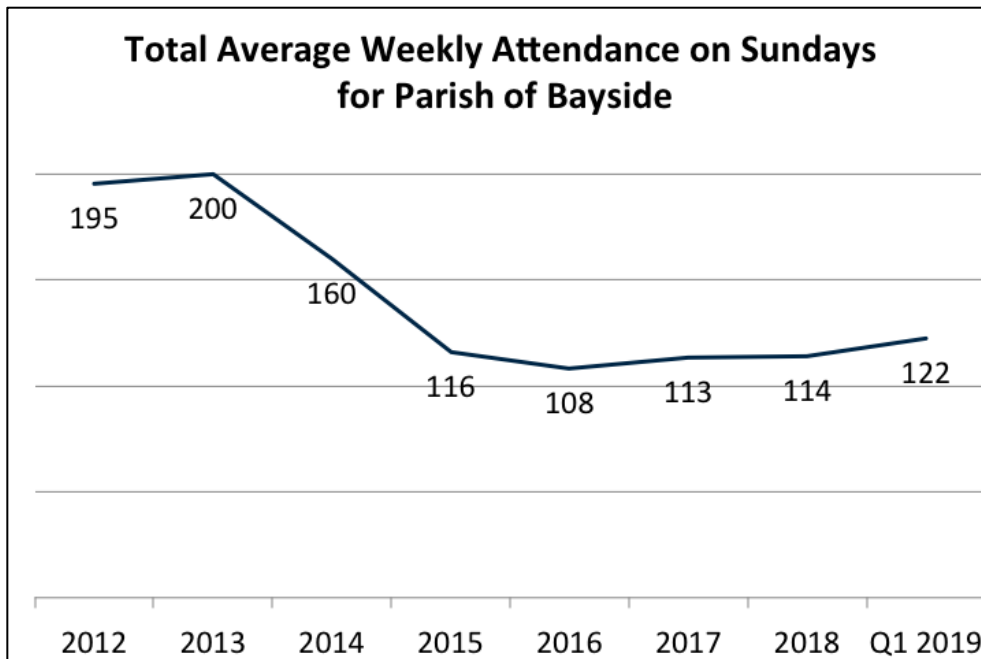
- A church where the Bible remains the primary and ultimate source of authority in matters of life and faith
- An outreaching church that actively seeks to share Jesus with people of all nations in Sydney and beyond.
- A community of 500 people in several congregations, supported by 5 full-time equivalent members of staff.
- Being known as a loving and caring Christian community.
- A church where every member is a minister.
- Being recognised as a full parish by the Anglican Diocese of Sydney.
- Improved infrastructure that facilitates the ministries of the church.

Attendance and Activities

10. In 2018 the Provisional Parish had a weekly average attendance of 114 adults and 13 Children and Youth (across the three congregations).

<i>Congregation</i>	<i>Adults</i>	<i>Children (under 18's)</i>
8.30am	20	1
10.15am	61	10
6.30pm	33	2

11. There are on average 14 Youth and 8 Primary Aged Children attending the weekly youth group (Arny's) on Friday nights and Kids Church on Sunday mornings at the beginning of the first school term in 2019.
12. At present there are 14 homegroups meeting weekly, which represents a doubling of the number of homegroups over the last 18 months, and average attendance at church early in 2019 is 122 people.
13. In 2017 Parish Council made the decision to increase our staff team by appointing a Next Generation Minister who commenced work in the parish in January 2018.
14. The church established their third Sunday congregation (20/20 at 6.30pm) in February 2018. The name 20/20 was adopted (the ministry is aimed at primarily young adults in their 20s, preparing them for life in the 2020s, to give them 20/20 vision about the things of the Lord).
15. In February 2019 the Provisional Parish employs –
 a Rector,
 a Full-time Assistant,
 a Part-time Next Generation Minister.



16. The recent welcome growth follows a few years of declining Sunday attendance, and comes largely as a result of the establishment of a Sunday evening congregation. The dream, based on demographic changes in the Bayside area, and the hopes of many of the church members, is to be a much larger church. So the ministry plan contains numbers of people. The church believes, like Jesus does, that every individual person matters to God, and so every individual matters to them. They also believe, as Jesus does, that their ministry focus needs to be both inward and outward. Inward because we all need to grow in Christian maturity, and we need to support and care for one another. Outwards because there are many people within a driving radius of Bayside church that are facing an awful eternity if they do not have Jesus as both their Lord and Saviour. Numbers matter to Jesus, and so they matter to Bayside Anglican Church.

Community Social Profile

17. According to the 2016 census 20,539 residents live within the parish boundaries of Bayside. 800 are Anglicans (3.9% of the population; down from 6% of the population in 2011).
18. 17.6% of the Bayside parish area are Roman Catholic, 13.4% Muslim, 6.5% Buddhists, 2.8% Hindu, and 40.7% no religion.
19. 36.2% of the population identified themselves as Christian (down from 46.4% in 2011).
20. An estimate of the number of families and single persons residing within the ecclesiastical district claiming adherence to the Anglican Church of Australia is 405 family or single person households.

Summary of receipts and payments

Receipts	2016	2017	2018
Offeratories	206,640	241,846	290,968
Rental income	33,819	37,268	33,697
Other receipts (incl. grants & interest)	4,893	1,171	49,933
Total Income	\$245,352	\$280,285	\$374,598

Expenses	2016	2017	2018
Stipends/Salaries	133,017	180,675	271,141
PCR	38,062	31,269	50,660
Property / Maintenance	16,537	33,580	49,512

Parish Admin	3,667	1,636	2,327
Ministry Expenditure	3,324	11,936	1,599
Total Expenses	\$194,607	\$259,096	\$375,239
Surplus/(Deficit)	\$50,745	\$21,189	(\$641)

Particulars of Church Property Held in Trust

21. The Current property of the Provisional Parish –
Church building, Church hall & Contents, Rectory
22. Total Assets, including land: \$9,376,303.
23. There is a loan with a balance of \$94,012 relating to the steeple of the Church building's emergency repair taken out in the year 2009.
24. The Anglican Church Property Trust Diocese of Sydney holds the Certificates of Title for the church property (Lot 3 in DP 666354) and the rectory property (Lot A in DP 389715).

Parish Status Criteria Met

25. During the previous financial year the local revenues of the ecclesiastical district were not less than the sum of the following amounts for that financial year –
 - (a) the minimum stipend for a minister recommended by the Standing Committee, and
 - (b) the fixed component of the travel allowance for a minister recommended by the Standing Committee, and
 - (c) the fixed component of the cost recoveries charge payable by a parish under the *Cost Recoveries Framework Ordinance 2008*.
26. During the financial year before the date on which the proposal is received by the Standing Committee, or such part of that financial year as a member of the clergy was licensed as minister, the minister was –
 - (a) paid or provided with a stipend or benefits in lieu of stipend the amount or value of which, in total, was not less than that part of the minimum stipend referred to in clause 6(a)(i) which was required to be paid or provided to the minister, and
 - (b) paid or provided with a travel allowance or travel benefit not less than that part of the fixed component of the travel allowance referred to in clause 6(a)(ii) which was required to be paid or provided to the minister, and
 - (c) provided with a housing allowance and lives in accommodation and location approved by the Archbishop.
27. All costs recoveries charges (including any arrears) due and payable by the parish under the *Cost Recoveries Framework Ordinance 2008* have been paid.
28. A building is or buildings are available in the ecclesiastical district for use by a congregation meeting for worship and other purposes. Such residence and building or buildings are in good condition and state of repair, are suitable for the purposes to which they are to be put and the freehold thereof or a leasehold thereof is vested in Anglican Church Property Trust Diocese of Sydney or in trustees in trust for the ecclesiastical district.
29. The ecclesiastical district is able to service all its debts.
30. The ecclesiastical district is in a sound financial condition.

For and on behalf of the Georges River Regional Council.

Proposal to change the status of the provisional parish of Barala to a parish

(A report of the Western Sydney Regional Council.)

Purpose

1. The purpose of this report is to propose that the Provisional Parish of Barala be classified as the Parish of Barala.

Recommendation

2. The Western Sydney Regional Council recommends that the Provisional Parish of Berala become a Parish from 1 January 2020.

Details of Meeting

3. A meeting of the Western Sydney Regional Council held on 30 May 2019 considered the proposal under clause 5 of the *Parishes Ordinance 1979*.
4. The Western Sydney Regional Council certifies that all procedural requirements under clauses 4 and 6 of the *Parishes Ordinance* have been complied with, and recommends that Synod raise the status of the provisional parish to parish.

Parish Information

5. Berala is in one of the most multicultural areas of Sydney. 80% of households speak a language other than English, 67 languages are represented covering 126 nationalities. Berala is also in one of the lowest socioeconomic areas of Sydney.
6. Anglicans have been meeting in Berala since 1895. The current St James building was consecrated in 1963. St James has been a Provisional Parish since at least 1970. In 1986 the church was amalgamated into its mother parish of Lidcombe. In 2004 it again became its own Provisional Parish.
7. When in 2007 attendance dropped to the point of non-viability, the regional bishop approached the Parish of Carlingford to partner with Berala as a way of revitalising the parish. In May 2008 a memorandum of understanding commenced, with the Rev. Bruce Hall becoming the Senior Minister and members from Carlingford started attending St James. In 2009, the Rev. Andy Chung who was working with AFES at Cumberland Campus, Sydney University was appointed as an assistant minister. Cumberland College Unichurch started meeting at St James in the evening and some of the members assisted children's ministry in the morning service.
8. In 2009 an English class started. This was the beginning of a period where God brought us into contact with many new friends from the area and a significant number of Persian refugees. In 2012, with the help of a grant from the Mothers' Union, a part-time children and youth worker was appointed.
9. In 2015, the Rev. Michael Doyle was appointed as the assistant minister. In 2016 the congregation had grown considerably, the MoU with Carlingford was concluded and Rev. Doyle was appointed as the Senior Minister. Since that time the Parish has continued to grow. 2017-2018 became years of significant building projects to address a poorly built church building, the demountable hall being declared unsafe, and drainage and other issues.

Attendance and Activities

10. In 2018 the single Sunday Service had an average weekly attendance of 98 adults and 44 children and youth, compared to 55 adults and 7 children in 2014. Since 2015 we have baptised 35 new followers of Jesus.
11. Activities include: English classes; Refugee support and advocacy; Market Day to connect with the local community and provide them with affordable goods; Kids Church; Music Time as an opportunity for parents and their babies to come and have some fun, whilst leaning about Jesus; Holiday Kids Clubs; Persian Discipleship Group in the Farsi language; Mandarin Discipleship Group; Easy English Discipleship Group; Women's Discipleship Group; Retired Men's Discipleship Group; Young Adults discipleship group; International Food Night; Leadership training hub; Meeting Jesus course; Nursing Home Service.
12. In 2019 the Provisional Parish employs –
 - (a) a Rector,
 - (b) a part-time Cross Cultural Ministry worker.
 - (c) five voluntary/honorary staff members:
 - (d) a Maturity Ministry worker (1 day a week)
 - (e) two student ministers
 - (f) an administrative support worker (14 hours a week)

Summary of receipts and payments

13. A summary of the financial position over the past three years.

INCOME	2016	2017	2018	2019 Mar YTD
General Offertories	\$144,245	\$145,891	\$154,229	\$36,471
Specific Donation	\$21,126	\$63,201	\$29,392	\$14,213
Rental Income	\$0	\$0	\$0	\$0
Other receipts (incl. grants & interest)	\$18,013	\$18,652	\$58,757	\$4,451
Total Income	\$183,384	\$227,744	\$242,378	\$55,135
EXPENSE				
Stipends/Salaries	\$110,668	\$112,921	\$110,168	\$28,538
PCR	\$18,118	\$26,117	\$27,899	\$3,148
Property / Maintenance	\$48,850	\$103,565	\$156,677	\$26,844
Parish Admin	\$12,660	\$13,962	\$17,794	\$7,650
Ministry Expenditure	\$4,093	\$14,673	\$10,962	\$1,826
Other	\$0	\$0	\$0	\$1,870
Total Expenses	\$194,390	\$271,238	\$323,500	\$69,877

Particulars of Church Property Held in Trust:

14. The main church building was completed in 1963.
15. The Current property of the Provisional Parish:
Church Building, Demountable, Rectory: 17-19 Crawford St, Berala, 2141
16. Total Assets, including land: \$6,719,098.

17. There are loans totalling \$86,962.63 to the Sydney Anglican Loans, relating to upgrading the church grounds. The repayments are fully serviced by congregational offertories, as per the arrangements with the MPC. We are on track to repay the loan 2 years early.

For and on behalf of the Western Sydney Regional Council.

IVAN LEE
Bishop of Western Sydney

30 May 2019

Proposal to change the status of the provisional parish of Cobbitty to a parish

(A report of the Wollongong Regional Council.)

Purpose

1. The purpose of this report is to propose that the Provisional Parish of Cobbitty be classified as the Parish of Cobbitty.

Recommendation

2. The Wollongong Regional Council recommends that the provisional parish of Cobbitty be classified as a parish with effect from 1 January 2020.

Support of the Wollongong Regional Council

3. On 11 June 2019 the Wollongong Regional Council resolved to support the request that the Provisional Parish of Cobbitty be classified as a parish under the *Parishes Ordinance 1979*.
4. The Wollongong Regional Council certifies that all procedural requirements under clauses 4 and 6 of the *Parishes Ordinance 1979* have been complied with.

Parish Information

Particulars of all church trust property

5. Founded in April 1827 by Rev. Thomas Hassall, the Parish has four much-loved, heritage buildings:

Heber Chapel (1828) - 330 Cobbitty Road

6. The Heber Chapel, consecrated by Rev. Samuel Marsden in 1828, served as the original church building of the Parish. It also served as the Cobbitty Schoolhouse until 1908. Despite its age, the Chapel has been well maintained. It is still a very functional building and is used 6-7 times per week by various ministries.



St Paul's Church (1842) – 330 Cobbitty Road

7. Designed by John Verge, St Paul's is a restrained Gothic style sandstone building with spectacular stained-glass windows and an historic William Davidson Pipe Organ (1876). Since becoming a Provisional Parish in 2014 we have: installed a new slate roof and sandstone cross atop the spire; repaired the bell tower; upgraded the audio-visual system and installed a 10-foot ceiling fan. Overall the building is comfortable, functional and in good repair. The only exception to this is the uneven timber floor, which is the next item on our maintenance list. The Church has a seating capacity of 130 people, however due to the layout, it feels full at 90 people.



The Rectory (1871) – 335 Cobbitty Road

- 8. The Rectory is a beautiful sandstone home set on 3.5 acres across the road from the Church. It has many historic features such as servant’s bells, pressed-tin ceilings and a fireplace in every room. The Parish has done a marvellous job of bringing the Rectory up to modern standards of comfort whilst maintaining the heritage style. With four bedrooms, two bathrooms, a study and a formal drawing room for ministry meetings, it well and truly meets the rectory standards specified by the Diocese.



Church Hall (1886) – 336 Cobbitty Road

- 9. Since its construction in 1886, the Parish Hall has been a hub of activity for the Cobbitty community. It is currently used 10-12 times each week by different community and ministry groups (the weekly Sunday night congregational dinner is pictured to the right). We have successfully received numerous Local, State and Federal grants for improving the facilities. As such, the hall is remarkably comfortable for a building of its vintage.



Land holdings

- 10. Thanks to a generous bequest from Rev. Thomas Hassall upon his death in 1886, the Parish has approximately 116 acres of land, both north and south of Cobbitty Road. The vast majority of this land is zoned ‘Primary Production’ and is leased to local graziers or to Teen Ranch. The location of the Parish landholdings and lot numbers are indicated on the attached map.

Churchyard Cemetery

- 11. St Paul’s is surrounded on all four sides by an active cemetery and columbarium. The cemetery is approximately 90% full, with around 100 reserved and 30 unreserved plots. The Columbarium wall is approximately 60% full, with 115 reserved and 165 unreserved niches. At present, the Cemetery is providing around \$30,000 of income for the Parish each year.
- 12. All of the Parish land and property is owned outright, with no debt owing.

An estimate of the number of households within the parish boundaries claiming Anglican affiliation

- 13. The chart below shows a 30-year snapshot of past and projected population figures within the Parish boundary. It is worth noting that 70% of current parishioners live outside the Parish.

	2001	2006	2011	2016	2021	2026	2031
Population	900	1700	1900	2800	6500	12,800	18,700
People claiming Anglican Affiliation	300 (33%)	500 (30%)	600 (31%)	750 (26%)	1,500 (~23%)	2,600 (~20%)	3,700 (~20%)

An estimate of the size of the congregation

- 14. The Parish has two congregations: a 9am traditional prayer-book service; and a 5pm contemporary service with children’s program and after-church dinner. There are exactly 200 regular Sunday attenders on the Parish Roll: 155 adults; 26 youth; and 19 children. The table below shows the average weekly attendance at each service since Cobbitty became a Provisional Parish in January 2014.



	2013	2014	2015	2016	2017	2018	2019
9am	55	71	83	75	71	73	69
5pm	29	29	26	28	36	43	67
Total	84	100	109	103	107	116	136

A summary of the parish's financial standing

15. The audited Financial Statements for 2018 show the Parish in a strong financial position, with \$56,619 cash on hand; \$38,386 in a 3-month term deposit and \$642,077 in their ACPT Client Fund. At the end of 2018, the balance sheet showed Total Assets of \$22,302,335 and Total Liabilities of \$8,865.
16. Total Income for 2018 was \$287,628 and Total Expenditure was \$296,763. The table below shows budgeted and actual congregational offerings since the Parish became a Provisional Parish.

	2014	2015	2016	2017	2018	2019
Budget	\$112,300	\$130,110	\$153,440	\$165,873	\$180,367	\$201,500
Actual	\$119,302	\$133,775	\$153,975	\$164,185	\$171,625	

17. 2019 marks the 192nd anniversary of the Parish. The Parish is grateful for the rich heritage of their buildings, the faithful ministry of the saints who have gone before, and for the sustaining grace of the Lord Jesus who has upheld his church throughout the generations. Being classified as a full parish will be a tremendous encouragement to those who have toiled long and faithfully to bring the Parish to where it is today.

For and on behalf of the Wollongong Regional Council.

PETER HAYWARD
Bishop of Wollongong

11 June 2019

Proposal is to change the status of the provisional parish of Fairfield with Bossley Park to a parish

(A report of the Georges River Regional Council.)

Proposal

1. The purpose of this report is to propose that the Provisional Parish of Fairfield with Bossley Park be classified as the Parish of Fairfield with Bossley Park.

Recommendation

2. The Georges River Regional Council recommends that the provisional parish of Fairfield with Bossley Park be classified as a parish with effect from 1 January 2020.

Support of the Georges River Regional Council

3. On 12 March 2019 the Georges River Regional Council resolved to support the request that the Provisional Parish of Fairfield with Bossley Park be classified as a parish under the *Parishes Ordinance 1979*.

Parish Information

4. The Parish of Fairfield has seen incredible changes over its lifetime. It has gone from an essentially semi-rural area to a bustling, urbanised melting pot of people from all over the world. Currently the parish has a population of 62,000 people. 3.9% identify as Anglican, 40.3% Catholic, 10.9% Orthodox, 10.5% Buddhist and 6.0% Islamic. 53% of people were born overseas and English is the language spoken at home in only 33% of households. There is a large percentage of refugees and asylum seekers, including around 7,000 of the Syrian refugees that came to NSW.
5. After the heights of church attendance through the 50's-70's, there was significant decline through the 80's and by the mid 90's struggled in terms of attendance and finances, and, therefore, became a Provisional Parish in 1996.
6. In the first decade of the 2000's, the church saw significant growth both in number and also the nationalities represented in the congregation. Sunday School and Youth Group re-started as the church began seeing young people again.
7. Around 2005-6, some capacity issues arose. At the same time, the Parish of Bossley Park had sadly declined to a point of unviability. This parish had a much bigger and newer building, and so the two parishes amalgamated and became the Parish of Fairfield with Bossley Park. Following amalgamation, the service at Bossley Park was closed down for a year. In 2007, the 10:30am service at Fairfield was able to relocate to the larger premises at Bossley Park. Since then, the parish has had ministries at both locations, as well as starting two other congregations at a third and fourth location over that time (though one had to re-locate back to the main site at Fairfield due to property issues, and the other had to close due to the landlord no longer willing to rent to a church group).
8. The Rev Stephen Shead became Rector of the parish in January 2019, following a vacancy since July 2015.
9. Currently the parish runs 4 services on a Sunday across its 2 sites.

Fairfield/Bossley Park Attendance and Activities

2018	296	2014	371	2010	235
2017	307	2013	440*	2009	221
2016	315	2012	339	2008	182
2015	297	2011	313	2007	148

* Quite possibly an error in the recorded figures in church's registry. Likely lower by 20 - 30.

10. The parish runs a Sunday School and Youth Group at both the Fairfield and Bossley Park sites, and a vibrant Seniors' Group at Fairfield. There is an extensive scripture teaching ministry in several primary and high schools. Growth groups are a core pillar of ministry strategy. There are various outreach activities (eg. Mobile Food Pantry).
11. The parish is very multicultural, so enjoys the richness of people from a variety of backgrounds, including the Middle East, Asia, Sub-Continent, South America, Africa, Mediterranean, Europe and the "West". Across the parish, there is no dominant cultural group, though there would be more people of Anglo background at the early morning Prayer Book service, and more people of an Asian background at the evening service.
12. The parish is committed to supporting gospel work overseas through link missionaries (including the current Rector when he served with CMS in Chile for 10 years). It is also heavily involved with the South West Evangelism and Training Conference (**SWEATCON**), which aims to train leaders for the churches in the south west of Sydney, and to encourage and facilitate gospel outreach and ministry in south west Sydney and beyond.

Summary of receipts and payments

	2016	2017	2018 (unaudited)
Receipts			
Offeratories	\$ 462,028.55	\$ 390,623.62	\$ 510,480.28
Rental income	\$ 60,816.00	\$ 58,190.00	\$ 48,215.85
Other receipts (incl. grants & interest)	\$ 28,920.08	\$ 15,253.98	\$ 13,045.07
Event Income		\$ 23,022.73	
Total Income	\$ 551,764.63	\$ 487,090.33	\$ 571,741.20
Expenses			
Salaries/MEA/Super	\$ 208,927.44	\$ 268,824.13	\$ 354,072.40
PCR	\$ 60,854.04	\$ 69,486.45	\$ 69,606.09
Property / Maintenance	\$ 130,372.25	\$ 76,821.32	\$ 20,717.71
Parish Admin	\$ 4,634.93	\$ 7,462.31	\$ 35,901.46
Ministry Expenditure	\$ 5,068.81	\$ 11,569.99	\$ 14,144.13
Ministry Donations	\$ 61,028.26	\$ 64,924.21	\$ 33,500.00
Other (equip. prof. services, etc)	\$ 3,021.00	\$ 40,376.55	\$ 2,781.82
Event Expense		\$ 19,237.42	
To be allocated			\$ 13,761.36
Total Expenses	\$ 473,906.73	\$ 558,702.38	\$ 544,484.97
Net Surplus	\$ 77,857.90	-\$ 71,612.05	\$ 27,256.23

Particulars of Church Property Held in Trust

Non-current Assets

Buildings - Church & Hall BP	1,512,496
Church St Barnabas Fairfield	1,460,274
Church St Davids Fairfield	418,013
Contents 21 Rawson Road	1,514
Contents BP Church & Hall	77,334
Contents BP Rectory	3,137
Contents Church - Fairfield	79,714
Contents Ministers' Residences	1,947
Contents St Davids	33,746
Garage St Barnabas Fairfield	13,000
Investment - Property Trust	21,565

Land - Bossley Park	3,070,000
Land 21 Rawson Road	485,000
Land St Barnabas	3,140,000
Land St Davids	970,000
Petty Cash Float	100
Rectory - Bossley Park	794,985
Rectory & car port - St Davids	318,122
Rectory St Barnabas Fairfield	483,033
St Barnabas Fairfield - Halls	605,000
St Barnabas Fairfield - Shed	12,000
St B'bas Fairfield Toilet Blk	160,000
St Davids - Hall	220,000
St Davids - Toilet Block	20,000
Total Non-current Assets	13,900,980

Parish Status Criteria Met

13. During the previous financial year the local revenues of the ecclesiastical district were not less than the sum of the following amounts for that financial year –
 - (a) the minimum stipend for a minister recommended by the Standing Committee, and
 - (b) the fixed component of the travel allowance for a minister recommended by the Standing Committee
 - (c) the fixed component of the cost recoveries charge payable by a parish under the Cost Recoveries Framework Ordinance 2008, and

14. During the financial year before the date on which the proposal is received by the Standing Committee, or such part of that financial year as a member of the clergy was licensed as minister, the minister was –
 - (a) paid or provided with a stipend or benefits in lieu of stipend the amount or value of which, in total, was not less than that part of the minimum stipend referred to in clause 6(a)(i) which was required to be paid or provided to the minister, and
 - (b) paid or provided with a travel allowance or travel benefit not less than that part of the fixed component of the travel allowance referred to in clause 6(a)(ii) which was required to be paid or provided to the minister, and
 - (c) provided with a housing allowance and lives in accommodation and location approved by the Archbishop.

15. All costs recoveries charges (including any arrears) due and payable by the parish under the Cost Recoveries Framework Ordinance 2008 have been paid.

16. A building is or buildings are available in the ecclesiastical district for use by a congregation meeting for worship and other purposes.

17. Such residence and building or buildings are in good condition and state of repair, are suitable for the purposes to which they are to be put and the freehold thereof or a leasehold thereof is vested in Anglican Church Property Trust Diocese of Sydney or in trustees in trust for the ecclesiastical district.

18. The ecclesiastical district is able to service all its debts.

19. The ecclesiastical district is in a sound financial condition.

For and on behalf of the Georges River Regional Council.

PETER LIN
Bishop of Georges River

21 May 2019

Proposal to change the status of the provisional parish of Oran Park to a parish

(A report of the Wollongong Regional Council.)

Purpose

1. The purpose of this report is to propose that the Provisional Parish of Oran Park be classified as the Parish of Oran Park.

Recommendation

2. The Wollongong Regional Council recommends that the provisional parish of Oran Park be classified as a parish with effect from 1 January 2020.

Support of the Wollongong Regional Council

3. On 11 June 2019 the Wollongong Regional Council resolved to support the request that the Provisional Parish of Oran Park be classified as a parish under the *Parishes Ordinance 1979*.
4. The Wollongong Regional Council certifies that all procedural requirements under clauses 4 and 6 of the *Parishes Ordinance 1979* have been complied with.

Parish Information

Particulars of all church trust property

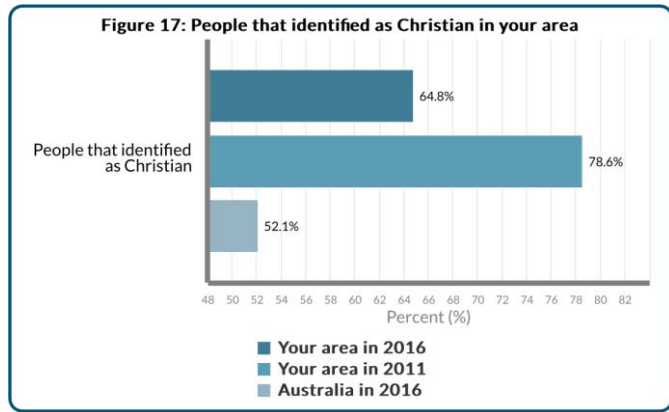
5. There are two Parish properties –
 - (a) Church building at Cnr Marcus Loane Way and Central Avenue in Oran Park (seating 220 completed 2015).
 - (b) Church rectory at 22 Luff Close Oran Park (built to Diocesan standards in 2012).

An estimate of the number of households within the parish boundaries claiming Anglican affiliation

6. The population of Oran Park, and indeed the whole of our area of the South West of Sydney, is growing dynamically. Estimates that don't entirely share the Parish boundaries that suggest the population is currently between 10-12,000. The developers own projections suggest that eventually Oran Park Town itself will rise to 35,000 so there is much growth to come. In the next four years alone the town is projected to increase by another 9,000 kids and adults.

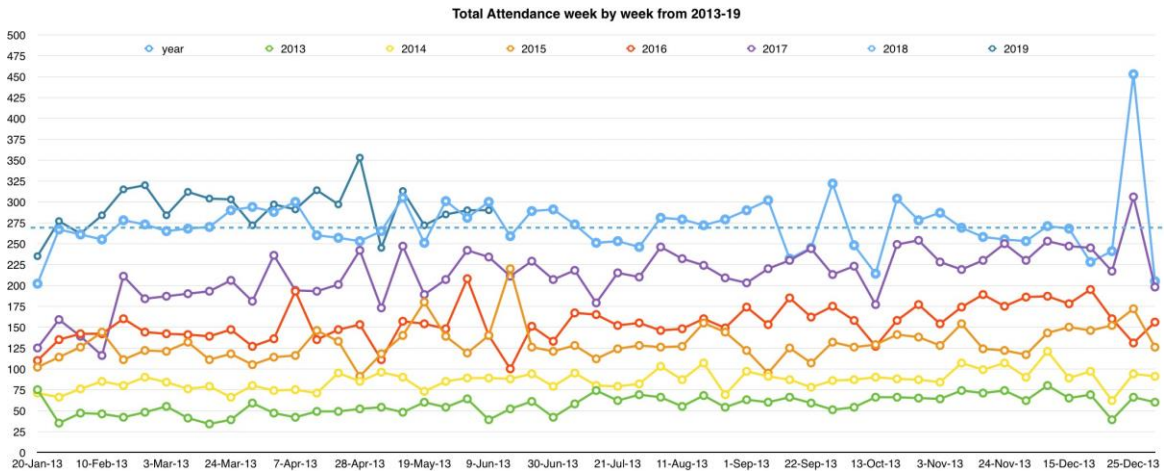


7. This corner of the Diocese has been traditionally over represented as Anglo and Anglican. Both of these are changing with the influx of a diverse group of new residents increasingly from India, and other nations and as it becomes more representative of the wider Australian secular culture.



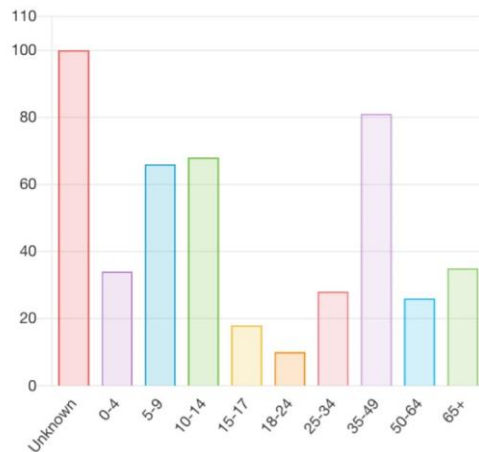
An estimate of the size of the congregation

- 8. Having started over 7 years ago with four adults and four children, the Parish is delighted to report that the average attendance across three services for the current year is 292 children and adults. These congregations meet at 8:45am, 10:30am, and 6pm.
- 9. Year-to-date on a given Sunday that looks like 155 adults that are known to the Parish, 108 kids and the rest is made up by guests who are finding their place in the Parish’s fellowship and are yet to provide them with their details.
- 10. Under God’s gracious hand the Parish has seen the congregation progress every year since it began regular weekly services (this year is shown [in green] at the base of the graph below) and in the current year (2019) [in the darkest blue] at the top.



11. Over the years the Parish have collected a lot of names in their database but do not have information for everyone in attendance. This accounts for the almost 100 names (in the graph opposite) for which they have no demographic for. Never-the-less this is a pretty good indicator distribution of ages at NewLife with a predominance of young families showing 186 children on the Parish books under the age of 17!

Ages



data of the

12. The Parish continually gives thanks to God for the proximity of the Anglicare Retirement village across the road and the contribution that these older saints bring to balancing out the congregation and sharing their faith and encouragement with those considerably younger.

A summary of the parish's financial standing

13. Since the Parish's inception (and with the initial generous support of the Wollongong Regional Council), the Parish's finances have been an ongoing story of God's provision. Since they began in 2012, the Lead Pastor's salary has been fully provided for up to and including the most recent year - 2018. The Parish's income over the past four years is as laid out below –

Year	2015	2016	2017	2018
Income	\$203,601*	\$213,278	\$344,250**	\$347,625

* 2015 includes external grant support of \$38,750.

** 2017 includes external grant support of \$46,500.

14. The Parish's budget for 2019 is \$443,400 which provides for additional admin, women's pastoral care, and Student ministry positions. The Parish is budgeting a loss for the year which will be returned to balance in 2020 and see this as an investment for its growth. The Parish's 2018 financial statements show a net asset position of \$11,698,631.
15. At NewLife, the Parish's vision is to see new life in Jesus come to every home in Oran Park and the growing South West, for their salvation, the good of the community, and the glory of God. God has been very good to the Parish. Transformation is coming to their community one household at a time - and the households around continue to grow every day.
16. The Parish believes full Parish status is one small step towards their participation in the wider mission of the Diocese and towards their maturing as a congregation. They pray that this might come quickly and thank [the Synod] for its consideration.

For and on behalf of the Wollongong Regional Council.

PETER HAYWARD
Bishop of Wollongong

11 June 2019

Proposal to change the status of the provisional parish of Pitt Town to a parish

(A report of the Western Sydney Regional Council.)

Purpose

1. The purpose of this report is to propose that the Provisional Parish of Pitt Town be classified as the Parish of Pitt Town.

Recommendation

2. The Western Sydney Regional Council recommends that the Provisional Parish of Pitt Town become a Parish from 1 January 2020.

Details of Meeting

3. A meeting of the Western Sydney Regional Council held on 30 May 2019 considered the proposal under clause 5 of the *Parishes Ordinance 1979*.
4. The Western Sydney Regional Council certifies that all procedural requirements under clauses 4 and 6 of the *Parishes Ordinance* have been complied with, and recommends that Synod raise the status of the provisional parish to parish.

Parish Information

5. The Pitt Town Parish was formed in the 1820s and the iconic St James stone church was built in 1857. The Provisional Parish of Pitt Town covers a large area stretching from the outskirts of Windsor in the south to Wisemans Ferry in the north. The western boundary is the majestic Hawkesbury River and to the east its boundary follows natural creek lines and surveyed points through rural farmland and forests. The Parish remains largely rural in nature, however in recent years has experienced rapid urban growth, particularly in its southern regions. The historic township of Pitt Town originally established by Governor Macquarie remains the dominant urban centre, however the parish includes more than fifteen suburbs with many new suburbs being added as residential estates expand. The Parish includes lands straddling three local government areas.
6. At Easter 2000 a small Church plant of 15 adults & 15 Children commenced in Arndell Anglican College with church planter the Rev. Greg Peisley, and grew to 67 people by the end of the year, and to 159 people by 2008.
7. In early 2008 the regional bishop commenced discussions with the Pitt Town parish, the rector the Rev. John Gaunt, and the Arndell church plant to work together for more effective mission in the area. In late 2008 Pitt Town and Arndell churches amalgamated, and the Rev. Greg Peisley was appointed Rector. At Easter 2012 they came together on the St James site to become the central focus of a growing community. The amalgamation was named the Pitt Town Anglican Community Church (**PACC**), and the goal was to reach as many of the people living in our region as possible with the good news of Jesus and to build Christ's Church by prayerfully proclaiming the word of God with love, passion and praise.

Attendance and Activities

8. Currently in 2019 the church is averaging 206 adults and 112 children.
9. Ministries include: Pre School, Playgroup, Children, Youth, Men, Young Adults, Women, Prime Timers, Families, Café Ministry, Welfare Ministry (Healthy Families Health Communities), Global Missions, 22 Growth Groups, PTC, Pitt Town Community News Magazine Ministry, Evangelism and One to One Discipling, Pastoral Care and Visitation, Prayer Ministry, SRE, Gideons, Hospitality, Marriage and Parenting, Support Groups (Divorce, Dementia, Addiction, Depression, etc).

10. In 2019 the Provisional Parish of Pitt Town employs the following staff –

Senior Minister	Part Time Ministry Café Coordinator
Youth Minister	Part Time Administrator
Associate Lay Minister	Part Time Treasurer
Student Minister	
Children's Minister	

Summary of receipts and payments

11. A summary of the financial position over the past three years.

Income	2018	2017	2016
Congregation Offeratories	465,401	502,454	484,354
Grants	36,720	13,910	17,740
Rental Income	55,666	52,595	23,450
Finance Income(interest)	21	720	1,091
Income From Ministry Activities	97,039	50,155	65,677
Fundraising	5,613	5,853	1,734
Total Income	660,460	625,687	594,046

Expenses	2018	2017	2016
Ministry Staffing	316,940	29,9136	307,422
PCR	54,029	48,665	60,218
Resources for ministry	35,899	10,936	24,121
Parish Donations	15,978	19,300	16,550
Parish Admin	85,257	86,505	53,970
Rental Property expenses	21,239	9,236	4,519
Ministry Property expenses	42,167	29,659	16,053
Ministry Activity expenses	77,000	71,051	37,900
Total Expenses	648,509	574,488	520,753

Particulars of Church Property Held in Trust:

12. The following properties and facilities are held by the church.

- Lot 1 No 112 Bathurst Street Pitt Town - St James Church and Rectory
- Lot 2 No 110 Bathurst Street Pitt Town - Church Hall
- Lot 1 No 108 Bathurst Street Pitt Town - Residential Cottage
- Lot B No 7 Grenville Street Pitt Town - Residential Cottage
- 3025 River Road Wisemans Ferry - St Mary Magdalene Church and Cottage
- 60 Old Pitt Town Road – Cemetery

13. As at 31st December 2018 the total value of land, buildings and contents was \$9,651,092.00.

14. The Pitt Town Anglican Community Church (**PACC**) has an outstanding loan as at 30/4/2019 of \$52,784 repayable in monthly instalments of \$1,350.00 to Sydney Anglican Loans. The repayments are fully serviced by congregational offertories.

For and on behalf of the Western Sydney Regional Council.

IVAN LEE
Bishop of Western Sydney

30 May 2019

Anglican Church Property Trust Diocese of Sydney (ACPT)

(Report to 3rd Ordinary Session of the 51st Synod of the Diocese of Sydney.)

As the Chair of the ACPT, and on behalf of the Board, I have pleasure in presenting the ACPT's 2018 annual report to the Synod.

As noted in previous annual reports to Synod, the role of the ACPT from its constituent documents, an Act of the NSW parliament (1917) and an ordinance of the Synod (1965), has changed from a relatively passive trustee of church trust property to one responding to significantly more complex regulatory, legal, political and social environments. Board members may be exposed to potential personal liability under legislation such as that relating to heritage and fire safety.

Complexity continues to increase for parishes and the ACPT. Examples include –

- obligations under the *NSW Heritage Act (1977)*
- ongoing compliance with ACNC legislation
- ongoing compliance with fire safety aspects of the Environmental Planning and Assessment Regulations (2000)
- obligations under the *Cemeteries & Crematoria Act 2013*
- operating in an increasingly litigious external environment and associated implications for insurance, reputation/risk and personal liability
- changes to NSW planning instruments
- more complex administration of the various Local, NSW and Federal Government grant programs
- issues arising from the Royal Commission into Institutional Responses to Child Sexual Abuse

Because parishes are unincorporated bodies there is a necessary interface with ACPT in parish church trust property matters. In passing ordinances concerning parish church trust property, the Standing Committee, resolved in February 2014 –

Standing Committee declares its 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 a parish and the benefit of income from such property.

This intersection needs to be managed with consistency and having regard to the interests of parishes, the increased complexities noted above, the legal and fiduciary obligations of the ACPT and the potential personal liability that may be imposed upon its Board members.

Since Synod 2018, as in previous years, ACPT, as the corporate trustee of the Diocese, operated across the full spectrum of diocesan activities. Some notable outcomes include –

- Authorised the SDS management team supporting the ACPT to conduct a “Building for the Future” seminar in November 2018 at Annandale parish. The interactive workshop was for members of parishes contemplating building projects and was attended by 100 persons with a further 100 people participating via a live stream to 21 locations
- Exercised oversight and administered 26 building contracts (each valued in excess of \$1m per contract) for projects ranging from an organ replacement at Gordon parish to a new ministry centre at Carlingford and North Rocks parish
- Assisted parishes make 168 applications under the NSW Government CBP that led to 85 parishes being granted funding totalling \$1.5m (taking the total grants by the NSW Government under the CBP program to \$12.8 million in the period 2010 – 2018).
- Assisted 16 parishes install rooftop solar photovoltaic panels on their buildings with 12 parishes receiving a total of \$216,000 of funding for their projects through the Federal Government Solar Communities 2018 grant program
- In addition to the aforementioned parish grants, ACPT also assisted 31 parishes successfully to apply for grants totalling \$274,826 under the Federal Government's “Stronger Communities Program”, 58 parishes successfully to apply for grants totalling \$202,425 under the Federal Government's “Volunteer Grants Program” and a further 4 parishes -successfully to apply for grants totalling \$169,576 under various other Federal and NSW Government grant programs

- Invested, on behalf of parishes, approximately \$70 million in the Diocesan Cash Investment Fund and maintained the Long Term Pooling Fund which has some 96 parish unitholders with an aggregate unitholding of in excess of \$62 million
- Concluded the 2018/2019 diocesan insurance renewal at competitive rates which generally enhanced policy coverage, compared with the maturing policies and ensured availability of insurance cover for a comprehensive suite of insurance products, for over 300 diocesan entities (parishes & numerous diocesan organisations) at competitive premium rates
- Approached Ministers of the NSW Government to advance the cause of several parishes in relation to specific local parish matters
- Implemented the Standing Committee’s decision to modify the methodology on which the ACPT management fee is calculated for all parishes from 1 January 2019.

I take this opportunity to thank parish councils, the senior episcopal team and the SDS teams that support the Board, especially recognising the contribution made, often in the face of intensive workloads, to deliver lasting and meaningful ministry outcomes. I also take this opportunity to acknowledge the contribution made to the efficient functioning of the ACPT through the critical skills provided by all members of the Board. As at 31 December 2018 the Board comprised the following members –

Name	Title, Description	Experience/Skills
Dr Glenn Davies	Archbishop of Sydney	Ministry
The Rev Canon Christopher Allan	Sub Dean, St Andrew’s Cathedral, ex project manager, Lend Lease Corporation.	Ministry
Mr Wayne Bramley	Director, Inskon (Insurance Consultancy)	Insurance
Mr Roger Collison	Investment Consultant	Finance/Investment
Mr Richard Neal	Partner, Teece Hodgson & Ward Solicitors	Law
Mr David Nelson	Registered Valuer, David Nelson & Partners	Property
The Rev David Ould	Rector, parish of Glenquarie and former Chartered Accountant	Ministry
Mr Peter Rusbourne	Partner, Watkins Tapsell, Solicitors	Law
The Rev Andrew Schmidt	Rector, parish of Randwick and ex solicitor, Clayton Utz	Ministry
Dr Robert Tong AM	Solicitor	Law
Mrs Melinda West	Manager, Pascoe Whittle, Accountants	Accountancy

The Board extends its appreciation to Ms Michelle Lim (Director, KPMG with a banking and strategic advisory background) and Mr Ian Pike (former Head of Business Credit at BankWest). Both Michelle and Ian provide professional specialist advisory assistance to the ACPT’s investment, insurance and Finance subcommittee (IIFC).

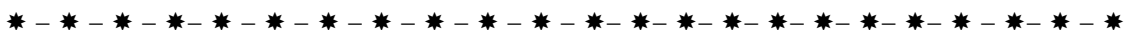
Additionally, I thank the staff of SDS who continue to serve the Board faithfully and diligently.

In closing, I would like to acknowledge with gratitude the respective contributions of Mr Glynn Evans and Mr Roger Collison to the ACPT and wider diocese, following their decisions to step down from their trustee roles during the past 12 months. I also take the opportunity to welcome Mr Wayne Bramley and Mr Ian Pike to the Board as their replacements and thank Mr Roger Collison for his willingness to continue supporting the ACPT’s work as an adviser to the IIFC.

A summary of the year’s work by ACPT from the Head of Parish Property, Mr Greg Ellem follows as Attachment 1. I commend this report to the Synod.

MR RICHARD NEAL
Chair, Anglican Church Property Trust Diocese of Sydney

June 2019



Summary by the Head of the Parish Property, Mr Greg Ellem

My colleagues, Penny Barletta, Judi Harrington, Scott Lincoln, Sally Satya, Lyndon Tam and Cindy Wong and I appreciate the assistance provided by the Board, the senior episcopal team and the many parish volunteers, as we partner parishes in a variety of property and insurance matters as they continue to undertake front line Christian ministry across the diocese.

We serve the Board as its executive management arm and relate to the Board in accordance with several service level agreements that are annually negotiated with the Board and reviewed during the year. In this ACPT report to Synod you will find –

- Executive Summary
- Constitution and purpose
- Major activities undertaken by ACPT during 2018
- Contact details of the insurance and parish property services team

1. Executive Summary

During 2018 the SDS management team supporting the ACPT (as trustee for parishes and some diocesan organisations) –

- Received, reviewed, signed and processed 511 documents for parishes (including development applications, building contracts, leases, licence agreements, contracts of sale, applications for grant funding, insurance claims, etc.). This compares with 406 documents processed in the 12 months to Synod 2018.
- Facilitated three security training workshops in CBD and suburban parish locations to assist parishes deal with the heightened security risk to parishes due to global terrorism. These workshops were attended by over 100 parish representatives.
- Undertook research and consulted with 75 parishes in order to register various cemeteries and columbaria (niche or memorial walls) with Cemeteries and Crematoria NSW to ensure compliance with the relevant Act.
- Administered 125 Public Liability insurance notifications and 72 Industrial Special Risk (Property and Contents) insurance claims.
- Prepared and issued 12 circulars to parishes about a range of policy/procedure matters such as the quarterly performance of ACPT's Long Term Poling Fund and the Diocesan Cash Investment Fund, grant funding, NSW, Local and Federal, security training workshops, Building for the Future seminar, using Anglican Halls as polling places for parishes, as well as the quarterly "About Your Invested Funds" circular to parishes and diocesan organisations on whose behalf the ACPT invests funds.
- As noted by the Chair, ACPT representatives met with the parliamentary staff and elected members of the NSW Government and local Councils, in relation to several specific parish building, sale and heritage projects. Further meetings have been arranged during 2019.
- Co-ordinated meetings of the Christian Church Property Network (CCPN), comprising most Protestant Denominations and the Roman Catholic Church, to ensure a co-ordinated and cohesive approach on matters of mutual concern to the relevant government bodies.

2. Constitution and Purpose

The ACPT is an incorporated body constituted by the Anglican Church of Australia Trust Property Act 1917. The Anglican Church Property Trust Diocese of Sydney Ordinance 1965 regulates the functioning of ACPT. Pursuant to the 1917 Act, ACPT is the legal owner and trustee of church trust parish property within the Diocese of Sydney. As owner, ACPT is required to be involved in a wide range of parish property transactions, including but not limited to insurance, leases, licences, property sales/purchases, building contracts and administration of estates.

3. Major Activities undertaken by ACPT during 2018

Strategic Land Acquisition and Construction on behalf of the Mission Property Committee (MPC)

- The ACPT concluded construction of a modular worship centre at Wilton parish to improve the amenity for worship and increased the seating capacity to 150 persons with associated amenities and car parking areas.
- The ACPT undertook planning and design and obtained development consent for a future ministry centres at Leppington and Marsden Park.

The ACPT obtained development consent for a future ministry centre at Riverstone and concluded civil infrastructure works for the adjoining land subdivision, surplus land sale and provision of associated ministry housing for the Riverstone parish

Insurance

Pursuant to the terms of the *Church Insurances Ordinance 1981* the ACPT effects insurance on behalf of parishes and some diocesan organisations under the Church Insurances Program (CIP). The annual renewal date of the diocesan insurance policies is 31 August. There is an annual insurance premium of approximately \$2.8 million, to insure some 1,100 parish buildings and property of many diocesan organisations under the church insurances program (CIP).

The ACPT Manager, Insurance Services commences the renewal process early each calendar year by collecting key insurance data from parishes and diocesan organisations to facilitate negotiations with various investment grade insurance counterparties for suitable insurance cover for parishes and many diocesan organisations. Significant time is invested in administering the cover for those diocesan organisations that participate in the CIP (including Anglican Aid, Anglican Education Commission, Anglican Media, Arundel House, Anglican Youthworks, Camperdown Cemetery Trust, Endowment of the See, Evangelism & New Churches, GFS, Glebe Administration Board, Ministry Training & Development, Moore Theological College, Mothers Union, New Churches for New Communities, Sydney Anglican Loans, Sydney Anglican Indigenous Peoples Ministry Committee, St Andrew's House Corporation Council St James Hall, Sydney Diocesan Services and Work Outside the Diocese). This is achieved with under the oversight of the diocesan insurance broker, Marsh Pty Ltd (Marsh).

With the assistance of Marsh, insurance policies are established for a suite of insurance products with a spectrum of insurance counterparties, all of whom are ascribed an "investment grade" external counterparty credit rating by the recognised international insurance Credit Rating Agencies.

Insurance-related enquiries are dealt with by the Manager, Insurance Services (Cindy Wong) and the Insurance Assistant, Ms Sally Satya. The enquiries handled by Cindy and Sally include day-to-day insurance enquiries and issuance of Certificates of Currency which enable parishes to conduct off-site activities.

Investment, Insurance and Finance Subcommittee of the ACPT Board (IIFC)

In addition to the insurance responsibilities outlined previously, the IIFC, currently comprising the Subcommittee Chair, Mrs Melinda West (who is also the deputy chair of the Board) along with fellow board members Mr Richard Neal, Mr Wayne Bramley, Mr Ian Pike and the Rev David Ould. As noted by the chair, these members are well supported by Ms Michelle Lim and Mr Roger Collison, who provide advice to the Board in respect to the oversight of the Long Term Pooling Fund (LTPF) as well as reviewing and developing policy and procedures for adoption by the full ACPT Board in relation to more than 275 investment funds that the ACPT manages as trustee on behalf of parishes and diocesan organisations.

The Investment Objective for the LTPF is to achieve a real rate of return of 3.5% pa over rolling 5 year periods (after external investment management fees and tax effects) subject to –

- preserving the real value of a unit in the LTPF over a rolling year period (commencing 1/7/2010)
- adopting a distribution policy that is consistent with the Investment Objective

The real rate of investment return generated by the LTPF over the period 1/7/2010 to 31/12/2018 was 6.51% pa. During 2018 distributions aggregating \$2.4 million were made to beneficiary parishes and diocesan organisations.”

NSW Community Building Partnership (CBP) Grant Programs

Since the initial CBP grants were announced in 2009, the ACPT has promoted, facilitated and administered all CBP Grant Programs. The process includes –

- assisting parishes construct applications and liaising with local MPs
- reviewing documentation and grant conditions applicable to each successful parish
- responding to enquiries from parishes about various aspects of the CBP Grant Program
- responding to enquiries from the NSW CBP Office and NSW Government Members of Parliament about successful parish projects
- receiving and distributing grant funds to each successful parish
- reporting to the NSW State Government in accordance with grant funding criteria
- following up incomplete acquittal information from grantees to satisfy NSW Government CBP Grant Program audit procedures and ensure that parishes are given a fair opportunity to share in future CBP Grant Programs

A summary of the CBP Grant Programs follows –

Year	No. of successful Parishes	\$ Grant amount (rounded)
CBP 2009 - 2018 CBP (I) – (IX)	517	\$11,309,663
CBP 2019 (X)	85	\$1,516,000
Total	602	\$12,825,663

4. Property and Insurance team

The SDS parish and property services team who support the ACPT look forward to continuing to serve parishes and diocesan organisations. The Parish Property Services team can be contacted –

Greg Ellem, Head of Parish Property	gxe@sydney.anglican.asn.au	02 9265 1546
Penny Barletta, Manager, Parish Property (Northern Region)	pxb@sydney.anglican.asn.au	02 9265 1561
Judi Harrington, Associate	jxh@sydney.anglican.asn.au	02 9265 1578
Scott Lincoln, Manager Parish Property (Western Region)	sxl@sydney.anglican.asn.au	02 9265 1633
Lyndon Tam, Manager, Parish Property (Georges River, South Sydney & Wollongong Regions)	lmt@sydney.anglican.asn.au	02 9265 1562
Sally Satya, Insurance Assistant	ssatya@sydney.anglican.asn.au	02 9265 1557
Cindy Wong, Manager, Insurance Services	cpw@sydney.anglican.asn.au	02 9265 1679

Ministry Spouse Support Fund Preliminary Report

(A preliminary report from the Professional Standards Unit.)

Purpose

1. The purpose of this report is to provide an update on the operation of the Ministry Spouse Support Fund (**MSSF**).

Recommendations

2. Synod receive this report.

Background

3. At its meeting on 15 April 2019, the Standing Committee, among other things, asked that –
 - (a) a report be provided regarding the Ministry Spouse Support Fund (MSSF) to the Standing Committee by June each year (commencing in 2020) detailing the total amount distributed from the MSSF and the number of 'cases' involved in the previous calendar year; along with an indication of the ongoing suitability of the level of funding and any additional commentary felt useful, and
 - (b) a preliminary report be provided to the Standing Committee in July 2019 indicating the initial use of the MSSF in its first six months (for promotion to the Synod).

Initial use of the MSSF

4. To date three payments have been made to ministry spouses who have been historical victims of domestic abuse, totalling \$69,701.82.
5. The spouses who have received payments have conveyed their gratitude and thanks for the establishment of the fund and have said that the impact of the funds are significant. The payments have mostly contributed to housing which has resulted in considerable stability for the spouses and their children at a time of major emotional, financial and often spiritual upheaval. All of the spouses who have received payment to date have been women.
6. The partnership with Anglicare in the areas of advice from Lynda Dunstan (the Family and Domestic Violence Advisor), counselling (personal and financial), the Shift Housing program and the skills of Family Relationship Centre counsellors and mediators has meant that the spouses are supported by skilled professionals with united aims to protect children and scaffold victims towards financial and sustained independence.
7. There is the likelihood of two or three more payments in this calendar year.

For and on behalf of the Professional Standards Unit

THE REV CATHERINE WYNN JONES
Chaplain and Manager Pastoral Care and Education

15 August 2019

Mission Property Committee

(A progress report from the Mission Property Committee.)

Key Points

- MPC has partnered with greenfield parishes to deliver a modular church building at Wilton, acquire a new church site at Vincentia and ministry residences at Riverstone
- A development application (DA) has been submitted for a new church building at Marsden Park
- Construction has commenced on the Stanhope Gardens church building

1. MPC continues to address priority property issues in support of the Diocesan Mission 2020 and our five strategic objectives:



Construct New Church Buildings

2. The Mission Property Committee (“MPC”) partnered with Picton parish in Sydney’s south to fund a 150 seat church building and 4 Sunday school classrooms, amenities and car parking at Wilton. With new families moving into the Wilton Junction area, the congregation outgrew the existing heritage church building with its capacity of 40 seats. Following a number of years of praying, planning and persevering, it only took one day to deliver the modular building by crane!



Cranes deliver the Wilton modular church

3. The MPC has partnered with Riverstone parish in Sydney's North West to deliver ministry housing for the parish. A DA was also obtained for a new church building on Loane Avenue, aptly named after the former Archbishop of Sydney. Fundraising has not yet commenced for the church building that will serve the rapidly growing population in the coming decade.
4. In February 2018, a DA was also lodged for a new church building at Marsden Park with approval anticipated in late 2019.
5. The construction of the Stanhope Gardens building has commenced. Completion is scheduled for mid-2020. The building is funded by the Archbishop's New Churches for New Communities (NCNC) and the MPC. The church site was provided by all parishes across the Diocese through the Synod approved greenfields land acquisition levy ordinance.



The Archbishop turns the first sod at Stanhope Gardens

Acquire Greenfields Sites

6. The MPC has partnered with Huskisson with Sanctuary Point parish in the Shoalhaven to acquire a vacant site at Vincentia for a new church building. The site is located on a prominent corner that is centrally located in both the parish and new residential housing area. The MPC partnered with the parish in funding the acquisition of the site and assisted in the sale of the surplus Huskisson church site. The parish will now seek approval for construction of a new church building.



Handing over the Stanhope Gardens site to the builder

Provide Strategic Advice

7. The MPC continues a search for land in areas of rapid population growth across the Diocese. New churches are required to meet population growth at Wilton Junction, Box Hill/Oakville, West Dapto and St Marys ADI.
8. Trevor Ratcliff and Maureen Peatman were appointed to the MPC positions on the newly formed Anglican Church Growth Corporation, which will contribute to the strategic direction of the Diocese over the coming years.

For and on behalf of the Mission Property Committee

TREVOR RATCLIFF
Chair

1 August 2019

Regional Councils' Annual Reports for 2018

(A compilation of the annual reports from the Regional Councils.)

Key Points

- Under clause 9(2) of the *Regions Ordinance 1995* each Regional Council must present an annual report of its proceedings and the exercise of its general functions for inclusion in the Standing Committee's report to Synod for that year
- These reports are in addition to the annual reports prepared by the Regional Councils and tabled at the Synod under the *Accounts, Audits and Annual Reports Ordinance 1995*

Background

1. Under clause 9(2) of the *Regions Ordinance 1995*, each Regional Council must present to the Standing Committee an annual report of its proceedings and the exercise of its general functions under clause 6 in sufficient time each year to enable the Standing Committee to include the report in the report for that year of the Standing Committee to Synod.
2. The general functions of the Regional Councils under clause 6 are –
 - (a) to carry out or assist in carrying out any resolutions passed by the Synod or the Standing Committee and referred to it for implementation;
 - (b) to develop ministry strategies in the Region;
 - (c) to assess applications for grants in the Region made or referred to it;
 - (d) to make grants or loans from money (consistent with any trusts on which that money may be held) available to it for distribution or for lending;
 - (e) to accept gifts and grants;
 - (f) to raise and expend money for any purpose connected with ministry in the Region;
 - (g) to employ persons for any purpose connected with ministry within the Region, and to dismiss any person so employed;
 - (h) to manage and control any endowment held for the Region as a whole;
 - (i) to discuss matters affecting the Region and to disseminate information in the Region;
 - (j) to make recommendations to the Archbishop about alterations to regional boundaries; and
 - (k) to exercise such other functions as the Synod or the Standing Committee may from time to time prescribe.
3. The following are the reports from the Regional Councils for 2018 for the purposes of clause 9(2). These reports are in addition to the annual reports prepared by the Regional Councils and tabled at the Synod under the *Accounts, Audits and Annual Reports Ordinance 1995*.

Georges River Regional Council

4. The Regional Council had four meetings in 2018. At the meetings, the Rector of the parish was invited to give a Bible study and then report on the activities within the parish. This gave the Council a good indication of the challenges facing the parish and highlighted that different strategies had to be implemented to face some of the challenges of a changing society.
5. Our meetings provided input and feedback on regional strategy and ministry within the region. The key result was the decision to have a Mission Area driven Regional Mission in 2020, with a year of prayer and preparation in 2019.
6. Though not flushed with funds, the Council continued to think through the most strategic use of those funds and is also considering some asset re-alignment.

7. The Region continued to support the vital and unique ministry of the Rev Margaret Powell amongst women. We are thankful to God for the financial and prayer support given to Margaret Powell from Anglican Deaconess Ministries, parishes in the Diocese and individual donors that support this work.

Northern Regional Council

8. The Council met formally twice during the year. Further urgent business was dealt with by circular resolution to which all members participated.
9. Our meetings enabled discussion of a range of matters relating to ministry strategies in the region, including consideration of ways the Council might assist parish ministry in line with the Diocesan Mission.
10. In May, the Council hosted the Northern Region Conference at St Paul's Chatswood. Over 160 people attended, mostly clergy from the region. The theme of the conference was "The Heart is the Target", the title of a book written by Murray Capill, principal of the Reformed Theological College in Geelong, Australia, where he lectures in preaching and pastoral ministry. Presenters included Murray Capill, Craig Hamilton (Craig is one of Australia's leading Mental Health advocates), Tim Edwards (analytics team leader at McCrindle) and Bishop Chris Edwards. The conference provided opportunities for clergy to discuss ways of working together for Mission 2019.
11. In accordance with its authority under relevant ordinances the Council gave in principle support for St Paul's, Terrey Hills (a branch church of Christ Church St Ives) to become a provisional parish.
12. The Council also helped to fund the attendance of the Regional Bishop at this year's GAFCON Conference.

South Sydney Regional Council

13. The South Sydney Region comprises the area of the CBD of Sydney and is bordered by the Tasman Sea, Parramatta River, Cooks River and Rookwood Cemetery.
14. The Council met once during the year as well as consultation by email and phone.
15. In 2018, the main activities of the Council either by way of report or action was as follows –
 - Receiving reports from, and providing ongoing funding for, the Church of England on Norfolk Island (\$24,000) and Living Water (Indigenous Ministry - \$25,000).
 - Consideration of the reclassification of the Provisional Parish of Surry Hills (Vine Church) full parish status.
 - The 2018 South Sydney Regional Conference, which addresses the topic of Pastoral Care for Same-Sex attracted people.
 - Review of progress on the appointment of clergy to vacant parishes.

Western Sydney Regional Council

16. The main committees are the Executive Committee, the Ordinance Review Panel and the Architectural Panel.
17. The Council met on 1 occasion during 2018 at The Rectory, Pitt Town. The main areas of consideration included Mission 2020, the Clergy Contact Persons program, the new Rectors program, pastoral difficulties in parishes, parish vacancies and new appointments, NCLS data, the Regional Conference, building projects in the region.

Wollongong Regional Council

18. Bishop Peter Hayward and the Regional Council worked closely to further support ministry across the Region. This included:
- financial support for the ministries at Oran Park and Leppington
 - financial support with subsidised rectories at Sussex Inlet and Leppington
 - financial support with subsidised demountable at Helensburgh and Denham Court
 - meeting with and support of Mission Area leaders
 - support for Rectors
 - specific regional training for Rectors and Wardens
 - 3 day Regional Ministry conference
 - Support of The Gong Men's Day and SWITCH Women's Conference
 - ongoing support for ESL English classes
 - ESL classes were delivered in 13 Parishes across the Region with a new class beginning at Eagle Vale.
 - Support through provision of office space for the Regional Anglicare ESL Coordinator, Mrs Sue Radkovic
 - ongoing support for Indigenous Ministries
 - Pastor Michael Duckett linked with St Peter's Campbelltown in partnership with the SAIPMC.
 - Mr Phil Miles linked with All Saints Nowra in partnership with the SAIPMC.
19. In the lead up to Easter the Region ran a Region-wide mission in partnership with Moore Theological College. This was coordinated through Mission Areas and followed the one theme – *Jesus is...* . Parishes benefited from working together through training and equipping for mission as well as utilising and sharing common merchandise and programs.
20. The overall aim of the Mission was that each congregation member across the Region take one step forward in witnessing their faith in Jesus.
21. The cost of the Mission was largely met by the Parishes with a small shortfall met by the Regional Council.
22. During 2018 funding from the Region's assets was allocated to the specific ministry in the South West growth sector.

Ministry	Purpose	Allocation	Total
Oran Park	Housing Support	\$11,630	
Leppington	Church Plant	\$70,000	\$81,630

23. The three day Wollongong Regional Ministry Conference continues to be a "high point" in the life of the Region. This enables clergy and lay ministry staff to meet together for mutual fellowship and teaching. Various guest speakers and Diocesan organisations join in the conference.
24. The Council received reports from Bishop Hayward and the Assistant to the Bishop at each meeting.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

29 August 2019

Safe Ministry Board and Professional Standards Unit Annual Report 2018-2019

(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 *Ministry Standards Ordinance 2017 (cl 86)* for the period 1 July 2018 to 30 June 2019 (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 the Diocesan Code of Conduct, *Faithfulness in Service*;
 - (c) to provide regular and comprehensive training and support for 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 the development and review of policies in these areas. The functions of the Board are defined in clauses 5 and 6 of the Ordinance.
4. The members of the SMB over the reporting period were: the Rev Dr Keith Condie (Chair), Dr Tim Channon, Ms Stephanie Cole, the Rev Steve Dinning, the Rev Steven Layson, the Rev Gary O'Brien, the Rev Paul Sampson, the Rev Janine Steele, Dr Ruth Shatford AM, Mr Alex Trevena (resigned June 2019) and Mrs Jenny Yung.
5. The SMB met 9 times in the reporting period.

Professional Standards Unit

6. There have been some changes to the Professional Standards Unit (**PSU**) team over the reporting period.
7. Mrs Stacie Pakula joined the team in November 2018 as Senior Advisor, bringing much experience after working in private legal practice for many years.
8. Mr Steve Coleman continues to serve as Assistant Director of Professional Standards, the Rev Catherine Wynn Jones continues as PSU Chaplain (Manager, Pastoral Support and Education), Mrs Kylie Williams as Training Consultant for Safe Ministry, the Rev Neil Atwood as Parish Consultant for Safe Ministry, Mrs Brenda Sheppard as Administrative and Safe Ministry Support, Mrs Annelie Singh as Personal Assistant to the Director and the Unit's Administrator and Mr Lachlan Bryant as Director.
9. 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 safe ministry and child protection aware, compliant and responsive.
10. The Director has overall responsibility for the PSU and is responsible for the day-to-day administration of the complaints and procedures regarding clergy and church workers (*Ministry Standards Ordinance 2017*) and the National Register (*General Synod National Register Canon 2007 Adopting Ordinance 2008*).
11. When the PSU receives a complaint alleging abuse by a member of the clergy or other church worker, the Chaplain follows this 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.

12. 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) and a National Register check. The PSU provides ongoing support and advice to office holders, parishes and organisations in this regard.
13. 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 Home Mission Society Homes, who have complained of abuse or mistreatment during their time at these Homes. The Case Manager, Ms Angela Ferguson, currently works from Anglicare's Telopea office, under the management of the Rev Dr Andrew Ford, General Manager Mission and Partnerships.

The Royal Commission into Institutional Responses to Child Sexual Abuse

14. The Royal Commission into Institutional Responses to Child Sexual Abuse (**Royal Commission**) was announced by the Commonwealth Government in December 2012. Its terms of reference required the examination of institutional responses to the sexual abuse of children in the context of institutions throughout Australia including churches and their agencies. The Commission ran for five years, from 2013 to 2017, and its final report was published on 15 December 2017.
15. The Royal Commission represented an important opportunity for the Diocese to review both past and current practices from a 'best practice' perspective. Significant work was undertaken in PSU files relevant to the Royal Commission and a major revision of PSU policies over the period.
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. An independent review of the position of the Diocese with respect to the final recommendations of the Royal Commission was conducted by the legal firm Prolegis over the first half of 2018. The action being taken in response to this review is the subject of a separate report to Synod on behalf of the Steering Committee.

Safe Ministry Blueprint Policy Documents

18. The SafeMinistry.org.au website and the Safe Ministry Journey policy model were launched at Synod in 2015 (Resolution 24/15).
19. We have rebadged the Safe Ministry Journey policy documents as the "Safe Ministry Blueprint" policy documents. All parishes (Rectors, Wardens and Safe Ministry Representatives) are encouraged to adopt the Safe Ministry Blueprint policy documents if this has not been done already: <https://safeministry.org.au/blueprints/>.
20. In terms of the SafeMinistry website, during the reporting period there were over 37,000 unique website visits, an average of 3,118 per month.
21. A completely rebuilt version of the SafeMinistry website was launched in April 2018. The redesign allows us to expand the content offered and present that content in an easy to find format.
22. The SMB encourages all parishes that have not yet accessed the SafeMinistry website and utilised the Safe Ministry Blueprint policy documents to do so as soon as possible.

New Reporting Requirements for Child Sexual Abuse

23. In response to recommendations arising from the Royal Commission into Institutional Responses to Child Sexual Abuse, the NSW Government introduced amendments to the *Crimes Act 1900 NSW* which were passed in June 2018. The reforms were designed to strengthen existing child sexual abuse laws and also included two new offences:
 - (a) Concealment of child sexual abuse; and
 - (b) Failure to reduce or remove the risk of a child becoming a victim of child abuse.
24. Synod welcomed and acknowledged these changes in Resolution 3/18.

25. The PSU issued a Circular for Parishes which provided a summary of the new reporting requirements and the expected impact of them in the church context. The circular was emailed to all Licensed Ministers, Authorised Lay Workers, Parish Councilors, Wardens and Safe Ministry Representatives in the Diocese. It is available here: <https://safeministry.org.au/important-changes-to-the-crimes-act/>.
26. Members of the clergy and church workers should ensure that they are both familiar and compliant with the new reporting requirements in their practice of ministry and seek advice or clarification from the PSU if they have any questions or inquiries about them or a particular situation in which they are uncertain whether the requirements apply.

Archbishop's Meetings with Survivors

27. 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. During the reporting period there were three apology meetings with survivors and their family members in PSU matters.
28. These meetings are of immense value in almost all cases and survivors are appreciative of the effort made by the Archbishop and the PSU Chaplain to facilitate these apologies.

Screening of Lay Workers

29. All paid lay church workers in the Diocese are required to apply for the Archbishop's authority. This involves their completing a comprehensive screening and disclosure Lifestyle Questionnaire with the applicable Regional Bishop or his representative.
30. All workers in 'child-related' employment (including licensed clergy or authorised lay ministers and unpaid volunteers) must have a Working With Children Check clearance. In addition, it is recommended that parishes seek full disclosure of any relevant history and fully complete reference checks with prior supervisors or employers.
31. 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 councilors, parish nominators or Safe Ministry Representatives.

The Working With Children Check

32. In 2013 the NSW Government introduced laws that require all clergy and each person involved in child-related work in parishes (or organisations), to obtain a Working With Children Check (WWCC) number and to have this number verified online by the relevant parish or church authority. The *Parish Administration Ordinance 2008* was amended to authorise the Registrar to collect relevant details of persons involved in child-related work in parishes. Throughout the reporting period the Registrar has undertaken a progressive collection of this data from parishes and then verified the WWCC number for each person.
33. As the term of a person's WWCC number expires 5 years after it is issued a large number of WWCC numbers were renewed during the reporting period.

Screening of Ministry/Ordination Candidates, Clergy and Paid Lay Ministers

34. All candidates for ordination by the Archbishop are required to complete a comprehensive screening and disclosure Lifestyle Questionnaire. This is administered by Ministry Training and Development (MT&D) in consultation with the PSU.
35. Ordination/ministry candidates 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 *Ministry Standards Ordinance 2017* 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/Refresher

36. The Diocese is a member of the National Council of Churches' Safe Church Training Agreement. There are 37 independent churches and other dioceses who are signatories to the Safe Church Training Agreement across Australia.
37. The *Safe Ministry Essentials* course remains the mandated safe ministry training for the Diocese followed by the *Safe Ministry Refresher* course every 3 years.
38. The PSU took on full responsibility for the delivery of Safe Ministry Training across the Diocese from Youthworks on 1 April 2017. This coincided with commencement of online safe ministry training for the Diocese. Both the *Safe Ministry Essentials* and the *Safe Ministry Refresher* courses are available online (*Essentials Online* and *Refresher Online* respectively).
39. In February 2017 the PSU set up a new website as the place to go for all safe ministry training needs in the Diocese (<https://safeministry.training>).
40. Over the reporting period the SafeMinistry.Training website had 71,056 unique visits and a total of 154,120 visits.
41. Apart from the website, the key contacts for safe ministry training inquiries are:
 - Brenda Sheppard, Safe Ministry Training Administrator; email: brenda@safeministry.org.au.
 - Kylie Williams, Safe Ministry Training Consultant; email: kylie@safeministry.org.au.

Online Safe Ministry Training

42. Developments in online safe ministry training over the reporting period include the following:
 - The Junior Leaders course was launched in November 2018 (see further information below).
 - Additional optional modules are planned to focus on equipping people for safe ministry when working with a variety of ministry groups, such as seniors, intellectually and physically disabled people, refugees, people with English as a second language.
 - Face-to-face training remains available through regional events run by the PSU at various times throughout the year.
 - A number of new roles have been created with the new training system including Webinar Presenters, Webinar Producers (managed by the PSU) and Local Safe Ministry Online Assistants (managed by the local church to assist their members with accessing online training).
43. The key messages for parishes at this stage are:
 - (a) the PSU continues to aim for accessible, affordable, quality training for leaders in our churches no matter what the platform; and
 - (b) the online training platform will help equip people in our churches better than ever before to undertake ministry safely with a wide range of individuals and groups.
44. The numbers of people who completed online safe ministry training over the reporting period are as follows:

Online safe ministry training	
Essentials	3,152
Essentials-Non Anglican	396
Sub Total	3,548
Refresher	3,049
Refresher-Non Anglican	185
Sub Total	3,234
Grand Total	6,782

45. Costs charged for online training are \$15 for Essentials and \$10 for Refresher for Anglicans and \$17 for Essentials and \$12 for Refresher for non-Anglicans.
46. Face-to-face training was offered at 15 locations across the Diocese in November, March and June during the reporting period. The numbers of people who completed face-to-face safe ministry training during that time are as follows:

Face-to-face safe ministry training	
Essentials	165
Refresher	267
Total	432

47. Costs charged for face-to-face training are: \$50 for Essentials and \$25 for Refresher for Anglicans and \$60 for Essentials and \$30 for Refresher for non-Anglicans.
48. For more information please visit <https://safeministry.training>.

Training of Ministry/Ordination Candidates and Clergy

49. Eight Safe Ministry Modules have been developed and are being taught through Moore College, MT&D and Youthworks College as part of their courses and programs.
50. The minister of a parish and any assistant minister licensed to the parish must have satisfactorily completed safe ministry training within the last 3 years, or within 3 months after their licence is issued, and every 3 years thereafter while the licence continues.
51. All licensed clergy and other church workers in the Diocese are required to attend "Faithfulness in Service" training seminars once every three years which are organised and paid for by the Professional Standards Unit. This training has been run across the Diocese since 2005 and is next scheduled for 2020. From 2020 this training will be called "Faithfulness in Ministry" in order to distinguish its name more easily from the Faithfulness in Service code of conduct. For information and registration details for Faithfulness in Ministry 2020 please visit <https://fim.church>.

Safe Ministry for Junior Leaders Online Course

52. Our Safe Ministry Junior Leaders course was launched in November 2018 and 201 junior leaders from parishes across the Diocese completed the training during the reporting period.
53. The course was developed for junior leaders between 14 and 17 years and parishes utilising this training have found it to be extremely helpful. The course has been carefully structured with age appropriate language and content. A prerequisite of the course is for parents and the senior minister to authorise the junior leader's enrolment and for a support scaffold to be in place through their local parish consisting of a training mentor while the course is being conducted.
54. We are not aware of any other courses like this in other dioceses and denominations and we consider this to be an innovative step in the online safe ministry training area.
55. The course is offered free of charge and is only available for junior leaders in parishes in the Diocese of Sydney. There are no plans to make it more widely available at this point.
56. The course has been transformative for many of the participants. Feedback is received from every participant as part of the course design. A small sample of the type of feedback we have received from course participants is included below. In each case the junior leader was answering the question of what they have learned by undertaking the course.
- That anyone can be vulnerable. That children look up to me as a role model. That being a leader is a way of serving God and others.
 - I've learnt that I need to recognise the power I have as a leader. I've learnt a lot about how I can care for people in my church and ministry, especially the kids I lead. This course has expanded my knowledge on what power is and how to use it.

- That I should report anything I see that seems suspicious in terms of abuse, or mistreatment by another leader of a child, even if it seems like an incredibly small thing that doesn't matter at all. That I cannot treat certain kids with favoritism; even if they have the answer and want to answer all the questions, I cannot choose them every time, but must engage all the children. I am in a position of power, and so I need to be acting how Jesus would: humbly and compassionately, not misusing my power for my own desires, but using it to bring glory to God, and the best way to do this is through modelling the behavior myself, rather than ordering the children to act a certain way even though I don't act that way.
- Understanding the power that comes with my leadership position, even though it seems minor for me, the children respect me simply because of my age and position, and I need to be extremely conscious all the time of how I treat the children, what I say and do and how I act, as I should be modelling behaviour that is good for them to follow.

57. For more information please visit <https://safeministry.training/junior-leaders-course/>.

Domestic Abuse Awareness, Response and Prevention Training Course

58. Following the passing of the *Responding to Domestic Abuse: Policy and Good Practice Guidelines* at Synod in 2018 we have been working with Lynda Dunstan, Anglicare Domestic Violence Adviser, and others to create a Domestic Abuse online training course for key ministry leaders. We are on-track for launching this course at Synod and are grateful for the input and assistance from many diocesan leaders, experts in the field of family and domestic violence as well as survivors of domestic abuse in creating this course.

Safe Ministry Representatives (SMRs)

59. The role of SMRs in parishes continues to be pivotal in ensuring parishes comply with safe ministry requirements. The Rev Neil Atwood, Parish Consultant for Safe Ministry, plays an invaluable role in supporting, resourcing and equipping SMRs in their role.
60. 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, particularly around the requirements of the WWCC renewal process.
61. Since 2008 it has been mandatory for each parish to nominate an SMR. As at the time of writing, almost all parishes have provided current SMR details to the Registry. There are currently less than 10 parishes that have not appointed an SMR. Parishes should ensure that the appropriate paperwork has been completed notifying the Registry of the appointment of their SMR.
62. During the reporting period:
- five parish-based audit/training sessions were undertaken with SMRs and their Rectors; and
 - the use of PSU's centralised safe ministry database Safe Ministry Records Online (SaMRO) (which has been available to parishes through the SafeMinistry website from early 2016) continues to increase, and at the end of the reporting period 57 parishes were using it and 28 parishes from another diocese in regional NSW.

The Taskforce on Resisting Pornography

63. The PSU called together a Taskforce on Resisting Pornography in early 2013 to begin looking at the impact pornography has on the church and what can be done about this.
64. In June 2016 the Standing Committee encouraged the Archbishop to set up a three year Taskforce on Resisting Pornography to address this important issue.
65. The Archbishop's Taskforce consists of the Rev Marshall Ballantine-Jones (Chairman), Mr Lachlan Bryant (PSU Director), Ms Marilyn Buckley (social worker and educator), Mr John Burns (Senior School Counsellor and psychologist, Shore School), the Rev Dr Keith Condie (Co-Director of the Institute for Mental Health & Pastoral Care with Anglican Deaconess Ministries), the Rev Gary O'Brien (MT&D), Mr Greg Powell (psychologist), Ms Karen Triggs (counsellor and psychotherapist) and Dr Patricia Weerakoon (sexologist).

66. The Taskforce is due to report progress to the Archbishop in December 2019 with any recommendations.
67. For more information please visit <https://resistporn.org/>

Safe Ministry Guidelines and Other Advice

68. 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 staff members receiving at least a dozen inquiries per week and sometimes many more than this.

Care of Survivors of Abuse and Complainants

69. 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 to healing for survivors of abuse.

Tears and Hope Service

70. Tears and Hope is a church service held each year for survivors of abuse, hosted by the Rev Ed Vaughan (Rector of St John's Darlinghurst) with the assistance of the PSU Chaplain, at which the Archbishop regularly offers an apology. In 2018 it was held on 19 November and was well attended.

Pastoral Care and Assistance Scheme

71. 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 other 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.
72. Currently there are two identical schemes, one for matters that fall largely within the responsibility of parishes and one for Care Leavers matters that are the responsibility of the Sydney Anglican Home Mission Society (**SAHMS**).
73. Between 1 July 2018 and 30 June 2019 there were seven payments under the Diocesan scheme and eight payments were funded under the SAHMS scheme.
74. The Diocesan Pastoral Care and Assistance Scheme was reviewed following the release of the Royal Commission's Report on Redress and Civil Litigation on 14 September 2015 and an increased cap and updated assessment matrix have now been incorporated into the Scheme.

National Redress Scheme

75. The National Redress Scheme (NRS) is the Commonwealth Government's response to the Royal Commission's recommendations for redress to survivors of institutional child sexual abuse and has the necessary support of all state and territory governments. The NRS commenced on 1 July 2018 and will run for a period of 10 years. The NRS is administered by the Commonwealth Department of Social Services but the costs of redress are borne by the responsible institutions (if any) which have 'opted in' to the Scheme.
76. The PSU is providing information and advice to the Sydney Anglican National Redress Corporation, which is the entity through which the Diocese of Sydney has opted into the NRS, to support responses to NRS claims received.
77. For more information about the NRS: <https://www.nationalredress.gov.au/> or call **1800 737 377**.

78. For more information about the National Anglican Participating Group visit:
<https://anglican.org.au/our-work/national-redress-scheme/>.
79. Opting into the NRS does not preclude the operation of the Diocesan Pastoral Care and Assistance Scheme which continues to operate as an alternative option for survivors who wish to engage with the Diocese directly about redress instead of going through the NRS.

Abuse and Sexual Misconduct Complaints Protocol

80. 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). Reports can also be submitted via <https://safeministry.org.au/report-abuse/>. 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.
81. 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 complainant in reporting the matter to the Police.
82. The five Contact Persons are Ms Jane Thomas (Illawarra), Ms Nicky Lock (Northern Beaches), Ms Rosemary Royer (Northern Suburbs), Mr Richard Elms (Western Suburbs) and Mr Rob Carroll (Southern Suburbs).
83. Ms Margaret Fuller resigned as a Contact Person in late 2018 after faithfully and diligently serving in this role for the Illawarra since 1996. Her wisdom and care in this work has been outstanding and she will be greatly missed in this important role. We welcomed Ms Jane Thomas to the role as Contact Person for the Illawarra in late 2018.
84. The Contact Persons meet four times a year with the Director and Chaplain for training and coordination of their roles.

Ministry Standards Ordinance

85. The *Ministry Standards Ordinance 2017* commenced on 1 November 2017, replacing the *Discipline Ordinance 2006* for all complaints commenced after that date. The focus of the inquiry under the *Ministry Standards Ordinance 2017* is on whether the member of clergy or other church worker has engaged in misconduct that would call into question their fitness to hold or exercise an office, position or ministry in the Diocese. Misconduct under the *Ministry Standards Ordinance 2017* may include abuse against an adult or child, bullying, grooming, inappropriate pastoral conduct involving a child, failing to report a serious indictable offence, and process failure, that is, failing to report, deal with or investigate sexual abuse or child abuse in circumstances where that is required by the Ordinance. Misconduct also includes the matters specified in the Offences Ordinance such as unchastity, conviction of serious criminal offences and possession, production or distribution of child exploitation material.
86. 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.
87. The Director receives complaints against clergy and church workers of the Diocese and administers the complaints process under the *Ministry Standards Ordinance 2017*. Each matter usually involves a Contact Person taking an initial complaint, making a report and, if applicable, offering counselling to the alleged victim. The PSU then receives the report and a file is opened. The Chaplain contacts the complainant and remains in touch with them throughout the process. If the complaint is properly made under the Ordinance, the Director serves the complaint on the Respondent. Mediation may be offered in certain cases, should it be considered suitable, such as in some matters involving allegations of bullying.
88. If the Respondent is a member of clergy or paid church worker they are offered counselling, a support person and payment of pre-approved legal costs should they require advice in responding. Depending on the response an investigation is conducted and the matter then proceeds to the

Professional Standards Committee for review and recommendations. Unresolved matters can be referred to the Professional Standards Board.

89. If the Respondent is an unpaid lay church worker they are offered counselling and a support person. Depending on the response, an investigation is conducted and it is then referred to an Adjudicator for recommendations and final determination. Unpaid lay respondents are responsible for their own legal costs if they require legal advice or representation.
90. The strongest sanction available for lay persons 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 lesser sanctions and other recommendations available in appropriate circumstances. The Archbishop or relevant church authority (in the case of an unauthorised 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.

Complaints

91. The Director received 18 new complaints under the Ordinance during the reporting period.
92. The Director made seven complaints under the Ordinance during the reporting period.
93. The Professional Standards Committee met eight times and considered 23 matters in the reporting period.
94. One matter was referred to the Professional Standards Board during the reporting period.

The Professional Standards Committee

95. There are five members of the Professional Standards Committee. Under the provisions of the *Ministry Standards Ordinance 2017*, the Committee's function is to consider complaints and make recommendations to the Archbishop concerning these matters.
96. This Committee meets as required and is currently scheduled to meet every second month.

Adjudicator

97. Four matters concerning unpaid lay respondents were referred to an Adjudicator for determination during the reporting period.

Parish Recovery Teams

98. 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.
99. Since 2007 Pastor Tim Dyer of John Mark Ministries has trained volunteers for our PRTs. There are currently 14 trained PRT consultants.
100. There were no new PRTs deployed during the reporting period for new matters. One existing PRT concluded its work during the reporting period.
101. Following the commencement of the *Ministry Standards Ordinance 2017*, a number of complaints alleging bullying-type conduct have been lodged which the PSU is now dealing with, Tim Dyer has been training the PRTs in understanding the dynamics of bullying.

The Professional Standards Unit Oversight Committee

102. The Standing Committee approved of the establishment of a Professional Standards Unit Oversight Committee (PSUOC) in November 2015 that monitors the finances and operations of the PSU, and receives and considers complaints made about the PSU, among other things
103. There are five members of PSUOC and the Chair of the Committee is Bishop Peter Lin.
104. PSUOC is required to meet a minimum of four times a year.

Cooperation with NSW Government Agencies and Other Churches

105. In August 2017 the PSU convened an inter-denominational Professional Standards Network for representatives of churches across NSW and ACT. The inter-denominational Network has met four times over the reporting period and its members comprise representatives from Seventh Day Adventists (South Pacific Division), Anglican Dioceses (NSW and ACT), Australian Christian Churches (NSW and ACT), Baptist Churches (NSW and ACT), Roman Catholic Dioceses (NSW and ACT), Churches of Christ, Presbyterian Churches (NSW and ACT), The Salvation Army, and The Uniting Church Synod of NSW and ACT. Network meetings have been well attended and it has been encouraging for different denominations to share knowledge and ideas, and exchange policies and resources. A notable contribution made by the Network was a submission to the Regulating Child Safe Organisations Discussion Paper issued by the NSW Office of the Children's Guardian for public consultation in early 2019.
106. The National Network of Directors of Professional Standards from Anglican Dioceses across Australia meets together each quarter. The Director of the PSU attends these meetings regularly. 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 work towards maintaining best practice in processes across Dioceses.

Finance

107. PSUOC receives and monitors accounting reports for the PSU. PSU accounts are reported in the Synod Funds reports provided to members of Synod.

Conclusion

108. The PSU and the Safe Ministry Board are committed to ensuring that the Diocese continues to promote and adopt safe ministry practices and to respond appropriately to cases of abuse in order to enable faithful and effective gospel ministry in every church community throughout the Diocese.

On behalf of the Safe Ministry Board and Professional Standards Unit.

THE REV DR KEITH CONDIE
Chair

Safe Ministry Board

16 August 2019

LACHLAN BRYANT
Director

Professional Standards Unit

16 August 2019

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2019 Session of Synod

Book 2

(Pages 201 to 397)

**Bills for Ordinances,
Accompanying Reports
and
Principal Legislation**

**Standing Committee of the Synod
Anglican Church Diocese of Sydney**

2019 Bills for Ordinances, Accompanying Reports and Principal Legislation

The principal legislation is listed in italics.

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Archbishop Election Amendment Ordinance 2019

14/18 The role of the Archbishop of Sydney

(A report from the Standing Committee.)

Key Points

- By resolution 14/18, the Synod requested the Standing Committee to bring a Bill to the 2019 session of Synod to amend the *Archbishop of Sydney Election Ordinance 1982* which incorporates the characteristics of the Archbishop of Sydney as expressed in the Doctrine Commission report, 'An Evangelical Episcopate'.
- While reviewing the ordinance, a number of anomalies regarding the timeline of Standing Committee resolving 'that a vacancy be filled' and the date for the first day of Synod were identified. The Bill proposes amendments to address these.
- A number of further changes are proposed in the Bill, notably –
 - Requiring the administration of a Safe Ministry Check to nominees
 - Guiding the tone of speeches on the first day of an election Synod
 - Providing additional flexibility in the retirement date for an Archbishop, allowing up to six months (by special majority resolution of the Standing Committee)
 - Re-ordering of clauses and cleaning up of terminology.

Purpose

1. The purpose of this report is to address the request of Synod resolution 14/18, while also explaining proposed amendments to the *Archbishop of Sydney Election Ordinance 1982* and the *Retirements Ordinance 1993* proposed in the Bill for the Archbishop Election Amendment Ordinance 2019.

Recommendations

2. Synod receive this report.
3. Synod pass the Bill for the Archbishop Election Amendment Ordinance 2019.

Background

4. At its ordinary session in 2018, the Synod noted a report from the Doctrine Commission, 'An Evangelical Episcopate', and passed resolution 14/18 in the following terms –

'Synod expresses its sincere thanks to the Doctrine Commission for preparing the report entitled 'An Evangelical Episcopate' in response to the request made by Synod Resolution 6/15. Synod further agrees to adopt paragraphs 44-50 of the report as the Diocese's definitive statement on the role of the Archbishop of Sydney, as a key reference point for archiepiscopal elections, and requests the Standing Committee to prepare, for consideration at the next session of Synod, a Bill to amend the *Archbishop of Sydney Election Ordinance 1982* which incorporates the characteristics of the Archbishop of Sydney as expressed in paragraphs 44-50 of the report.'

5. At its meeting on 12 November 2018, the Standing Committee noted the terms of the resolution and resolved as follows –

‘Standing Committee –

- (a) establishes a committee of 7 members to consider Synod Resolution 14/18 and any other matters relevant to the election of an Archbishop and report to Standing Committee with any recommendations, and
- (b) appoints as members of the committee Dr Robert Tong AM (Chair), Bishop Peter Hayward, Mr Doug Marr, Dr Laurie Scandrett, Dr Claire Smith, the Rev Caitlin Orr and the Rev Gavin Poole.’

Discussion

6. The Committee met twice to consider this matter, and supports the passing of the Bill for the Archbishop Election Amendment Ordinance 2019 (the **Bill**).
7. A number of specific matters related to the consideration of the Bill are addressed below, and attached as Attachment 1 is a clause by clause comparison of the first 8 clauses of the current form of the *Archbishop of Sydney Election Ordinance 1982* (the **Ordinance**), and the form of the Ordinance incorporating the changes proposed in the Bill.

Amendment to the *Retirements Ordinance 1993*

8. According to clause 4 of the *Retirements Ordinance 1993*, it is a term of appointment of a person elected as the Archbishop that, subject to clause 5 of that ordinance, such person retires at age 68 years. Clause 5 goes on to provide that such retirement date may be extended to an age not beyond 70 years, by resolution of the Standing Committee passed by a three-quarters majority of members present and entitled to vote in each house of clergy and laity at the relevant meeting (after the Archbishop has reached the age of 65 years).
9. The Bill amends the *Retirements Ordinance 1993* to provide a further extension up to six months to the retirement date of the Archbishop, to allow the Standing Committee more flexibility in establishing the retirement date of an Archbishop. This is desirable so as to more readily allow for an election Synod to be held in the first half of the year, without requiring the Archbishop to resign. Such an extension would require a resolution of the Standing Committee passed by a three-quarters majority of members present and entitled to vote in each house of clergy and laity at the relevant meeting.

Amendments to the Preamble and clauses 1-8 of the *Archbishop of Sydney Election Ordinance 1982*

10. The comparison table accompanying this report sets out the amendments proposed in the Bill to clauses 1-8, in comparison with the current form of the Principal Ordinance. The following paragraphs provide context to those changes.

Adopting the Statement on the role of the Archbishop

11. In accordance with the request of the Synod resolution, the Bill incorporates the characteristics of the Archbishop of Sydney as expressed in paragraphs 44-50 of the Doctrine Commission report, ‘An Evangelical Episcopate’ into the Ordinance. This is accomplished by providing the full text of the paragraphs as a schedule to the Ordinance, and replacing the preamble of the Ordinance with a summary of the paragraphs. The inclusion of these characteristics in the preamble and schedule of the Ordinance, does not have any impact on the requirements in the Ordinal and the service of Consecration of a Bishop.

Resignation of an Archbishop and timing of Synod

12. As a part of the review of the Ordinance, a number of opportunities for improvement were found. These are each discussed briefly below, and addressed in the Bill.

Declaring the vacancy

13. Currently, the Ordinance (at clause 2) requires the Standing Committee to 'resolve that the vacancy be filled in accordance with this Ordinance' in order to commence the process to elect a new Archbishop. The Bill substitutes this requirement with a declaration of vacancy.

Resignation with less than three months' notice

14. Subclause 2(2) of the Ordinance provides for the circumstance where an Archbishop resigns with notice of more than 14 and less than 20 weeks' notice. Subclause 2(1) provides for circumstances where there is an existing vacancy in the See of Sydney (presumably upon immediate resignation or incapacity). Whether the resolution is made in accordance with subclause 2(1) or 2(2) impacts the timing of the summons to Synod, the nomination period and the date of the first day of the session of Synod, as set out in clause 5 of the Ordinance.
15. The current provisions of the Ordinance do not contemplate an Archbishop providing less notice than 14 weeks prior to his resignation. In such a circumstance under the current provisions, the Standing Committee would not be able to make a resolution under clause 2 (that the vacancy be filled) until after the resignation had occurred – potentially three months later than the notice given, delaying the summons and the first day of the session of Synod. The current provisions also do not allow the Standing Committee to make a resolution under clause 2 prior to 20 weeks prior to a known resignation or retirement.
16. The Bill contains an amendment to clauses 2 and 5 of the Ordinance to ensure that a declaration of vacancy may be made any time up to a year prior to an expected vacancy, allowing the date of Synod to be set at a suitable time following.

Appointment of Returning Officers

17. Currently, the Ordinance requires the Returning Officers to be appointed at least 7 days prior to any resolution made by the Standing Committee in accordance with clause 2 that a vacancy in the office of the Archbishop be filled. Returning Officers are appointed by the Standing Committee, so if this requirement were observed, it may result in delaying the resolution in clause 2 for a month for the sake of appointing Returning Officers. There doesn't appear to be a reason for this requirement. Accordingly, the Bill proposes that Standing Committee 'appoint returning officers as soon as practicable'.

Timeline to the first day of Synod

18. The amendments proposed to address the notice period issue described above require significant amendment in clause 5 of the Ordinance in order to set suitable boundaries for key dates in the timeline leading to the first day of a session to elect an Archbishop. Additionally, the Ordinance at present allows under one scenario to validly hold an election Synod where there had been less than 1 week of a nomination period. Accordingly, clause 5 has been significantly reworked in order to address these issues.
19. Key considerations in setting dates in the timeline for an election Synod are as follows –
 - (a) Notice of a declared vacancy should be sent to Synod members as soon as possible, and a summons should be sent as soon as practicable.
 - (b) The first day of the session should not be held earlier than 14 weeks from the summons. This provides a minimum of an 8 week period in which nominations may be made (the nomination period closes 6 weeks prior to the first day of the session).
 - (c) If there has been a 'sudden' vacancy in the See of Sydney (e.g., through immediate resignation or incapacity) a lengthier nomination period may be desired than the circumstance where the date of retirement of an Archbishop has been known for years.
 - (d) The Ordinance needs to provide a suitable range of dates for the first day of the session so as to –
 - (i) accommodate impractical times of year (e.g., Christmas and Easter, and the ordinary session of Synod) and venue availability,
 - (ii) ensure that there is at least three weeks and not more than 20 weeks between the resignation or retirement of an Archbishop and the commencement of a Synod to elect a new Archbishop,

without being so broad as to allow an unhelpfully extended period of time between Archbishops.

- (e) Given the number of factors involved and the complexity of adequately providing for them, the Standing Committee should by overwhelming majority (75% of both houses present and voting) be able to set a date outside of the ranges prescribed in the Ordinance.

20. The Bill contains amendments to clause 5 of the Ordinance addressing each of these issues.

Making of nominations

21. Currently, the Ordinance –

- (a) requires a nomination (form) to be submitted by at least any two members of Synod (current clause 7(1)) (although a person is not deemed to have been nominated “unless one or more nominations signed by not less than 20 members of Synod are received” [clause 7(3)]),
- (b) requires that upon receipt of a nomination (signed by at least two members) the National Register is consulted by the Director of Professional Standards, and
- (c) provides that a notice is not made to Synod members regarding a suitably nominated person until after the close of nominations (current clause 8), being 6 weeks prior to the commencement of the session.

22. The amendments proposed in the Bill provide that –

- (a) any one (rather than two) or more members may make a nomination,
- (b) following the receipt of nominations by ten (rather than two) members, the National Register is to be consulted and also the Safe Ministry Check administered, and
- (c) a notice is made available to Synod members listing the name of a suitably nominated (by 20 members) person, 7 days after a determination is provided to the nominee by the Director of Professional Standards following a National Register and Safe Ministry checks.

Suitability of nominees

23. The Bill includes the requirement that any nominee, having been nominated by 10 nominators must –

- (a) make a declaration of the solemn promises contained in the Second Schedule of this Ordinance, and
- (b) consent to a search being undertaken for information in the National Register in relation to the nominee, and
- (c) complete Safe Ministry Check for the purpose of this nomination.

24. On the basis of the search of the National Register and the results of the Safe Ministry Check, the Director of Professional Standards makes a determination regarding fitness for episcopal ministry which is advised to the nominee. Presuming the nominee does not withdraw, that determination is made available as part of the notification of valid nominees under clause 8, at the close of the nomination period.

Ordering of clauses

25. Some effort has been made to ensure that clauses 1-7 provide a logical sequence, and where possible, existing clause references are retained while eliminating ‘inserted’ subclauses (where for example a clause has subclauses: (1),(2),(2A),(3),(3A), these have been renumbered to remove the ‘A’s).

Amendments to clauses 9-45 of the *Archbishop of Sydney Election Ordinance 1982*

Order of Business – petitions and tabling of minutes

26. The Bill, at paragraph 2(2)(f), proposes removing the requirement to table the Minute Book of the Standing Committee, and removing opportunity for petitions to be made on the first day of proceedings. At paragraph 2(2)(g), the Bill proposes removing opportunity for petitions and notices of questions on day two and following. Both proposals are made noting that an election Synod is a

special session of the Synod, having the purpose of electing an Archbishop, rather than dealing with business considered at an ordinary session.

Announcement as to voting

27. The Bill proposes amendment to clause 14 of the Ordinance, intended to simplify the language used.

Purpose of the proposer and seconder's speeches

28. The Bill provides a further amendment designed to guide the tone of speeches on the first day of an election Synod. Clause 15 is proposed to be amended to include –

“The purpose of the proposer and seconder's speeches is to promote the characteristics of their candidate.”

Ballot Procedure

29. The Bill provides a number of amendments to clauses 15A, 16A, 17 and 18, 27 simplifying the language and requirements of the procedure.

Definitions and terminology

30. The Ordinance repeats several expressions throughout, for which the Bill provides definitions –

- (a) “the person who, on the occurrence of a vacancy in the See of Sydney, is entitled under the Constitutions to exercise the powers vested in the Archbishop” is defined as the “Administrator”,
- (b) “the Archbishop of the See of Sydney” is defined as “the Archbishop”,
- (c) “the specified person referred to in paragraph (d) of clause 5(3)” is defined as the “Nomination Officer”,
- (d) “that date determined in accordance with clause 7(2)(d)” is defined as the “Nomination closing date”,

and the Interpretations clause is moved from the end of the Ordinance to become a new clause 1A.

31. Throughout the Ordinance, subclauses and paragraphs have been referred to in the manner, “paragraph (a) of subclause (2) of clause 3”, rather than the more efficient, “paragraph 3(2)(a)”. The Bill, at paragraphs 2(2)(d) and (e) updates each of these references.

For and on behalf of the Standing Committee.

Daniel Glynn
Diocesan Secretary

29 August 2019

Archbishop Election Amendment Ordinance 2019 – Comparison table (clauses 1-8)

The following table sets out the material amendments to clauses 1-8 of the *Archbishop of Sydney Election Ordinance 1982* (the **Principal Ordinance**), which would result from passing the Bill for the Archbishop Election Amendment Ordinance 2019 (the **Bill**). The table compares the proposed clause with the equivalent in the Principal Ordinance.

As well as the specific amendments listed in the table, a number of terms are defined in the interpretations clause (new 1A). References within the Principal Ordinance to other subclauses and paragraphs have been updated to the shortened form of reference (e.g., rather than “paragraph (c) of subclause (2)”, it will now read ‘paragraph 2(c)’ etc).

Proposed clause	Ref. in Principal Ordinance	Comment
Preamble	Preamble	The former preamble is replaced by a summary reference to an excerpt from the Diocesan Doctrine Commission Report, ‘An Evangelical Episcopate’, with the full excerpt attached as a schedule to the Ordinance. The addition of these paragraphs was the specific request of the Synod.
Clause 1A	44	Interpretation clause moved from end of ordinance to the beginning, with additional defined terms.
Clause 2	Clause 2	<ul style="list-style-type: none"> In the Principal Ordinance, subclause 1 provides for the situation where the vacancy has occurred without notice (e.g. in the case of a death); subclause 2 provides that the Standing Committee may act within the period 20-14 weeks prior to the vacancy. There is no provision for the Standing Committee to resolve the vacancy be filled between 14 weeks prior to the vacancy, and the vacancy. In the proposed amendments, subclause 2 provides that the Standing Committee will make a ‘declaration of vacancy’, and more flexibility is given as to the timing of this declaration.
3(1)(a)	3(a)	The principal ordinance required the Returning Officer and Deputy to be appointed not less than 28 days prior to the date of the summons in cl.5. Clause 5 in turn required the summons to be given within 21 days of the resolution of Synod. This resulted in the Returning Officer and Deputy needing to be appointed at least 7 days prior to the resolution in clause 2; which seemed unnecessary. The proposed amendment simply requires Returning Officer and Deputy to be appointed as soon as practicable following the resolution of the Standing Committee in clause 2.
3(1)(b)	–	<ul style="list-style-type: none"> The current ordinance at 5(2)(d) required a person to identified “to whom nominations shall be given” and referred to that person by reference to the paragraph and clause throughout. In practice, this person is appointed by the Standing Committee (in 2013, the Diocesan Secretary at the time was appointed). To aid comprehension, the person is assigned a title for the purposes of this election (the “Nomination Officer”)
-	3(1)(b)	The Secretary of the Synod will no doubt be informed of the appointment as a matter of course. However, if the notice is required by ordinance, the requirement is likely to be formally overlooked when the Secretary of the Synod is also the Secretary of the Standing Committee (our standard practice) due to its inherent redundancy. So, the Bill removes the formal requirement that the Standing Committee inform the Secretary of Synod (noting that typically, the Secretary of Standing Committee is also the Secretary of the Synod).

Proposed clause	Ref. in Principal Ordinance	Comment
3(2)-(4)	4	The subclauses defining the functions of the returning officers are moved to be listed under the clause providing their appointment. The terms remain unchanged.
4	6	Since the Administrative committee would be appointed prior to the summons, it seems best to move it prior to the summons in the ordinance. The terms of the clause remain unchanged.
5(1)	5(1), 5(1A) and 5(3)	<p>The only difference between 5(1) and 5(1A) in the Principal Ordinance is that in one circumstance the Archbishop summons, in the other the Administrator summons. The proposed amendment deals with both scenarios in one clause.</p> <p>The proposed amendments also require a notice to be given to members of Synod of a declaration of vacancy within 7 days, and a summons to be sent as soon as practicable.</p> <p>The specifics of the session of Synod are listed at 5(1) rather than 5(3), since 5(1) includes the requirement to issue the summons.</p>
5(2)	5(2) and 5(2A)	<ul style="list-style-type: none"> • The Principal Ordinance allows the Standing Committee to make a resolution under clause 2 prior to a vacancy only if the Archbishop gives 14 weeks' notice. (If the Archbishop decides to resign with 13 weeks' notice, the Standing Committee would need to wait until the vacancy occurred before making a resolution under clause 2). • The Principal Ordinance allows Synod to commence 9 weeks following an 'unplanned' occurrence of vacancy, which may in one scenario allow a Synod to commence having had only a 1 week nomination period. The proposed amendment inserts a clear requirement that the Synod is at least 14 weeks following the date of the summons, which ensures that there are 8 weeks for nominations to be received. • The proposed date range avoids entirely the current confusion of different time periods for different types of resolution made under clause 2 of the Principal Ordinance. Rather, the proposed amendments accommodate the eventualities of an Archbishop giving up to a year's notice of resignation, or immediately vacating his office, and everything in between; allows reasonable time for the Standing Committee to declare a vacancy under clause 2 and the Archbishop or Administrator to issue a Summons; ensuring – <ul style="list-style-type: none"> ○ There is always at least 14 weeks between the summons and the 1st day of Synod (allowing 8 weeks nomination period) ○ There is always at least 3 weeks from the occurrence of the vacancy before the Synod ○ The Synod must occur within 20 weeks of the latter of the vacancy or the summons. ○ There is always at least a six week range in which Synod may commence (to accommodate holidays, availability of venues, etc)
5(3)	–	Given that in some circumstances it is reasonable to assume that the ordained period of dates is unsuitable to hold an election Synod (for example, occurring over the Christmas or Easter period, too close to an ordinary session of Synod, no venues available, or other unforeseen circumstance), this suggested clause would allow Standing Committee with an overwhelming majority of both houses to set the commencement of the special session on any date beyond the range specified.
6	6A	No substantial changes, short of the change of clause number and defined terms.
7	-	Throughout clause 7 & 7A, subheadings are proposed to help understand the flow of nominations.

Proposed clause	Ref. in Principal Ordinance	Comment
7(1)	7(1)	The proposed amendment would allow a valid nomination form to be submitted by one or more members of Synod (rather than two or more, as previous); and the form need not certify the willingness of the nominee to undertake anything (see 7A(1)).
7A	-	Insertion of clause to more helpfully describe the flow of nomination process – in this clause, describes the work carried out by the Nomination officer and the Director of PSU to administer a nomination.
7A(1)	7(2)(b)	The proposed amendments require the Nomination Officer, upon ten or more members having nominated the nominee, to seek confirmations from the nominee directly that he is willing to make declaration, consents to search on National Register, willing to undertake Safe Ministry Check.
7A(2)	7(2A)	The proposed amendment includes current requirement to request the Director of Professional Standards to access the National Register, and adds requirement for – (a) the Director to administer the Safe Ministry Check; (b) the nominee to provide birth, baptism and ordination certificates, etc.
7A(3)	-	The Director of Professional Standards makes a determination regarding fitness for episcopal ministry.
7A(4)	7(4)	Renumbering of subclauses.
7A(5)	7(4A)	Renumbering of subclauses.
7A(6)	-	Where a nominee has not withdrawn their name, one week after the result of the Safe Ministry Check, the name of the nominee is added to a public list of nominees, but the Nomination Officer need not alert all Synod members to each addition.
7B(1)	7(5)	Renumbering of clauses
7B(2)	-	Where the nominee has not confirmed willingness for a National Register and Safe Ministry check, they shall be deemed not to have been nominated.
8	8	Inserts the requirement (in paragraph 8(c)) that the Administrator of the Diocese forward to each member of the Synod, the determination of the Director of Professional Standards.

Archbishop Election Amendment Ordinance 2019

No , 2019

Long Title

An Ordinance to amend the *Retirements Ordinance 1993* and the *Archbishop of Sydney Election Ordinance 1982*.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Archbishop Election Amendment Ordinance 2019.

2. Amendment

(1) The *Retirements Ordinance 1993* is amended by inserting the following new subclause 5(3) –

5 ‘(3) Notwithstanding subclause (1), since it is desirable to hold an election Synod in the first half of the year, a further extension up to six months may be given to the Archbishop, by resolution of the Standing Committee passed by a three-quarters majority of members present and entitled to vote in each house of clergy and laity at the relevant meeting.’, and

10 (2) The *Archbishop of Sydney Election Ordinance 1982* is amended as follows –

(a) delete the matter “Archbishops” in the Long Title and insert instead “an Archbishop”.

(b) delete all the matter contained in the Preamble and insert instead the following –

‘Whereas

15 A. The Diocesan Doctrine Commission presented a report to the 2nd Ordinary Session of the 51st Synod of the Diocese of Sydney entitled ‘An Evangelical Episcopate’ (the Report) in response to the request made by the sixth resolution of the Synod in 2015.

20 B. The Synod of the Diocese of Sydney, by resolution 14 of 2018, adopted paragraphs 44-50 of the Report as the Diocese’s definitive statement on the role of the Archbishop of Sydney, as a key reference point for the election of an Archbishop.

25 C. The Report specifies that the Christian character of the Archbishop is critical to the faithful and effective discharge of this responsibility (appendix, paragraph 7). The report also lists five priorities of the Archbishop, which are set out in full in the appendix –

30 1. To be a guardian of ‘the faith that was once for all delivered to the saints’.

 2. To order the ministry of the Diocese to the gospel of Christ and his mission.

 3. To exercise pastoral concern and insight as he provides advice and direction for gospel ministry in the Diocese.

 4. To represent the Diocese, in various national and international bodies, to the government, and generally to the community.

35 5. To attend diligently to the administration of the Diocese in line with its mission.’

(c) delete all the matter contained in clauses 1 to 8 and insert instead the matter contained in the First Schedule,

(d) in all instances throughout the Ordinance where a subclause is referenced with the format ‘subclause (α) of clause β’ substitute the following format instead – ‘subclause β(α)’,

40 (e) in all instances throughout the Ordinance where a subclause is referenced with the format ‘subclause (α) of this clause’ substitute the following format instead – ‘subclause (α)’,

- (f) delete subclauses 11(1)(f) and (g) (and renumber the existing clauses (h) – (l) as (f) – (j),
- (g) delete subclauses 13(c) and (d) (and renumber the existing clauses (e) – (g) as (c) – (e),
- (h) in the renumbered clause 13(d) delete the words ‘of the See of Sydney’,
- (i) amend clause 14 as follows –
 - 5 (i) delete the words ‘and the number of members of the Synod (being, where applicable, the numbers of the members of each order) who have voted against the motion’ in subclause 14(1) and insert instead the words ‘and against the motion’, and
 - (ii) delete the word ‘analysis’ in subclause 14(2) and insert instead the word ‘result’,
- (j) amend clause 15 as follows –
 - 10 (i) delete the matter ‘(a)-(k) of clause 11(1)’ in subclause 15(1) and insert instead the matter ‘11(1)(a)-(k)’,
 - (ii) insert the matter ‘The purpose of the proposer and seconder’s speeches is to promote the characteristics of their candidate.’ after the full stop, and
 - 15 (iii) delete the words ‘order in which the’ and ‘shall be determined by the President by lot’ in subclause (7), and insert the words ‘in alphabetical order’ before the full stop,
- (k) in subclause 15A(1) delete the words ‘as the colour to be used by the order to which that member belongs’ and insert instead ‘members of each order’,
- (l) in clause 16A delete the words ‘as the colour to be used by the order to which that member belongs’ and insert instead the words ‘as the colour to be used by the members of each order’,
- 20 (m) insert the words ‘on the Final List’ in the heading of clause 17 after the word ‘Nominees’,
- (n) insert the words ‘on the Final List’ in the heading of clause 18 after the word ‘Nominees’,
- (o) in subclause 27(1) delete the words ‘of a colour specified by the President as the colour to be used by the order to which that member belongs’ and insert instead the words ‘of a colour specified by the President to be used by the members of each order’,
- 25 (p) delete the words ‘person who is entitled under the Constitutions to exercise the powers vested in the Archbishop’ in subclause 33A(b) and insert instead the word ‘Administrator’,
- (q) delete the words ‘of the See of Sydney’ in subclause 35,
- (r) delete the words ‘of the See of Sydney’ in subclause 37,
- (s) amend clause 40 as follows –
 - 30 (i) delete the words “of Sydney” where they first appear,
 - (ii) delete the words ‘publicly made’ and insert instead the words ‘published on the SDS website, and announced’,
 - (iii) delete the words “Divine Service” and insert instead the words “Public Worship”,
 - (iv) delete the word ‘of’ before ‘has been duly elected’,
 - 35 (v) delete the words ‘this diocese’ and insert instead the word ‘Sydney’, and
 - (vi) delete the words ‘as Archbishop he is also’ and insert instead the word ‘consequently’,
- (t) amend clause 41 as follows –
 - (i) delete the words ‘President, or if the Synod is not then in Session, the Standing Committee’ and insert instead the word ‘Administrator’, and
 - 40 (ii) delete the words ‘give effect to the election as the Synod may direct’ and insert instead the words ‘arrange for the consecration, if applicable, and inauguration of the Archbishop-elect’,
- (u) delete clause 44,
- (v) insert the words ‘on the Final List’ in the First Schedule after the words ‘3 nominees’, and after the words ‘2 nominees’, and
- 45 (w) insert an appendix with the matter found in the Second Schedule of this Ordinance.

The First Schedule

Preliminary/Vacancy

1. Citation

This Ordinance may be cited as the “Archbishop of Sydney Election Ordinance 1982”.

1A. Interpretation

In this Ordinance –

“Administrative Committee” means the committee constituted under subclause (1) of clause 6;

“Administrator” means the person who, on the occurrence of a vacancy in the See of Sydney, is entitled under the Constitutions to exercise the powers vested in the Archbishop.

“Archbishop” means the Archbishop of the See of Sydney;

“Constitutions” means the Anglican Church of Australia Constitutions Act, 1902, and the Anglican Church of Australia Constitution Act, 1961;

“Director of Professional Standards” means the person appointed for the time being under clause 101 of the Discipline Ordinance 2006;

“Safe Ministry Check” means the check for clergy prescribed by the Standing Committee under the *Safe Ministry to Children Ordinance 2018*.

“National Register” means the national register within the meaning of the General Synod – National Register Canon 2007 Adopting Ordinance 2008;

“Nomination Officer” means the person appointed by the Standing Committee pursuant to clause 3(b);

“Nomination closing date” means that date determined in accordance with clause 7(2)(d);

“nominee” means a person nominated under clause 7;

“President”, in relation to a meeting of the Synod, means the person presiding at that meeting;

“Standing Committee” means the Standing Committee of the Synod;

“Synod” means the Synod of the Diocese of Sydney.

2. Declaration of Vacancy

(1) Except where the Standing Committee has passed a resolution under subclause (2), the Standing Committee shall, as soon as practicable after the date on which a vacancy occurs in the See of Sydney, declare by resolution that the See is vacant.

(2) The Standing Committee may, at any time within the period of 12 months before the date on which a vacancy shall occur in the See of Sydney, declare by resolution that the See will be vacant from that date.

3. Appointment and Functions of Returning Officers

(1) Where the Standing Committee has passed a resolution under clause 2, it shall as soon as practicable –

(a) appoint a Returning Officer and a Deputy Returning Officer for the purposes of the meeting of the Synod summoned in accordance to clause 5; and

(b) appoint a Nomination Officer to receive nominations for the purposes of filling the vacancy referred to in clause 2.

(2) The Returning Officer appointed under subclause (1) shall exercise and perform all the powers, authorities, duties and functions conferred or imposed on the Returning Officer under this Ordinance.

(3) Where the Returning Officer appointed under subclause (1) is, for any reason, unable to act, the Deputy Returning Officer shall have and shall exercise and perform all the powers, authorities, duties and functions conferred or imposed on the Returning Officer under this Ordinance.

(4) In the exercise and performance of their powers, authorities, duties and functions under this Ordinance, the Returning Officer may, with the approval of the Administrator, have and use the assistance of such persons as the Returning Officer considers necessary.

4. Administrative Committee

(1) The Administrator may appoint such members of the Standing Committee as he determines to constitute, under his chairmanship, an Administrative Committee for the purpose of determining and giving effect to administrative matters relating to –

- (a) the convening of the meeting of the Synod; and
- (b) the conduct of the proceedings of the Synod at that meeting.

(2) The Administrative Committee shall not make or give effect to any decision or determination which is inconsistent with the terms of this Ordinance.

5. Summoning of Synod

(1) Where a vacancy has been declared under clause 2, the Archbishop, or where a vacancy has occurred, the Administrator, shall, within 7 days after the declaration has been made, inform each member of the Synod of the declaration, and shall as soon as practicable, summon, each member of the Synod to a meeting of the Synod specifying –

- (a) the day and the time on that day on which the meeting of the Synod shall commence;
- (b) the place at which the meeting shall be held;
- (c) instructions for the making of nominations;
- (d) the day, determined in accordance with clause 7, on which nominations of duly qualified persons for the office of Archbishop shall close;
- (e) the name of the Nomination Officer and the place, postal address and email address at which nominations can be delivered for this purpose; and
- (f) such other matters as the person giving the notice thinks fit.

(2) A meeting of the Synod –

- (a) shall be held within the period being –
 - (i) not less than 14 weeks from the date on which the summons is sent, and
 - (ii) not less than 3 weeks and not more than 20 weeks after the latter of –
 - (A) the occurrence of the vacancy; and
 - (B) the date on which the summons is sent;
- (b) may commence on any day of the week; and
- (c) shall be held at a place within the Diocese of Sydney.

(3) Notwithstanding subclause (2) the Standing Committee by 75% majority of both houses present and voting may by resolution determine a date to commence the meeting of Synod that is beyond the ranges specified in paragraph (2)(a).

6. Report concerning finances of the See

(1) The Administrator shall, not later than 42 days before the day on which the meeting of the Synod shall commence, cause a report to be prepared concerning the finances of the See and arrange for that report to be sent to the Nomination Officer.

(2) Such report shall include –

- (a) a balance sheet which sets out in detail the assets and liabilities of the Endowment of the See fund together with income and expenditure accounts of the fund for each of the three years immediately preceding such vacancy, and such balance sheet and accounts shall be certified as correct by a duly qualified auditor; and
- (b) a description of the condition of any property to be provided for the residence of the Archbishop.

(3) The Nomination Officer is to send a copy of the report to each person nominated for the office of Archbishop under subclause 7(2).

Nominations

7. Nominations

Making a nomination

- 5 (1) One or more members of the Synod may, in accordance with subclause (2), nominate any duly qualified person for the office of Archbishop.
- (2) A nomination under subclause (1) must –
- (a) be in writing;
 - (b) be signed by the nominator(s);
 - 10 (c) specify an email address for service of notices on the nominator(s) and a postal and email address for service of notices on the nominee; and
 - (d) be given to the Nomination Officer at the specified place, postal address or email address referred to in clause 5(4)(e) not later than 5.00 pm on the day which is 42 days before the day on which the meeting of the Synod shall commence.

Nominee to have been nominated by at least 20 members

- 15 (3) A duly qualified person shall be deemed not to have been nominated to the office of the Archbishop unless one or more nominations signed by not less than twenty members of Synod are received under subclause (2).

7A. Administering a Nomination

Actions upon nomination by ten or more members

- 20 (1) Upon receiving nominations in accordance with 7(2) from ten or more members of Synod, the Nomination Officer shall forthwith request confirmation in writing from the nominee that he –
- (a) is willing to make a declaration of the solemn promises contained in the Second Schedule of this Ordinance, and
 - 25 (b) consents to a search being undertaken for information in the National Register in relation to the nominee, and
 - (c) is willing to complete a Safe Ministry Check and interview for the purpose of this nomination.
- (2) Upon receiving confirmation in accordance with subclause (1), the Nomination Officer shall forthwith –
- 30 (a) direct the Director of Professional Standards –
 - (i) to access and report to the Nomination Officer any information in the National Register relating to the nominee, and
 - (ii) to arrange to administer a Safe Ministry Check to the nominee, and
 - (b) request copies of the following documents from the nominee –
 - 35 (i) the nominee’s letters of Orders for Deacon, Presbyter, and Bishop as applicable, and
 - (ii) where the nominee is not in episcopal orders, his Birth Certificate and Baptismal Certificate..
- (3) On the basis of the information gathered from the Safe Ministry Check and the National Register, the Director of Professional Standards shall, acting as delegate of the Synod –
- 40 (a) determine whether the nominee is fit for archiepiscopal ministry; and
 - (b) advise the nominee and the Nomination Officer of the determination.

Actions upon nomination by twenty members

- 45 (4) Upon a person being nominated to the office of the Archbishop in accordance with subclause 7(3), the Nomination Officer must give the nominee notice in writing –
- (a) of any information in the National Register in relation to the nominee;

- (b) of the determination of the Director of Professional Standards referred to in subclause 7A(3); and
- (c) of the need to disclose this information to the meeting of the Synod, unless the nominee gives notice under subclause 7B(1) that he does not wish to be a nominee for the office of the Archbishop.

(5) A notice under subclause (4) is deemed to have been sufficiently given if sent to the postal or email address for the nominee specified in a nomination under paragraph 7(2)(c).

(6) Seven days following the notice referred to in subclause (4), or as soon as practicable following the Nomination closing date, whichever is sooner, the Nomination Officer shall publish the name of the nominee on the SDS website.

7B. Withdrawing a Nomination

(1) The nominee may, at any time up to 21 days before the day on which the meeting of the Synod shall commence, give notice in writing to the Nomination Officer that he does not wish to be a nominee for the office of Archbishop; whereupon that person shall be deemed, for the purposes of the remaining clauses of this Ordinance, not to have been nominated for that office.

(2) Where a nominee does not, within seven days of the nomination closing date comply with the commitments made in accordance with 7A(1), that person shall be deemed, for the purposes of the remaining clauses of this Ordinance, not to have been nominated for the office of the Archbishop.

8. List of Nominations

The Administrator shall, as soon as practicable following the Nomination closing date and not less than 10 days before the day on which the meeting of the Synod shall commence, forward to each member of the Synod –

- (a) a list, in alphabetical order, of the persons nominated showing, in relation to each nominee, the names of all members of the Synod who have nominated that person;
- (b) any information in the National Register relating to each nominee; and
- (c) the determination of the Director of Professional Standards referred to in clause 7A(3)(a).

The Second Schedule

Appendix

The Contemporary Role of the Archbishop of Sydney

The following paragraphs are an extract (originally paragraphs 44-50) from 'An Evangelical Episcopate', a report of the Sydney Diocesan Doctrine Commission, received by the Synod in October 2018.

1. The biblical principles of oversight or *episkopē*, refracted through this history, have shaped the contemporary role and function of the Archbishop of Sydney. Sydney's episcopate is resolutely evangelical, in keeping with the Diocese it serves, and its archbishops have very largely been pastors and teachers, guardians and representatives of the Protestant faith, and able administrators. However, as Sydney has grown and as the structures of the Diocese and the denomination have developed, legal and institutional responsibilities have become more prominent. Nevertheless, the leadership of the Diocese of Sydney by its Archbishop, though very much personal and so influenced by the personality, gifts and special interests of each incumbent, has developed a discernible character. Our evangelical conviction demands that we ensure that the character of the archiepiscopal office, and by extension the regional bishops who assist him, faithfully reflects the biblical functions and priorities of oversight.

2. The first priority of the Archbishop of Sydney is to be a **guardian** of 'the faith that was once for all delivered to the saints' (Jude 3). This is the priority found in the New Testament and in the Anglican Ordinal. Through public proclamation and defence of the apostolic gospel, by his personal example and in all his pastoral and administrative activity, he is to do all in his power to ensure that the teaching of Scripture shapes and directs the life, ministry and mission of the Diocese. This requires the courage to speak the truth taught in Scripture when it is not popular, but equally to oppose deviation from that truth where it arises. It requires both teaching and the exercise of discipline. It requires making decisions on the basis of theological principles shaped by the biblical gospel. In this way the Archbishop of Sydney will, as Sir Marcus Loane once put it, 'share the heritage and tradition of this diocese, and will interpret it to others, and transmit it to posterity' (*Synod Presidential Address, 1966*).

3. A second priority of the Archbishop of Sydney is to **order the ministry** of the Diocese to the gospel of Christ and his mission. In many ways this is merely an extension of the first priority. Principally this involves the selection and authorisation of appropriate men and women for various ministries within the Diocese. Appointing people of godly character with theological clarity, pastoral sensitivity, and demonstrably in possession of the gifts and skills appropriate for the ministry under consideration, is a prime way the Archbishop can foster the health and gospel-mindedness of the Diocese. However, once again this must extend to dealing appropriately with those whose discharge of the responsibilities entrusted to them has been negligent in some fashion or contrary to the teaching of Scripture. Furthermore, the ordering of ministry to the gospel of Christ also involves encouraging and facilitating the reform of ministries where, for one reason or another, they no longer serve the mission of reaching the lost and building up believers.

4. A third priority is to exercise **pastoral concern and insight** as he provides advice and direction for gospel ministry in the Diocese. This has been the self-understanding of bishops throughout the twentieth century and this expression has been a regular feature in presidential addresses to election synods in the Diocese (Gunther 1909; Kirkby 1933; Barnett 2001; Forsyth 2013). This has not meant the Archbishop is expected to act as pastor to every Anglican in the Diocese, nor even to be the principal 'pastor to the pastors'. Rather, the Archbishop models pastoral care in all his interactions and so helps to encourage throughout the Diocese a commitment to thoughtful, caring relationships in which the spiritual welfare of the other person is of paramount concern.

5. A fourth priority is to **represent the Diocese**, in various national and international bodies, to the government, and generally to the community. As we have seen, this role arises from history rather than directly from the biblical text or the Ordinal. Nevertheless, it is another significant way in which the guardianship of gospel truth and mission is exercised by the Archbishop of Sydney and has been a feature of the office from its inception. This public role requires a humble confidence in the theological convictions and character of the Diocese of Sydney, since *this* is the Diocese that is being represented. In the denominational context, the Archbishop of Sydney ought to be a clear voice for an unambiguously biblical, evangelical Anglicanism, willing to stand alongside all who seek to live and serve in a way that is directed and disciplined by the word of God. In the rapidly changing context of Christian witness in this city and nation it requires a degree of mental agility and apologetic skill to handle opposition and even hostility with grace and humility and yet with the courage to present the truth of Scripture as it bears on the subject at hand.

6. A fifth priority is the **administration** of the Diocese in line with its mission. The diligent attention to administration is not to be seen as a distraction from ministry but rather serving the interests of ministry. The governance, policies and processes of the Diocese ought to facilitate its mission and a proper administration of them will direct them to this end. In a diocese with five assistant bishops, the administrative burden need not fall on the Archbishop alone, or perhaps even principally. One or more of the assistant bishops may be more able in this area and so able to shoulder much of the load. Yet faithful administration is itself a form of guardianship and the reason why bishops and the Archbishop play a key role on boards and committees of the Diocese is to ensure that all its organisations order themselves and their activities by the gospel and the commission we have received from Christ, reflecting the theological ethos and the priorities of the Diocese.

7. Ultimately, what will shape the Archbishop of Sydney more than any other single factor is his personal walk with Christ. His Christian character, his prayerfulness, his faithful obedience to the word of God, his loving care for both the lost and the redeemed, his courageous determination to proclaim the truth and to refute error, and possessing a keen sense of his accountability to the Chief Shepherd (1 Pet 5:4) are critical to the faithful and effective discharge of this responsibility. Under God's good hand, the history of this Diocese is full of bishops and archbishops who were exactly like this and whose ministry has furthered the mission of the gospel, brought blessing to God's people, and honoured the name of Christ.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

Chair of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney
on 2019.

Secretary

I Assent to this Ordinance.

Archbishop of Sydney

/ /2019

Retirements Ordinance 1993

(Reprinted under the Interpretation Ordinance 1985.)

The Retirements Ordinance 1993 as amended by the Miscellaneous Amendments Ordinance 1995, the Archbishop of Sydney Amendment Ordinance 1997, the Retirements Ordinance 1993 Amendment Ordinance 1999, the Archbishop of Sydney Election Amendment Ordinance 2009, the Archbishop of Sydney (Election and Retirement) Amendment Ordinance 2010, the Clergy Retirements Amendment Ordinance 2010 and the Retirements Ordinance 1993 Amendment Ordinance 2015.

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Long Title

An ordinance to provide for the retirement of certain persons, to establish a Diocesan Retirements Board and for purposes incidental thereto.

Preamble

Now the Synod of the Diocese of Sydney ordains as follows –

Part 1 – Citation, Definitions and Application**1. Citation**

This ordinance may be cited as the “Retirements Ordinance 1993”.

2. Definitions

In this ordinance unless the context otherwise requires –

“Appeal” means a requirement under clause 16(3).

“Application” means an application under clause 15(1).

“Board” means the Diocesan Retirements Board constituted by this ordinance.

“Chairman” means the chairman of the Board or the alternate chairman of the Board.

“Former Board” means the Diocesan Retirements Board constituted under the Former Ordinance.

“Former Ordinance” means the Sydney Diocesan Retirements Ordinance 1969-1985.

“Minister” means –

- (a) a Senior Minister;
- (b) a Parochial Minister;
- (c) a clerical canon of St Andrew's Cathedral or any provisional cathedral in the Diocese; and
- (d) a person licensed to officiate in the Diocese by a licence which, under its terms, is not revocable by the Archbishop at any time.

“Parochial Minister” means a person in holy orders licensed as incumbent to a Parochial Unit or licensed as curate-in-charge, curate or assistant minister of or in a Parochial Unit.

“Parochial Unit” means a parish or provisional parish in the Diocese.

“Request” means a request under clause 15(2).

“Retirement Age” means the age that the person in question must reach in order to qualify for the aged pension under the Social Security Act 1947 or any legislation succeeding that Act.

Note: By 1 July 2013 the qualifying age for the aged pension for women will have progressively risen from 60 to 65. The qualifying age for both men and women will be increased by 6 months every 2 years starting from 1 July 2017 up to 1 July 2023, when the qualifying age for both men and women will reach 67.

“Senior Minister” means –

- (a) the Archbishop;
- (b) an Assistant Bishop;
- (c) the Dean; and
- (d) an Archdeacon.

3. Application

(1) Except as provided in clause 3(2), this ordinance does not apply to a Minister who is an employee.

(2) If a Minister –

- (a) is an employee; and
- (b) holds a licence to officiate in the Diocese,

clause 7 applies to that licence.

(3) This ordinance is subject to any other ordinance which requires a Minister to retire at a time or at an age before the age specified in this ordinance.

Part 2 – Retirement Ages**4. Retirement Ages**

(1) It is a term of the appointment or licensing of a Minister (other than the Archbishop) appointed or licensed after 16 October 1969 that, subject to clauses 5 and 6, such person retires at the Retirement Age.

(2) It is a term of appointment of a person elected as the Archbishop that, subject to clause 5, such person retires at age 68 years.

5. Extension of Retirement Age of a Senior Minister

(1) The age at which a Senior Minister to whom clause 4 applies retires may be extended to an age not beyond 70 years –

- (a) in the case of the Archbishop, by resolution of the Standing Committee passed –

- (i) by a three-quarters majority of members present and entitled to vote in each house of clergy and laity at the relevant meeting; and
 - (ii) after the Archbishop has reached the age of 65 years;
 - (b) in the case of an Assistant Bishop or an Archdeacon, by the Archbishop and the Standing Committee; and
 - (c) in the case of the Dean, by the Archbishop and St Andrew's Cathedral Chapter.
- (2) If the Archbishop is appointed Primate of the Anglican Church of Australia the age at which that Archbishop retires is extended until age 70 years.

6. Extension of Retirement Ages by the Archbishop

The Archbishop may, following receipt of a recommendation of the Board, extend the age at which a Minister (not being a Senior Minister) to whom clause 4 applies retires to an age not beyond 70 years.

7. Revocation of licence

The licence of a Minister may be revoked by the Archbishop (after giving to that Minister opportunity to show cause) where –

- (a) in the case of a Minister to whom clause 4 applies - the Minister has attained the Retirement Age and all extensions granted under this ordinance have expired; and
- (b) in the case of a Minister to whom clause 4 does not apply –
 - (i) the Minister has attained 70 years; and
 - (ii) the Board is satisfied that the superannuation benefits and other payments and accommodation available to the Minister on the Minister's retirement, and for the Minister's pension, are adequate for the Minister's needs.

8. After Retirement

A Minister who has reached the Retirement Age may be licensed to such position in the Diocese as the Archbishop may determine provided that the terms of the licence are such that, after giving the Minister opportunity to show cause, it may be revoked upon not less than 30 days notice being given to the Minister.

Part 3 – Diocesan Retirements Board

9. Diocesan Retirements Board

The Diocesan Retirements Board is established.

10. Constitution of the Board

The Board consists of –

- (a) a chairman and a deputy chairman each of whom must be an Assistant Bishop nominated by the Archbishop;
- (b) five Ministers; and
- (c) five lay members, each of whom must be a communicant member of the Anglican Church of Australia.

11. Appointments to the Board

(1) Subject to clause 20, the Archbishop-in-Council must make appointments to the Board as soon as reasonably possible after the first ordinary session of each Synod.

(2) Subject to clause 12, members of the Board hold office until the next succeeding appointment (under clause 11(1)).

(3) A person of or above the Retirement Age is not eligible to be appointed a member of the Board.

(4) A person who is proposed or nominated to be appointed as a lay member of the Board must prior to the person's appointment make the following declaration –

“I declare that I am a communicant member of the Anglican Church of Australia.”.

12. Vacancies on the Board

A member of the Board vacates office –

- (a) upon attaining the Retirement Age;
- (b) if such person dies, resigns, or is absent from the State for a period of three months without leave of absence;
- (c) if the Archbishop certifies that in his opinion the member is incapable of performing that member's duties as a member of the Board;

- (d) in the case of a clerical member, if the member ceases to hold the Archbishop's licence; or
- (e) in the case of a lay member, if the member ceases to be a communicant member of the Anglican Church of Australia.

13. Filling of Casual Vacancies on the Board

A casual vacancy on the Board is to be filled by a person appointed by the Archbishop-in-Council.

14. Function of the Board

The Board may make recommendations to the Archbishop regarding extensions of service for a Minister (other than a Senior Minister) beyond the retirement age applicable to the Minister.

15. Application to the Board

- (1) A Minister (other than a Senior Minister) may apply to the Board for one or more extensions of the retirement age applicable to the Minister.
- (2) The Archbishop, an Assistant Bishop or the Registrar may request that the Board consider whether the retirement age of a Minister who has not made an Application should be extended.
- (3) An Application and a Request must –
 - (a) be made in writing to the Chairman by the applicant or the person making the Request; and
 - (b) be received by the Chairman no later than one calendar month before the applicant or the person the subject of the Request is due to retire provided that the Board, in its discretion may accept as adequate a period of less than one month.
- (4) A person who has made an Application or is the subject of a Request has an extension in office for a period of three months after the date on which such person is required to retire.

16. Application or request for extension for a period not more than 12 months

- (1) This clause applies to an Application or a Request, in each case for an extension of the retirement age by not more than 12 months, made by or in respect of a Minister, not being a Senior Minister, whose retirement age has not been extended under this ordinance (apart from clause 15(4)).
- (2) If an Application or a Request to which this clause applies is considered by the Chairman, the Chairman must notify the person who has made the Application or who is the subject of the Request of the proposed recommendation concerning the Application or Request.
- (3) A Minister who has made an Application or is the subject of a Request to which this clause applies who is dissatisfied with a proposed recommendation of the Chairman prepared in relation to the Application or Request may, within 14 days after receiving notification of the proposed recommendation, require that the Application or Request be dealt with by the Board.
- (4) If, following notification under clause 16(3), the person who made the Application or who is the subject of the Request does not request that the Application or the Request be dealt with by the Board, the proposed recommendation of the Chairman is the recommendation of the Board.

17. Meetings of the Board

- (1) Within 3 months after receipt of –
 - (a) an Application for an extension of a Minister's retirement age of more than 12 months;
 - (b) a Request for an extension of a Minister's retirement age of more than 12 months;
 - (c) an Application or Request to which clause 16 applies which is not considered by the Chairman under clause 16(2); or
 - (d) an Appeal,

the Chairman must convene a meeting of the Board for the purpose of considering the Application, Request or Appeal.

- (2) For the purpose of receiving evidence, the Chairman must invite in writing the person who made the Application, the person the subject of the Request or the person who made the Appeal (which person is entitled to be heard), and such other persons as the Board may consider necessary, to attend the meeting of the Board.
- (3) A quorum for a meeting of the Board is the Chairman, two clerical members and two lay members.
- (4) The Chairman convening the meeting of the Board or, in the absence of that person, the other Chairman, is to preside at a meeting of the Board.

(5) The Chairman presiding at a meeting of the Board has a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

(6) No person whose case is under consideration may act as a member of the Board.

18. Recommendations of the Board

The Chairman must deliver the recommendations of the Board to the Archbishop. The Board is not required to give reasons for any recommendation.

19. Procedures

Subject to the terms of this ordinance, the Board may determine its own procedures. The Board may by resolution make and revoke and from time to time make further regulations as it considers fit for the purpose of determining or regulating its procedures.

Part 4 – Transitional

20. Membership of the Board

The first members of the Board are those persons who were, immediately prior to the date of assent to this ordinance, members of the Former Board and eligible for appointment under clauses 10 and 11(3). A vacancy on the Board which occurs because a member of the Former Board is not eligible for appointment to the Board is taken to be a casual vacancy.

21. Extension of Retirement Age under Sydney Diocesan Retirements Ordinance 1969-1985

The extension of the retirement age of a Minister under the Former Ordinance is taken to be an extension of the retirement age under this ordinance.

22. Applications etc made under the Sydney Diocesan Retirements Ordinance 1969-1985

(1) A request for the extension of the retirement age made by a Minister under the Former Ordinance which has not been considered by the Former Board prior to the date of assent to this ordinance is taken to be an Application made under this ordinance.

(2) A request by the Archbishop or an Assistant Bishop made under clause 13(1)(b) of the Former Ordinance which has not been considered by the Former Board prior to the date of assent to this ordinance is taken to be a Request made under this ordinance.

(3) A request by a Minister made under clause 13(5) of the Former Ordinance which has not been considered by the Former Board prior to the date of assent to this ordinance is taken to be an Appeal made under this ordinance.

(4) A recommendation by the Former Board to the Archbishop delivered under clause 16 of the Former Ordinance is taken to be a recommendation made by the Board.

23. No application to present Archbishop

Nothing in this ordinance applies to the retirement age of the Archbishop in office at the date of assent to this ordinance whose retirement age (and any extensions thereto) are, notwithstanding clause 24, to be determined under the relevant provisions of the Former Ordinance.

Part 5 – General

24. Repeal of Sydney Diocesan Retirements Ordinance 1969-1985 etc

The Former Board is dissolved and the Former Ordinance repealed.

25. Amendment of Other Ordinances

A reference to the Former Ordinance in any ordinance is taken to be a reference to this ordinance.

Table of Amendments

Clause 2	Amended by Ordinances Nos 24, 1995; 41, 1999 and 26, 2010.
Clause 4	Amended by Ordinances Nos 25, 2010 and 26, 2010.
Clause 3	Amended by Ordinance No 32, 2015.
Clause 5	Amended by Ordinances Nos 41, 1997; 26, 2009; 25, 2010 and 26, 2010.

- Clause 6 Amended by Ordinance No 26, 2010.
- Clause 7 Amended by Ordinance No 26, 2010.
- Clause 8 Amended by Ordinances Nos 26, 2010 and 32, 2015.
- Clause 10 Amended by Ordinances Nos 41, 1999 and 26, 2010.
- Clause 11 Amended by Ordinances Nos 41, 1999 and 26, 2010.
- Clause 12 Amended by Ordinances Nos 41, 1999 and 26, 2010.



Archbishop of Sydney Election Ordinance 1982

(Reprinted under the Interpretation Ordinance 1985.)

The Archbishop of Sydney Appointment Ordinance 1982 as amended by and in accordance with the Archbishop of Sydney Appointment Ordinance 1982 Amendment Ordinance 1993, the Archbishop of Sydney Appointment Ordinance 1997, the Miscellaneous Amendments Ordinance 1999, the Archbishop of Sydney Appointment Ordinance 1982 Amendment Ordinance 2001, the Archbishop of Sydney Appointment Ordinance 1982 Further Amendment Ordinance 2001, the Archbishop of Sydney Election Amendment Ordinance 2009, the Archbishop of Sydney (Election and Retirement) Amendment Ordinance 2010, the Archbishop of Sydney (Solemn Promises) Amendment Ordinance 2011, the Solemn Promises Ordinance 2011 Amending Ordinance 2013, the Archbishop of Sydney Election Ordinance 1982 Amendment Ordinance 2013, the Synod (Electronic Communications) Amendment Ordinance 2013 and the Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2014.

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40	Declaration of Election
41	Proceedings after Declaration of Election
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Long Title

An Ordinance to provide for the election of Archbishops to the Metropolitan See of Sydney.

Preamble

Whereas

A. By resolution No 7 of 1982, the Synod of the Diocese of Sydney expressed its belief that the Archbishop of Sydney Appointment Ordinance 1962 was unnecessarily obscure and was understood to contain many deficiencies and the Synod requested the Standing Committee of the Synod, among other things, to bring, if appropriate, amending legislation to the next session of Synod.

B. The Standing Committee has complied with the request.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod Hereby Ordains Declares Directs and Rules as follows.

Preliminary/Vacancy

1. Citation

This Ordinance may be cited as the “Archbishop of Sydney Election Ordinance 1982”.

2. Resolution that Vacancy be filled

(1) Except where the Standing Committee has passed a resolution under subclause (2) of this clause, the Standing Committee shall, as soon as practicable after the date on which a vacancy occurs in the See of Sydney, resolve that the vacancy be filled in accordance with this Ordinance.

(2) The Standing Committee may, at any time within the period no sooner than 20 weeks and no later than 14 weeks before the date on which a vacancy shall occur in the See of Sydney, resolve that the vacancy be filled in accordance with this Ordinance.

3. Appointment of Returning Officers

Where the Standing Committee has passed a resolution under subclause (1) or (2) of clause 2, it shall –

- (a) not less than 28 days prior to the date upon which a meeting of the Synod is summoned under clause 5, appoint a Returning Officer and a Deputy Returning Officer for the purposes of that meeting; and
- (b) inform the Secretary of Synod of the appointments.

4. Functions of Returning Officers

(1) The Returning Officer appointed under clause 3 shall exercise and perform all the powers, authorities, duties and functions conferred or imposed on the Returning Officer under this Ordinance.

(2) Where the Returning Officer appointed under clause 3 is, for any reason, unable to act, the Deputy Returning Officer shall have and shall exercise and perform all the powers, authorities, duties and functions conferred or imposed on the Returning Officer under this Ordinance.

(3) In the exercise and performance of his powers, authorities, duties and functions under this Ordinance, the Returning Officer may, with the approval of the President, have and use the assistance of such persons as the Returning Officer considers necessary.

5. Summoning of Synod

(1) Where the Standing Committee has passed a resolution under subclause (1) of clause 2, the person who, on the occurrence of a vacancy in the See of Sydney, is entitled under the Constitutions to exercise the powers vested in the Archbishop shall, within 21 days after the passing of the resolution, summon, by notice in writing given, so far as is possible, to each member of the Synod, a meeting of the Synod in order to fill the vacancy.

(1A) Where the Standing Committee has passed a resolution under subclause (2) of clause 2, the Archbishop shall, within 21 days after the passing of the resolution, summon, by notice in writing given, so far as is possible, to each member of the Synod, a meeting of the Synod in order to fill the vacancy.

(2) A meeting of the Synod summoned under subclause (1) of this clause –

- (a) shall be held within the period being not less than 9 weeks and not more than 16 weeks after the occurrence of the vacancy;
- (b) may commence on any day of the week; and
- (c) shall be held at a place within the Diocese of Sydney.

(2A) A meeting of the Synod summoned under subclause (1A) of this clause –

- (a) shall be held within the period being not less than 3 weeks and not more than 6 weeks after the occurrence of the vacancy;
- (b) may commence on any day of the week; and
- (c) shall be held at a place within the Diocese of Sydney.

(3) The notice referred to in subclause (1) or (1A) of this clause shall specify –

- (a) the day and the time on that day on which the meeting of the Synod shall commence;
- (b) the place at which the meeting shall be held;
- (c) the day, determined in accordance with clause 7, on which nominations of duly qualified persons for the office of Archbishop of the See of Sydney shall close;
- (d) the person to whom nominations shall be given and the place, postal address or email address at which nominations can be delivered for this purpose; and
- (e) such other matters as the person giving the notice thinks fit.

6. Administrative Committee

(1) The person who, on the occurrence of a vacancy in the See of Sydney, is entitled under the Constitutions to exercise the powers vested in the Archbishop may appoint such members of the Standing Committee as he determines to constitute, under his chairmanship, an Administrative Committee for the purpose of determining and giving effect to administrative matters relating to –

- (a) the convening of the meeting of the Synod; and
- (b) the conduct of the proceedings of the Synod at that meeting.

(2) The Administrative Committee shall not make or give effect to any decision or determination which is inconsistent with the terms of this Ordinance.

6A. Report concerning finances of the See

(1) The person who, on the occurrence of a vacancy in the See of Sydney, is entitled under the Constitutions to exercise the powers vested in the Archbishop shall, not later than 42 days before the day on which the meeting of the Synod shall commence, cause a report to be prepared concerning the finances of the See and arrange for that report to be sent to the specified person referred to in paragraph (d) of clause 5(3).

(2) Such report shall include –

- (a) a balance sheet which sets out in detail the assets and liabilities of the Endowment of the See fund together with income and expenditure accounts of the fund for each of the three years immediately preceding such vacancy, and such balance sheet and accounts shall be certified as correct by a duly qualified auditor; and
- (b) a description of the condition of any property to be provided for the residence of the Archbishop.

(3) The specified person referred to in paragraph (d) of clause 5(3) is to send a copy of the report to each person nominated for the office of Archbishop of the See of Sydney under clause 7.

Nominations

7. Nominations

(1) Any 2 or more members of the Synod may, in accordance with subclause (2) of this clause, nominate any duly qualified person for the office of Archbishop of the See of Sydney.

(2) A nomination under subclause (1) of this clause must –

- (a) be in writing;
- (b) be signed by the nominators;
- (c) contain a certification from at least one of the nominators that the nominee would be willing to make a declaration of the solemn promises contained in the Second Schedule of this Ordinance; and
- (d) contain a certification from at least one of the nominators that the nominee has consented to a search being undertaken for information in the National Register in relation to the nominee;
- (e) specify an email address for service of notices on the nominators and a postal and email address for service of notices on the nominee; and
- (f) be given to the specified person at the specified place, postal address or email address referred to in paragraph (d) of clause 5(3) not later than 5.00 pm on the day which is 42 days before the day on which the meeting of the Synod shall commence.

(2A) Upon being given a nomination, the specified person referred to in paragraph (d) of clause 5(3) is to forthwith direct the Director of Professional Standards to access any information in the National Register relating to the nominee.

(3) A duly qualified person shall be deemed not to have been nominated to the office of the Archbishop of the See of Sydney unless one or more nominations signed by not less than 20 members of Synod are received under subclause (2).

(4) Upon a person being nominated to the office of the Archbishop of the See of Sydney, the specified person referred to in paragraph (d) of clause 5(3) must give the nominee notice in writing that he is a nominee for that office. The notice must also inform the nominee –

- (a) whether there is any information in the National Register in relation to the nominee, and, if so, what information; and
- (b) that unless the nominee gives notice under subclause (5) that he does not wish to be a nominee for the office of the Archbishop of the See of Sydney, any such information will be disclosed to the meeting of the Synod.

(4A) A notice under subclause (4) is deemed to have been sufficiently given if sent to the postal or email address for the nominee specified in a nomination under subclause (2) and if there are one or more different addresses so specified, notice shall be sufficiently given if sent to one of those addresses.

(5) The nominee may, at any time up to 21 days before the day on which the meeting of the Synod shall commence give notice in writing to the specified person at the specified place, postal address or email address referred to in paragraph (d) of clause 5(3) that he does not wish to be a nominee for the office of Archbishop of the See of Sydney whereupon that person shall be deemed, for the purposes of the remaining clauses of this Ordinance, not to have been nominated for that office.

8. List of Nominations

The person who, on the occurrence of a vacancy in the See of Sydney, is entitled under the Constitutions to exercise the powers vested in the Archbishop shall, after the close of nominations and not less than 10 days before the day on which the meeting of the Synod shall commence, forward, so far as is possible, to each member of the Synod –

- (a) a list, in alphabetical order, of the persons nominated showing, in relation to each such person, the names of all members of the Synod who have nominated that person, and
- (b) any information in the National Register relating to each nominee.

9. Determination of Proposer and Seconder

(1) The nominators of a nominee must –

- (a) determine, among themselves if need be, by a majority, in relation to each stage in the proceedings under this Ordinance, who shall propose and second the nomination at that stage; and
 - (b) notify the Secretary of the Synod of their determination within sufficient time to enable the name of the proposer and seconder to be included in the appropriate day's business paper.
- (2) Where the nominators of a nominee are unable to make a determination referred to in subclause (1) of this clause in respect of any stage, the President shall select, from among those nominators, the proposer and seconder of the nomination in respect of that stage.
- (3) Nothing in this clause prevents the Synod from granting leave to any member of the Synod to propose or second the nomination of a nominee at any stage in the proceedings under this Ordinance, notwithstanding that –
- (a) the member did not nominate the nominee under clause 7; or
 - (b) the member is not a member notified under paragraph (b) of subclause (1) of this clause or selected under subclause (2) of this clause.

Proceedings of Synod

10. Right of Reply

Where a motion is proposed under this Ordinance and any other member of the Synod (not being the seconder of the motion) speaks in respect of the motion, the proposer shall, after all speeches have been made in respect of that motion, have the right of reply.

11. Order of Business – First Day

- (1) The order of business for the first day of the meeting of the Synod shall be as follows –
- (a) The List of Clergy summoned to the Synod shall be laid upon the table by the President.
 - (b) The List of Representatives shall be laid upon the table by the President, and those who have not presented their Certificates of Election, and signed the Declaration shall then do so.
 - (c) The President shall, subject to subclause (2), deliver his address.
 - (d) The President may lay upon the table a document appointing a Commissary.
 - (e) Motions for the election of –
 - (i) A Chairman of Committees.
 - (ii) A Deputy Chairman of Committees.
 - (iii) A Committee of Elections and Qualifications.
 - (iv) A Committee for the purpose of checking and, if agreed, certifying the minutes of each meeting other than a meeting of the Committee of the Whole Synod.
 - (f) The Minute Book of the Standing Committee shall be laid upon the table.
 - (g) Petitions.
 - (h) Notices of Questions.
 - (i) Notices of Motions.
 - (j) Motions in connection with the formal reception and printing of Reports, Accounts and other documents.
 - (k) Motions by request of the Standing Committee with respect to the proceedings under this Ordinance.
 - (l) The Synod shall then proceed in accordance with clause 15.
- (2) If the President is a nominee, the person who is next entitled to preside at the meeting and who –
- (a) is present at the meeting of the Synod, and
 - (b) is not a nominee,

shall deliver the President's address instead of the President.

- (3) The person who is required under this Ordinance to deliver the President's address may not invite or request another person to give the President's address.

12. Proceedings held in private

At the conclusion of the President's address, the public shall be excluded and shall continue to be excluded until the meeting of the Synod ends.

13. Order of Business – Second and Subsequent Days

The order of business for the second and subsequent days of the meeting of the Synod shall be as follows –

- (a) The Minutes of the previous day's proceedings shall be read and signed as a correct record or otherwise dealt with in accordance with any resolution passed at the meeting of the Synod.
- (b) Questions.
- (c) Petitions.
- (d) Notices of Questions.
- (e) Notices of Motions.
- (f) The continuation of the procedure determined in accordance with this Ordinance for the election of a person to the office of Archbishop of the See of Sydney.
- (g) Motions according to the order of notice or in the order determined by the Administrative Committee.

14. Announcement as to Voting

(1) Immediately after each vote on a motion by show of hands is taken under this Ordinance, the President shall announce the result of the vote together with the number of members of the Synod (being, where applicable, the numbers of members of each order) who have voted for and the number of members of the Synod (being, where applicable, the numbers of the members of each order) who have voted against the motion.

(2) After each ballot is taken under this Ordinance, the Returning Officer shall hand to the President his record of the counting in respect of the ballot and the President shall announce the analysis appearing in the record.

Select List

15. Reduction of List of Nominations and Compilation of Select List

(1) After the items of business referred to in paragraphs (a)-(k) of clause 11(1) have been dealt with, each nominee shall be proposed and seconded in the order in which his name appears on the list of nominations referred to in clause 8.

(2) After a nominee has been proposed and seconded, the President shall ask whether any member of the Synod wishes to speak against the nomination and each member of the Synod who wishes so to speak may, unless the Synod otherwise determines, address the Synod accordingly.

(3) Where a member of the Synod speaks against a nomination, the President shall ask whether any member of the Synod wishes to speak in respect of that nomination and each member of the Synod who wishes so to speak may, unless the Synod otherwise determines, address the Synod accordingly.

(4) Where –

- (a) speeches in respect of the nominee whose name last appears on the list of nominations referred to in clause 8 have concluded; or
- (b) no member of the Synod wishes to speak against that nomination,

the President shall, unless the Synod otherwise determines, put the following motion to the Synod in respect of each nominee whose name appears on that list of nominations –

“That the name of (A.B.) be placed upon the Select List.”.

(5) A vote on each of the motions put to the Synod under subclause (4) shall be taken simultaneously by a secret ballot in each order of the members of the Synod then present, the lay members of the Synod voting first, in accordance with clause 15A.

(6) If a majority of either order of the members of the Synod then present and voting vote in favour of the motion in respect of a nominee, the name of that nominee shall be placed on the Select List.

(7) The order in which the names of the nominees shall be placed upon the Select List shall be determined by the President by lot.

(8) The President shall announce to the Synod the names which have been placed upon the Select List and the order in which they have been so placed.

(9) If no nominee receives a majority of votes in either order of the members of the Synod then present and voting, the Synod shall adjourn and the nomination process shall start again pursuant to clause 33A.

15A. Ballot Procedure

- (1) Each member of the Synod then present shall be given a separate ballot paper for each motion referred to in subclause (4) of clause 15 of a colour specified by the President as the colour to be used by the order to which that member belongs.
- (2) A ballot paper referred to in subclause (1) shall be –
 - (a) printed with the name of the nominee referred to in the motion; and
 - (b) printed with two squares opposite the name of the nominee with the word “Yes” above one square and the word “No” above the other.
- (3) On receipt of a ballot paper, a member of the Synod shall record his or her vote by marking the box under the word “Yes” if the member wants the name of the nominee to be placed on the Select List or by marking the box under the word “No” if the member does not want the name of the nominee to be placed on the Select List.

Final List

16. Reduction of Select List and Compilation of Final List

- (1) After compilation of the Select List in accordance with clause 15, each nominee whose name appears on the Select List shall be proposed and seconded in the order in which his name appears upon that List.
- (2) After a nominee has been proposed and seconded, the President shall ask whether any member of the Synod wishes to speak in respect of the nomination and each member of the Synod who wishes so to speak may, unless the Synod otherwise determines, address the Synod accordingly.
- (3) Where –
 - (a) speeches in respect of the nominee whose name last appears on the Select List have concluded; or
 - (b) no member of the Synod wishes to speak against that nomination,the President shall, unless the Synod otherwise determines, put the following motion to the Synod in respect of each nominee whose name appears on the Select List –

“That the name of (A.B.) be placed upon the Final List.”.
- (4) A vote on each of the motions put to the Synod under subclause (3) shall be taken simultaneously by a secret ballot in each order of the members of the Synod then present, the lay members of the Synod voting first, in accordance with clause 16A.
- (5) If a majority of each order of the members of the Synod then present and voting vote in favour of the motion in respect of a nominee, the name of that nominee shall be placed on the Final List.

16A. Ballot Procedure

- (1) Each member of the Synod then present shall be given a separate ballot paper for each motion referred to in subclause (3) of clause 16 of a colour specified by the President as the colour to be used by the order to which that member belongs.
- (2) A ballot paper referred to in subclause (1) shall be –
 - (a) printed with the name of the nominee referred to in the motion; and
 - (b) printed with two squares opposite the name of the nominee with the word “Yes” above one square and the word “No” above the other.
- (3) On receipt of a ballot paper, a member of the Synod shall record his or her vote by marking the box under the word “Yes” if the member wants the name of the nominee to be placed on the Final List or by marking the box under the word “No” if the member does not want the name of the nominee to be placed on the Final List.

17. Where Motion carried in respect of less than 3 Nominees

- (1) Where –
 - (a) there were 3 or more nominees on the Select List; and
 - (b) the motion put under subclause (3) of clause 16 is carried with respect to less than 3 nominees,the President shall, without further debate, again put the motion under subclause (3) of clause 16 to the Synod in respect of each nominee whose name was on the Select List but was not placed upon the Final List.

(2) A vote on a motion put as referred to in subclause (1) shall be taken by a secret ballot and the provisions of subclauses (4) and (5) of clause 16 and clause 16A apply to that ballot.

(3) If a majority of both orders of the members of the Synod then present and voting vote in favour of the motion in respect of a nominee, the name of that nominee shall be placed upon the Final List.

(4) Where there were 1 or 2 nominees on the Select List, the name of a nominee shall be placed on the Final List if a majority of both orders of the members of the Synod then present and voting vote in favour of the motion in respect of the nominee put under subclause (3) of clause 16.

(5) If no nominee on the Select List receives a majority of votes in both orders of the members of the Synod then present and voting, for the purpose of determining the course of action the Synod shall pursue, the President shall forthwith and without debate, put the following motions in the following order –

(a) That a further vote on the motion under clause 16(3) be taken by secret ballot in respect of each nominee on the Select List using the procedure under clause 16A.

(b) That the Synod adjourn and that the nomination process start again pursuant to clause 33A.

18. Where Motion carried in respect of more than 3 Nominees

Where –

(a) the motion put under subclause (3) of clause 16 is carried with respect of more than 3 nominees; or

(b) pursuant to clause 17, there are more than 3 nominees on the Final List,

a ballot or series of ballots shall without further debate be taken in accordance with clause 19, 20 or 21, as the case may require, so as to reduce the nominees on the Final List to 3.

19. More than 5 Nominees

(1) Where –

(a) the motion put under subclause (3) of clause 16 is carried with respect to more than 5 nominees; or

(b) pursuant to clause 17, there are more than 5 nominees on the Final List,

each member of the Synod then present shall be given 3 ballot papers, each of which is distinguishable from the others.

(2) On the first ballot, each member of the Synod then present and voting shall write on the ballot paper nominated by the President, in the order in which they appear on the Select List, the names of the 5 nominees whom he or she wishes to remain upon the Final List.

(3) The nominees in excess of 5 who receive the lowest number of votes after the votes of both orders of the members of the Synod have been added together shall be excluded.

(4) On the second ballot, each member of the Synod then present and voting shall write on the ballot paper nominated by the President, in the order in which they appear on the Select List, the names of the 4 nominees whom he or she wishes to remain upon the Final List.

(5) The nominee who receives the lowest number of votes after the votes of both orders of the members of the Synod have been added together shall be excluded.

(6) On the third ballot, each member of the Synod then present and voting shall write on the remaining ballot paper, in the order in which they appear on the Select List, the names of the 3 nominees whom he or she wishes to remain upon the Final List.

(7) The nominee who receives the lowest number of votes after the votes of both orders of the members of the Synod have been added together shall be excluded.

20. 5 Nominees

(1) Where –

(a) the motion put under subclause (3) of clause 16 is carried with respect of 5 nominees; or

(b) pursuant to clause 17, there are 5 nominees on the Final List,

each member of the Synod then present shall be given two ballot papers, each of which is distinguishable from the other.

(2) On the first ballot, each member of the Synod then present and voting shall write, on the ballot paper nominated by the President, in the order in which they appear upon the Select List, the names of the 4 nominees whom he or she wishes to remain upon the Final List.

- (3) The nominee who receives the lowest number of votes after the votes of both orders of the members of the Synod have been added together shall be excluded.
- (4) On the second ballot, each member of the Synod then present and voting shall write, on the remaining ballot paper, in the order in which they appear upon the Select List, the names of the 3 nominees whom he or she wishes to remain upon the Final List.
- (5) The nominee who receives the lowest number of votes after the votes of both orders of the members of the Synod have been added together shall be excluded.

21. 4 Nominees

- (1) Where –
- (a) the motion put under subclause (3) of clause 16 is carried with respect of 4 nominees; or
 - (b) pursuant to clause 17, there are 4 nominees on the Final List,
- each member of the Synod then present shall be given a ballot paper.
- (2) On the ballot, each member of the Synod then present and voting shall write, in the order in which they appear upon the Select List, the names of the 3 nominees whom he or she wishes to remain upon the Final List.
- (3) The nominee who receives the lowest number of votes after the votes of both orders of the members of the Synod have been added together shall be excluded.

22. Procedure in event of equality of votes

- (1) Where, pursuant to a ballot under clause 19, 20 or 21, 2 or more nominees receive an equal number of votes and one or more of them is to be excluded, the President shall, without debate, call on each member of the Synod then present to express his or her preference among those nominees who have received an equal number of votes by voting for only 1 of those nominees, being the nominee whose name he or she wishes to remain upon the Final List. This clause shall not apply where the number of nominees who receive an equal number of votes is fewer than the number of nominees to be excluded.
- (2) A vote in respect of each nominee to whom subclause (1) of this clause applies by show of hands shall be taken of the members of the Synod then present and voting as a whole.
- (3) The nominee or nominees, as the case may require, who receives or receive the lowest number of votes after a vote is taken under subclause (2) of this clause shall be excluded.
- (4) If two or more nominees again receive an equal number of votes those nominees shall be excluded.

23. Order of Placement of Names on Final List

- (1) Where, pursuant to clause 16, 17, 18, 19, 20, 21 or 22, a nominee is placed upon or remains upon the Final List, the order in which his name shall be placed upon the Final List shall be determined by the President by lot.
- (2) The President shall announce to the Synod the names which have been placed upon the Final List and the order in which they have been so placed.

Final Selection of a Nominee

24. One Nominee on Final List

- (1) Where the name of only 1 nominee has, in accordance with this Ordinance, been placed upon the Final List, the President shall put the following motion to the Synod –
- “That (A.B.) be invited to be Archbishop of Sydney.”
- (2) A vote on the motion by show of hands shall be taken in each order of the members of the Synod then present, the lay members of the Synod voting first.
- (3) If a majority of both orders of the members of the Synod then present and voting vote in favour of the motion, the President shall declare (A.B.) duly elected to the office of Archbishop of Sydney.
- (4) If a majority of both orders of the members of the Synod then present and voting do not vote in favour of the motion, for the purpose of determining the course of action the Synod shall pursue, the President shall, forthwith and without debate, put the following motions in the following order –
- (a) That a further vote on the motion be taken by secret ballot using the procedure under clause 16A.
 - (b) That the Synod adjourn and that the nomination process start again pursuant to clause 33A.

25. Final List of 2 or 3 Nominees

- (1) Where, pursuant to clause 16, 17, 18, 19, 20, 21 or 22, the names of 2 or 3 nominees have been placed upon or remain upon the Final List, each nominee shall be proposed and seconded in the order in which his name appears upon the Final List.
- (2) After all nominees have been proposed and seconded, the President shall ask whether any member of the Synod wishes to speak in respect of any nomination and each member of the Synod who wishes so to speak may, unless the Synod otherwise determines, address the Synod accordingly.
- (3) When speeches in respect of the nominations have concluded, the Synod shall adjourn to the following day or a later day determined by the Synod.

26. Limitation of Speeches

- (1) The duration of speeches pursuant to this Ordinance shall be –
 - (a) in the case of a person proposing that the name of a nominee be placed upon the Select List – 15 minutes;
 - (b) in the case of a person proposing that the name of a nominee be placed upon the Final List - 10 minutes;
 - (c) in any other case - 5 minutes.
- (2) Nothing in subclause (1) of this clause prevents the Synod from granting leave to any member of the Synod to speak for such length of time as is specified in the grant of leave.

27. Printing and Distribution of Ballot Papers

- (1) When the Synod meets on the day to which the Synod is adjourned pursuant to subclause (3) of clause 25, each member of the Synod then present shall be given a ballot paper of a colour specified by the President as the colour to be used by the order to which that member belongs.
- (2) A ballot paper referred to in subclause (1) shall be –
 - (a) in a form as prescribed in the First Schedule to this Ordinance appropriate to the number of nominees whose names appear upon the Final List;
 - (b) printed with the names of the nominees upon the Final List in the order in which they were placed upon the Final List;
 - (c) printed with a square opposite the name of each nominee; and
 - (d) one of either of two colours, one colour being for use by the lay members of the Synod and the other colour being for use by the clerical members of the Synod.

28. Voting

On receipt of a ballot paper, a member of the Synod shall record his or her vote by placing the number “1” in the square opposite the name of the nominee for whom he or she desires to give his or her first preference and the number “2” or the numbers “2” and “3”, as the case may require, in the square opposite the name or names of the other nominees so as to indicate by numerical sequence the order of his or her preference.

29. Method of Counting Votes

- (1) The Returning Officer shall count the total number of first preferences given by the members of the respective orders for each nominee.
- (2) If one of the 2 or 3 nominees, as the case may be, has received an absolute majority of the first preferences of the members of the Synod in each order present and voting he shall be declared by the President to be elected.

30. Failure of Either of 2 Nominees to Obtain Absolute Majority on First Count

- (1) Where there are 2 nominees on the Final List and neither nominee receives an absolute majority as referred to in subclause (2) of clause 29, after the President has announced the analysis appearing in the Returning Officer's record of the ballot, a further ballot shall be taken.
- (2) Clauses 27, 28 and 29 apply to and in respect of a ballot under subclause (1) of this clause in the same way as they apply to and in respect of a ballot under those clauses.

31. Failure of Any of 3 Nominees to Obtain Absolute Majority on First Count

- (1) Where there are 3 nominees on the Final List and no nominee receives an absolute majority as referred to in subclause (2) of clause 29, the nominee who has received the fewest first preferences after the first preferences of both orders of the members of the Synod have been added together shall be excluded and each ballot paper counted to him shall be counted to the nominee next in the order of the voter's preference.

(2) Where there are 3 nominees on the Final List and 2 or more nominees have an equal number of first preferences after the first preferences of both orders of the members of the Synod have been added together and one of them is to be excluded, a further ballot shall be taken in respect only of those nominees who have received such equal number of first preferences.

(3) Clauses 27, 28 and subclause (1) of clause 29 apply to and in respect of a ballot under subclause (2) of this clause in the same way as they apply to and in respect of a ballot under those clauses.

(4) The nominee who, on a ballot under subclause (2) of this clause, receives the lowest number of votes after the votes of both orders of the members of the Synod have been added together shall be excluded.

(5) If, after counting to a nominee the preferences of a nominee excluded under subclause (1) or subclause (4) of this clause, one of the nominees receives an absolute majority of the votes of the members of the Synod in each order present and voting he shall be declared by the President to be elected.

(6) Where no nominee receives an absolute majority as referred to in subclause (5) of this clause, a further ballot shall be taken in respect of the nominees who have not been excluded.

(7) Clauses 27, 28 and 29 apply to and in respect of a ballot under subclause (6) of this clause in the same way as they apply to and in respect of a ballot under those clauses.

32. Consequences of Certain Ballots

(1) If, after making a count in respect of a ballot taken under subclause (2) of clause 30 or subclause (7) of clause 31, one of the nominees receives an absolute majority of the first preferences of the members of the Synod in each order present and voting he shall be declared by the President to be elected.

(2) If, after making a count referred to in subclause (1) of this clause, no nominee receives an absolute majority as so referred to, the Synod shall adjourn to the following day or a later day determined by the Synod.

33. Proceedings on Resumption After Adjournment

(1) When the Synod meets on the day to which the Synod is adjourned pursuant to subclause (2) of clause 32, for the purpose of determining the course of action the Synod shall pursue, the President shall, without debate, put the following motions in the following order –

- (a) That a further ballot be taken in respect of the nominees not excluded from the Final List.
- (b) That the Synod reconsider the nominees on the Final List by reverting to the procedure specified in clause 27 and the following clauses of this Ordinance.
- (c) That the Synod reconsider the nominees on the Select List by reverting to the procedure specified in clause 16 and the following clauses of this Ordinance.
- (d) That the Synod adjourn and that the nomination process start again pursuant to clause 33A.

(2) Where a motion put under subclause (1) of this clause is carried, the President shall not be required to put any subsequent motion under that subclause.

(3) The provisions of this Ordinance shall apply, in so far as they are applicable, to and in respect of a motion carried under subclause (1) of this clause.

33A. Starting the Nomination Process again after Adjournment

If the Synod is adjourned pursuant to clause 15(9), 17(5), 24(4)(b) or 33(1)(d) –

- (a) the Standing Committee is to declare within a period of 5 weeks from the adjournment the date on which the vacancy in the See of Sydney is deemed to have occurred for the purposes of starting the nomination process again under this Ordinance, and
- (b) the person who is entitled under the Constitutions to exercise the powers vested in the Archbishop shall, within 21 days after the date of the deemed vacancy, issue a notice reconvening the Synod as if the notice were a notice to summon the members of the Synod under clause 5(1).

Offer, Acceptance, Confirmation etc

34. Confirmation of Election

The Provincial Synod Ordinance for the Confirmation of Bishops' Elections (N.S.W.) Assenting Ordinance 1965 applies to and in respect of the confirmation of a person elected in accordance with this Ordinance.

35. Commencement in Office

Where the election of a nominee under this Ordinance –

- (a) is not required to be confirmed under the Provincial Synod Ordinance for the Confirmation of Bishops' Elections (N.S.W.) Assenting Ordinance 1965; or
- (b) is required to be confirmed under that Ordinance and the election of the nominee is certified pursuant to that Ordinance,

the nominee elected shall become the Archbishop of the See of Sydney upon acceptance by him, his consecration (if not then consecrated) and the taking of his seat in the Cathedral Church of the Diocese having made the solemn promises contained in the Second Schedule to this Ordinance and handed a written copy of the declaration to the Registrar.

36. Refusal of or Delay in Confirmation

Where the confirmation of the nominee elected under this Ordinance is required under the Provincial Synod Ordinance for the Confirmation of Bishops' Elections (N.S.W.) Assenting Ordinance 1965 and the election of the nominee is not certified pursuant to that Ordinance, the election of the nominee shall be null and void and proceedings shall be taken under this Ordinance as if the vacancy in the See had occurred at the time of the election becoming null and void.

37. Provision Against Deadlock

Where –

- (a) the election of the nominee has become null and void pursuant to clause 36; and
- (b) the nominee is again elected under the provisions of this Ordinance,

then subject to the election of the nominee being certified pursuant to the Provincial Synod Ordinance for the Confirmation of Bishops' Elections (N.S.W.) Assenting Ordinance 1965, the nominee shall become Archbishop of the See of Sydney upon acceptance by him, consecration (if not then consecrated) and the taking of his seat in the Cathedral Church of the Diocese.

38. Failure of Nominee to Accept Election, etc

If a nominee elected under this Ordinance does not accept the election or is not consecrated or does not take his seat in the Cathedral Church of the Diocese within a reasonable time after the election, as the case may be, then, upon a resolution in that behalf being made by the Synod, or if the Synod is not then in Session, by the Standing Committee, the election shall be null and void and proceedings shall be taken under this Ordinance as if the vacancy in the See had occurred at the time of the election becoming null and void.

39. Failure to Fill Vacancy for Other Cause

Where the vacancy in the See is not filled as a consequence of a cause not provided for in this Ordinance, then, upon a resolution declaring the failure being made by the Synod, or if the Synod is not then in Session, by the Standing Committee, the proceedings under this Ordinance shall be repeated until the vacancy is filled as if the vacancy had occurred immediately before the passing of the resolution.

40. Declaration of Election

When a person has been elected Archbishop of Sydney in accordance with this Ordinance, the President shall cause a declaration of the election to be publicly made in the Cathedral Church of the Diocese during the time of Divine Service on the next Sunday, the terms of the declaration being as follows –

(Title and name of the person elected)

of

has been duly elected Archbishop of this Diocese

and as Archbishop he is also Metropolitan

of the Province of New South Wales.

41. Proceedings after Declaration of Election

As soon as a person is publicly declared to be elected Archbishop in accordance with clause 40, the President, or if the Synod is not then in Session, the Standing Committee, shall take such steps to give effect to the election as the Synod may direct.

Interpretation, Repeals, Saving Provision etc

42. Application of Other Ordinances

(1) The Conduct of the Business of Synod Ordinance 2000, shall, except to the extent of any inconsistency with the provisions of this Ordinance, apply to a meeting of the Synod summoned in accordance with this Ordinance.

(2) To the extent of any inconsistency between the provisions of this Ordinance and the Standing Committee Ordinance 1897, as subsequently amended, with respect to a meeting of the Synod summoned in accordance with this Ordinance, the provisions of this Ordinance shall prevail.

43. Manner of Dealing with Certain Circumstances

Where any circumstance arises in relation to a meeting of the Synod summoned in accordance with this Ordinance for which no provision is made in this Ordinance, that circumstance shall be dealt with in such manner as may be determined by resolution of the Synod, or if the Synod is not then in session, of the Standing Committee.

44. Interpretation

In this Ordinance –

- “Administrative Committee” means the committee constituted under subclause (1) of clause 6;
- “Constitutions” means the Anglican Church of Australia Constitutions Act, 1902, and the Anglican Church of Australia Constitution Act, 1961;
- “Director of Professional Standards” means the person appointed for the time being under clause 101 of the Discipline Ordinance 2006;
- “National Register” means the national register within the meaning of the General Synod – National Register Canon 2007 Adopting Ordinance 2008;
- “nominee” means a person nominated under clause 7;
- “President”, in relation to a meeting of the Synod, means the person presiding at that meeting;
- “Standing Committee” means the Standing Committee of the Synod;
- “Synod” means the Synod of the Diocese of Sydney.

45. Repeals

(1) The Archbishop of Sydney Appointment Ordinance 1962, the Elections Amendment Ordinance 1981 and clauses 5A, 5B, and 5C of the Election Ordinance 1970 are repealed.

(2) A repeal under subclause (1) of this clause shall not affect or invalidate any act, matter or thing done or suffered to be done or any election or appointment made under or by virtue of an Ordinance or provision repealed by subclause (1) of this clause.

The First Schedule

(To be used in the case of 3 nominees)

Archbishop of Sydney Election Ordinance 1982

Ballot Paper

Place the number “1” in the square opposite the name of the nominee for whom you desire to give your first preference and the numbers “2” and “3” in the squares opposite the names of the other nominees in the order of your preference.

(To be used in the case of 2 nominees)

Archbishop of Sydney Election Ordinance 1982

Ballot Paper

Place the number “1” in the square opposite the name of the nominee for whom you desire to give your first preference and the number “2” in the square opposite the name of the other nominee.

The Second Schedule

I firmly and sincerely believe the Holy Scripture to be the Word of God, and assent to the doctrine of the Anglican Church of Australia, an expression of the Catholic and Apostolic Faith which is determined by the teaching of Scripture, confessed in the 39 Articles and given liturgical form in the Book of Common Prayer and in the Ordering of Bishops, Priests and Deacons, and I solemnly promise to teach and uphold the Word of God.

I solemnly promise to conduct only services in the Book of Common Prayer or –

- (a) services authorised by ordinance of the Synod for use in the Diocese, or

(b) other services of public worship which are agreeable to the Word of God and consistent with the doctrine of the Anglican Church of Australia,

pursuant to the General Synod – Canon Concerning Services 1992 Adopting Ordinance 1998.

I solemnly promise that so long as I hold and perform the office of Archbishop of the See of Sydney, I will neither by myself nor by others permit the use of the chasuble or other eucharistic vestment in any church or chapel or other place in the Diocese in which I officiate.

I solemnly promise that so long as I hold and perform the office of Archbishop of the See of Sydney, I will administer and distribute the elements of bread and wine separately in the Holy Communion.

Table of Amendments

Title	Amended by Ordinance No 26, 2009.
Long Title	Amended by Ordinance No 26, 2009.
Clause 1	Amended by Ordinance No 26, 2009.
Clause 2	Amended by Ordinance No 25, 2010.
Clause 3	Amended by Ordinance No 38, 2014.
Clause 5	Amended by Ordinances Nos 26, 2009, 25, 2010 and 41, 2013.
Clause 6A	Inserted by Ordinance No 26, 2009 and amended by Ordinance No 25, 2010.
Clause 7	Amended by Ordinances Nos 41, 1997; 26, 2009; 25, 2010, 35, 2011 and 41, 2013.
Clause 8	Amended by Ordinances Nos 41, 1997 and 26, 2009.
Clause 9	Amended by Ordinance Nos 41, 1997, 14, 2001 and 38, 2014.
Clause 10	Amended by Ordinance No 41, 1997.
Clause 11	Amended by Ordinances Nos 41, 1997 and 26, 2009.
Clause 15	Amended by Ordinances Nos 4, 1993; 41, 1997; 27, 1999 and 26, 2009.
Clause 15A	New clause inserted by Ordinance No 41, 1997.
Clause 16	Amended by Ordinance No 41, 1997.
Clause 16A	New clause inserted by Ordinance No 41, 1997.
Clause 17	Amended by Ordinances Nos 41, 1997, 26, 2009 and 21, 2013.
Clause 22	Amended by Ordinance No 41, 1997.
Clause 23	Amended by Ordinance No 41, 1997.
Clause 24	Amended by Ordinance No 26, 2009.
Clause 25	Amended by Ordinance No 41, 1997.
Clause 27	Amended by Ordinance No 35, 2011.
Clause 31	Amended by Ordinance No 4, 1993.
Clause 33	Amended by Ordinance No 26, 2009.
Clause 33A	Inserted by Ordinance No 26, 2009 and amended by Ordinance No 25, 2010.
Clause 35	Amended by Ordinances Nos 5, 2001 and 35, 2011.
Clause 36	Amended by Ordinance No 5, 2001.
Clause 37	Amended by Ordinance No 5, 2001.
Clause 42	Amended by Ordinance No 5, 2001.
Clause 44	Amended by Ordinance No 26, 2009.
First Schedule	Amended by Ordinances Nos 26, 2009 and 35, 2011.
Second Schedule	Inserted by Ordinance No 35, 2011 and amended by Ordinance No 19, 2013.



Assistant Ministers Ordinance 2017 Amendment Ordinance 2019 45/18 Appointment of assistant ministers and employment of stipendiary lay workers

46/18 Committee to review the Ministry Standards Ordinance 2017 and the Assistant Ministers Ordinance 2017

(A report from the Standing Committee.)

Key Points

- Synod resolutions 45/18(c) and 46/18 request consideration for mechanisms to address failures to comply with the processes in the *Assistant Minister's Ordinance 2017* and to follow proper practices regarding staff management.
- The Standing Committee appointed a subcommittee to consider and bring recommendations in relation to these resolutions.
- The Committee recognises that failures to follow the processes in the AMO and failures in staff management can have significant adverse impacts. There are few existing options to address or remedy such failures, and limited consequences for non-compliant rectors and wardens.
- The Committee proposes the establishment of a Review Panel to consider instances of alleged non-compliance with the processes under the AMO. The Panel for each application will comprise three members drawn from the Synod Pool established by the *Parish Disputes Ordinance 1999*.
- The Panel will produce a report, in respect of an application, which sets out its view on whether there has been any non-compliance with the AMO process, and may make non-binding recommendations.
- The report will be issued to the applicant, the rector and wardens, the regional bishop and the Archbishop. The Archbishop will have the discretion to release the report to other parties, such as the Parish Council.
- The Committee also recommends that all rectors be encouraged to participate in staff management training, that Safe Ministry and Ministry Training & Development provide training on staff management and the ordinances, that consideration be given to providing an option for time-limited licences for assistant ministers, and for the further review of the *Ministry Standards Ordinance 2017*.

Purpose

1. The purpose of this report is to respond to –
 - (a) paragraph (c) of resolution 45/18 regarding appropriate measures for dealing with failures to comply with due process under the *Assistant Ministers Ordinance 2017* (the **AMO**); and
 - (b) Synod resolution 46/18 regarding failures to follow proper practices in respect of staff management more generally.

Introduction

2. The committee appointed by Standing Committee to respond to the above Synod resolutions (the **Committee**) acknowledges that the expectation in paragraph (c) of resolution 45/18 was for Standing Committee to enact any changes required to the AMO to deal with non-compliance with due process. However, the view of both the Committee and Standing Committee is that the proposed changes to the AMO are sufficiently significant as to require consideration and approval by Synod.

3. To avoid confusion and to appropriately distinguish between types of assistant minister, this report will use the term 'Assistant Minister' (**AM**) to refer to a member of the clergy licensed to the office of Assistant Minister or Senior Assistant Minister. The terms and conditions of the AMO do not apply to a 'Lay Minister' employed as a member of staff in a parish and holding an authority under the *Authorisation of Lay Ministry Ordinance 2015*. Lay Ministers are employees under the *Fair Work Act 2009* (Cth) (the **FWA**).

Recommendations

4. Synod receive this report.
5. Synod pass the Bill for the Assistant Ministers Ordinance 2017 Amendment Ordinance 2019.
6. Synod consider the following motion to be moved at the forthcoming session of Synod, "by request of the Standing Committee" –

'Synod –

- (a) notes that while many rectors have participated in staff management training, the majority have not;
- (b) encourages rectors who have not already done so, to participate in staff management training as a matter of urgency;
- (c) requests the Safe Ministry Board, regularly include items relating to staff management in the content for the mandated triennial Faithfulness in Ministry training, noting that the 2020 Faithfulness in Ministry training will focus on staff management, and bullying in particular;
- (d) requests Ministry Training and Development to include appropriate training on the Ordinances relevant to Assistant Ministers as part of the post-ordination Ministry Development program for deacons;
- (e) recommends to the Archbishop that licences for Assistant Ministers, issued at the request of a rector, have an option for a specified term, with the minimum term being two years; and
- (f) requests the Ministry Standards Ordinance Review Committee to further review the Ministry Standards Ordinance 2017, particularly as it pertains to accusations of bullying, to ensure that rector development or other measures are recommended prior to more serious action.'

Background

7. At its 2nd Ordinary Session on 23 October 2018, Synod passed resolution 45/18. The resolution addressed specific concerns as to the processes for the appointment, management and termination of church ministry staff, particularly AMs.
8. Relevantly, paragraph (c) of resolution 45/18 requested that Standing Committee –

"give further consideration regarding options for mechanisms for appropriate consequences when there is a failure in the termination of an Assistant Minister to follow due process specified under the Assistant Ministers Ordinance 2017, to enact such changes by amending the ordinance if thought appropriate, and to report back to the next session of Synod."
9. The same session of Synod also passed resolution 46/18 in the following terms –

"Synod, in light of the recommendation at point 4 of the Explanatory Report on the Ministry Standards Ordinance 2017 Amendment Ordinance 2018, requests the Standing Committee to appoint a committee to consider if further mechanisms are required to deal with issues of failure to follow proper practices with regard to staff management, and make any appropriate recommendations."

10. At its meeting on 12 November 2018, the Standing Committee appointed the Committee to address paragraph (c) of resolution 45/18 and the request of resolution 46/18. The Committee comprises Bishop Chris Edwards (Chair), the Rev Anthony Douglas, the Rev Dr Raj Gupta, Ms Yvette McDonald, Mr Mark Streeter, the Rev Malcolm York, the Rev Susan An (as the representative appointed by Archdeacon Kara Hartley) and Ms Susan Duc (Diocesan Legal Counsel).
11. Another committee was appointed to assist the Standing Committee to consider paragraph (f) of resolution 45/18, regarding the provision of appropriate human resources expertise to support bishops, rectors, wardens and church staff.
12. The Committee met five times, on 16 April 2019, 7 May 2019, 11 June 2019, 9 July 2019, and 2 August 2019.

Context

13. Synod passed resolution 45/18 following its consideration of 'Supplementary Report 22/17 Appointment of Assistant Ministers and Stipendiary Lay Workers'. The report outlined a range of matters pertaining to the appointment of AMs and stipendiary lay workers, including recruitment, appointment, performance management, dispute resolution and termination.
14. The subsequent passing of resolution 46/18 reflects Synod's broader concern to address failures of proper practice in staff management within parishes, which occur not just in relation to termination but also during the course of ministry relationships.
15. As a starting point, the Committee considered the complexity of ministry relationships, including –
 - (a) the power imbalances that exist, most relevantly between rectors and AMs which give rise to certain vulnerabilities for AMs in their role;¹
 - (b) the non-intuitive lines of authority in AM positions, which see such ministers paid by wardens but managed by rectors;
 - (c) the difficulties that can arise when there are differing expectations around roles and the length of the appointment of an AM;
 - (d) the difficulties that can arise as the needs of a parish change, combined with the reality of limited resources;
 - (e) the need to constantly develop ministry staff, rectors and AMs;
 - (f) the reality that many rectors lack training in staff management skills;
 - (g) the existence of a range of different ordinances, policies and guidelines, as well as the received wisdom that relate to ministry staffing within the Diocese; and
 - (h) the challenge of applying biblical ethics evenly across hundreds of parochial units, each with its particular needs and unique characteristics.
16. The challenges associated with ministry relationships, particularly in relation to rectors and their AMs, are becoming more well-known. For example, the Committee has received correspondence from the Gospel Workers' Advocacy Group (**GWAG**), a voluntary association that represents a group of AMs and other gospel workers. In its letter to the Committee, the GWAG expressed concerns regarding what it perceived to be the lack of options and support available to AMs who have been allegedly mistreated by rectors.

Scope of work

17. Resolution 45.18(c) explicitly relates to the termination process under the AMO, which applies only to AMs.
18. This report primarily considers options to deal with failures by a rector and/or wardens to comply with the due process requirements of the AMO in implementing the termination of the appointment of an AM.

¹ See paragraphs 19-22 of Supplementary Report 22/17.

19. The classification of AMs as officeholders means that the protections afforded to Lay Ministers, who are employees under the FWA, regarding any termination of their employment, do not also apply to AMs.² This report seeks to consider avenues of recourse for an AM where the termination of their appointment has not been properly effected under the AMO.
20. As noted above, resolution 46/18 has a broad scope. There is a range of people who may be adversely impacted when the appointment of an AM is terminated, such as the family of the AM, other members of the relevant parish ministry team, the wardens and the congregation(s) of the parish. The Committee envisages that its recommendations will provide benefits, not only to AMs, but also to this wider range of people.

Due process requirements for termination under the AMO

21. The AMO sets out the process which must be undertaken in order to terminate the appointment of an AM. Specifically, the AMO requires that –
 - (a) the AM be given notice of termination, paid their stipend and provided with any other benefit or allowance to which they are entitled (clause 3(1)(b)); and
 - (b) the period of notice be no less than 3 months unless otherwise agreed between the AM, rector and wardens (clauses 3(2), 3(2A)).³
22. The AMO stipulates that certain steps must be taken prior to issuing the notice of termination to the AM –
 - (a) the regional bishop must be notified of the proposal to issue the notice (clause 3(3)(a));
 - (b) the notice must be given for a prescribed reason, being unsatisfactory performance or capacity, lack of funding (as determined by the parish council), or other reasons determined by the rector due to the parish's ministry needs (clause 3(3)(b));
 - (c) the AM has been given a written statement of the particulars of the prescribed reason, and has had a reasonable period to respond in writing to the statement (clauses (3)(3)(c)-(d));
 - (d) the rector and wardens have considered any response given by the AM within the period (clause 3(3)(e)); and
 - (e) the rector and warden have given due regard to any guidelines issued by the Archbishop-in-Council in relation to the AMO (clause (3)(3)(f)).
23. Both the written statement issued to the AM setting out the particulars of the reason for termination (see paragraph 22(c)) and the record of the rector and wardens' consideration of the AM's response to the written statement (see paragraph 22(d)) must be lodged by the rector with the Registrar (clause 5).
24. Further, the rector must consult the regional bishop regarding any public announcements or the communication of any termination of the AM before making any communication to the parish about the termination (clause 4).
25. Anecdotally, failures to follow the set procedures of the AMO occur for a variety of reasons, including a lack of awareness of the requirements stipulated by the relevant diocesan ordinances, policies and guidelines, a lack of the necessary skills, a lack of will, or even ungodliness. Examples include failure to give the requisite period of notice, or to provide reasons for the termination. In other cases, the AM has had no opportunity to provide a response to the reasons for termination, or to discuss any performance issues prior to receiving the termination notice.
26. While the Committee recognises that a failure by any party to adhere to the requirements of an ordinance means the ordinance has not been effected, it does little to change the personal circumstances of someone who has been told they have lost their ministry position.
27. The Committee understands that there have been occasions where regional bishops have not been engaged by rectors in the termination process, notwithstanding the AMO's requirement that the bishop be notified prior to the issuance of the notice and prior to any communication of the termination to the parish (clauses 3(3)(a), 4). Again, if a bishop only becomes aware of the termination after the fact, it is difficult to provide assistance or help to resolve the underlying issues.

² See paragraph 17 of Supplementary Report 22/17.

³ Clauses 2(b)(ii) and (iii) of the AMO provide that a senior assistant minister may have a notice period of up to 9 months, or such other period of notice if agreed between the senior assistant minister, and the Archbishop, the rector and the parish council.

Consequences for failure to comply with due process requirements

Current environment

28. A failure to follow the procedures in the AMO can cause significant pain for all the parties involved, especially to the AM and their family.
29. Currently, there are few options that would remedy a failure to comply with the AMO. Relatedly, there are few consequences for rectors and wardens who have failed to comply with the AMO procedures.
30. In certain circumstances, an AM can make a complaint against the rector and/or warden(s) under the *Ministry Standards Ordinance 2017* (the **MSO**). The possible outcomes, however, can be severe.
31. Further, in making a complaint against a rector or warden, the AM could risk damaging not only their own reputation, but that of the rector, the wardens, or the parish in relation to the wider diocese and the local community. The desire of any of the parties involved to maintain confidentiality in relation to the termination of the AM's appointment can increase this risk when silence gives rise to gossip and speculative or presumed imputations, compounding the adverse impacts on the AM.
32. The Committee received testimony that the "high stakes" nature of making a complaint under the MSO was itself a barrier to complaints being made, which further limits the AM's options for recourse. In the event that a complaint is made, the lodging of the complaint itself prevents the kind of reconciliation that is desired.
33. Likewise, some rectors have reported that the MSO process can prevent them from pursuing reconciliation, particularly when the process itself prohibits conversations with the AM about the matters at hand. Whilst the MSO process is appropriate for serious offences, it would be prudent to develop alternatives that assist in resolving cases where there has not been wilful or deliberate disregard of process, but which has arisen from a lack of awareness or the appropriate skills, with a view to encouraging development, reconciliation and vindication.
34. A systematic approach could deal with these issues effectively. As such, this report contains a range of recommendations which provide for intervention at different points in the termination process. The aim is to avert the breakdown of staff relationships, to prevent the escalation of tensions, and to work towards a just resolution. It is hoped they will also address perceived inadequacies in the current system. However, the Committee acknowledges that no set of procedures can ever fully deal with the diversity of cases that may arise.

Ministry Standards Ordinance and reconciliation of relationships

35. In 2017, the MSO was introduced to establish a complaints process that examined the fitness of church workers, including rectors and wardens, for their office. The MSO is understood to be the only option available to deal with alleged non-compliance with the AMO process when the Grievance Policy⁴ does not assist to resolve disputes or to deliver satisfactory outcomes. This can occur when one or more of the participants do not engage with the processes available under the Grievance Policy.
36. Following the Grievance Policy can be helpful in circumstances where participants engage in good faith and are committed to the restoration of their relationship. Reconciliation is a gospel imperative that ought to be encouraged. Indeed, in a number of cases considered, the desire of the parties was for reconciliation. This should be encouraged and pursued, even if it is difficult.
37. The MSO option is appropriate when there are repeated, serious failures of process or where there is evidence of behaviour by a rector or warden that appears inconsistent with their holding office or carrying out the responsibilities attached to their office. However, it is important that these circumstances are distinguished from those arising from a lack of awareness, or where training and development is likely to prevent a recurrence. Occasions where the requirements of the AMO are not met due to a lack of awareness should not be overlooked but would not, in the Committee's view, constitute the kind of misconduct addressed under the MSO.

⁴ Otherwise known as the 'Diocesan policy for dealing with allegations of unacceptable behaviour'.

38. The existing definition of 'misconduct' in the MSO can accommodate serious or repeated failures to comply with the requirements of the AMO.⁵ This means that if an AM's complaint against a rector or warden is substantiated, the Professional Standards Committee may make recommendations which could include, for example, an apology, and instruction to undertake training, and, potentially, a recommendation for the removal of the rector's licence.
39. In addition, the Committee notes that wardens can have a significant impact on the experience of an AM in a parish, and particularly when serious difficulties arise. This is reflected in the wardens' role in the AMO, whose concurrence is required for the rector's decision to terminate the appointment of an AM to take effect.⁶
40. The Committee is aware that there are wardens, as well as rectors, who fail to comply with the AMO's due process requirements and proper staff management practices in dealing with AMs (although such cases are less common). The Committee considers that the proper mechanism for dealing with serious cases of warden misconduct is to seek the warden's removal from office, and if necessary, through the MSO. The Committee notes the honorary nature and limited term of the warden's office, as well as the rector's primary responsibility in any staff management process.

Other measures to address due process failures and poor management practices

Training for Assistant Ministers

41. As noted above, there are cultural and reputational factors which may influence an AM's decision not to utilise the MSO mechanism. Lack of awareness regarding the availability and purpose of the MSO may also be a factor, as AMs are provided little training on ordinances, including the AMO and MSO.
42. Given this, the Committee considers that more work is required to educate AMs regarding the policies and ordinances of the Diocese, their processes, as well as their mechanisms and especially the Grievance Policy, the AMO and the MSO as these have significant relevance to their roles and may be possible avenues of recourse against rectors and wardens for failures of process or staff management practice.
43. It should also be understood that, in our church polity, AMs are not tenured in the same way as rectors. However, the Committee recognises that the right of a rector and the wardens in a parish to terminate the appointment of an AM must be balanced with:
- (a) the reality of the significant commitment that an AM is expected to make in accepting an appointment, including relocating their home and family to be part of the local parish community; and
 - (b) the AM's particular interest in having fair access to reasonable timeframes with regard to the circumstances to seek out a new appointment and relocate in the event of the termination of their appointment.
- Other important considerations include the changing and emerging development needs, parish needs and family needs.
44. The Committee considers that AMs should be provided with training to understand staff management practices and their own development, to equip them with skills in "managing up", and to navigate the ordinance framework and administration of the Diocese. Such training will facilitate more informed interactions with rectors and wardens in all matters, including the difficult termination process (if necessary).
45. Accordingly, Ministry Training & Development (**MT&D**) should be requested to provide such training as part of the Ministry Development program, which is compulsory for all new AMs in the first three

⁵ This will depend on the circumstances of each case. In addition, the Committee considered whether the definition of 'misconduct' in the MSO should be amended to explicitly identify non-compliance with the AMO as grounds for misconduct. However, the Committee's view was that this specific identification of the AMO may have the serious but unintended consequence of creating ambiguity as to the application of the MSO in relation to non-compliance with other ordinances.

⁶ See clause 3(1)(b) of the AMO.

years following completion of their studies at Moore College. It may also be possible to invite the Centre for Ministry Development (**CMD**) to provide workshops for AMs.

Guidelines for development and training of rectors

46. As both the MSO and AMO were introduced in 2017, the requirements of the AMO and MSO are relatively new and potentially unfamiliar. In addition, with the relatively recent move from more traditional parish structures to staff teams with specialisation, leaders may not necessarily be equipped with the proper skills in staff leadership and management to respond to the changes introduced with the two ordinances.
47. It is likely that a reasonable portion of the occurrences of non-compliance with the AMO's due process requirements may be attributed to a lack of awareness by rectors and wardens of those requirements. This can be compounded by a lack of management experience in dealing with both ordinary and more challenging staff issues. These issues can include the stresses associated with recruitment, the ongoing development of staff, and the very significant burdens and time pressures on rectors for general ministry and strategic leadership. Such demands are in addition to a range of compliance issues which go well beyond matters associated with conflict or issues around termination. Proper management practices are likely to create aligned expectations, and identify and resolve many of the issues which arise in ministry relationships before they become more serious.
48. At the same time, the Committee is aware that there is a spectrum of reasons for non-compliance with the due process requirements of the AMO and proper staff management practices. These range from lacking knowledge or skills and inadvertent breaches, through to a lack of will or desire to comply with the prescribed obligations, or with appropriate management practices. The issues are complex, and often underlying them are differing expectations.
49. There are training programs which could be used to improve staff management practice within ministry staff teams, such as the CMD's two-day "Leading Staff" workshop. In addition, MT&D runs a more abbreviated half day workshop for conducting staff reviews. It is estimated that, by the end of 2019, 66 rectors will have completed the CMD workshop, and 14 rectors will have completed the MT&D workshop. Given the significance of the issues in this area the Committee recommends that all rectors who have not participated in these courses (or an equivalent) do so as a matter of urgency.

Guidelines for development and training of rectors

50. Rectors and AMs (and Lay Ministers for that matter) can avoid much of the difficulty in this key area by adopting a mindset of continuous development. The Committee recommends ministry staff teams supplement the formal diocesan staff management training (such as those mentioned above) with less formal ongoing development aids such as regular team discussions on the topic, having team discussions with the regional bishop, arranging coaching and mentoring for the ministry staff, reading relevant books and guides, and taking up other training opportunities.
51. To increase the current level of awareness and implementation around best practice staffing practices, as well as awareness of the current ordinance framework, the Committee requests that Safe Ministry incorporate a component on staff management training into the mandated Faithfulness in Ministry training that occurs every three years. This may be supplemented with brochures and instructional videos to train rectors and wardens regarding the AMO procedures.
52. The Committee notes with thanks that Safe Ministry is currently planning for the Faithfulness in Ministry training for 2020 to focus on bullying and staff management (including staff review processes).

Review of AMO termination process

53. The MSO could be described as a "blunt instrument" which reflects the fact that it exists to deal with matters which go to the fitness of church workers to hold office or responsibilities attached to that office. It responds to serious allegations and envisages serious consequences, such as the removal of a church worker from their office.

54. However, the MSO was not written to address instances of non-compliance which happen because of a lack of awareness or skill. In addition, to date the MSO has been relatively ineffective in facilitating the reconciliation of aggrieved parties.
55. Therefore a review mechanism should be established to deal with instances of alleged non-compliance with the process requirements of the AMO, along with a Review Panel for this purpose.
56. It is proposed that the review mechanism will operate as follows –
- (a) once notice has been given to the AM which purports to terminate their appointment (including a written notice of termination under clause 3(1)(b) of the AMO), an application may be made by the AM for a review of the process of termination under the AMO;
 - (b) the review will be undertaken by a Review Panel (**Panel**) comprising three members chosen from the Synod Pool (as established by the *Parish Disputes Ordinance 1999*), by each of the AM, rector and regional bishop;
 - (c) an application for review must be made within 6 months after issuance of the termination notice referred to in paragraph 56(a), although the Panel may accept an application made outside this period in exceptional circumstances;
 - (d) the application must be made in the prescribed form, and the rector and/or wardens must respond to the application in the prescribed form no more than 3 weeks after receipt of the application for review (the standard form of application and response to be completed by the parties);
 - (e) the Panel will investigate the termination for compliance with the process mandated in the AMO, for example, if there was a failure to notify the regional bishop about the proposal to issue the termination notice (as required under clause 3(3)(a));
 - (f) the Panel will, in general, decide the application on the papers, but will have the power to inform itself of the relevant facts in whatever way it considers appropriate, will not be bound by legal formalities and the parties will not be represented by lawyers or any other persons (subject to the Panel's discretion otherwise);
 - (g) the Panel cannot consider the substantive reasons for the particular termination (for example, if the reason given for termination was "unsatisfactory conduct" under clause (3)(b)(i) of the AMO, the Panel cannot consider whether there was any unsatisfactory conduct and if such conduct warranted termination);
 - (h) the Panel's consideration will be limited to forming a view regarding compliance or non-compliance with the due process requirements of the AMO, and the nature of any non-compliance;
 - (i) the Panel will set out in a report, its view on whether there has been any non-compliance with such due process, and may make non-binding recommendations in relation to the matter, including any appropriate compensation or recourse; and
 - (j) the Panel will issue the report to the applicant, the rector and the wardens, regional bishop and Archbishop; while it will be in the Archbishop's discretion to release the report to other parties, for example, the Parish Council or the AM's prospective or current rector (not being the rector who is the other party to the application).
57. There would be merit in notices of termination referring to the availability of this review mechanism so AMs are informed of their right of a review under the AMO.
58. Statutory periods of notice for termination, as well as the 21-day window for unfair dismissal claims under the FWA, were taken into consideration in recommending a time limit of 6 months for the making of an application for review. Given reinstatement is unlikely in a parish context, a longer timeframe for applications is appropriate. Typical a three-month notice period is given to AMs, during which they are normally expected to work, and potentially relocate their home and family. An additional three-month window is appropriate, as it would provide time for prayer and reflection following termination, while not being unduly onerous so that the parties could be satisfied that the matter was at an end.
59. In relation to remedies, reinstatement is unlikely to be a workable or desirable remedy in the event of the termination of an AM, given the nature of ministry work and the typically small size of ministry teams.

60. The Panel process has the advantage of providing development opportunities for all parties, and introduces the possibility of compensation, vindication, discipline and even reconciliation without the “blunt instrument” of the MSO mechanism.

Misalignment of expectations regarding length of appointment

61. Anecdotal evidence suggests that one contributing factor to relationship breakdowns between rectors and AMs is the misalignment of expectations between them regarding the “permanence” of the AM’s appointment to a parish.
62. AMs are not tenured in the same way as rectors. This fact is reflected in the AMO, which sets out the mechanism to be followed for the rector (with the wardens’ concurrence) to terminate an AM’s appointment. Nonetheless, there have been instances where an AM has been surprised by a rector’s decision to terminate their appointment, because, they have assumed a longer period of appointment.
63. Historically, it was once the practice of Archbishops to license AMs to appointments (curacies) for a period of two years. Licences were issued to that effect. More recently, with the move to team ministry, the introduction of the permanent diaconate, and the whole-of-life nature of Christian ministry, AM appointments have become more open-ended.
64. The Committee has formed the view that these developments have contributed to a mismatch of expectations which have likely added to some of the difficulties that have arisen in ministry relationships between rectors and AMs, and in the termination process.
65. While recruitment training (such as that provided in some of the courses referred to above) will assist, the Committee also recommends for new appointments of an AM, that a rector consider making a request that the licence for the AM be time-limited, for a minimum of two years. Licences can be renewed and extended if mutually agreed. However, the mechanism itself introduces a healthy discussion of such a review. This rightly assumes a higher level of trust and maturity within the relational dynamic between the rector and AM, which is essential in the increasingly challenging work of parish ministry.
66. If the option was taken to specify an expiry date of a licence, the Registrar would advise the AM and the rector of the impending expiry date at least six months before the expiry of the licence, with the request that the rector indicate whether he will seek a renewal at least three months before the expiry of the licence.

Bullying and rector development

67. The Committee understands that bullying accusations against rectors have become more common and notes the significant overlap between bullying concerns with the issues addressed in this report – namely, the lack of relevant and current staff management skills.
68. The “blunt instrument” of the MSO is currently the only mechanism to deal with such issues. In the same way that the recommendations contained in this report seek to increase the opportunities for the development of rectors in staff management, the Committee believes that the same approach should be adopted with regard to allegations of bullying against rectors. It is important to distinguish between a “lack of skill” and a “lack of will”, particularly when generations can have such varied expectation and work ethics.
69. Accordingly, the Committee recommends that the MSO should be reviewed, particularly as it pertains to accusations of bullying, to ensure that rector development or other measures are recommended prior to more serious action.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

29 August 2019

Assistant Ministers Ordinance 2017 Amendment Ordinance 2019

No. _____, 2019

Long Title

An Ordinance to amend the *Assistant Ministers Ordinance 2017* to provide for review of the process undertaken to terminate the appointment of an assistant minister or a senior assistant minister.

The Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Assistant Ministers Ordinance 2017 Amendment Ordinance 2019.

2. Amendments

5 The *Assistant Ministers Ordinance 2017* is amended by –

(a) inserting the following new definitions in clause 2(1) in alphabetical order –

“Review Panel” or “Panel” means the body of that name constituted under clause 3B; and

10 “Synod Pool” means the group of twelve clergy, at least nine of whom are to be incumbents (elected by the clerical members of Synod), and twelve laypersons (elected by the lay members of Synod), as provided for in clause 3 of the *Parish Disputes Ordinance 1999*.’

(b) substituting the words “the minister” in paragraph (b) of the definition of “senior assistant minister” in clause 2(1) with the words “the rector”;

15 (c) removing the matter “clause 7” in clause 3(3)(f) and inserting instead the matter “clause 9”;

(d) inserting the following new clauses after clause 3 –

“3A. Application for review

20 (1) After receiving a notice under clause 3(1)(b), an assistant minister or senior assistant minister may apply to the Review Panel for a review of the termination for compliance with the procedural requirements of the Ordinance.

(2) The application must be made:

(a) within 6 months after receiving the notice; or

25 (b) within such further period as the Panel allows in exceptional circumstances, having regard to any reasons for the delay and any other matter as the Panel sees fit.

(3) The application must be made in the approved form prescribed by the Standing Committee from time to time.

(4) The Panel must, as soon as reasonably practicable, provide a copy of the application to the rector and wardens.

30 (5) The rector and/or wardens may provide a response to the application:

(a) no more than 3 weeks after receipt of the application; or

(b) within such further period as the Panel allows in exceptional circumstances, having regard to any reasons for the delay and any other matter as a Panel sees fit.

35 (6) The response must be made in the approved form prescribed by the Standing Committee from time to time.

3B. Review Panel

(1) There shall be a Review Panel comprising three persons constituted and appointed in accordance with this clause 3B.

40 (2) The function of the Panel is to enquire into and determine applications made under clause 3A regarding compliance by the rector and/or wardens with the procedural requirements of this Ordinance for the termination of an assistant minister or senior assistant minister.

(3) The Panel cannot consider the substantive reasons for the termination.

(4) Subject to this Ordinance and the relevant rules, the Panel may exercise any powers necessary for its function in clause 3B(2).

(5) The members of the Panel in relation to a particular application shall be appointed from the Synod Pool, with one person nominated by each of the regional bishop, the applicant and the rector (after he has consulted the wardens).

(6) The member of the Panel nominated by the regional bishop is the convenor of the meetings of the Panel.

(7) If –

(a) the rector fails to nominate a member from the Synod Pool within 7 days of being asked by the regional bishop to do so (or such further time period allowed by the regional bishop); or

(b) the applicant fails to nominate a member from the Synod Pool within 14 days of being asked by the regional bishop to do so (or such further time period allowed by the regional bishop),

then the person's right of nomination shall lapse and the regional bishop is to appoint a member or members from the Synod Pool to achieve the quorum of three persons.

(8) A parishioner of a church in the parish to which the application relates is not eligible to be a member of the Panel.

3C. Process review

(1) In undertaking its function pursuant to clause 3B(2), the Review Panel –

(a) must, to the extent possible, consider the application on the papers;

(b) may convene meetings with any or all parties, and invite witnesses;

(c) is not required to keep minutes, but may keep a record of meetings held and outcomes of those meetings;

(d) has a quorum comprising three members of the Synod Pool, one of whom is the convenor;

(e) may make orders as to the conduct of any meeting as it deems appropriate;

(f) makes its decisions by simple majority;

(g) must observe the rules of procedural fairness;

(h) may seek such advice as it sees fit and may invite any persons to meet with the Panel; and

(i) may use parish property, other than the rectory, for meetings as required.

(2) Once it has completed its review of the application, the Panel shall produce a written report which sets out –

(a) its view regarding compliance by the rector and wardens with the procedural requirements of the Ordinance for the termination of the appointment of the applicant, including any particulars of the nature and extent of any non-compliance;

(b) any non-binding recommendations it has regarding the application.

(3) The report referred to in clause 3C(2) must be provided to the applicant, the rector and wardens of the relevant parish, the regional bishop, and the Archbishop.

3D. Outcomes

(1) The Review Panel may make any or all of the following recommendations –

(a) to the rector, that he take certain actions;

(b) to any member of the parish, including the wardens, the parish council, or certain members of the parish council or congregation, that they take certain actions;

- (c) to the regional bishop, that the rector or the warden(s) or the applicant should be provided with certain training, leave or respite, and at whose cost; and
- (d) any other corrections, actions, rebuke, decisions or directions deemed appropriate.

(2) The Panel shall not make any recommendation under clause 3D(1)(d) unless it has –

- (a) given any person who will be required to act under the recommendation at least 14 days' written notice of the proposed recommendation and the reason(s) for the recommendation; and
- (b) given due consideration to any response provided by that person.

3E. Miscellaneous

(1) A person who voluntarily participates in proceedings with the Review Panel under this Ordinance agrees that he or she will not sue in defamation in respect of anything said or done in such proceedings.

(2) The Anglican Church Property Trust Diocese of Sydney must use its best endeavours to insure members of the Panel against liability for anything reasonably done in the carrying out of this Ordinance. The cost of such insurance is to be borne by the parishes generally.

(3) The members of the Panel who act reasonably in the discharge of their responsibility under this Ordinance are entitled to be indemnified against all liability they may have incurred whilst so acting to the extent that indemnity is not covered under a policy of insurance. The cost of such indemnity including the reasonable legal costs of such member is to be borne by the parishes generally.

(4) Subject to this Ordinance, any report of the Panel, and all communications whether written or oral that occur during the procedures under this ordinance must be treated as confidential by all persons involved, except to the extent that disclosure is consistent with the purposes for which the Panel has provided the report or is required by law.”

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

Chair of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 2019.

Secretary

I Assent to this Ordinance.

Archbishop of Sydney

/ /2019

Assistant Ministers Ordinance 2017

(Reprinted under the Interpretation Ordinance 1985.)

The Assistant Ministers Ordinance 2017 as amended by the Assistant Ministers Ordinance 2017 Amendment Ordinance 2018.

Table of Provisions

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2 Definition of terms
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Long Title

An Ordinance to provide terms for the appointment of deacons and presbyters to assist rectors of parishes.

Preamble

Whereas it is expedient to make further provision for the terms of appointment of deacons and presbyters appointed to assist rectors of parishes.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Assistant Ministers Ordinance 2017.

2. Definition of terms

(1) In this Ordinance -

“assistant minister” means a deacon or presbyter licensed by the Archbishop to the office of assistant minister in a parish and does not include a senior assistant minister;

“senior assistant minister” means:

(a) a deacon or presbyter who has served:

(i) as an assistant minister in the Diocese; or

(ii) in an equivalent office in another Diocese,

for a period of at least 4 years or periods, which in aggregate total at least 4 years, and who is licensed by the Archbishop, at the request of the rector and the parish council of the parish, to the office of senior assistant minister in the parish; or

(b) a presbyter who has served:

(i) as a rector in the Diocese; or

(ii) in an equivalent office in another Diocese,

who is licensed by the Archbishop, at the request of the minister and the parish council of the parish, to the office of senior assistant minister in the parish.

(2) Any terms appearing in the Schedule to the Interpretation Ordinance 1985 are defined by reference to the meaning set out in that Ordinance.

3. Term of Appointment

(1) An assistant minister or a senior assistant minister holds office subject to:

(a) the terms of his or her licence; and

- (b) where the assistant minister or the senior assistant minister is paid a stipend or is entitled to any other benefit or allowance, written notice of the termination of the appointment and the payment of such stipend and provision of such entitlement given by the rector with the concurrence of the wardens of the principal or only church of the parish in which the assistant minister or senior assistant minister holds office.
- (2) For the purposes of clause 3(1)(b), notice is due notice if:
- (a) in the case of an assistant minister, the period of notice is at least 3 months; and
 - (b) in the case of a senior assistant minister, the period of notice is the longest of:
 - (i) 3 months; or
 - (ii) the period of notice, to a maximum period of 9 months, calculated at the rate of one month's notice for each year (or part thereof) of continuous service as assistant minister or senior assistant minister, or both, in that parish; or
 - (iii) such other period of notice, if any, which, at the time the senior assistant minister was licensed as senior assistant minister, was agreed for the purposes of this clause between the senior assistant minister and -
 - (A) the Archbishop; and
 - (B) the rector of the parish; and
 - (C) the parish council.
- (2A) Notwithstanding subclause (2), the assistant minister or senior assistant minister may choose to waive some of the period of notice and leave their office earlier, provided that they give written notice to the rector and wardens, and the rector and wardens agree to the earlier date in writing.
- (3) Notice must not be given under clause 3(1)(b), unless:
- (a) the regional bishop of the region within which the parish is situated has been notified of the proposal to issue the notice; and
 - (b) the notice is proposed to be given due to -
 - (i) unsatisfactory conduct, performance or capacity on the part of the assistant minister or senior assistant minister;
 - (ii) the parish council determining that the office held by the assistant minister or senior assistant minister will no longer be funded; or
 - (iii) other reasons determined by the rector having regard to the ministry needs of the parish; and
 - (c) the assistant minister or senior assistant minister has been given a written statement containing -
 - (i) particulars of the grounds or reasons under clause 3(3)(b), and
 - (ii) in the case of unsatisfactory conduct, performance or capacity that is not serious misconduct: a warning that a notice may be issued under clause 3(1)(b) if the relevant conduct is not addressed; and
 - (d) the assistant minister or senior assistant minister has been given a reasonable period in which to provide a written response to the statement of particulars; and
 - (e) the rector and wardens have considered any response given by or on behalf of the assistant minister or senior assistant minister within the period; and
 - (f) the rector and wardens have given due regard to any guidelines issued by the Archbishop-in-Council under clause 7.

4. Notification to Parish

If the appointment of an assistant minister or a senior assistant minister of a Parish has been terminated in accordance with clause 3, the Rector of the Parish must consult the Regional Bishop of the region within which the Parish is situated about the communication of the termination before making any communication to the Parish about the said termination.

5. Lodgement of material with the Registrar

Any written statement issued under clause 3(3)(c), any response given under clause 3(3)(d) and any record of the consideration specified in clause 3(3)(e) must be lodged with the Registrar of the Diocese.

6. Undertaking by rector

Nothing in this Ordinance prevents the Archbishop from requiring an undertaking of the rector whom the assistant minister or senior assistant minister will assist concerning the work to be undertaken by the

assistant minister or the senior assistant minister, as the case may be, or any other matter relating to the office to be exercised by the assistant minister or the senior assistant minister, as the case may be.

7. Vacancy in office of rector and appointment of new rector

Subject to clause 3, the term of office of an assistant minister or a senior assistant minister does not cease by reason of a vacancy occurring in the office of rector of the parish or upon a new rector being appointed to the parish and, in accepting an appointment to the parish, the new rector is taken to have:

- (a) adopted any obligation on the part of a former rector of the parish expressed in the assistant minister's or senior assistant minister's licence as if the new rector was named in the licence as the person subject to that obligation; and
- (b) adopted any agreement in relation to the office of the assistant minister or senior assistant minister made between the former rector and the assistant minister or senior assistant minister with the approval of:
 - (i) the Archbishop; and
 - (ii) the parish council.

8. Housing Arrangements

If the Parish requires an assistant minister or a senior assistant minister to live in a certain location, the housing arrangements must be approved as suitable by the Archbishop.

9. Guidelines

The Archbishop-in-Council may issue guidelines with respect to the termination of appointments under this Ordinance.

10. Commencement, repeal and transitional

- (1) Except for this clause, this Ordinance commences on 1 January 2018.
- (2) The *Assistant Ministers Ordinance 1990* is repealed on 1 January 2018.
- (3) Notwithstanding subclause (2) and subject to subclause (4), an assistant minister or a senior assistant minister will cease to hold office in accordance with the provisions of the *Assistant Ministers Ordinance 1990* as if that Ordinance had not been repealed if, before 1 January 2018:
 - (a) a valid notice was issued under clause 3(1) of the *Assistant Ministers Ordinance 1990*, or
 - (b) a new rector was licensed to the same parish to which the assistant minister was also licensed at the time and 90 days have not elapsed since the licence was issued to the rector.
- (4) For the purposes of subclause (3), "office" means the office of assistant minister or senior assistant minister in a parish that was held by the member of clergy on 1 January 2018.

Table of Amendments

Clause 3	Amended by Ordinance No 42, 2018.
Clause 4	Amended by Ordinance No 42, 2018.
Clause 8	Amended by Ordinance No 42, 2018.



Synod Standing Orders

Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2019

40/18 Synod business rules concerning moving amendments to motions

(A report of the Standing Committee.)

Key Points

- A number of substantial changes are proposed to the Synod business rules to increase the efficient use of Synod time. Notably –
 - Allowing procedural motions to be taken on the callover
 - Requiring questions on day 1 to be submitted 7 days prior to Synod, allowing them to be tabled on day 1 (rather than notice being given of each individually)
 - Providing rules for presentations, requiring that usually they be less than ten minutes and held prior to the dinner break
 - Introducing standard expedited timing and processes which Synod may adopt to speed up consideration of matters, in order to allow more time for core Synod business
 - Removal of the 'introduction' stage when considering ordinances.
- A number of confusing or previously controversial rules are addressed –
 - Alternative approaches to the procedural motion "that the motion not be put"
 - Allowing a member to speak in the debate on a principal motion and move amendments in the same matter.

Purpose

1. The purpose of this report is to provide recommendations in response to Synod resolution 40/18 regarding changes to Synod business rules.

Recommendations

2. Synod receive this report.
3. Synod pass the Bill for the Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2019 as an ordinance of the Synod.
4. Synod consider the following motion to be moved at the forthcoming session of Synod, "by request of the Standing Committee" –

'Synod, noting the report "Synod Standing Orders" –

- (a) agrees to adopt as a trial for this session the amendments to the business rules proposed in the Bill for the Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2019 (the Bill), as shown in the marked form of the *Conduct of the Business of Synod Ordinance 2000* (included as an attachment to the report "Synod Standing Orders"),
- (b) agrees to consider the Bill on day 4 of this session, and
- (c) suspends so many of the business rules as would prevent these arrangements.'

Background

5. At its ordinary session in 2018 the Synod resolved as follows –
 - 40/18 Synod business rules concerning moving amendments to motions**
 - ‘Synod –
 - (a) encourages Members to provide comments regarding the trial arrangements concerning moving amendments to motions, and any other matters concerning the conduct of Synod business, to the Diocesan Secretary by 30 November 2018, and
 - (b) requests the Standing Committee, in light of comments received from Synod Members, to consider bringing a Bill to amend the *Conduct of the Business of Synod Ordinance 2000* to the next ordinary session of Synod, and requests the Standing Committee to identify training needs and provide resources to further equip members in their understanding of, and engagement with, the business of Synod.’
6. This report addresses the request of paragraph (b) of the resolution, regarding amendments to the *Conduct of the Business of Synod Ordinance 2000* (the **Principal Ordinance**). The request of the rider of the resolution, regarding training needs and resources to equip members in their understanding of, and engagement with, the business of Synod, is addressed in a separate report, “40/18 Enhancing engagement of Synod members”.
7. At its meeting on 10 December 2018, the Standing Committee constituted a committee (the **Committee**) comprising the Chancellor (chair), Dr Laurie Scandrett, the Rev Anthony Douglas, the Registrar, and the Diocesan Secretary, to consult with the Archbishop and address the request of paragraph (b) of the resolution.
8. In February 2019 the Diocesan Secretary administered a survey (the **Survey**) to Synod members regarding engagement as to the business of Synod seeking both rating scale and open-ended comments from Synod members. The survey results provided a broad range of feedback (from 309 Synod members) which is referred to throughout the report. A summary of the results of the Survey are provided as an attachment to the report, “Enhancing engagement of Synod members / 40/18 Synod business rules”.

Proposed amendments

9. The Committee reviewed the comments of Synod members, Standing Committee members and the survey of Synod members conducted in February 2019, and identified several key issues to address in the Rules. Each is discussed briefly below, with the recommendation implemented in the accompanying Bill for the Conduct of the Business of Synod 2000 Amendment Ordinance 2019 (the **Bill**). A form of the Principal Ordinance showing all proposed changes in marked form is also provided as an attachment to this report. The clause number from that marked ordinance is (where possible) referenced in square brackets in the following headings, for ease of reference.

Synod Standing Orders (Business Rules) [1]

10. One prominent but immaterial change is the amendment of the name of the Rules, from “Synod business rules” to “Synod Standing Orders”. This change reverts to the historical term and is consistent with most other Anglican dioceses.

Priority amendments

11. The trial of ‘priority amendments’ at previous sessions of Synod received written comments from four members, as well as feedback noted during the session of Synod. The overwhelming response was that the trial was worthwhile in some regard, but ultimately should not be pursued. A recurring comment was that, while the trial intended to promote the use of the amendment sheet, it also had the effect of stifling debate. Implementing the priority amendments is not recommended.

Election of officials on the calling of motions [3.2(e & g)]

12. At the first session of each Synod, but also upon any casual vacancies at other sessions, elections to all the Synod offices (Secretary of Synod, Chair of Committee, Deputy Chairs of Committee) and Synod Committees (Committee of Elections and Qualifications, Committee for the Order of Business, Minute Reading Committee) takes place. Typically, a group of Synod members stand to move motions appointing individuals to positions. These motions are usually unopposed, and the person being nominated does not have opportunity to leave the theatre.
13. It is recommended that the Rules be amended to allow the election of Synod officials and Synod committees to be taken on the calling of motions, each election having its own motion as per the current practice. This will likely have little effect on most elections, as typically the same statement "I move the motion standing in my name" is made for calling of motions and the current practice for the appointment of Synod officials. However, holding this during the calling of motions allows any opposed nomination (should this ever occur) to be flagged during the callover, giving the mover opportunity to make a suitable introductory speech, and the person nominated the time to exit the theatre.

Questions [3.2(k) and 6.3]

14. It is helpful to recall the current practice regarding questions –
 - (a) Members may ask questions in accordance with Rule 6.3 on days 1-3, by lining up and stating their name and the topic about which they are asking the question (they do not read the text of the question).
 - (b) Once the text of the question is submitted to Synod staff, the question is typed up (during the session) and emailed to a person judged best able to answer the question, typically staff or representatives of Diocesan organisations, boards or committees.
 - (c) The text of the questions (not answers) are added to the business paper for the next day.
 - (d) The person answering the question researches in whatever time is available in order to have the text of a draft answer by the next morning.
 - (e) Answers are checked and reviewed, compiled into a document and printed for the Archbishop to read aloud as one of the first items in the afternoon session.
 - (f) Once the Archbishop has read aloud the answers to questions, a copy is attached to the noticeboard in the foyer of Synod.
15. Feedback on the value and desired format of questions varied, from strong suggestions to reduce the number of days on which questions may be asked, or not requiring the answers to be read aloud (a practice that currently consumes almost approximately 1.5 hours per Synod); to requests not to amend the format of questions, noting that questions allow members, who may otherwise not do so, to engage in the process of Synod.
16. However, noting that –
 - (a) the process of asking (or submitting) questions occupies significant time and detracts from time otherwise available for debate,
 - (b) the current practice places burdens on staff and other Synod members to research and answer questions overnight for publication early the next afternoon,
 - (c) if questions for the first day were submitted 7 days prior to the session and tabled on the first day, it would free time for debate and ease burdens on those responding to questions,the following approach is recommended –
 - (i) Require questions for day 1 to be submitted to the Secretary of the Synod 7 days prior to day 1, and tabled on day 1 (forgoing entirely on day 1 the practice of standing to submit the question).
 - (ii) Instruct the Secretary to print copies of any questions received for day 1 on the noticeboard in the foyer and on website prior to commencement of business on day 1.
 - (iii) Permit the tabling of answers, unless questioners 'opt in' expressing a desire that the Archbishop read aloud the answer to the question.

17. In this manner, some of the pressure is relieved on those preparing answers to questions; time is saved on day 1 by tabling the questions already received, and the Archbishop need not read aloud the answers to all questions (at the discretion of the questioner).

Procedural motions on the calling of motions [3.2(m) and 3.3(f)-(h)]

18. Many of the Survey responses drew attention to the length of time spent considering procedural motions. Procedural motions on the business paper are usually self-explanatory, but since movers of procedural motions are not entitled to a right of reply, movers often feel compelled to promote and explain the motion for fear it is misunderstood. A simple and recommended solution is to amend the Rules to allow procedural motions on the business paper to be taken on the callover. This allows desirable and self-explanatory procedural motions to pass without a speech, focusing procedural discussion on contentious or misunderstood matters.

Presentations [3.6]

19. The survey to Synod members and feedback provided by the Standing Committee contained frequent suggestion that presentations at Synod were given too much prominence and occupied too much time. Presentations are either included by the Standing Committee on the business paper for day 1, or are approved by the Synod itself following a procedural motion moved by a member of Synod.
20. The Standing Committee has adopted the following principles for the approval of a presentation at Synod –
- (a) Presentations should be ordinarily scheduled before 4:30pm, but not before the time for petitions, questions and answers, and notices of motion has concluded.
 - (b) Presentations should not be considered for scheduling unless the intending presenter has indicated to the Secretary of Synod prior the August meeting of Standing Committee –
 - (i) what the missional importance of the presentation is,
 - (ii) what the proposed time limit is,
 - (iii) what action is desired from Synod members, and
 - (iv) why it is that Synod members need to receive the information this way, and not by some other means (for example, by regular notice of motion, or by SDS website access available to Synod members).
 - (c) Presentations should be limited in time (including any prayers or ancillary comments) to no more than ten minutes and preferably to five or less.
 - (d) No organisation should ordinarily expect to present to Synod two years in a row.

(Per resolution of Standing Committee 27 August 2018)

21. It appears that the larger problem expressed is in relation to those presentations approved by procedural motion by the Synod itself. Typically, such motions will seek for a presentation of a certain length, at a certain time, possibly with presenters who are not members of Synod, and usually involving audio visuals. In such circumstances, the procedural motion will also seek 'to suspend so many of the business rules as would prevent these arrangements'. Typically, Synod will pass these procedural motions, and not object to the suspension of business rules.
22. The frequent need to suspend business rules suggests that a solution may be found by including *reasonable* rules for the arrangement of presentations. In determining reasonable rules, there are a number of considerations –
- (a) Any two members of Synod who want to give a presentation on any matter could simply give notice of a motion and use the time for speeches moving the motion to instead make a presentation. In this circumstance, the mover and seconder of 'an innocuous motion moved as a front for a presentation' would be entitled to 15 minutes. So, if rules for presentations were adopted that are overly restrictive (e.g., limiting presentations to 5 minutes), they would likely be ineffective.
 - (b) However, Synod is principally a forum for debate of matters as distinct from receipt of information. If Synod is presented with an uncontentious motion, it would usually pass the

motion on the callover in order to save Synod's time. Therefore as a guide, proportionally less time should be allocated to a presentation than a substantive motion.

- (c) The evening session typically receives higher turnout than the afternoon sessions, and significant matters of debate are accordingly scheduled for the evenings. The substantial presentations will tend to be matters that have been determined with the Standing Committee in advance, and may be scheduled for the evening. The Committee for the Order of Business may also act to allow certain presentations for an evening session. Presentations that arise on the floor of Synod, approved by procedural motion of the member, should normally be considered during the afternoon session.

23. These considerations suggest that an appropriate length of time for presentations should be shorter than speeches in support of a motion, and should be held during the afternoon session.

24. Accordingly, it is proposed that the Synod adopt new rules to regulate the scheduling of Presentations, providing a clear pathway for presentations up to ten minutes to be held prior to the dinner break. The proposed rules should still require Synod's approval, so that Synod can oppose (by simple majority) such presentations. The real benefit of these rules is that any member wishing to make a presentation longer than 10 minutes, or held following the dinner break, will necessarily require the suspension of business rules and therefore may be more readily identified and blocked. The proposed rules for presentations would form a new clause 3.6.

Notice of motions required [4.3]

25. At Rule 4.3, we have –

'4.3 Notice of motions required

- (1) The Synod is not to consider a motion unless
 - (a) notice of the motion was given on a previous day, or
 - (b) the Synod agrees to consider the motion.'

26. A plain-text reading of this Rule suggests that a member could move a motion without notice, and so long as a simple majority of Synod agrees to consider the motion anyway, proceed to consider the motion immediately. Our practice, notwithstanding the Rule, has been that moving a motion without notice may be blocked by any 8 members standing to indicate their objection. Presumably, this flows from Rule 6.5 where 'Any rule of procedure may be suspended by motion... without notice unless 8 members object'.

27. It appears that the wording of Rule 4.3 is an oversight, and the Rule should be amended to remove paragraph (b). This will have the effect, when read alongside Rule 6.5, of not allowing a motion to be moved without notice if 8 members object (as is the current practice).

Amendments and speaking more than once to a motion [4.7]

28. Many Synod members will recall from the ordinary session in 2018 the matter of 'speaking twice in a debate'. At issue is Rule 4.7 which currently reads –

'4.7 Number of speeches

- (1) No member may speak more than once on the same motion except
 - (a) during a meeting of the Synod in Committee, or
 - (b) when invited to give an explanation, or
 - (c) when exercising a right of reply under rule 4.11.
- (2) A member who formally seconds a motion is not regarded as having spoken to the motion.'

29. This Rule prevents a member from speaking to the principle of the motion and also moving an amendment to the motion.

30. It is recommended to insert a new Rule establishing that once a motion to amend a motion (the **principal motion**) has been moved, it is a separate motion. In this way, if a member has already spoken on the principal motion, they may not move a motion to amend the principal motion; but they may speak on any amendment to the principal motion.
31. This should remove ambiguity while clarifying that, if called to do so, a member can speak on the principal motion and *speak on* an amendment to that motion – but cannot speak on a motion and also *move* an amendment to that motion. The proposed Rule is inserted at subclause 4.7(3).

Order of debate on a motion [4.8]

32. When a motion has been moved and seconded, the current Rules allow speeches for or against the motion, or amendments to the motion to be considered. Perhaps in part due to the priority amendment trial or due to the presence of proposed amendments on the business paper, our recent practice has been to immediately consider amendments to the principal motion.
33. Many of the comments received from Synod and Standing Committee members suggested that some time should be given debating the motion in principle prior to considering amendments, in order to best frame the debate. However, there is little appetite to *enforce* a particular approach to a debate: in some circumstances it is most helpful to commence with consideration of amendments, and the President should be given flexibility to determine the best approach. The Bill includes an amendment to Rule 4.8(3) to give effect to this sentiment.

Moving that a motion ‘not be voted on’ [4.14]

34. The Rule at 4.14 allows a member who ‘desires to avoid or postpone a vote on a motion’ to move without notice: ‘That the motion not be voted on’. This Rule provides Synod the opportunity to, among other things, neither vote for nor against a motion.

Background to this rule

35. Many parliamentary systems have rules directed to avoiding or postponing indefinitely debate on motions. In some systems the rules are referred to as moving ‘the previous question’. Regrettably, many of the rules regarding disposing of a motion in this way in various parliamentary systems and the commentary about them are complicated.
36. It is said that objectives in moving such a motion vary according to circumstances. Practical reasons include –
 - (a) if the body considers that it is not adequately informed to express a view on the motion before it,
 - (b) preventing the feeling of a meeting being tested (e.g., because it has been raised at an inopportune time),
 - (c) enabling the motion to be shelved without its opponents needing to disclose who they are,
 - (d) that it is inexpedient or not in the best interests of the body for any decision at all to be made,
 - (e) that discussion may be embarrassing to certain members or become acrimonious with little chance of a compromise decision being achieved, and
 - (f) that the majority may prefer to dispose of a motion without the harshness of its overwhelming defeat where the mover declines to agree to a generally expressed wish that the motion be withdrawn.¹
37. The effect of the motion if acceded to is to dispose of a motion being debated without it being voted on and recorded as having been passed or defeated.

¹ See e.g. A.D. Lang ‘Horsley’s Meetings Procedure, Law and Practice’ 6th Ed (2010) at [12.11].

38. The use of this procedure (as distinct from debate and voting on other principal motions) allows a means of forcing of a determination on the form of the principal motion so as to preclude 'compromise' amendments. In some systems the motion may not be moved while an amendment is being debated, however if moved after an amendment is debated the effect of the mechanism is to allow opportunity for that amendment to be disposed of but to force a vote before any further amendments are considered.
39. Commentary indicates that the 'not voted on' question itself may be debated and the discussion may deal with a subject matter of the main motion. The mover of the 'not voted on' motion does not have a right of reply.²

Our current practice

40. When this procedural motion is moved, according to the current Rules the President is to immediately ask the Synod whether debate on the principal motion should continue before the procedural motion is put. From this point on, the Rules indicate that –
- (a) If Synod answers "Aye" to the question, debate continues on the principal motion including amendments and the right of reply; but before the motion is put to the vote, the procedural motion ('that this motion not be voted on') is put to the vote.
 - (i) If the procedural motion is carried, the principal motion is not put to the vote.
 - (ii) If the procedural motion is not carried, the principal motion (along with any amendments to that point, but no further amendments) are voted on.
 - (b) If members answer "No" to the question, the procedural motion ('that this motion not be voted on') is immediately put to the vote without any debate.
 - (i) If the procedural motion is carried, the principal motion is not put to the vote.
 - (ii) If the procedural motion is not carried, the Rules do not specify what action to take.
41. There are a number of problems with this Rule.
- (i) First, as experienced in 2018, the Rule does not give specific guidance on the action to take if Synod has agreed to cease debate on the principal motion but does not carry the procedural motion. (Should debate on the principal motion recommence? Should amendments be considered?)
 - (ii) Second, it is apt to confuse: the moving of a motion results in the asking of a question; it is also a confusing mix of terms – 'principal motion', 'procedural motion', 'the question asked by the President in rule 4.14(2)', etc.
 - (iii) Third, the one Rule is the only mechanism to both end debate on a motion and to agree not to vote on a motion. These are two separate matters. Quite apart from whether a Synod member might wish to avoid a vote on an issue, a Synod member may wish to test the mood of the meeting as to whether a motion has been sufficiently debated (in the same way as the President may do pursuant to Rule 4.10).
42. The Bill includes a proposed new Rule at 4.14 to replace the current, which provides that when the procedural motion, "That this motion not be voted on", is moved, debate on the principal motion is suspended (without asking the question whether to do so or not) and the Synod immediately considers speeches for and against the procedural motion. From that point, either the procedural motion is carried and debate ceases on the principal motion; or the procedural motion is not carried and debate on the principal motion continues.
43. The Bill also includes a new Rule 4.14A, dealing with the ending of debate issue. By this rule, a Synod member may move that the debate cease and the motion be immediately put to the vote.

² Horsley's at [12.11].

Use of expedited timing and procedures [4.19]

44. A feature of most sessions of Synod is a proposal on about the 4th day to change the time limits for speeches, or shorten the dinner break, etc in an effort to save time. By review of the minutes of Synod, these proposals are often not carried; but can attract significant debate, thereby having the opposite effect of that desired. There are a few key issues which dominate the debate and perhaps lead to these motions failing (and taking up the time of Synod in the process) –
- (a) When these measures are introduced from the floor, there is the question of how well thought-through the solution is – are proposed changes the result of a considered reflection upon what is suitable, or is it the mover’s instinct at the time?
 - (b) Similarly, when these measures are introduced from the floor, often the proposed rules have consequential effects that need to be considered through further procedural amendments. For example if dinner is to finish 15 minutes early, how will members who are only arriving for the evening session be informed? Or, if the Archbishop is not required to read aloud the answers to questions; how will members be informed of the answers without undue impact on Synod staff?
 - (c) It may also be that a well-intentioned proposal relies too heavily on the officers or staff of the Synod.
 - (d) In certain circumstances, a motion may also fail due to a perception that changing the rules in a particular way may unduly advantage one side in an upcoming debate.
45. The Bill includes a set of standard expedited timings for speeches and standard expedited processes, which can be adopted in whole or in part, by the Synod for the remainder of a session by procedural motion. Incorporating these standards into the Rules removes many of the problems outlined in the paragraphs above, meaning that even if the procedural motion is not carried, less time is spent proposing alternatives and improvements. The suggested Rules propose –
- (a) shorter times for some speeches (these are intended to provide an appropriate balance between shortened timing and still allowing enough time for robust debate),
 - (b) the possibility that the Archbishop may not read aloud all answers to questions (even if members requested him to do so),
 - (c) the extension of afternoon sessions by 15 minutes, shortening the dinner break (by starting the break later).
46. It is intended that Synod members may invoke any of all paragraphs of the proposed options. The President is also provided the option to apply any or all of the expedited time limits proposed for any particular matter before the Synod.

Introduction of proposed ordinances [5.3]

47. The Rules currently require the Synod to ‘permit the introduction’ of a proposed ordinance. A member moves, “Synod permits the introduction of the [name of the proposed ordinance]” before then specifying the manner in which it is proposed that Synod consider the Bill. For our purposes this motion is a redundant step, merely adding confusion; and should be removed.
48. The proposed amendment removing the introduction stage also seeks to give greater clarity to the options for consideration of an ordinance, clearly setting out two possibilities of considering the Bill ‘formally’ or ‘in-principle’ and the steps to take to do so.

Objections to considering an ordinance formally [5.4]

49. The Rules contain the option for a Bill for an ordinance to be considered one of two ways –
- (a) ‘in principle’ – where the mover seeks to convince the Synod that the principle of the ordinance is worthy of consideration, and Synod may hear speeches for or against the motion, and may amend the text of the ordinance in committee (Rules 5.5-5.8), or
 - (b) ‘formally’ – where, following Synod’s agreement to consider the ordinance formally, members may ask questions but may not speak for or against the ordinance, or make amendments to the text of the ordinance before ultimately voting on whether to pass the ordinance (Rule 5.4).

50. Rule 5.4(9) may be enlivened when an ordinance is being considered formally and provides –
- (9) If –
 - (a) prior to the motion in rule 5.4(7) [that the ordinance pass formally as an ordinance of the Synod] being voted on, 8 members stand in their place to object to the proposed ordinance being passed formally, or
 - (b) the motion in rule 5.4(7) is not passed,
- the mover is to immediately move a motion to the effect
- “That Synod agrees to consider [forthwith or at a specified time] a motion that the [name of proposed ordinance] be approved in principle.”
51. The Rule 5.4(9) gives the impression that objecting to the formal passing of the ordinance may only occur *immediately* prior to voting on the passing of the ordinance; and is also unclear whether the mover is given the opportunity to move that the ordinance be considered in principle (including the full amount of time to make the speech in support of that motion).
52. Amendments are proposed to clause 5.4(9) that –
- (a) clarify that an objection may be made by 8 members at any time after the motion in 5.3(2) (that the Synod agree to consider passing the ordinance formally) is passed, and
 - (b) specify that if an objection by 8 members is made under 5.4(9), the mover is to move the ordinance in principle ‘in accordance with clause 4.6(1)(a)’.

Press coverage

53. Unless the Synod otherwise determines as a result of a motion with or without notice passed by the Synod, the proceedings of the Synod are to be open to the media (clause 6.6(1)). With the permission of the President, the proceedings, or parts of the proceedings, may be televised, broadcast or photographed (clause 6.6(2)). Therefore while there is a policy of open proceedings, there is no standard or criteria which determines or gives guidance regarding when any part of the proceedings should be held in camera or otherwise kept confidential. Any restrictions in that regard are left to the opinion of the Synod. Typically, special sessions of Synod to elect an Archbishop are held in camera, as was the special session in 2016 to consider the merger of Anglicare and Anglican Retirement Villages.
54. In the process of review of matters concerning the conduct of Synod business, several Synod and Standing Committee members provided thoughtful feedback on matters relating to the public nature of Synod information and press coverage. Interestingly, some argued that the press should be restricted and Synod should be open to Synod members only; while others argued for the necessity of keeping ordinary sessions of Synod open to the public (and press). Neither the Review Committee nor Standing Committee recommend any changes to the provisions as appearing in clause 6.6.
55. While there are specific rules relating to the open forum of Synod, there are no specific provisions regarding public accessibility of materials to be used at Synod. There is no provision which requires Synod materials to be publicly accessible. However, there has nonetheless been a longstanding practice of public accessibility to Synod materials (no doubt reinforced by the presumption embodied in clause 6.6 that Synod proceedings are open to the public and media).
56. There was feedback suggesting that materials should if possible not be made available on the public website. While this is a technical possibility, Standing Committee does not recommend any deviation from the current practice that Synod materials be publicly accessible. This recommendation is made noting the desirability of transparency, in particular to members of parishes who are not Synod members.
57. If the question regarding review of the policy of open proceedings and public access to Synod materials is to be considered in the future, questions may arise as to whether the questions of open forum and access to materials should be –
- (a) determined by reference to any specific standard or criteria,

- (b) left to the broad discretionary opinion of the Synod, without any specific guidance provisions, or
- (c) left in a discretionary form for the opinion of Synod but with reference to specific provisions, to guide the exercise of Synod's discretion.

Miscellaneous matters

- 58. There are a number of other matters which have been identified for correction or improvement. These are included below.
- 59. **Chair of Committee:** The Rules currently refer throughout to the Chair or Deputy Chairs of Committees. However, "Committee" in this setting is "a Committee of the Whole Synod", of which there is only ever one; hence the titles are correctly 'Chair of Committee' and 'Deputy Chairs of Committee'. Accordingly, it is recommended to remove the "s" wherever it occurs.
- 60. **Presidential Address:** Currently Rule 3.2(c) suggests that the Presidential Address is to occur at a certain place in a sequence of events on the first day of each session. Each session typically has a corresponding procedural motion allowing the President to make his Address at a certain time. It is recommended that the Rules be amended to allow the Presidential Address to commence at a time of the President's choosing.
- 61. **Declaration of vacancies on the Anglican Church Property Trust:** Under section 12 of the *Anglican Church of Australia Trust Property Act 1917*, the Synod declares vacancies in the offices of members of the Anglican Church Property Trust Diocese of Sydney by resolution. This is another matter which requires a motion on the first day of each session. It is recommended that the motion is allowed to be taken on the callover.
- 62. **Notice of motion on the first day:** Currently, Rule 4.3(4) provides "If notice in writing is given to a Secretary of the Synod by 7.00 pm on the first day of a session then notice of the motion will be regarded as having been given on a previous day for the purposes of rule 4.3(1)." It seems that this is intended to allow motions that are given notice on first day in the afternoon to be considered that night. It is recommended to remove this subclause.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

29 August 2019

Conduct of the Business of Synod Ordinance 2000 Standing Orders Ordinance 2019

(Reprinted under the Interpretation Ordinance 1985.)

The Conduct of the Business of Synod Ordinance 2000 as amended by the Conduct of the Business of Synod Amendment Ordinance 2002, the Conduct of the Business of Synod Amendment Ordinance 2005, the Archbishop of Sydney Election Amendment Ordinance 2009, the Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2014, the Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2016, ~~and the Miscellaneous Amendments Ordinance 2019,~~ and the Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2019.-

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An Ordinance to make rules for the conduct of the business of the Synod of the Diocese of Sydney.

The Synod of the Diocese of Sydney ordains.

1. Name

This Ordinance is the ~~Conduct of the Business of Synod Ordinance 2000~~Synod Standing Orders Ordinance 2019.

2. Adoption of new rules of procedure

The rules for the conduct of the business of the Synod of the Diocese of Sydney are in the Schedule to this Ordinance.

3. Repeal of previous rules

- (1) The Standing Orders Ordinance 1968 is repealed.
- (2) Each reference in an ordinance (other than this Ordinance) to the Standing Orders Ordinance 1968 and the ~~Conduct of the Business of Synod Ordinance 2000~~ is changed to the ~~Conduct of the Business of Synod Ordinance 2000~~Synod Standing Orders Ordinance 2019.

4. Commencement

Clauses 2 and 3 of this Ordinance commence on the day next following the last day of the second session of the 45th Synod or on the day on which assent is given to this Ordinance, whichever is later.

Schedule

Synod of the Diocese of Sydney

Rules for Conducting the Business of the Synod

Part 1 Meeting Time, President, Houses of the Synod and Quorum

1.1 Meeting time

- (1) The Synod is to meet at 3.15 pm on each appointed day unless it decides to meet at another time.
- (2) No motion about a proposed ordinance may be considered before 4.30 pm apart from the unopposed introduction of a proposed ordinance.

1.2 President

- (1) The Archbishop is the President.
- (2) In the absence of the Archbishop, the President is the person appointed by the Archbishop as his commissary under section 11 of the Constitutions in the Schedule to the 1902 Constitutions.
- (3) In the absence of the Archbishop and the commissary, the President is the person next in ecclesiastical rank who is licensed in the Diocese and is present at the meeting of the Synod.
- (4) If the person who is the President of the Synod is, for any reason, unwilling or unable (otherwise than by absence) to preside in respect of any business of the Synod, the President is the person next in ecclesiastical rank after that person who is licensed in the Diocese and is present at the meeting of the Synod.
- (5) Nothing in this rule amends the provisions of the Constitutions in the Schedule to the 1902 Constitutions concerning the giving of assent to an ordinance of the Synod. Accordingly, a person who is President of the Synod under rule 1.2(2) or (3) or (4) may not assent to an ordinance unless that person is authorised to do so under those Constitutions.
- (6) In this rule 1.2, the word "Archbishop" means, if the See is vacant, the person appointed under an ordinance of the Synod to administer the Diocese.

1.3 Houses of the Synod

- (1) Each member of the Synod (other than the President) is a member of a House of the Synod.
- (2) A member who is ordained is a member of the House of Clergy.
- (3) A member of the Synod who is not ordained is a member of the House of Laity.

1.4 Quorum

- (1) When a motion about a proposed ordinance is being considered, one fourth of the members of each House is a quorum.
- (2) Otherwise, 50 members of the House of Clergy and 100 members of the House of Laity is a quorum.
- (3) If at the time fixed for a meeting of the Synod or during a meeting of the Synod, a quorum is not present the President is to adjourn the Synod to a time determined by him. If a debate is interrupted as a consequence then, subject to rules 3.3, 3.4 and 3.5, the debate is to resume at the point where it was interrupted.

Part 2 Officers and Committees of the Synod

2.1 Introduction

The Synod elects several officers and committees to assist it in conducting its business. Those officers and committees are

- (a) the Secretary of the Synod
- (b) the ~~Chair of Committees~~Chair of Committee
- (c) the Deputy Chair or ~~Chairs of Committees~~Chairs of Committee
- (d) the Committee of Elections and Qualifications
- (e) the Committee for the Order of Business
- (f) the Minute Reading Committee.

This Part sets out the functions of the officers and committees of the Synod.

2.2 The Secretary of the Synod

- (1) One member is to be elected as Secretary of the Synod on the first day of 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.
- (2) The Secretary of the Synod is to
 - (a) prepare the business paper for each day after the first day of each session of a Synod, and
 - (b) take minutes of the meetings of the session, and maintain the minute book, and
 - (c) record the ordinances passed by the Synod, and
 - (d) prepare and publish the report of the session of the Synod.
- (3) With the permission of the President, the Secretary of the Synod may give notices to the Synod about any matter concerning the business of the Synod.
- (4) The Secretary of the Synod may approve any report or other material from a Diocesan Body or Organisation being made available to members.

2.3 ~~The Chair of Committees~~Chair of Committee

- (1) One member is to be elected as the ~~Chair of Committees~~Chair of Committee on the first day of 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.
- (2) The ~~Chair of Committees~~Chair of Committee presides during meetings of the Synod in Committee and, when presiding, has the same authority as the President.

2.4 The Deputy Chair or ~~Chairs of Committees~~Chairs of Committee

- (1) One or more members is to be elected as the Deputy Chair or Deputy ~~Chairs of Committees~~Chairs of Committee on the first day of 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.
- (2) The Deputy ~~Chair of Committees~~Chair of Committee presides during meetings of the Synod in Committee if the ~~Chair of Committees~~Chair of Committee is unable or unwilling to act, or if the ~~Chair of Committees~~Chair of Committee requests that a Deputy ~~Chair of Committees~~Chairs of Committee act. When presiding, the Deputy Chair has the same authority as the President.
- (3) If more than one Deputy ~~Chair of Committees~~Chair of Committee is elected, the person to preside in the place of the ~~Chair of Committees~~Chair of Committee is to be determined by the persons who have been elected as Deputy ~~Chairs of Committees~~Chairs of Committee or, if they are unable to agree, by the President.
- (4) If
 - (a) the ~~Chair of Committees~~Chair of Committee, and
 - (b) the Deputy ~~Chair of Committees~~Chair of Committee or each of the Deputy ~~Chairs of Committees~~Chairs of Committee,

are unable or are unwilling to preside during a meeting of the Synod in Committee, the person to preside during that meeting is to be a member appointed by the Synod as a result of a motion without notice passed by the Synod. When presiding, that person has the same authority as the President.

2.5 The Committee of Elections and Qualifications

- (1) The Committee of Elections and Qualifications is to consist of not more than 5 members elected on the first day of 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.
- (2) The Committee of Elections and Qualifications is to investigate and report when required by rule 6.1.
- (3) A person may not act as a member of the Committee of Elections and Qualifications in relation to a question referred by the Synod about
 - (a) the validity of the election or appointment of that person as a member of the Synod, or
 - (b) that qualification of that person to be a member of the Synod.

2.6 The Committee for the Order of Business

- (1) The Committee for the Order of Business is to consist of
 - (a) the Secretary of the Synod, and

- (b) not more than 5 members elected by the Synod on the first day of 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

(2) The Committee for the Order of Business is to review the business paper for each day of a session, other than the first day, and settle the order and scheduling of motions and presentations of motions appearing on the business paper.

2.7 The Minute Reading Committee

(1) The Minute Reading Committee is to consist of not more than 8 members elected on the first day of 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.

(2) Any 2 members of the Minute Reading Committee are to review the minutes of the proceedings of each day and certify their correctness, or otherwise, to the President.

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.

Part 3 The Order of Business of the Synod

3.1 Introduction

This Part sets out the order in which the business of the Synod is to be conducted on each day of a session.

3.2 Order of business for the first day of a session

The order of business for the first day of a session of is as follows.

- (a) The President, or a person appointed by him, is to read prayers.
- (b) The President is to table a list of the members of the Synod.
- (c) The President may make a speech to the Synod at a time of his choosing.
- (d) The President is to table a document appointing a commissary.
- (e) The President is to call the motions on the business paper appearing in relation to paragraphs (f) and (g) of this clause.
- (f) The Synod is to consider any motion to declare a vacancy or vacancies among the membership of the Property Trust in accordance with the Anglican Church Property Trust Diocese of Sydney Ordinance 1965.
- (g) Where required under Part 2, the Synod is to consider motions for the election of -
 - (i) the Secretary of Synod,
 - (ii) the Chair of Committee,
 - (iii) the Deputy Chair or Chairs of Committee,
 - (iv) the Committee of Elections and Qualifications,
 - (v) the Committee for the Order of Business, and
 - (vi) the Minute Reading Committee.
- (h) The President is to table a list of the results of uncontested elections and declare the persons concerned elected.
- (i) The minute book of the Standing Committee is to be tabled.

- (j) The President is to allow members to present petitions.
- (k) The President is to table a list of questions asked by members in accordance with 6.3(2)(a).
- (l) The President is to invite members to give notice of motions.
- (m) The President is to call the motions, including procedural motions, in the order in which they appear on the business paper in accordance with rule 4.5.
- (n) The President is to allow members to move procedural motions.
- (o) The Synod is to consider motions for the formal reception and printing of reports, accounts and other documents in the order in which they appear on the business paper.
- (p) The Synod is to consider motions for proposed ordinances which have been referred from a previous session of the Synod, or from a previous Synod, in the order in which they appear on the business paper, unless the Synod determines, by motion without notice, that those motions should be considered on a subsequent day.
- (q) The Synod is to consider motions to be moved at the request of the Synod or the Standing Committee in the order in which they appear on the business paper.
- (r) The Synod is to consider motions to be moved at the request of a regional council in the order in which they appear on the business paper.
- ~~(a) The Synod is to consider motions received by the Standing Committee from members in accordance with rule 4.3(3) in the order in which they were received. The President, or a person appointed by him, is to read prayers.~~
- ~~(b) The President is to table a list of the members of the Synod.~~
- ~~(c) The President may make a speech to the Synod.~~
- ~~(d) The President is to table a document appointing a commissary.~~
- ~~(e) The Synod is to consider any motion to declare a vacancy or vacancies among the membership of the Property Trust in accordance with the Anglican Church Property Trust Diocese of Sydney Ordinance 1965.~~
- ~~(f) The President is to table a list of the results of uncontested elections and declare the persons concerned elected.~~
- ~~(g) Where required under Part 2, the Synod is to consider motions for the election of~~
- ~~(h) the Secretary of Synod~~
- ~~(i) the Chair of Committees~~
- ~~(j) the Deputy Chair or Chairs of Committees~~
- ~~(k) the Committee of Elections and Qualifications~~
- ~~(l) the Committee for the Order of Business~~
- ~~(m) the Minute Reading Committee.~~
- ~~(n) The minute book of the Standing Committee is to be tabled.~~
- ~~(o) The President is to allow members to present petitions.~~
- ~~(p) The President is to allow members to ask questions in accordance with rule 6.3.~~
- ~~(q) The President is to allow members to move or give notice of procedural motions and is to invite members to give notice of other motions.~~
- ~~(r) The President is to call the motions in the order in which they appear on the business paper in accordance with rule 4.5.~~
- ~~(s) The Synod is to consider motions for the formal reception and printing of reports, accounts and other documents in the order in which they appear on the business paper.~~
- ~~(t) The Synod is to consider motions for proposed ordinances which have been referred from a previous session of the Synod, or from a previous Synod, in the order in which they appear on the business paper, unless the Synod determines, by motion without notice, that those motions should be considered on a subsequent day.~~

- ~~(u) The Synod is to consider motions to be moved at the request of the Synod or the Standing Committee in the order in which they appear on the business paper.~~
- ~~(v) The Synod is to consider motions to be moved at the request of a regional council in the order in which they appear on the business paper.~~
- ~~(w)(s) The Synod is to consider motions received by the Standing Committee from members in accordance with rule 4.3(3) in the order in which they were received.~~

3.3 Order of business for the second and third days of a session

The order of business for the second and third days of a session is as follows.

- (a) The President, or a person appointed by him, is to read prayers.
- (b) The President, or a person appointed by him, is to read a passage from the Bible and apply it.
- (c) The minutes of the proceedings of the previous day are to be signed by the President as a correct record, or be otherwise dealt with.
- (d) Subject to rules 6.3(2)(d) and rule 6.3(5), answers to questions asked on ~~the previous day~~previous days are to be given.
- (e) The President is to allow members to ask questions in accordance with rule 6.3(2)(c)~~rule 6.3~~.
- (f) ~~The President is to allow members to move or give notice of procedural motions and is to invite members to give notice of other motions.~~The President is to invite members to give notice of motions.
- (g) The President is to call the motions, including procedural motions, in the order in which they appear on the business paper in accordance with rule 4.5.
- ~~(g)(h)~~(h) The President is to allow members to move procedural motions.
- ~~(h)(i)~~(i) The Synod is to consider motions about proposed ordinances in the order in which they appear on the business paper.
- ~~(i)(j)~~(j) The Synod is to consider other motions in the order in which they appear on the business paper.

3.4 Order of business for the fourth and subsequent days of a session

The order of business for the fourth and subsequent days of a session of the Synod is the order specified in rule 3.3 except that no member may

- (a) ask a question, or
- (b) give notice of a motion,

except with the permission of the majority of the members then present.

3.5 Order of motions

Motions are to be considered in the order in which they appear on the business paper. The Synod may determine, as a result of a procedural motion passed by the Synod,

- (a) to vary the order in which motions are considered, or
- (b) to fix a time for when a motion is to be considered.

3.6 Presentations to Synod

- (1) The President may invite persons at his discretion to address the Synod.
- (2) Presentations approved by the Standing Committee will appear on the business paper for day 1.
- (3) Presentations scheduled by the Committee for the Order of Business will appear on business papers for subsequent days.
- (4) The Synod may, as a result of a procedural motion, allow other presentations to be made to the Synod on any subject related to the Synod. Such presentations –
 - (a) must be no longer than ten minutes, and
 - (b) may not be scheduled to a time following the dinner break.
- (5) Synod members, or individuals who are not members of Synod but who are named as intended presenters in a procedural motion, may combine for a presentation (including visuals) in accordance with this clause.

Part 4 Resolutions

4.1 Introduction

The main way in which the Synod expresses a view on a matter is by the making of a resolution. Generally, a resolution is made in the following way.

- (a) A member of the Synod (referred to in these rules as the “mover”) moves a motion (referred to in these rules as the “principal motion”). Usually, the mover will have given notice of the principal motion on a previous day.
- (b) Except during a meeting of the Synod in Committee, a motion is to be seconded.
- (c) When called by the President, the mover will speak in support of the principal motion and the seconder may also speak in support of the motion.
- (d) Instead of making separate speeches in support of the principal motion, the mover and seconder may, by notice to the Synod, elect to make a joint presentation in support of the principal motion for up to the combined length of time the mover and seconder would otherwise be permitted to speak.
- (e) A speech or presentation referred to in paragraph (c) or (d) may, by arrangement with the Secretary of the Synod, be accompanied by overhead visual material.
- (f) If any member wishes to speak against the principal motion, or move a proposed amendment, debate will proceed.
- (g) If no member wishes to speak against the principal motion or move an amendment, the President is to ask the Synod to vote on the principal motion.
- (h) After debate has concluded, the President is to ask the Synod to vote on any amendments. After any amendments have been agreed to or rejected, the President is to ask the Synod to vote on the principal motion, as amended by any amendments which have been agreed.
- (i) If the principal motion, with or without amendments, is passed, it becomes a resolution of the Synod.

The remaining rules in this Part contain the details of this procedure, and the details of the special situations in which the general procedure is modified.

4.2 General rules

- (1) A member may only address the Synod when called by the President to do so.
- (1A) A member who wishes to be called by the President to address the Synod is to stand in his or her place, or if directed by the President, to stand near a microphone. The President is to call from among those standing the member who may address the Synod.
- (2) The President may take part in debate.
- (3) If the President stands, all other members are to sit and remain seated until the President sits down.
- (4) Any member may speak to a question about procedure. A question about procedure is to be decided by the President whose decision is final unless immediately altered as a result of a motion without notice passed by the Synod.
- (5) The President is to confine each speaker to the subject matter being debated. A member may not interrupt a speaker, except with the permission of the President, or as a result of a motion without notice passed by the Synod.
- (6) A speaker may not make a remark which reflects adversely on the personality of any member or imputes an improper or questionable motive to any member. If a speaker makes such a remark, the President is to
 - (a) ask the speaker to withdraw the remarks and apologise and,
 - (b) warn the speaker against making such remarks in future.

If, having been asked, the speaker refuses to withdraw the remark and apologise, the member may be suspended from the Synod as a result of a motion with or without notice passed by the Synod, for the time specified in the motion.

- (7) A member may not act in a disorderly way. If a member acts in a disorderly way, he or she may be suspended from the Synod as a result of a motion with or without notice passed by the Synod, for the time specified in the motion.

4.3 Notice of motions required

~~(1) The Synod is not to consider a motion unless~~

~~(a) notice of the motion was given on a previous day, or~~

~~(b) the Synod agrees to consider the motion.~~

(1) The Synod is not to consider a motion unless notice of the motion was given on a previous day.

(2) Motions intended to facilitate the consideration of business are known as 'procedural motions'. Rule 4.3(1) does not apply to procedural motions and those other motions for which notice is not required by Parts 4 and 5.

(2A) Rule 4.3(1) does not apply to motions to amend a motion.

(3) A member may send notice of a motion to the Standing Committee to be received at least 1 month before the first day of the session. Notice of such motion is to be printed on the business paper for the first day of the session. A member may not send notice of more than 2 motions.

~~(4) If notice in writing is given to a Secretary of the Synod by 7.00 pm on the first day of a session then notice of the motion will be regarded as having been given on a previous day for the purposes of rule 4.3(1).~~

4.4 Motions to be seconded

(1) No motion, or motion to amend a motion, is to be considered unless it is seconded.

(2) Rule 4.4(1) does not apply to a motion moved in a meeting of the Synod in Committee.

4.5 Calling the motions on the business paper

(1) At the time required by rule 3.2, 3.3 or 3.4, the President is to call the motions in the order in which they appear on the business paper, except those motions about a proposed ordinance or policy or those motions to be considered at a time fixed by the Synod.

(2) When a motion is called, the President is to ask for the motion to be formally moved and seconded unless 8 or more members ~~call "object" or 1 or more members stand to object or any member~~ calls "amendment". If the motion is formally moved and seconded, the Synod is to vote on the motion without any speeches or debate.

(3) If 8 or more members ~~call "object" or 1 or more members stand to object or any member~~ calls "amendment"

(a) the President is to immediately call the next motion on the business paper to be called under this rule or, if there is no such motion, proceed to the next item of business, and

(b) any member who calls "amendment" is to

- deliver a written copy of the proposed amendment to the Secretary of the Synod, and
- make himself or herself available to discuss the proposed amendment with the mover of the motion on the day on which the call is made.

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.

4.6 Time limits for speeches

(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 a speech following the Synod's approval to consider a proposed ordinance formally, the mover may speak for up to 3 minutes.

~~(b)(c)~~ (c) For other motions, except the motions referred to in paragraphs ~~(c)(d)~~ and ~~(d)(e)~~ –

- 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.

~~(e)~~(d) For procedural motions and for motions to amend a motion, a member may speak for up to 5 minutes.

~~(d)~~(e) For motions moved in a meeting of the Synod in Committee, a member may speak for up to 3 minutes.

(2) A member, not being the speaker at the time, may, without making a speech, move a procedural motion for the speaker to continue for a nominated number of minutes.

4.7 Number of speeches

(1) No member may speak more than once on the same motion except

- (a) during a meeting of the Synod in Committee, or
- (b) when invited to give an explanation, or
- (c) when exercising a right of reply under rule 4.11.

(2) A member who formally seconds a motion is not regarded as having spoken to the motion.

(3) Once a motion to amend a motion (the principal motion) has been moved, it is a separate motion for the purpose of this clause. Accordingly, if a member has already spoken on the principal motion, they may not move a motion to amend the principal motion, but they may speak on any amendment to the principal motion.

4.8 After a motion has been seconded

(1) After a motion has been moved and seconded, the President is to ask a question to the effect "Does any member wish to speak against the motion or move an amendment?"

(2) If no member indicates a wish to speak against the motion or move an amendment, the Synod is to vote on the motion without further any debate.

(3) If a member indicates a wish to speak against the motion or move an amendment, debate on the motion is to proceed, commencing with speeches for and against the motion before considering amendments to the motion, unless the President determines otherwise.

4.9 Amendments to motions

(1) A member may move a motion to amend a principal motion at any time before the close of debate. The motion to amend must be in writing and a copy handed to the President.

(2) A member may move a motion to amend a motion to amend a principal motion. The motion to amend must be in writing and a copy handed to the President.

(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.

(3) A member may, with the permission of the Synod, withdraw their own motion to amend at any time before the close of debate.

(4) If motions to amend have been moved, but not passed by the Synod, the motion to be put to the vote is the principal motion.

(5) If motions to amend have been moved and passed by the Synod, the motion to be put to the vote is the amended principal motion.

(6) If a member has moved a motion to amend and another member moves a motion for a different amendment or indicates an intention to move a motion for a different amendment, the President may

- (a) put to the Synod questions about the principal motion and the proposed amendment to establish the mind of the Synod on the principle or principles of the motions, or
- (b) nominate a person or persons to
 - prepare a suitable form of words which expresses the mind of the Synod
 - report to the Synod,and adjourn the debate on the principal motion and the proposed amendments until the report has been received.

(7) If debate on a motion is adjourned under rule 4.9(6)(b), the Synod is to proceed to the next item of business.

(8) If the President considers that the strict application of rule 4.9 may cause confusion or prevent the Synod from expressing its mind, he may waive the application of this rule, or so much of it as he thinks fit.

4.10 Putting a motion to the vote

(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.

(2) 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 is to ask the Synod a question to the effect

“Does the Synod consider that the motion has been sufficiently debated and should now be voted on?”

If the majority of the members present answer “Aye”, the debate on the motion will be regarded as having ended, subject to the mover of the motion exercising or declining to exercise a right of reply under rule 4.11. If the majority of members present answer “No” the President is to allow the debate to continue. Rule 4.10(1) and rule 4.10(2) apply until debate has ended.

4.11 Right of reply

(1) The mover of a motion has a right of reply after debate on a motion has ended unless the motion is

- (a) a procedural motion, or
- (b) a motion for an amendment, or
- (c) a motion moved in a meeting of the Synod in Committee.

(2) After the mover has exercised or declined to exercise their right of reply, the motion is to be voted on.

4.12 Voting on a motion

(1) A vote on a motion is taken by the President asking members present who are in favour of the motion to say “Aye” and then to ask those members who are against the motion to say “No”. Voting may also take place by a show of hands at the option of the President or if requested by a member. A motion is passed only if a majority of the persons present and voting vote in favour of the motion.

(2) If requested by 8 or more members, voting on a motion is to be conducted by ballot. If a ballot is requested, the Synod shall vote in accordance with the directions of the Secretary of the Synod.

(3) The members of the Synod are to vote collectively unless 8 members request that the vote be taken by Houses.

(4) If a vote is required to be taken by Houses, each House is to vote separately in accordance with the directions of the Secretary of the Synod, provided that the House of Laity is to vote first. The motion is passed only if a majority of persons present and voting in each House vote in favour of the motion. If a majority of the persons present and voting in the House of Laity do not vote in favour of the motion, the House of Clergy is not required to vote.

4.13 Adjournment of debate

(1) A procedural motion for the adjournment of either the Synod or a debate may be moved without notice at any time between speeches.

(2) If debate on a motion is adjourned, that debate takes precedence over all other business, unless these rules provide otherwise, or the Synod decides otherwise as a result of a motion without notice passed by the Synod.

4.14 Not voting on a motion

~~—— (1) If it is desired to avoid or postpone a vote on a motion, a member may move without notice the procedural motion~~

~~—— “That the motion not be voted on.”~~

~~—— (2) When this procedural motion is moved, the President is to immediately ask the Synod a question to the effect~~

~~—— “Does the Synod wish the debate on the principal motion to continue before the procedural motion is put to the Synod?”~~

~~—— (3) The question asked by the President in rule 4.14(2) may be debated but the debate is to be limited to that question until it is disposed of by vote of the Synod.~~

~~—— (4) If the majority of members present and answering answer “Aye” to the question asked by the President in rule 4.14(2), debate on the principal motion is to continue and the mover of that motion has a~~

~~right of reply before the procedural motion is voted on. If the procedural motion is not passed, the principal motion, and any amendments, are to be voted on immediately without further debate.~~

~~(5) If the majority of members present and answering answer “No” to the question asked by the President in rule 4.14(2), the President is to immediately put the procedural motion without debate and without any right of reply.~~

~~(6) The procedural motion in rule 4.14(1) is not to be moved in a meeting of the Synod in Committee.~~

(1) If it is desired not to vote on a motion, at any time following the speeches of the mover and seconder and prior to the motion being put to a vote, a member may move without notice the procedural motion –

“That the motion not be voted on.”

(2) When this procedural motion is moved, debate on the principal motion shall be suspended and the Synod shall immediately consider speeches for and against the procedural motion.

(3) If –

(a) the procedural motion is carried, debate on the Principal motion ceases and it is not put to the vote,

(b) the procedural motion is not passed, debate on the Principal motion continues from that point where the procedural motion was moved.

(4) The procedural motion in rule 4.14(1) may not be amended and is not to be moved in a meeting of the Synod in Committee.

4.14A Ending debate on a motion

(1) If it is desired to end debate on a motion, a member may move without notice the procedural motion –

“That debate cease and the motion be immediately put to the vote.”

(2) When this procedural motion is moved, debate on the principal motion shall be suspended and the Synod is to vote immediately on the procedural motion subject to the mover of the principal motion exercising or declining to exercise a right of reply under rule 4.11.

(3) If –

(a) the procedural motion is carried, the principal motion, and any amendments that have been moved, are to be voted on immediately without further debate, and

(b) the procedural motion is not carried, debate on the principal motion continues.

(4) The procedural motion in rule 4.14A(1) may not be amended and is not to be moved in a meeting of the Synod in Committee.

4.15 Withdrawal of a motion

A motion may be withdrawn at any time by its mover with the permission of the Synod.

4.16 Motions previously voted on

(1) No motion which has been considered by the Synod and voted on is to be debated again during the same session of the Synod.

(2) No motion which is substantially the same as one which has been voted on during the same session is to be considered. 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.

(3) Any question about whether a motion is substantially the same as one which has been voted on during the same session is to be decided by the President whose decision is final unless immediately altered as a result of a motion without notice agreed to by the Synod.

4.17 Synod in Committee

(1) The Synod may, as a result of a procedural motion passed by the Synod, resolve itself into the Synod in Committee to consider any matter. A motion for the Synod to resolve itself into the Synod in Committee to consider the text of a proposed ordinance (see rule 5.6) is

“That Synod resolves itself into the Synod in Committee to consider [further] the text of the [name of proposed ordinance].”

(2) During a meeting of the Synod in Committee, the ~~Chair of Committees~~Chair of Committee or the Deputy ~~Chair of Committees~~Chair of Committee has the functions set out in rules 2.3 and 2.4.

(3) The Synod in Committee may, as a result of a procedural motion passed by the Committee, resolve to adjourn its meeting. A motion to adjourn a meeting of the Synod in Committee is

“That the ~~Chair of Committees~~Chair of Committee leaves the chair and reports progress.”

(4) On a motion to adjourn a meeting of the Synod in Committee being passed, the ~~Chair of Committees~~Chair of Committee is to report progress to the Synod.

(5) When the Synod in Committee has concluded consideration of the matter before it, the ~~Chair of Committees~~Chair of Committee is to report to Synod. Where the matter being considered was the text of a proposed ordinance, the ~~Chair of Committees~~Chair of Committee is to report in the manner referred to in rule 5.6(3).

(6) The rules of procedure in this Part 4, so far as applicable, apply to a meeting of the Synod in Committee.

(7) In a meeting of the Synod in Committee the same number of members constitutes a quorum as in the Synod itself. If a quorum is not present, the ~~Chair of Committees~~Chair of Committee is to leave the chair and report progress.

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.

4.19 Expedited time limits and procedures

(1) Notwithstanding clause 4.6, the Synod may as a result of a procedural motion passed by the Synod to “adopt the expedited time limits”, adopt any or all of the following time limits for speeches for the remainder of a session –

(a) for a motion that a proposed ordinance be approved in principle –

(i) the mover may speak for up to 12 minutes, and up to 5 minutes in reply, and

(ii) other members may speak for up to 3 minutes,

(b) for a speech following the Synod’s approval to consider a proposed ordinance formally, the mover may speak for up to 3 minutes,

(c) for other motions, except the motions referred to in paragraphs (d) and (e) –

(i) the mover may speak for up to 8 minutes, and up to 4 minutes in reply,

(ii) a member moving a motion to amend a motion may speak for up to 4 minutes, and

(iii) other members may speak for up to 4 minutes,

(d) for procedural motions, a member may speak for up to 3 minutes, and

(e) for motions moved in a meeting of the Synod in Committee, a member may speak for up to 3 minutes.

(2) The Synod may, as a result of a procedural motion passed by the Synod to “adopt the expedited procedural rules”, adopt any or all of the following rules for the remainder of a session –

(a) Notwithstanding clause 6.3(5), the Archbishop is not required to read aloud the answers to questions.

(b) The afternoon session shall be extended 15 minutes, resulting in a correlating reduction in the length of the dinner break.

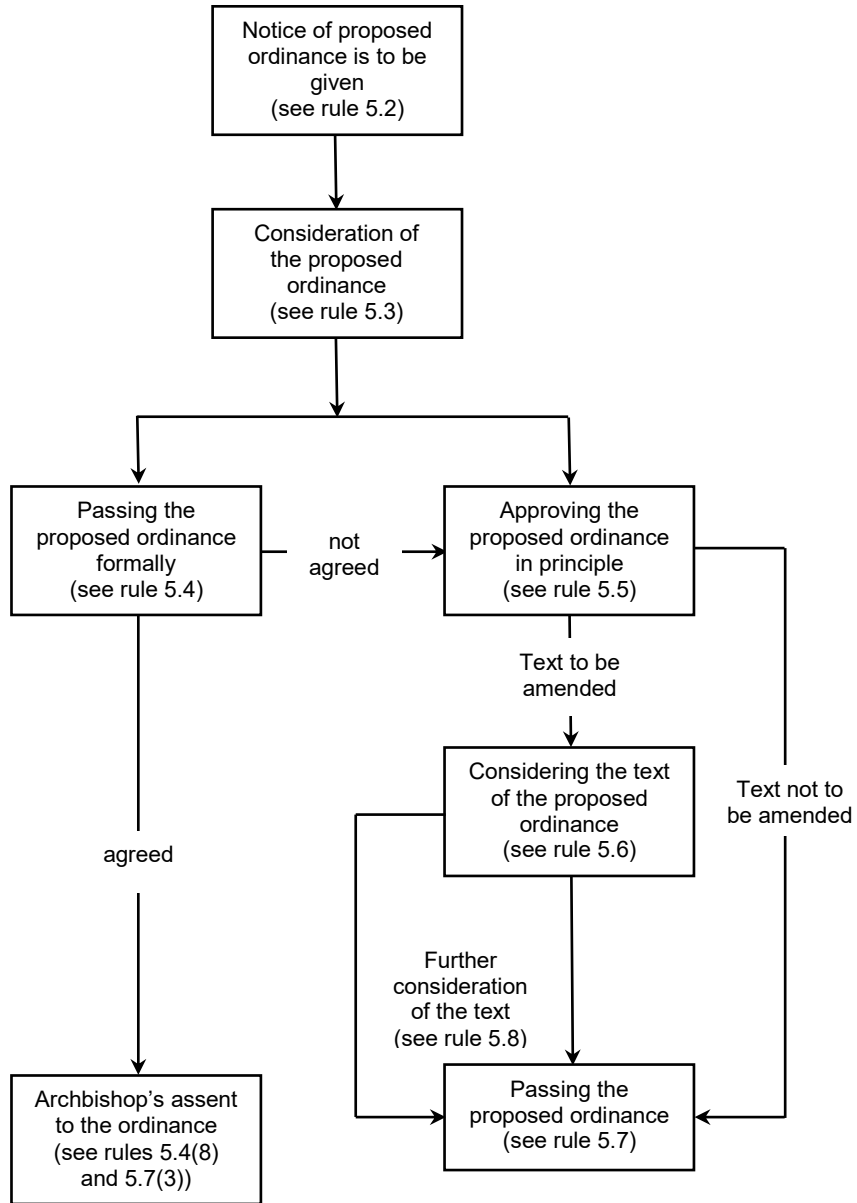
(3) The Synod having passed a procedural motion or motions in this clause, notwithstanding clause 4.16, may on a subsequent day of the same session –

- (a) return to ordinary time limits and procedures prior to the end of a session by moving a procedural motion to that effect, or
 - (b) consider a procedural motion under this clause to vary the expedited time limits and procedures adopted for that session.
- (4) The President may, by indicating his decision, apply any or all of the expedited time limits specified in paragraphs (a) – (e) of subclause (1) for any particular matter before Synod.

Part 5 Making of Ordinances by the Synod

5.1 Introduction

The general procedure for the making of an ordinance by the Synod is summarised in the following diagram.



The remaining rules in this Part contain the detail of this procedure, and the details of the special situations where the general procedure is modified.

5.2 Notice of the proposed ordinance is to be given

- (1) Notice of a proposed ordinance is to be given to members before the Synod may consider the proposed ordinance.

(2) Except as provided by rule 5.2(3), notice will be regarded as having been given only if a copy of the proposed ordinance has been circulated to members present before a motion to introduce the proposed ordinance is moved.

(3) If a proposed ordinance seeks

(a) to assent to a canon of the General Synod of the Anglican Church of Australia to amend the Constitution in the Schedule to the Anglican Church of Australian Constitution Act 1961, or

(b) to amend rule 5.2,

notice will be regarded as having been given only if

(c) a copy of the proposed ordinance was sent to each member at least 3 months before the first day of the session at which the proposed ordinance is to be considered, or

(d) 75% of the members present and voting permit the proposed ordinance to be introduced without notice, other than the notice provided for in rule 5.2(2).

5.3 Consideration of the proposed ordinance

(1) At the time permitted by these rules, a member may move that the Synod agree to consider a proposed ordinance by moving a motion as provided in subclause (2) or as provided in rule 5.5(1).

(2) A member desiring to move a proposed ordinance formally may move a motion to the effect –

“That Synod agrees to consider passing the proposed ordinance formally.”

(3) If the motion to consider passing the proposed ordinance formally is passed, the procedure in rule 5.4 applies. Otherwise the mover may immediately move the motion in rule 5.5(1). If the mover does not immediately move that motion, the mover is to move a motion to the effect –

“That Synod agrees to consider [at a specified time] a motion that the [name of the proposed ordinance] be approved in principle.”

5.3 Introduction of the proposed ordinance

~~(1) A proposed ordinance is introduced by a member moving a motion to the effect~~

~~“That Synod permits the introduction of the [name of the proposed ordinance].”~~

~~(2) If the motion to introduce the proposed ordinance is passed, the mover may immediately move a motion to the effect –~~

~~“That Synod agrees to consider passing the proposed ordinance formally.”~~

~~(3) If the motion to consider passing the proposed ordinance formally is passed, the procedure in rule 5.4 applies.~~

~~(4) If~~

~~(a) the mover does not move a motion to the effect that the Synod agrees to consider passing the proposed ordinance formally, or~~

~~(b) such a motion is moved but is not passed,~~

~~the mover may immediately move the motion in rule 5.5(1). If the mover does not immediately move that motion, the mover is to move a motion to the effect –~~

~~“That Synod agrees to consider [at a specified time] a motion that the [name of the proposed ordinance] be approved in principle.”~~

5.4 Passing the proposed ordinance formally

(1) If the Synod agrees to consider passing a proposed ordinance formally, the mover may immediately make a speech in accordance with clause 4.6(1)(b) for not longer than 3 minutes about the proposed ordinance.

(2) At the end of the speech, the President is to ask a question of the Synod to the effect

“Does any member have a question about the proposed ordinance?”

(3) If a member indicates that he or she has a question, the President is to allow the question to be asked and rules 5.4(4), 5.4(5) and 5.4(6) apply. If no member indicates that he or she has a question, the time for questions will be regarded as having ended.

(4) A question is to be answered by the mover or seconder unless the President allows another person to answer the question.

(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.

(6) 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 is to ask the Synod a question to the effect

“Does the Synod consider that sufficient time has been allowed for questions?”

If the majority of members present answer “Aye”, the time for questions will be regarded as having ended. If the majority of members present answer “No”, the President is to allow the time for questions to continue. Rules 5.4(5) and 5.4(6) apply until the time for questions has ended.

(7) Subject to rule 5.4(9), after the time for questions has ended, the mover is to immediately move a motion to the effect

“That the [name of the proposed ordinance] pass formally as an ordinance of the Synod.”

(8) If the Synod passes the proposed ordinance formally as an ordinance of the Synod, as soon as possible the Secretary of the Synod is to send to the Archbishop for his assent, the original copy of the ordinance upon which

- (a) the ~~Chair of Committees~~ Chair of Committee has certified the text of the ordinance, and
- (b) the Secretary of the Synod has certified that the ordinance has passed as an ordinance of the Synod.

(9) If

- (a) at any time after the motion in 5.3(2) is passed and prior to the motion in rule 5.4(7) being voted on, 8 members stand in their place to object to the proposed ordinance being passed formally, or
- (b) the motion in rule 5.4(7) is not passed,

the mover is to immediately move in accordance with clause 4.6(1)(a) a motion to the effect

“That Synod agrees to consider [forthwith or at a specified time] a motion that the [name of proposed ordinance] be approved in principle.”

5.5 Approving the proposed ordinance in principle

(1) ~~At the time permitted by these rules, the mover of a proposed ordinance~~ A member desiring to move a proposed ordinance in principal may move a motion to the effect

“That the [name of the proposed ordinance] be approved in principle.”

(2) After this motion has been moved and seconded, and the mover and seconder have spoken, the President is to ask the Synod a question to the effect

“Does any member have a question about the proposed ordinance?”

(3) If a member indicates that he or she has a question, the President is to allow the question to be asked and rules 5.5(4), 5.5(5) and 5.5(6) apply. If no member indicates that he or she has a question, the time for questions will be regarded as having ended.

(4) A question is to be answered by the mover or seconder unless the President allows another person to answer the question. 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.

(5) 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 is to ask the Synod a question to the effect –

“Does the Synod consider that sufficient time has been allowed for questions?”

(6) If the majority of members present answer “Aye”, the time for questions will be regarded as having ended. If the majority of members present answer “No”, the President is to allow the time for questions to continue. Rules 5.5(5) and 5.5(6) apply until the time for questions has ended.

(7) After the time for questions has ended, the President is to immediately ask the Synod a question to the effect

“Does any member wish to speak for, or against the motion, or to move an amendment to it?”

(8) If a member indicates that he or she wishes to speak for, or against the motion, or to move an amendment, the President is to allow debate on the motion to proceed.

(9) Upon a proposed ordinance being approved in principle, the President is to immediately ask the Synod a question to the effect

“Does any member wish to move an amendment to the text of the proposed ordinance?”

(10) If a member indicates to the President that he or she wishes to move an amendment to the text of the proposed ordinance, rule 5.6 applies.

(11) If no member indicates to the President that he or she wishes to move an amendment, rule 5.7 applies and the mover is to immediately move the motion in rule 5.7(1).

5.6 Considering the text of the proposed ordinance

(1) If upon the President asking the question under rule 5.5(9) a member indicates that he or she wishes to move an amendment to the text of the proposed ordinance, the Synod is to

- (a) immediately consider the text of the proposed ordinance in a meeting of the Synod in Committee, or
- (b) determine another time for such consideration.

(2) When considering the text of a proposed ordinance in a meeting of the Synod in Committee, the ~~Chair of Committees~~Chair of Committee is to put each clause of the proposed ordinance separately in the order in which the clauses occur in the proposed ordinance, leaving the title and the preamble to be considered last, unless, in the opinion of the ~~Chair of Committees~~Chair of Committee, it is expedient to put 2 or more consecutive clauses together.

(3) When consideration of the text of the proposed ordinance has been completed by the Synod in Committee, the ~~Chair of Committees~~Chair of Committee is to report the proposed ordinance to the Synod, with or without amendments as the case may be.

(4) Upon the report of an ordinance with amendments being adopted by the Synod as a result of a motion without notice passed by the Synod, the mover of the proposed ordinance is to immediately move a motion to the effect

“That Synod agrees to consider [on a specified future day/on a specified future day and at a specified time] a motion that the [name of the proposed ordinance] pass as an ordinance of the Synod.”

(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).

5.7 Passing the proposed ordinance

(1) When permitted by these rules, the mover may move a motion to the effect

“That the [name of proposed ordinance] pass as an ordinance of the Synod.”

(2) A motion that a proposed ordinance pass as an ordinance of the Synod is not to be moved until the ~~Chair of Committees~~Chair of Committee has certified the text on the original copy of the proposed ordinance.

(3) If the Synod passes a motion that a proposed ordinance pass as an ordinance of the Synod, the Secretary of the Synod is to

- (a) certify on the original copy of the ordinance that the ordinance has passed as an ordinance of the Synod, and
- (b) as soon as possible, send the original copy of the ordinance to the Archbishop to enable him to consider his assent.

5.8 Further consideration of the text of the proposed ordinance

At any time before the Synod passes a motion that a proposed ordinance pass as an ordinance of the Synod, the Synod may, as a result of a motion with or without notice passed by the Synod, refer the proposed ordinance, or any clause of the proposed ordinance, or any amendment, to the Synod in Committee for consideration. Rules 5.6, 5.7 and 5.8 then apply, so far as they are relevant.

5.9 Reconsideration of the text of the proposed ordinance if assent is withheld

If the Archbishop withholds assent to an ordinance then, ignoring rules 5.3, 5.4 and 5.5, the Synod may, as a result of a motion with notice passed by the Synod, refer the proposed ordinance, or any clause of the

proposed ordinance, or any amendment, to the Synod in Committee for consideration. Rules 5.6, 5.7 and 5.8 then apply, so far as they are relevant.

5.10 Proposed ordinances referred from the Standing Committee

If an ordinance proposed to be made by the Standing Committee is referred to the Synod then, subject to notice of the proposed ordinance being given in accordance with rule 5.2, consideration of the proposed ordinance by the Synod is to commence with a member moving the motion in rule 5.3(1).

5.11 Referral of ordinances by the Synod

- (1) The Synod may, as a result of a motion with or without notice passed by the Synod, refer a proposed ordinance at any point in the procedure concerning it
 - (a) to the next session of the same Synod, or
 - (b) to a session of the next Synod.
- (2) Consideration of the proposed ordinance at the next session of the Synod or at a session of the next Synod, as the case may be, resumes at the point in the procedure reached when it was referred.

Part 6 Other Matters

6.1 Questions about the election or qualification of a member

- (1) A question about
 - (a) the validity of the election or appointment of a member, or
 - (b) the qualification of any person to be a member,may be referred by the Synod to the Committee of Elections and Qualifications for investigation.
- (2) The Committee of Elections and Qualifications
 - (a) may meet during a session of the Synod, and
 - (b) when investigating a question referred to it, may receive such evidence as is available, whether that evidence would be admissible in legal proceedings or not.
- (3) After completing its investigation, the Committee of Elections and Qualifications is to report to the Synod its findings about
 - (a) whether the relevant member was validly elected or appointed, or
 - (b) whether the person is qualified to be a member.
- (4) A member of the Synod may move, with or without notice, that the report of the Committee of Elections and Qualifications be adopted. The motion is to state whether the member who is the subject of the report has been validly elected or appointed or not, or whether the person is qualified to be a member.
- (5) If the Synod passes a motion to the effect that a person has not been validly elected or appointed, or that the person is not qualified to be a member, that person is not to thereafter take part in the proceedings of the Synod unless and until that person becomes duly elected, appointed or qualified, as the case may be.

6.2 Petitions to Synod

- (1) This rule 6.2 applies to the petitions referred to in rule 3.2(j).
- (2) Petitions must be in writing and conclude with the signatures of the petitioners.
- (3) No petition is to
 - (a) be expressed in language which, in the opinion of the President, is disrespectful or offensive, or
 - (b) have been altered by erasure or interlineation.
- (4) A member presenting a petition is to
 - (a) be acquainted with the contents of the petition, and
 - (b) affix his or her name at the beginning of the petition, and
 - (c) state from whom it comes and its contents.
- (5) On the presentation of a petition, the only motion the Synod is to consider is a motion to the effect
"That Synod receives the petition."

6.3 Questions

- (1) This rule 6.3 applies to the questions referred to in ~~rule 3.3(e)~~ rules 3.2(k) and 3.3(e).
- (2) A question may be asked by any member using the following procedure –

- (a) A member seeking to include a question to be tabled on the first day of a session of Synod, must submit the full text of the question to the Secretary of the Synod no later than 7 days prior to the first day of the session and indicate if they desire the answer to be read orally to the Synod.
- (b) The Secretary is to make the full text of each question submitted in accordance with paragraph (a) available on the website and the noticeboard in the foyer of Synod, prior to the commencement of the first day of the session.
- (c) On the other days provided for asking questions, 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 –
 - (i) 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
 - (ii) indicate if they desire the answer to be read orally to the Synod.
- (d) If a member asking a question does not indicate in writing their desire that the answer be read orally to the Synod, it will be taken that the answer need not be read orally by the President to the Synod.

~~— (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.~~

- (3) A question is to relate to a matter connected with the business of
 - (a) the Synod, or
 - (b) any committee, board or commission of the Synod, or established by or under an ordinance, or by resolution of the Synod or the Standing Committee.
- (4) No question is to
 - (a) contain an assertion, or
 - (b) express an opinion, or
 - (c) offer an argument, or
 - (d) make any inference or imputation, or
 - (e) be expressed in language which, in the opinion of the President, is disrespectful or offensive, or
 - (f) seek a legal opinion.
- (5) Except as provided in paragraphs 6.3(2)(d) and 4.19(2)(a), 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 of the question and answer 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.

6.4 Personal explanations

With the permission of the President, a member may explain matters of a personal nature. These matters are not to be debated.

6.5 Suspension of these rules

Any rule of procedure may be suspended by motion

- (a) with notice, or
- (b) without notice unless 8 members object.

6.6 Media

- (1) Unless the Synod otherwise determines as a result of a motion with or without notice passed by the Synod, the proceedings of the Synod are to be open to the media.
- (2) With the permission of the President, the proceedings, or parts of the proceedings, may be televised, broadcast or photographed.

6.7 Rules

A rule which the Synod is authorised to make by the Constitutions set out in the Schedule to the Anglican Church of Australia Constitutions Act 1902 may be made by resolution, unless those Constitutions require the rule to be made by ordinance. No rule made by resolution is to be contrary to the terms of an ordinance.

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.

Table of Amendments

Rule 1.1(2)	Amended by Ordinance No 9, 2019.
Rule 1.2	Amended by Ordinance No 34, 2005.
Rule 2.1	Amended by Ordinance No 38, 2014.
Rule 2.2	Amended by Ordinance No 38, 2014.
Rule 2.3	Amended by Ordinance No 38, 2014.
Rule 2.4	Amended by Ordinance No 38, 2014.
Rule 2.5	Amended by Ordinance No 38, 2014.
Rule 2.6	Amended by Ordinance No 38, 2014.
Rule 2.7	Amended by Ordinance No 38, 2014.
Rule 2.8	New rule inserted by Ordinance No 38, 2014.
Rule 3.2	Amended by Ordinances Nos 61, 2002 and 38, 2014.
Rule 3.3	Amended by Ordinances Nos 61, 2002 and 38, 2014.
Rule 3.5	Amended by Ordinance No 38, 2014.
Rule 4.1	Amended by Ordinance No 44, 2016.
Rule 4.2	Amended by Ordinances Nos 26, 2009 and 38, 2014.
Rule 4.3	Amended by Ordinance No 38, 2014.
Rule 4.5	Amended by Ordinance No 38, 2014.
Rule 4.5A	New rule inserted by Ordinance No 38, 2014.
Rule 4.6	Amended by Ordinances Nos 61, 2002 and 38, 2014.
Rule 4.9	Amended by Ordinance No 38, 2014.
Rule 4.10	Amended by Ordinance No 61, 2002.
Rule 4.11	Amended by Ordinance No 38, 2014.
Rule 4.12	Amended by Ordinances Nos 61, 2002 and 38, 2014.
Rule 4.14	Amended by Ordinance No 61, 2002.
Rule 4.16	Amended by Ordinance No 38, 2014.
Rule 4.17	Amended by Ordinance No 38, 2014.
Rule 4.18	New rule inserted by Ordinance No 38, 2014.
Rule 5.3	Amended by Ordinance No 61, 2002.
Rule 5.4	Amended by Ordinances Nos 61, 2002; 38, 2014 and 44, 2016.
Rule 5.5	Amended by Ordinances Nos 61, 2002 and 44, 2016.
Rule 5.6	Amended by Ordinance No 38, 2014.
Rule 5.7	Amended by Ordinance No 38, 2014.
Rule 6.1	Amended by Ordinance No 38, 2014.
Rule 6.2	Amended by Ordinance No 38, 2014.
Rule 6.3	Amended by Ordinance No 38, 2014.
Rule 6.8	New rule inserted by Ordinance No 38, 2014.



Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2019

No. _____, 2019

Long Title

An Ordinance to amend the *Conduct of the Business of Synod Ordinance 2000*.

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 2019.

2. Amendment

The *Conduct of the Business of Synod Ordinance 2000* is amended as follows –

- 5 (a) all the matter in the Title is deleted and the matter “Synod Standing Orders Ordinance 2019” is inserted instead,
- (b) substitute every reference to ‘Chair of Committees’ wherever they appear with the words ‘Chair of Committee’,
- 10 (c) substitute every reference to ‘Chairs of Committees’ wherever they appear with the words ‘Chairs of Committee’,
- (d) delete the matter ‘Conduct of the Business of Synod Ordinance 2000’ in clause 1 and insert instead the matter ‘Synod Standing Orders Ordinance 2019’,
- (e) delete all the matter in clause 3(2) and insert instead the following –
- 15 (2) Each reference in an ordinance (other than this Ordinance) to the Standing Orders Ordinance 1968 and the Conduct of the Business of Synod Ordinance 2000 is changed to the Synod Standing Orders Ordinance 2019.’,
- (f) delete the words ‘of motions,’ in rule 2.6(2) in the Schedule and insert instead the words ‘and scheduling of motions and presentations’,
- 20 (g) delete all the matter in rule 3.2 in the Schedule and insert instead the following (and re-letter the relevant cross references throughout the Ordinance) –

‘3.2 Order of business for the first day of a session

The order of business for the first day of a session of is as follows.

- 25 (a) The President, or a person appointed by him, is to read prayers.
- (b) The President is to table a list of the members of the Synod.
- 30 (c) The President may make a speech to the Synod at a time of his choosing.
- (d) The President is to table a document appointing a commissary.
- (e) The President is to call the motions on the business paper appearing in relation to paragraphs (f) and (g) of this clause.
- 35 (f) The Synod is to consider any motion to declare a vacancy or vacancies among the membership of the Property Trust in accordance with the Anglican Church Property Trust Diocese of Sydney Ordinance 1965.
- (g) Where required under Part 2, the Synod is to consider motions for the election of –
- 40 (i) the Secretary of Synod,
- (ii) the Chair of Committee,
- (iii) the Deputy Chair or Chairs of Committee,
- (iv) the Committee of Elections and Qualifications,
- (v) the Committee for the Order of Business, and
- (vi) the Minute Reading Committee.
- (h) The President is to table a list of the results of uncontested elections and declare the persons concerned elected.

- 5 (i) The minute book of the Standing Committee is to be tabled.
(j) The President is to allow members to present petitions.
(k) The President is to table a list of questions asked by members in accordance with 6.3(2)(a).
5 (l) The President is to invite members to give notice of motions.
(m) The President is to call the motions, including procedural motions, in the order in which they appear on the business paper in accordance with rule 4.5.
(n) The President is to allow members to move procedural motions.
10 (o) The Synod is to consider motions for the formal reception and printing of reports, accounts and other documents in the order in which they appear on the business paper.
(p) The Synod is to consider motions for proposed ordinances which have been referred from a previous session of the Synod, or from a previous Synod, in the order in which they appear on the business paper, unless the Synod determines, by motion without notice, that those motions should be considered on a subsequent day.
15 (q) The Synod is to consider motions to be moved at the request of the Synod or the Standing Committee in the order in which they appear on the business paper.
20 (r) The Synod is to consider motions to be moved at the request of a regional council in the order in which they appear on the business paper.
25 (s) The Synod is to consider motions received by the Standing Committee from members in accordance with rule 4.3(3) in the order in which they were received.’,
- (h) amend rule 3.3 in the Schedule as follows –
(i) delete the word ‘rule’ in paragraph (d) and insert instead the matter ‘rules 6.3(2)(d) and’,
(ii) delete the words ‘the previous day’ in paragraph (d) and insert instead the words ‘previous days’,
30 (iii) delete the reference ‘rule 6.3’ in paragraph (e) and insert instead the reference ‘rule 6.3(2)(c)’,
(iv) delete all the matter in paragraph (f) and insert the following –
‘The President is to invite members to give notice of motions.’
35 (v) after the matter ‘The President is to call the motions’ in paragraph (g), insert the matter ‘, including procedural motions.’,
(vi) insert a new paragraph (h) (and consequentially re-letter the remaining paragraphs) as follows –
‘(h) The President is to allow members to move procedural motions.’,
40 (i) insert a new rule 3.6 in the Schedule as follows –
‘3.6 Presentations to Synod
(1) The President may invite persons at his discretion to address the Synod.
(2) Presentations approved by the Standing Committee will appear on the business paper for day 1.
45 (3) Presentations scheduled by the Committee for the Order of Business will appear on business papers for subsequent days.
(4) The Synod may, as a result of a procedural motion, allow other presentations to be made to the Synod on any subject related to the Synod. Such presentations –
50 (a) must be no longer than ten minutes, and
(b) may not be scheduled to a time following the dinner break.
(5) Synod members, or individuals who are not members of Synod but who are named as intended presenters in a procedural motion, may combine for a presentation (including visuals) in accordance with this clause.’,

- (j) delete all the matter in rule 4.3(1) in the Schedule and insert instead the following –
 ‘(1) The Synod is not to consider a motion unless notice of the motion was given on a previous day.’,
- (k) delete rule 4.3(4),
- (l) amend rule 4.5 in the Schedule as follows –
- (i) insert the words ‘or policy’ in sub-rule (1) after the words ‘about a proposed ordinance’,
- (ii) delete the matter ‘call “object” or 1 or more members’ in sub-rule (2) and insert instead the matter ‘stand to object or any member’,
- (iii) delete the matter ‘call “object” or 1 or more members’ in sub-rule (3) and insert instead the matter ‘stand to object or any member’,
- (m) insert a new paragraph (b) (and consequentially re-letter the remaining paragraphs and the relevant cross references throughout the Ordinance) in rule 4.6(1) in the Schedule as follows –
- ‘(b) For a speech following the Synod’s approval to consider a proposed ordinance formally, the mover may speak for up to 3 minutes.’,
- (n) insert a new sub-rule (3) in rule 4.7 in the Schedule as follows –
- ‘(3) Once a motion to amend a motion (the principal motion) has been moved, it is a separate motion for the purpose of this clause. Accordingly, if a member has already spoken on the principal motion, they may not move a motion to amend the principal motion, but they may speak on any amendment to the principal motion.’,
- (o) amend rule 4.8 in the Schedule as follows –
- (i) substitute the word ‘any’ in sub-rule (2) with the word ‘further’,
- (ii) after the word ‘proceed’ in sub-rule (3) insert the matter ‘, commencing with speeches for and against the motion before considering amendments to the motion, unless the President determines otherwise’,
- (p) delete sub-rules (1) – (6) in rule 4.14 in the Schedule and insert instead the following –
- ‘(1) If it is desired not to vote on a motion, at any time following the speeches of the mover and seconder and prior to the motion being put to a vote, a member may move without notice the procedural motion –
- “That the motion not be voted on.”
- (2) When this procedural motion is moved, debate on the principal motion shall be suspended and the Synod shall immediately consider speeches for and against the procedural motion.
- (3) If –
- (a) the procedural motion is carried, debate on the Principal motion ceases and it is not put to the vote,
- (b) the procedural motion is not carried, debate on the Principal motion continues from that point where the procedural motion was moved.
- (4) The procedural motion in rule 4.14(1) may not be amended and is not to be moved in a meeting of the Synod in Committee.’,
- (q) insert a new rule 4.14A in the Schedule as follows –
- 4.14A Ending debate on a motion**
- (1) If it is desired to end debate on a motion, a member may move without notice the procedural motion –
- “That debate cease and the motion be immediately put to the vote.”
- (2) When this procedural motion is moved, debate on the principal motion shall be suspended and the Synod is to vote immediately on the procedural motion subject to the mover of the principal motion exercising or declining to exercise a right of reply under rule 4.11.
- (3) If –

- (a) the procedural motion is carried, the principal motion, and any amendments that have been moved, are to be voted on immediately without further debate, and
- (b) the procedural motion is not carried, debate on the principal motion continues.

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(4) The procedural motion in rule 4.14A(1) may not be amended and is not to be moved in a meeting of the Synod in Committee.’,

(r) insert a new rule 4.19 in the Schedule as follows –

‘4.19 Expedited time limits and procedures

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(1) Notwithstanding clause 4.6, the Synod may as a result of a procedural motion passed by the Synod to “adopt the expedited time limits”, adopt any or all of the following time limits for speeches for the remainder of a session –

- (a) for a motion that a proposed ordinance be approved in principle –
 - (i) the mover may speak for up to 12 minutes, and up to 5 minutes in reply, and
 - (ii) other members may speak for up to 3 minutes,
- (b) for a speech following the Synod’s approval to consider a proposed ordinance formally, the mover may speak for up to 3 minutes,
- (c) for other motions, except the motions referred to in paragraphs (d) and (e) –
 - (i) the mover may speak for up to 8 minutes, and up to 4 minutes in reply,
 - (ii) a member moving a motion to amend a motion may speak for up to 4 minutes, and
 - (iii) other members may speak for up to 4 minutes,
- (d) for procedural motions, a member may speak for up to 3 minutes, and
- (e) for motions moved in a meeting of the Synod in Committee, a member may speak for up to 3 minutes.

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(2) The Synod may, as a result of a procedural motion passed by the Synod to “adopt the expedited procedural rules”, adopt any or all of the following rules for the remainder of a session –

- (a) Notwithstanding clause 6.3(5), the Archbishop is not required to read aloud the answers to questions.
- (b) The afternoon session shall be extended 15 minutes, resulting in a correlating reduction in the length of the dinner break.

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(3) The Synod having passed a procedural motion or motions in this clause, notwithstanding clause 4.16, may on a subsequent day of the same session –

- (a) return to ordinary time limits and procedures prior to the end of a session by moving a procedural motion to that effect, or
- (b) consider a procedural motion under this clause to vary the expedited time limits and procedures adopted for that session.

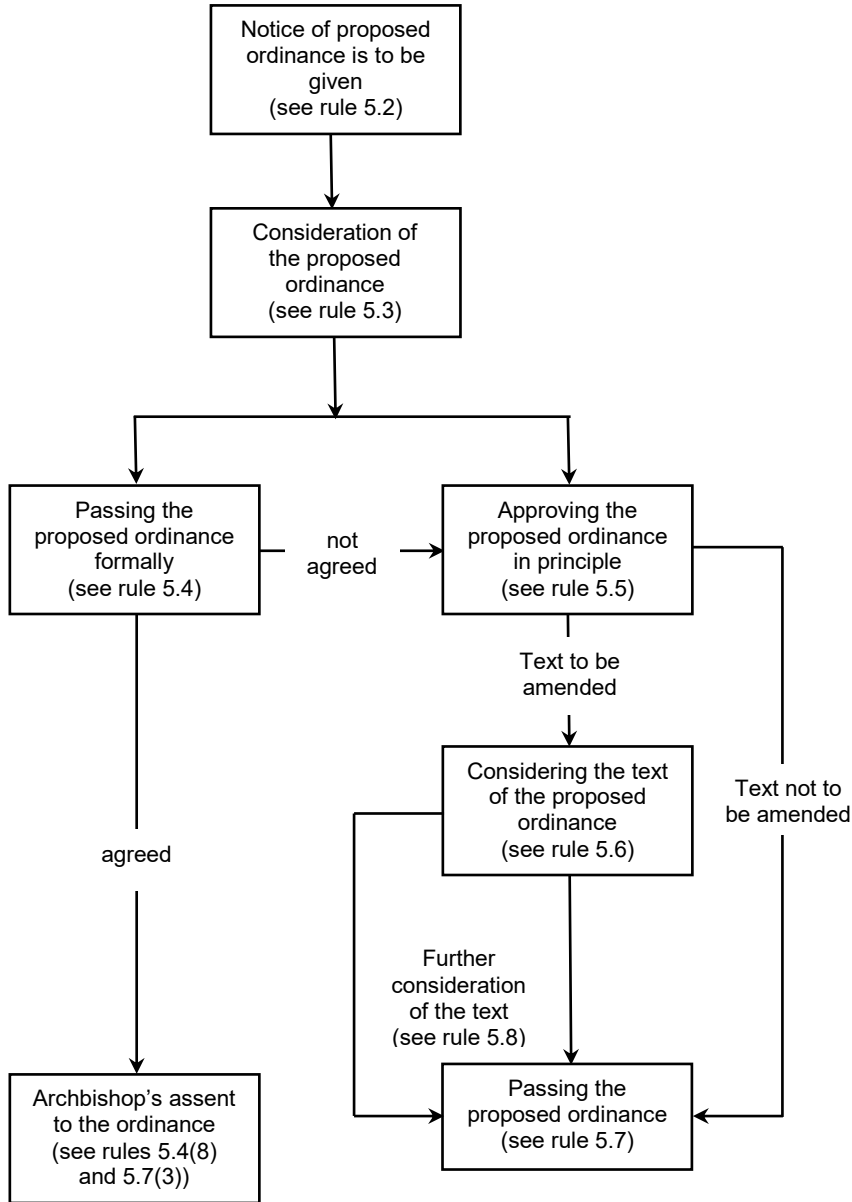
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(4) The President may, by indicating his decision, apply any or all of the expedited time limits specified in paragraphs (a) – (e) of subclause (1) for any particular matter before Synod.’,

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(s) delete the diagram in rule 5.1 and insert instead the following diagram –

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(t) delete all the matter in rule 5.3 in the Schedule and insert instead the following –

5.3 Consideration of the proposed ordinance

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(1) At the time permitted by these rules, a member may move that the Synod agree to consider a proposed ordinance by moving a motion as provided in subclause (2) or as provided in rule 5.5(1).

(2) A member desiring to move a proposed ordinance formally may move a motion to the effect –

“That Synod agrees to consider passing the proposed ordinance formally.”

(3) If the motion to consider passing the proposed ordinance formally is passed, the procedure in rule 5.4 applies. Otherwise the mover may immediately move the motion in rule 5.5(1). If the mover does not immediately move that motion, the mover is to move a motion to the effect –

“That Synod agrees to consider [at a specified time] a motion that the [name of the proposed ordinance] be approved in principle.”,

(u) amend rule 5.4 in the Schedule as follows –

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(i) delete the words ‘for not longer than 3 minutes’ from sub-rule (1) in the Schedule and insert instead the words ‘in accordance with clause 4.6(b)’,

- (ii) insert the words 'at any time after the motion in 5.3(2) is passed and' in sub-rule (9) at the beginning of paragraph (a),
- (iii) insert the words 'in accordance with clause 4.6(1)(a)' in sub-rule (9) after the words 'the mover is to immediately move',
- 5 (v) delete the words 'At the time permitted by these rules, the mover of a proposed ordinance' in rule 5.5(1) and insert instead the words 'A member desiring to move a proposed ordinance in principal',
- (w) amend rule 6.3 in the Schedule as follows –
- (i) delete the words 'rule 3.3(e)' in sub-rule (1) and insert instead the matter 'rules 3.2(k) and 3.3(e)',
- 10 (ii) delete all the matter in sub-rule (2) and insert instead the following –
- '(2) A question may be asked by any member using the following procedure –
- (a) A member seeking to include a question to be tabled on the first day of a session of Synod, must submit the full text of the question to the Secretary of the Synod no later than 7 days prior to the first day of the session and indicate if they desire the answer to be read orally to the Synod.
- (b) The Secretary is to make the full text of each question submitted in accordance with paragraph (a) available on the website and the noticeboard in the foyer of Synod, prior to the commencement of the first day of the session.
- (c) On the other days provided for asking questions, 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 –
- (i) 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
- (ii) indicate if they desire the answer to be read orally to the Synod.
- (d) If a member asking a question does not indicate in writing their desire that the answer be read orally to the Synod, it will be taken that the answer need not be read orally by the President to the Synod.'
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- 35 (iii) delete the word "An" at the beginning of sub-rule (5) and insert the matter 'Except as provided in paragraphs 6.3(2)(d) and 4.19(2)(a), an', and
- (iv) insert the words 'of the question and answer' in sub-rule (5) after the words 'As soon as possible a written copy'.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

Chair of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 2019.

Secretary of Synod

I Assent to this Ordinance.

Archbishop of Sydney

/ /2019

General Synod – Lay Assistants at Holy Communion Canon 1973 Repeal and Exclusion Ordinance 2019

Explanatory Report

Purpose of the Bill

1. The purpose of the Bill for the *General Synod – Lay Assistants at Holy Communion Canon 1973 Repeal and Exclusion Ordinance 2019* (the “Bill”) is to exclude the Lay Assistants at Holy Communion Canon 1973 (the “Canon”) and amend the *Authorisation of Lay Ministry Ordinance 2015* to authorise lay persons to assist the presbyter in the distribution of the elements of the Holy Communion on certain terms.

Recommendations

2. That Synod receive this report.
3. That Synod pass the Bill as an ordinance of the Synod.

Evidence Given

4. The Synod of the Diocese of Sydney has adopted the *Lay Assistants at Holy Communion Canon 1973*.
5. The Canon provides for lay persons to be authorised by the bishop to assist in the ministering and distribution of Holy Communion.
6. On 17 December 2002, Archbishop Peter Jensen issued a general authorisation for lay people to assist in the ministering and distribution of Holy Communion, subject to certain requirements being satisfied. This authorisation is still in force. A copy is attached.
7. It is unnecessary for the authorisation of a lay person to assist in the ministering and distribution of Holy Communion to be authorised pursuant to a Canon of the General Synod. Furthermore, since it involves an authorisation for a lay person to perform a function in the Church the provisions should be consolidated into the *Authorisation of Lay Ministry Ordinance 2015* so that the regulation of lay ministry is contained within the one ordinance.
8. Clause 2 of the Bill will repeal the *General Synod – Lay Assistants at Holy Communion Canon 1973 Adopting Ordinance 1973* and exclude the Canon pursuant to section 30(d) of the Schedule to the Anglican Church of Australia Constitution Act 1961.
9. Clause 3 of the Bill will insert a new clause 9 in the *Authorisation of Lay Ministry Ordinance 2015* to authorise a lay person to assist the presbyter in the distribution of the elements of the Holy Communion where the following requirements are met –
 - (a) the lay person has attained the age of 18 years,
 - (b) the lay person has been invited by the presbyter to provide such assistance,
 - (c) the lay person is a communicant member of the Anglican Church of Australia,
 - (d) the presbyter is satisfied concerning the doctrine held by and the character of the lay person,
 - (e) the lay person is not the subject of a request by the parish council of the parish in which the service of Holy Communion takes place that the lay person not provide such assistance,
 - (f) the lay person is not the subject of a direction of the Archbishop or an Assistant Bishop that the lay person not provide such assistance, and
 - (g) the lay person is not the subject of an undertaking given under or a suspension or prohibition order issued pursuant to the *Ministry Standards Ordinance 2017* or an equivalent ordinance.

10. The phrase “in the distribution of the elements of the Holy Communion” is used instead of the phrase “assist in the ministering and distribution of Holy Communion” in order to be more specific about what is being authorised by Ordinance.
11. The requirements to be met are the same as those in the authorisation issued by Archbishop Jensen, except –
 - (a) a person must have attained the age of 18 years rather than 21 years,
 - (b) the term “Priest” has been replaced with “presbyter”, and
 - (c) paragraph (g) has been updated to reflect changes to the professional standards regime in force in the Diocese.

For and on behalf of the Standing Committee

DANIEL GLYNN
Diocesan Secretary

29 August 2019

Authority for Lay Persons to Assist in the Service of Holy Communion

I, Peter Frederick Jensen, Archbishop of Sydney pursuant to section 1 of the Lay Assistants at Holy Communion Canon 1973 hereby authorise every lay person to assist the priest in the ministering and distribution of the Holy Communion where the following requirements are satisfied –

- (a) the lay person has attained the age of 21 years, and
- (b) the lay person has been invited by the priest to provide such assistance, and
- (c) the lay person is a communicant member of the Anglican Church of Australia, and
- (d) the minister is satisfied concerning the doctrine held by and the character of the lay person, and
- (e) the lay person is not the subject of a request by the parish council of the parish in which the service of Holy Communion takes place that the lay person not provide such assistance, and
- (f) the lay person is not the subject of a direction of the Archbishop or an Assistant Bishop that the lay person not provide such assistance, and
- (g) the lay person is not the subject of a prohibition made by the Archbishop under the Church Discipline Ordinance 1996.

In this Authority –

"minister" means –

- (a) as applied to a parish, the minister duly licensed thereto as the incumbent thereof or the person (if any) appointed thereto pursuant to clause 59 of the Church Administration Ordinance 1990,
- (b) as applied to a provisional parish, the minister duly licensed thereto as curate-in-charge or the person (if any) appointed thereto pursuant to clause 59 of the Church Administration Ordinance 1990,
- (c) as applied to St Andrew's Cathedral, the Dean thereof, and
- (d) as applied to a church situated within the Diocese but not situated in any parish, the minister licensed to officiate thereat.

"parish" means a parish and a provisional parish in the Diocese constituted or recognised under the Parishes Ordinance 1979 or a church recognised under the Recognised Churches Ordinance 2000.

"Parish council" as applied to St Andrew's Cathedral means the Chapter thereof.

PETER F JENSEN

Archbishop

17 December 2002

General Synod – Lay Assistants at Holy Communion Canon 1973 Repeal and Exclusion Ordinance 2019

No _____, 2019

Long Title

An Ordinance to repeal the *General Synod – Lay Assistants at Holy Communion Canon 1973 Adopting Ordinance 1973* and to exclude the Canon from having force in this Diocese.

The Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the General Synod – Lay Assistants at Holy Communion Canon 1973 Repeal and Exclusion Ordinance 2019.

2. Repeal and Exclusion

The *General Synod – Lay Assistants at Holy Communion Canon 1973 Adopting Ordinance 1973* is repealed and the Canon is excluded pursuant to section 30(d) of the Schedule to the *Anglican Church of Australia Constitution Act 1961*.

3. Amendments

The *Authorisation of Lay Ministry Ordinance 2015* is amended by –

- (a) inserting a new clause 9 as follows (and consequentially renumbering the remaining clauses) –

“9. Authority for lay persons to assist in the service of Holy Communion

(1) A lay person is authorised to assist the presbyter in the distribution of the elements of the Holy Communion where the following requirements are satisfied –

- (a) the lay person has attained the age of 18 years,
- (b) the lay person has been invited by the presbyter to provide such assistance,
- (c) the lay person is a communicant member of the Anglican Church of Australia,
- (d) the presbyter is satisfied concerning the doctrine held by and the character of the lay person,
- (e) the lay person is not the subject of a request by the parish council of the parish in which the service of Holy Communion takes place that the lay person not provide such assistance,
- (f) the lay person is not the subject of a direction of the Archbishop or an Assistant Bishop that the lay person not provide such assistance, and
- (g) the lay person is not the subject of an undertaking given under or a suspension or prohibition order issued pursuant to the Ministry Standards Ordinance 2017 or an equivalent ordinance.

(2) For the purposes of this clause, “parish council” when applied to St Andrew’s Cathedral means the Chapter thereof.”, and

- (b) deleting the following matter in the renumbered subclause 10(1) –

“–

- (a) authority issued pursuant to the *General Synod – Lay Assistants at Holy Communion Canon 1973 Adopting Ordinance 1973*, or
- (b)”

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

Chair of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney
on 2019.

Secretary

I Assent to this Ordinance.

Archbishop of Sydney

/ /2019

General Synod - Lay Assistants at Holy Communion Canon 1973 Adopting Ordinance 1973

(Reprinted under the Interpretation Ordinance 1985.)

The General Synod - Lay Assistants at Holy Communion Canon 1973 Adopting Ordinance 1973 as amended in accordance with the Anglican Church of Australia Act 1976.

Long Title

AN ORDINANCE for adopting a certain canon of the Anglican Church of Australia entitled "Lay Assistants at Holy Communion Canon 1973".

Preamble

WHEREAS a certain canon entitled "Lay Assistants at Holy Communion Canon 1973" (No 12 of 1973) was passed by the General Synod of the Anglican Church of Australia during the session of the said Synod held in May 1973 AND WHEREAS a copy of the said Canon is contained in the Schedule hereto AND WHEREAS it is expedient that the said Canon be adopted by the Synod of this Diocese NOW the Synod of the Diocese of Sydney HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:

Adoption of Canon

1. The said Canon is hereby adopted and shall so far as the same is applicable be applied to the order and good government of the Church in this Diocese.

Citation

2. This Ordinance may be cited as "General Synod - Lay Assistants at Holy Communion Canon 1973 Adopting Ordinance 1973".

SCHEDULE

GENERAL SYNOD SESSION 1973 CANON NO 12

A CANON to provide for Lay Assistants at Holy Communion.

The General Synod prescribes as follows:

1. Lay persons being communicants may be authorised by the bishop to assist the priest in the ministering and distribution of the Holy Communion.
2. The Synod of any diocese may by ordinance set further limitations to the doing of any act referred to in this Canon by any lay person.
3. The bishop of any diocese may make regulations which specify the qualifications to be required of such persons before any such authority is conferred upon them, the person or persons who may authorise such lay persons to assist as aforesaid, the form of authority to be issued to them and the vesture to be worn by such persons while assisting at Holy Communion as aforesaid.
4. This Canon affects the order and good government of the Church of England in Australia and shall not come into force in any diocese unless and until the diocese by ordinance adopts the said Canon.
5. This Canon may be cited as "Lay Assistants at Holy Communion Canon 1973".

Table of Amendments

Long Title	Amended in accordance with Act No. 21, 1976.
Preamble	Amended in accordance with Act No. 21, 1976.



Authorisation of Lay Ministry Ordinance 2015

(Reprinted under the Interpretation Ordinance 1985.)

Table of Provisions

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Long Title

An Ordinance to provide for the authorisation of certain lay ministry in the Diocese and for related matters. The Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the *Authorisation of Lay Ministry Ordinance 2015*.

2. Interpretation

In this Ordinance –

“church” means –

- (a) a building or part of a building duly consecrated or licensed for the celebration of divine service,
- (b) an associated congregation of a church within the meaning of Schedule 1 of the *Parish Administration Ordinance 2008*, and
- (c) a congregation of a parish within the meaning of Schedule 2 of the *Parish Administration Ordinance 2008*.

“deaconess” means a person who has been admitted to the order of Deaconess described in the *General Synod – Order of Deaconesses Canon 1969 Adopting Ordinance 1970*.

“lay minister” means a lay person appointed as a staff member to assist a minister undertake ministry in a parish or church, whether full-time or part-time or as an employee or volunteer.

“minister” means –

- (a) in relation to a parish or a church of a parish, the rector of the parish,
- (b) in relation to the Cathedral Church of St Andrew, the Dean, and
- (c) in relation to a church which is not a church of a parish, the person licensed to officiate at the church.

“parish” means a parish or provisional parish recognised under the *Parishes Ordinance 1979* or a recognised church or provisional recognised church under the *Recognised Churches Ordinance 2000*.

3. Authority required for certain lay ministry

- (1) The minister of a church or parish must not permit a lay person to exercise the office of lay minister or deaconess in the church or parish unless the lay person has been authorised to do so pursuant to this Ordinance.
- (2) The minister of a church must not permit a lay person (including a lay minister or deaconess) to –
 - (a) deliver sermons on a regular basis in the church,

- (b) administer baptisms in the church, or
- (c) conduct funerals in the church,

unless the lay person has been authorised to do so pursuant to this Ordinance.

4. Authorisation of lay ministry

- (1) The Archbishop may, by authority issued to a lay person, authorise the lay person to exercise the office of lay minister or deaconess in any church or parish.
 - (2) The Archbishop may authorise a lay person (including a lay minister or deaconess) –
 - (a) to undertake, at the request of the minister, one or more of the following ministries in any church –
 - (i) conduct services of public worship,
 - (ii) administer baptisms,
 - (iii) conduct funerals,
 - (iv) deliver sermons, and
 - (v) give expositions on the aims, functions and needs of an organisation, and
 - (b) to perform, under the oversight of the minister, pastoral duties in any parish,
- as specified in an authority issued to the lay person.

5. Authority may be limited

An authority issued pursuant to this Ordinance –

- (a) may be limited to a church or to the churches named in the authority or to the parish or parishes named in the authority or may apply to the whole of the Diocese or to any part of the Diocese specified in the authority, and
- (b) may be issued subject to any conditions which are specified in the authority.

6. Authority may be revoked

An authority issued pursuant to this Ordinance may be revoked at any time by the Archbishop.

7. Exercise of certain functions by an Assistant Bishop

The functions under clauses 4 and 5 may be exercised by an Assistant Bishop on behalf of the Archbishop.

8. Regulations

The Archbishop-in-Council may make regulations from time to time concerning –

- (a) the qualifications which a person must possess and the conditions which a person must satisfy before an authority may be issued to that person pursuant to this Ordinance, or
- (b) the manner in which any authority issued pursuant to this Ordinance is to be given and exercised.

9. Other authorities and requirements

- (1) Nothing in this Ordinance affects any –
 - (a) authority issued pursuant to the *General Synod – Lay Assistants at Holy Communion Canon 1973 Adopting Ordinance 1973*, or
 - (b) requirement in relation to the licensing of deaconesses under the *General Synod – Order of Deaconesses Canon 1969 Adopting Ordinance 1970*.
- (2) This Ordinance does not apply to the ministry exercised by a lay person as a Chaplain or Assistant Chaplain of a school.

10. Transition and repeal

- (1) A lay person who, immediately before the commencement of this Ordinance, holds an authority issued under the *Deaconesses, Readers and Other Lay Persons Ordinance 1981* continues to hold that authority subject to the terms and conditions on which it was issued and may continue to do any of the things which the person has been authorised to do in that authority. Such an authority is taken to have been issued pursuant to this Ordinance.
- (2) Subject to subclause (1), the *Deaconesses, Readers and Other Lay Persons Ordinance 1981* is repealed.
- (3) A lay minister who, immediately before the commencement of this Ordinance, does not hold an authority required by this Ordinance under the *Deaconesses, Readers and Other Lay Persons Ordinance*

1981 to exercise the office of lay minister or undertake any of the ministries of that office, may continue to exercise such office and undertake such ministries without an authority under this Ordinance until –

- (a) in the case of a lay minister appointed as an employee, the end of his or her appointment, and
- (b) in any other case, 31 December 2016.

(4) A reference in an ordinance (other than this Ordinance) to the Deaconesses, Readers and Other Lay Persons Ordinance 1981 or any provision of that ordinance is taken to be a reference to the Authorisation of Lay Ministry Ordinance 2015 or the corresponding provision of that ordinance as applicable.

(5) Schedule 1 of the Parish Administration Ordinance 2008 is amended by omitting rule 5.3(c) and inserting instead –

- “(c) in the case of a lay person, he or she –
 - (i) has been requested to do so by or on behalf of the minister, and
 - (ii) holds a relevant authority issued pursuant to the Authorisation of Lay Ministry Ordinance 2015 if required.”



Ministry Standards Ordinance 2017 Amendment Ordinance 2019

Explanatory Report

Key Points

In summary, the Bill will amend the *Ministry Standards Ordinance 2017* to –

- make provision for conciliation on the recommendation of the Director of Professional Standards if the Director considers it will assist the parties
- implement recommendations of the Royal Commission with respect to complaints' processes –
 - requiring an initial risk assessment on receipt of a complaint alleging child abuse (recommendation 16.51)
 - making suspension mandatory where complaint involves allegations of serious child-related conduct (recommendation 16.52)
 - introducing mechanisms to deal with actual or perceived conflicts of interest in relation to all individuals who have a role in the complaints' process (recommendation 16.39),
 - applying the same standard for investigating all complaints of child sexual abuse (recommendation 16.54)
 - making clear that the standard of proof is to be applied having regard to the principles in *Briginshaw v Briginshaw* (recommendation 16.53), and
- make the provisions for the reimbursement of stipend and benefits paid during the period that an interim prohibition order is in force consistent with the equivalent provisions for suspension.

Purpose of the bill

1. The purpose of the bill is to amend the *Ministry Standards Ordinance 2017*.

Recommendations

2. Synod receive this report.
3. Synod pass the Bill for the Ministry Standards Ordinance 2017 Amendment Ordinance 2019 as an ordinance of the Synod.

Background

4. At its session in 2017, the Synod passed a bill for the *Ministry Standards Ordinance 2017* (the **MSO**) to replace the *Discipline Ordinance 2006*.
5. The MSO provides an administrative process for the resolution of complaints concerning the fitness of church workers to hold an office or position, to remain in Holy Orders, to exercise ministry or perform any duties or functions, whether or not subject to any conditions or restrictions.
6. By resolution 11.1 of 2017, Synod requested the Standing Committee to undertake a review of the operation of the MSO prior to the 2018 session of the Synod. This resulted in certain amendments to the MSO at the 2018 session. The explanatory report identified the following matters requiring further work for consideration at the 2019 session of Synod –
 - (a) the processes under the MSO for resolving bullying and other complaints within a parish staff team, and

- (b) implementing the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse (the **Royal Commission**) which relate to the complaints process.
7. The Standing Committee appointed a subcommittee to further consider these matters and make recommendations (the **Committee**). The members of this committee were Mr Michael Easton (Chair), Mr Garth Blake AM SC AO, Mr Lachlan Bryant, the Rev Mark Charleston, the Rev Tom Hargraves, the Rev Mamie Long, Mr Doug Marr and the Rev Craig Schafer. Mr Blake was unable to attend any of the meetings of the Committee.

Amendments to introduce the option of a conciliation process

8. The Committee considers that there would be merit in the Director having the capacity to formally recommend that a complainant and respondent engage in conciliation. Any conciliation would likely occur early in the complaints process, though would be possible at any time prior to the complaint being finalised. Participation would be optional.
9. The Committee recognises that the MSO is not a mechanism for resolving disputes. It sets out an administrative process to determine if a church worker is fit to hold office or undertake ministry functions.
10. The Ordinance will insert a new clause 18A to provide for a complainant and a respondent to engage in conciliation on the recommendation of the Director of Professional Standards.
11. The Director must consider whether conciliation may assist the parties in order to make a recommendation that the parties engage in conciliation (clause 18(1)). The Director will also be required to consider any power imbalance between the parties in deciding whether to recommend conciliation (clause 18(2)). The Director will not have power to recommend conciliation if the complaint alleges serious child-related conduct (clause 18A(1)(b)).
12. The Director may recommend a conciliator to the parties and otherwise facilitate the conciliation occurring (clause 19A(3)).
13. If the parties agree to engage in conciliation (Clause 18A(4)) –
- (a) the Director is not prevented from undertaking any of the other courses of action available under the MSO during the period of conciliation;
 - (b) the conciliation is to be undertaken expeditiously;
 - (c) the attendees for any conferences must be agreed upon by all parties in advance of the conciliation; and
 - (d) the costs of the conciliator are to be met from funds under the control of the Synod, subject to the Director approving those costs before they are incurred.

Amendments to implement recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse

Risk Assessment (recommendation 16.51)

14. Recommendation 16.51 of the Royal Commission is as follows –
- All religious institutions' complaint handling policies should require that, upon receiving a complaint of child sexual abuse, an initial risk assessment is conducted to identify and minimise any risks to children.
15. Presently, there is no formal requirement in the MSO to conduct a risk assessment on receipt of a complaint. The Director does, in effect, undertake a form of risk assessment when deciding whether to recommend a suspension or an interim prohibition order under clause 19 of the MSO, however the Royal Commission has recommended that a number of other matters be formally considered in a risk assessment apart from standing the person down.

16. The amendment set out in clause 3(a) of the Ordinance will require the Director to promptly carry out a risk assessment following receipt of a complaint alleging child abuse. The matters that the Director is required to consider in undertaking the risk assessment reflect the elements recommended by the Royal Commission.

Mandatory suspension where complaint involves allegations of serious child-related conduct (recommendation 16.52)

17. Recommendation 16.52 of the Royal Commission is as follows:
- 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.
18. Presently, the Director has discretion about whether to recommend suspension in relation to a respondent who is the subject of a complaint of child abuse.
19. The amendment in clause 3(b) of the Ordinance will make it mandatory for the Director to recommend suspension if, after giving the respondent the opportunity to be heard, the Director is satisfied that –
- (a) the complaint or the substance of the complaint involves allegations of serious child-related conduct (as defined in the MSO),
 - (b) the complaint is not false, vexatious or misconceived, and
 - (c) there is a risk that the respondent may come into contact with children in the course of their functions as a church worker.

Conflicts of interest (recommendation 16.39)

20. Recommendation 16.39 of the Royal Commission is as follows:
- Consistent with Child Safe Standard 1, each religious institution should have a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child sexual abuse. The policy should cover all individuals who have a role in responding to complaints of child sexual abuse.
21. Presently, under the MSO, members of the Professional Standards Commission (the **PSC**) and Professional Standards Board (the **PSB**) are subject to clause 70 'Disqualification where personal interest', which states that –
- (1) Where a member of the PSC or the Board has a personal interest in a matter before it the member shall be disqualified from participating in the matter.
 - (2) The opinion of the chair of the PSC or the presiding member of the Board, as the case may be, shall be conclusive as to whether any other member of the PSC or the Board has a personal interest in a matter.
22. The gaps in the MSO are as follows –
- (a) There is no formal conflict of interest provision in relation to the Director. There is, however, general provision for the Archbishop to appoint someone other than the Director to handle a complaint.
 - (b) There is no formal conflict of interest provision in relation to Adjudicators.
 - (c) There is no specific duty for members of the PSC or PSB or an Adjudicator to declare a conflict of interest, or a mechanism for determining if the Chair or presiding member has a conflict of interest.
23. The amendments set out in clauses 3(c), (g) and (h) of the Ordinance resolve these gaps.

Applying the same standard for investigating all complaints of child sexual abuse (recommendation 16.54)

24. Recommendation 16.54 of the Royal Commission is as follows –
- Religious institutions should apply the same standards for investigating complaints of child sexual abuse whether or not the subject of the complaint is a person in religious ministry.

25. Part 3H of the MSO sets out a truncated complaints process in relation to unpaid lay workers. However while Part 3H operates to the exclusion of Parts 4A to 4D in resolving complaints, the requirements in Chapter 3 in relation to the investigation of complaints apply to all complaints. The standards for the investigation of complaints are therefore already the same.
26. That said, the complaints process could meet the recommendation more fully by including –
 - (a) a description of the role, powers and duties of the Adjudicator in Chapter 5, and
 - (b) similar procedural fairness provisions and standards of proof as in Part 4D.
27. The amendments set out in clauses 3(d) of the Ordinance address these matters.

The standard of proof (recommendation 16.53)

28. Recommendation 16.53 of the Royal Commission is as follows –

The standard of proof that a religious institution should apply when deciding whether a complaint of child sexual abuse has been substantiated is the balance of probabilities, having regard to the principles in *Briginshaw v Briginshaw*.
29. In *Briginshaw v Briginshaw* [1938] HCA 34, the High Court cautioned against a “mechanical comparison of probabilities” in determining whether it is more likely than not that alleged events occurred. The High Court stated that the “nature and consequence of the fact or facts to be proved” must be considered. In short, the principle is that the more serious the allegation, the more probative or stronger the evidence needs to be to satisfy the standard of proof.
30. Although the MSO does not expressly refer to the principles in *Briginshaw v Briginshaw* those principles are reflected in the MSO, for instance clause 35(2)(a), which provides –

In deciding upon a course of action the PSC is to take the following matters into consideration - the nature of the complaint and the seriousness of the conduct the subject of the complaint, in particular, whether that conduct comprises child abuse, grooming, inappropriate pastoral conduct involving a child or possession, production or distribution of child exploitation material.
31. The Committee does not recommend referring to *Briginshaw v Briginshaw* in the text of the Ordinance given the reference will not be understood by the ordinary reader. It is preferable to reference *Briginshaw v Briginshaw* in footnotes to clauses 29 and 68 of the MSO.
32. The amendments set out in clause 3(f) of the Ordinance address these matters.

Mandatory removal from ministry, preventing a person from holding himself or herself out as having religious authority and deposition from holy orders (recommendations 16.55 and 16.56)

33. Recommendation 16.55 of the Royal Commission is as follows –

Any person in religious ministry who is the subject of a complaint of child sexual abuse which is substantiated on the balance of probabilities, having regard to the principles in *Briginshaw v Briginshaw*, or who is convicted of an offence relating to child sexual abuse, should be permanently removed from ministry. Religious institutions should also take all necessary steps to effectively prohibit the person from in any way holding himself or herself out as being a person with religious authority.
34. Recommendation 16.56 of the Royal Commission is as follows –

Any person in religious ministry who is convicted of an offence relating to child sexual abuse should:

...

 - b. in the case of Anglican clergy, be deposed from holy orders
35. Both of these recommendations are being examined by the Professional Standards Commission and Church Law Commission of the General Synod.

36. The Committee considers it prudent to wait for the recommendations from these bodies before making changes to implement these recommendations of the Royal Commission.

Other amendments

Reimbursement of stipend and benefits paid during the period that an interim prohibition order is in force

37. In 2018, the MSO was amended in relation to periods of suspension by providing that –
- (a) a respondent is not entitled to continue to receive entitlements during suspension that are provided on account of expenses incurred in undertaking their duties or functions, and
 - (b) a parish is only entitled to be reimbursed from Synod funds for the reasonable additional costs incurred by the parish for the engagement of any temporary personnel to undertake the duties of the respondent during the period of suspension.
38. These amendments prevent situations arising where there is a financial gain for the respondent or parish during the period of suspension.
39. Due to an oversight, these same limitations were not included in amendments to the interim prohibition provisions in the MSO.
40. The amendments in clause 4 of the Ordinance will bring about consistency between the reimbursement provisions applicable to suspension and interim prohibitions orders.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

29 August 2019

Ministry Standards Ordinance 2017 Amendment Ordinance 2019

No. _____, 2019

Long Title

An Ordinance to amend the *Ministry Standards Ordinance 2017*.

The Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Ministry Standards Ordinance 2017 Amendment Ordinance 2019.

2. Amendments to introduce a conciliation process

The *Ministry Standards Ordinance 2017* is amended as follows –

- 5 (a) insert a new paragraph 14(a) as follows (and consequentially reletter the existing paragraphs) –
- “(a) recommend that the parties engage in conciliation under clause 18A,” and
- (b) insert a new clause 18A as follows –
- “18A Director may recommend conciliation**
- 10 (1) At any time after a complaint is made, the Director may recommend to the parties that they engage in conciliation if –
- (a) the Director considers that conciliation may assist the parties, and
- (b) the complaint does not allege serious child-related conduct.
- (2) In considering whether to make a recommendation under subclause 18A(1), the Director is to consider any power imbalance between the parties.
- 15 (3) The Director may recommend a conciliator to the parties and otherwise facilitate the conciliation occurring.
- (4) If the parties agree to engage in conciliation on the basis of a recommendation under subclause 18A(1) –
- 20 (a) the Director is not prevented from undertaking any of the other courses of action listed in clause 14 during the period of conciliation,
- (b) the mediation is to be undertaken expeditiously,
- (c) the attendees for any conferences must be agreed upon by all parties in advance of the conciliation, and
- 25 (d) the costs of the conciliator are to be met from funds under the control of the Synod, subject to the Director approving those costs before they are incurred.”.

3. Amendments to implement recommendations of the Royal Commission into institutional responses to child sexual abuse

30 The *Ministry Standards Ordinance 2017* is further amended as follows –

- (a) insert a new clause 12A as follows –
- “12A Risk Assessment by Director**
- (1) If the Director receives a complaint alleging child abuse, the Director must promptly undertake a risk assessment to identify any risks to children.
- 35 (2) The risk assessment must include, but is not limited to, consideration of the following –
- (a) any immediate and ongoing risks associated with the complaint, including the safety of the complainant and any children,
- (b) whether preliminary action could and should be taken concerning the respondent including supervision, removal of contact with children or suspension,
- 40 (c) the available expertise to assess the risk and whether expert advice should be obtained,

- (d) the need for cultural and linguistic interpreters to be involved in the complaint process,
- (e) whether it is necessary to report the complaint to an external authority,
- 5 (f) who should be informed about the complaint, and whether there are restrictions on the information they can be given (for example, due to privacy laws and other confidentiality obligations), and
- (g) how to implement the decisions made as a result of the risk assessment.
- 10 (3) The Director must review the risk assessment during the complaints process in response to any changes in the risk profile and make modifications where necessary.”, and
- (b) insert a new subclause 19(c) as follows –
- 15 “(c) the Director must recommend that the respondent is suspended if, after giving the respondent the opportunity to be heard under paragraph (a), the Director is satisfied that –
- (i) the complaint or the substance of the complaint involves allegations of serious child-related conduct,
- (ii) the complaint is not false, vexatious or misconceived, and
- 20 (iii) there is a risk that the respondent may come into contact with children in the course of their functions as a church worker.”, and
- (c) insert a new subclause 28(3) as follows (and renumber the existing subclause 28(3) as subclause 28(4)) –
- 25 “(3) If the Adjudicator has any actual or perceived conflict of interest in the exercise or performance of their functions under this Ordinance in relation to a complaint, the Adjudicator must disclose this to the Registrar and the Registrar is to appoint another experienced lawyer to be the Adjudicator for the complaint.”, and
- (d) substitute subclause 29(3) with the following –
- 30 “(3) If the complaint or the substance of the complaint has not been admitted by the respondent, the Adjudicator –
- (a) must act with fairness and according to equity, good conscience, procedural fairness and the substantial merits of the case without regard to technicalities or legal forms in resolving the complaint,
- 35 (b) is not bound by the rules of evidence but may inform himself or herself on any matter in such manner as her or she thinks fit,
- (c) must give written reasons for any findings and recommendations, unless the findings and recommendations are made by consent of the respondent, and
- 40 (d) must deal with the complaint as expeditiously as possible.”, and
- (e) insert a new subclause 29(4) as follows –
- “4) The standard of proof for the Adjudicator to establish an allegation is that of reasonable satisfaction on the balance of probabilities.”,
- (f) insert a footnote in respect to clause 29(4) and clause 68 as follows –
- 45 “The standard of proof is to be applied with regard to the principles in *Briginshaw v Briginshaw* [1938] HCA 34.”,
- (g) substitute clause 70 as follows –
- 70. Disqualification where conflict of interest**
- (1) A member of the PSC or the Board must promptly disclose to the other members any actual conflict of interest they have as a member and any circumstances which might reasonably be perceived as a conflict of interest, including the reason(s) why such a conflict of interest might exist.
- 50 (2) Where a member of the PSC or the Board has an actual or perceived conflict of interest in a matter, the member shall be disqualified from participating in the matter.
- 55

(3) The opinion of a majority of the other members of the PSC or Board, as the case may be, shall be conclusive as to whether the member has an actual or perceived conflict of interest in a matter”, and

(h) insert a new clause 82A as follows –

“82A. Conflict of Interest

If the Director has any actual or perceived conflict of interest in the exercise or performance of any power, authority, duty or function under this Ordinance in relation to a matter, the Director must declare to the Archbishop that he is unable or unwilling to exercise or perform that power, authority, duty or function in relation to the matter.”

4. Other amendments

The *Ministry Standards Ordinance 2017* is further amended by substituting paragraph 21(2)(d) with the following –

“(d) the person against whom the complaint is made is entitled to continue to receive their ordinary stipend, salary, allowances and other benefits in connection with the position, except to the extent that these are provided on account of expenses incurred in undertaking their duties or functions; and

(e) in the case of a respondent who is licensed or authorised for ministry in a parish – the parish concerned is entitled to reimbursement from funds under the control of the Synod for the reasonable additional costs incurred by the parish for the engagement of any temporary personnel to undertake the duties of the person against whom the complaint is made during the period of the order.”

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

Chair of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 2019.

Secretary

I Assent to this Ordinance.

Archbishop of Sydney

/ /2019

Ministry Standards Ordinance 2017

(Reprinted under the Interpretation Ordinance 1985.)

The Ministry Standards Ordinance 2017 as amended by the Ministry Standards Ordinance 2017 Amendment Ordinance 2018.

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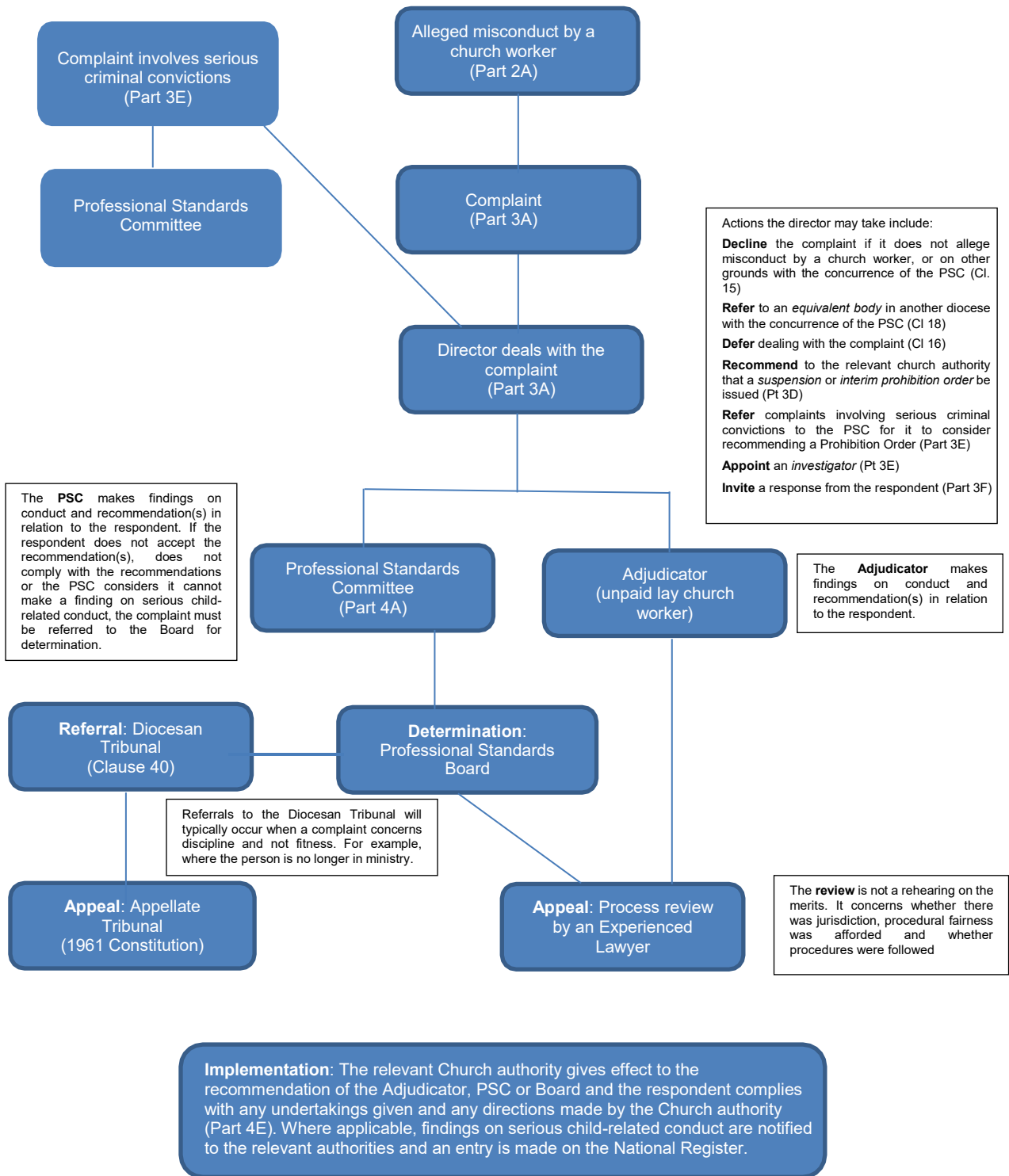
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Diagrammatic Summary of the Complaints Process



Please note: This diagram is indicative only and does not set out all possible actions or steps that may be taken under the Ordinance.

Long Title

An Ordinance to make provision with respect to resolving complaints concerning the fitness of church workers.

The Synod of the Diocese of Sydney ordains as follows.

CHAPTER 1 – PRELIMINARY**1. Name**

This Ordinance is the *Ministry Standards Ordinance 2017*.

PART 1A – PURPOSE AND APPLICATION**2. Overriding purpose**

- (1) The overriding purposes of this Ordinance are:
- (a) to uphold the standards of conduct expected of church workers in the Diocese;
 - (b) to protect the community;
 - (c) to provide a mechanism whereby complaints that church workers are not fit to hold office or ministry can be resolved; and
 - (d) to facilitate the just, expedient and efficient resolution of complaints.
- (2) The Director, the PSC, Adjudicators and the Board must each seek to give effect to these overriding purposes when exercising any power given by this Ordinance and when interpreting any provision of this Ordinance.

3. Application

- (1) This Ordinance applies only in respect of alleged misconduct by church workers:
- (a) resident, licensed or authorised in the Diocese, or engaged by a Church authority; or
 - (b) not resident, licensed or authorised in the Diocese nor engaged by a Church authority but whose misconduct is alleged to have occurred in the Diocese or when the church worker was resident, licensed or authorised in the Diocese or was engaged by a Church authority.
- (2) This Ordinance applies to misconduct wherever and whenever it is alleged to have been engaged in by a church worker, including misconduct that is alleged to have occurred before or after the commencement of this Ordinance.

PART 1B - INTERPRETATION**4. Interpretation**

- (1) For the purposes of this Ordinance:
- “Adjudicator”** means a person appointed under subclause 28(2);
- “Appellate Tribunal”** means the Appellate Tribunal constituted by and under Chapter IX of the Constitution;
- “Board”** means the Professional Standards Board established under Part 5C;
- “ceremonial”** has the same meaning as that expression has in the Constitution;
- “Chancellor”** means the person holding office from time to time as Chancellor of the Diocese;
- “child”** means a person under the age of 18 years;
- “child exploitation material”** means material that describes or depicts a person who is or who appears to be a child –
- (i) engaged in sexual activity; or
 - (ii) in a sexual context; or
 - (iii) as the subject of torture, cruelty or abuse (whether or not in a sexual context) in a way that a reasonable person would regard as being, in all the circumstances, offensive;

“child-related work” has the same meaning as in the *Child Protection (Working with Children) Act 2012 (NSW)*;

“Church” means the Anglican Church of Australia;

“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” means –

- (i) a parish, and
- (ii) any school, body corporate, organisation or association that exercises ministry within, or on behalf of, this Church in this Diocese –
 - (A) which is constituted by ordinance or resolution of the Synod,
 - (B) in respect of whose organisation or property the Synod may make ordinances, or
 - (C) in relation to which the Synod, the Standing Committee, the Archbishop or a body referred to in paragraphs (i) or (ii) elects or appoints a majority of the members of the governing body;

“church worker” has the meaning given in Part 2A; **“Clergy”** means a person in holy orders;

“Code of Conduct” means *Faithfulness in Service* and any other code of conduct approved from time to time by the Synod or which operates in the Diocese pursuant to an ordinance of the Synod;

“complainant” means a person who makes a complaint;

“complaint” means a complaint made in accordance with Part 3A of this Ordinance; **“Constitution”** means the Constitution of the Anglican Church of Australia; **“Diocese”** means the Anglican Church of Australia in the Diocese of Sydney;

“Diocesan policy for dealing with allegations of unacceptable behaviour” means the policy of that name adopted by the Synod on in October 2015, as amended from time to time;

“Diocesan Tribunal” means the Diocesan Tribunal constituted for the Diocese in accordance with Chapter IX of the 1961 Constitution;

“Director” means the Director of Professional Standards appointed under Part 5A;

“disqualifying offence” means a criminal offence listed in Schedule 2 of the *Child Protection (Working with Children) Act 2012*;

“doctrine” has the same meaning as in the Constitution;

“equivalent body” means a body of another diocese exercising powers, duties or functions equivalent to those of the Director, the PSC the Board as the case may be, or where there is no such body, the bishop of the diocese;

“experienced lawyer” means a person who is or has been a judge or justice of an Australian, State or Territorial court or tribunal, or who has been admitted as an Australian legal practitioner for not less than 10 years;

“faith” has the same meaning as that expression has in the Constitution;

“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, as amended from time to time pursuant to an ordinance or resolution of the Synod;

“information” means information of whatever nature and from whatever source relating to alleged misconduct on the part of a church worker;

“investigator” means a person appointed by the Director to investigate a complaint;

“member of the clergy” means a person in Holy Orders; **“misconduct”** has the meaning given in Part 2A;

“national register” means any national register established pursuant to a Canon of General Synod for the purpose of recording determinations of the Board and other equivalent bodies;

"Professional Standards Committee" or "PSC" means the Professional Standards Committee established under Part 5B;

"Professional Standards Unit" means the Professional Standards Unit of the Diocese;

"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 carrying out any specified functions in relation to any office or position in the diocese or in relation to employment by a Church body, and includes a variation of a prohibition order;

"Registrar" means the person appointed by the Archbishop under his hand and seal to be Registrar of the Diocese or in his absence the person appointed by the Archbishop to perform the duties of the Registrar either in his absence or as his deputy;

"respondent" means a church worker whose alleged conduct is the subject of a complaint;

"ritual" has the same meaning as that expression has in the Constitution;

"Safe Ministry Board" means the body of that name constituted under the *Safe Ministry Ordinance 2005*;

"safety plan" means the form of agreement developed by the Professional Standards Unit to regulate a person's participation in the ministry activities of a church of the Diocese;

"serious child-related conduct" has the meaning given in clause 7;

"suspension order" has the meaning in clause 19;

"under legal incapacity" has the same meaning as in the *Civil Procedure Act 2005 (NSW)*; and

"unpaid lay 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.

(2) For the purposes of complaints dealt with by an Adjudicator under Part 3H, references to the PSC and the Board in Chapters 1 to 3 of this Ordinance are taken to be references to the Adjudicator unless the context or subject matter otherwise requires.

(3) The diagram appearing before the Long Title and the notes in the footnotes of this Ordinance are for explanatory purposes only and do not form part of this Ordinance. The Diocesan Secretary is authorised to update the diagram and the notes when reprinting this Ordinance under clause 8 of the *Interpretation Ordinance 1985*.

CHAPTER 2 – SCOPE OF THE ORDINANCE

PART 2A – CHURCH WORKERS AND MISCONDUCT

5. Who is a church worker?

This Ordinance applies to fitness for office of church workers. Subject to clause 3, **church worker** means a person who:

- (a) is or has been a member of the clergy; or
- (b) holds or has held a 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 *Anglican Church of Australia Bodies Corporate Act 1938*, or
 - (iii) membership of a body corporate following election or appointment by the Synod, Standing Committee, the Archbishop or a Church body, or
 - (iv) a warden, or
 - (v) membership of a parish council, or
 - (vi) membership of any other board, council or committee established by the Synod, the Standing Committee, a regional council or a parish council, or
 - (vii) a chief executive officer of an organisation constituted by an ordinance of the Synod or the Standing Committee, meaning the person who is responsible to the governing body of the organisation for the work of the organisation; or
 - (viii) an officer of a kind specified in the Parish Administration Ordinance 2008, or
 - (ix) an appointment or authorisation by a rector, warden 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.

6. What conduct is misconduct by a church worker?

(1) **Misconduct** by a church worker means conduct which, if established, would call into question:

- (a) the fitness of the person to hold a role, office or position, or to be or remain in Holy Orders;
- (b) the fitness of the person, whether temporarily or permanently, to exercise ministry or perform any duty or function of the role, office or position; or
- (c) whether, in the exercise of ministry or in the performance of any duty or function, the person should be subject to any condition or restriction,

but does not mean –

- (d) any breach of faith, ritual or ceremonial,
 - (e) any act or omission that involves:
 - (i) refusing to appoint, correcting, disciplining, counselling, admonishing, transferring, demoting, suspending, retrenching or dismissing a person if done –
 - (A) in good faith;
 - (B) reasonably; and
 - (C) in the normal and lawful discharge of the duties and functions; or
 - (ii) respectfully disagreeing with or criticising someone's beliefs or opinions or actions, except in the case of conduct which, if established, would constitute serious child-related conduct, or
 - (f) public statements, acts or practices made or done in good faith for a proper purpose that are within the standards and doctrines of the Church in the Diocese, or
 - (g) exempt conduct to which Part 2B applies.
- (2) Misconduct may include but is not limited to the following:

- (a) acts or omissions that would constitute the commission of an offence under the *Offences Ordinance 1962*, as amended from time to time,¹
- (b) **abuse**, which means:
- (i) **bullying** (as defined below);
 - (ii) **child abuse**, which means bullying, emotional abuse, harassment, neglect, physical abuse, sexual abuse or spiritual abuse in relation to a child, and includes possessing, producing or distributing child exploitation material;
 - (iii) **emotional abuse**, which means acts or omissions that have caused, or could cause significant harm to the wellbeing or development of another person, which may include but is not limited to:
 - subjecting a person to excessive and repeated personal criticism;
 - ridiculing a person, including the use of insulting or derogatory terms to refer to them;
 - threatening or intimidating a person;
 - ignoring a person openly and pointedly; and
 - behaving in a hostile manner or in any way that could reasonably result in another person feeling isolated or rejected;
 - (iv) **harassment**, which means unwelcome conduct, whether intended or not, in relation to another person where the person feels with good reason in all the circumstances offended, belittled or threatened;
 - (v) **neglect**, which means the failure to provide the basic necessities of life where a child's health and development are placed at risk of harm, which may include but is not limited to being deprived of food, clothing, shelter, hygiene, education, supervision and safety, attachment to and affection from adults and medical care;
 - (vi) **physical abuse**, which means any intentional or reckless act, use of force or threat to use force causing injury to, or involving unwelcome physical contact with, another person, but does not include lawful discipline by a parent or guardian;
 - (vii) **sexual abuse**, which has the same meaning set out in *Faithfulness in Service*;
 - (viii) **spiritual abuse**, which means the mistreatment of a person by actions or threats when justified by appeal to God, faith or religion;
- (c) **bullying** which means behaviour directed to a person or persons which:
- (i) is repeated;
 - (ii) is unreasonable (being behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening); and
 - (iii) creates a risk to their health and safety.

Bullying can include:

- (i) making derogatory, demeaning or belittling comments or jokes about someone's appearance, lifestyle, background or capability;

¹ *Offences under the Offences Ordinance 1962 include:*

- (i) *unchastity;*
- (ii) *drunkenness;*
- (iii) *habitual and wilful neglect of ministerial duty after written admonition in respect thereof by the Bishop of the Diocese;*
- (iv) *wilful failure to pay just debts;*
- (v) *conduct, whenever occurring –*
 - (a) *which would be disgraceful if committed by a member of the clergy; and*
 - (b) *which at the time the charge is preferred is productive, or if known publicly would be productive, of scandal or evil report;*
- (vi) *sexual abuse;*
- (vii) *child abuse; or*
- (viii) *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; or*
- (ix) *grooming;*
- (x) *inappropriate pastoral conduct involving a child, and*
- (xi) *possession, production or distribution of child exploitation material.*

- (ii) communicating in an abusive manner;
- (iii) spreading rumours or innuendo about someone or undermining in other ways their performance or reputation;
- (iv) dismissing or minimising someone's legitimate concerns or needs;
- (v) inappropriately ignoring, or excluding someone from information or activities;
- (vi) touching someone threateningly or inappropriately;
- (vii) invading someone's personal space or interfering with their personal property;
- (viii) teasing someone, or playing pranks or practical jokes on someone;
- (ix) displaying or distributing written or visual material that degrades or offends;
- (x) cyberbullying which is a form of bullying that involves the use of information and communication technologies.

Bullying does not include lawful conduct of clergy or church workers carried out in a reasonable manner, such as:

- (i) disagreeing with or criticising someone's belief or opinions or actions in an honest and respectful way;
 - (ii) giving information about inappropriate behaviour in an objective way to the person or persons concerned and to any other person with a proper reason for having that information;
 - (iii) setting reasonable performance goals, standards or deadlines;
 - (iv) giving information about unsatisfactory performance in an honest and constructive way;
 - (v) taking legitimate disciplinary action;
- (d) **grooming** which means actions deliberately undertaken with the aim of engaging and influencing an adult or a child for the purpose of sexual activity; in the case of sexual abuse of a child, an offender may groom not only the child, but also those close to the child, including the child's parents or guardians, other family members, clergy and church workers; grooming can include providing gifts or favours to the child or their family. In the case of sexual abuse of an adult, an offender may groom not only the adult, but also those close to them, including their children, clergy and church workers;
- (e) **inappropriate pastoral conduct involving a child** which 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*;
- (f) **process failure**, which means any of the following:
- (i) failure without reasonable excuse to comply with the laws of the Commonwealth or a State or Territory requiring the reporting of child abuse to the police or other authority;
 - (ii) a failure by a person licensed by the Archbishop, a person in holy orders resident in the Diocese or a person who holds an authority under the *Authorisation of Lay Ministry Ordinance 2015* for the purposes of paid work, without reasonable excuse, to make a report under clause 12 or a failure by that person to cooperate with an investigation of that conduct;
 - (iii) failure without reasonable excuse by a Church authority to deal with or to investigate in a reasonable or timely manner matters involving:
 - (A) abuse; or
 - (B) alleged inappropriate or unreasonable conduct of a church worker who had knowledge of conduct of another church worker constituting sexual abuse or child abuse;

in circumstances where the Church authority has an obligation by law or under this Ordinance to deal with or investigate such conduct;
- (g) **safe ministry training failure**, which means a failure without a reasonable excuse to satisfactorily complete mandatory training approved by the Safe Ministry Board for the purpose of Chapter 7 of Schedule 1 and Schedule 2 of the *Parish Administration Ordinance 2008*;
- (h) **sexual misconduct** which has the same meaning as in the *Child Protection (Working with Children) Act 2012 (NSW)*;
- (i) threatening or taking, or attempting to take, action against a person because they have made, or have been involved in, a complaint under this Ordinance;
- (j) attempts, by threat, intimidation or inducement to –

- (i) dissuade a person from making a complaint,
- (ii) persuade a person to withdraw a complaint, or
- (iii) persuade a person to consent to the withdrawal of a complaint;
- (k) failure without reasonable excuse by a respondent to cooperate with the investigation of a complaint under the Ordinance;
- (l) failure without reasonable excuse to comply with a condition imposed by a Church authority under this Ordinance;
- (m) failure without reasonable excuse to comply with an undertaking given to or a direction or order given by an Adjudicator, the PSC, Board or a Church authority; or
- (n) conduct that would constitute a breach of section 316 of the *Crimes Act 1900 (NSW)* with respect to the reporting of serious indictable offences.

7. What is serious child-related conduct?

Serious child-related conduct means conduct that is 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 by a person:

- (a) when engaged in child-related work in the Diocese; or
- (b) who –
 - (i) is in child-related work in the Diocese at the time a complaint concerning their conduct is made, or
 - (ii) has performed child-related work in the Diocese at any time in the two years prior to the date that a complaint concerning their conduct is made.

PART 2B – EXEMPT CONDUCT

8. Declaration of exemption following disclosure of past conduct

(1) If a person makes 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 in the following circumstances:

- (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 *Deaconess, Readers and Other Lay Persons Ordinance 1981* or the *Authorisation of Lay Ministry Ordinance 2015* 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 prior to being first licensed by the Archbishop where conduct was committed prior to ordination as a deacon;

the Archbishop, with the concurrence of the PSC, may declare that the conduct cannot be the subject of a complaint under this Ordinance.

(2) The Archbishop must not make a declaration under this Part:

- (a) 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*.²; or
- (b) if the person has been refused a declaration in relation to the same or similar conduct in the previous 5 years.

(3) The Archbishop must not make a declaration under this Part in respect of the conduct of a person unless the Archbishop and the PSC consider that the person:

- (a) has made appropriate reparation for the conduct; and
- (b) is fit to be ordained, to be issued with an authority or to be licensed by the Archbishop, as the case may be; and
- (c) does not pose a risk to the safety of any person taking into account the following matters:
 - (i) the circumstances in which the conduct occurred;
 - (ii) the seriousness of the conduct;
 - (iii) the age of the person at the time of the conduct;
 - (iv) the age of the victim(s) at the time;

² 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.

- (v) the difference in ages between the person and the victim(s);
 - (vi) the person's criminal record, if any;
 - (vii) such other matters as are considered relevant.
- (4) If the Archbishop makes a declaration under this Part in respect of the conduct of a person:
- (a) the declaration has effect for the purposes of this Ordinance according to its terms; and
 - (b) no action is to be taken or continued under this Ordinance in respect of a complaint if the Director, with the concurrence of the PSC, determines that the whole of the conduct that is the subject of the complaint is exempt conduct.

CHAPTER 3 – PROCESSING OF COMPLAINTS

PART 3A – MAKING COMPLAINTS

9. Who may make a complaint?

Any person, including the Director, may make a complaint of misconduct in relation to a church worker.

10. How to make a complaint

- (1) All complaints must be made to the Director.
- (2) A complaint may be in any form, oral or in writing, whether by electronic means or otherwise.
- (3) Where a complaint is oral, the Director must make a written record of the complaint as soon as practicable after receiving it.
- (4) A complaint must include details of the misconduct complained about.
- (5) The Director must not make a complaint based only on information provided anonymously.
- (6) Non-compliance with this clause does not invalidate a complaint unless the Board determines otherwise.

11. Director to explain the complaints process

The Director must use reasonable endeavours to explain the processes set out in this Ordinance to the complainant prior to any investigation of the complaint.

12. Obligation to report knowledge or reasonable belief of certain matters

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 must 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.

13. Withdrawal of complaint

- (1) Subject to subclause (2), a complaint is taken to have been withdrawn if the complaint does not allege serious child-related conduct and:
 - (a) the complainant gives written notice of the withdrawal of the complaint to the Director; or
 - (b) the complainant gives oral notice of the withdrawal of the complaint to the Director, and the Director provides the complainant with written confirmation of the withdrawal.
- (2) If the complaint has already been referred to the PSC at the time the notice of withdrawal is received by the Director, the complaint will only be taken to be withdrawn if the PSC consents to the withdrawal.

PART 3B - HANDLING OF COMPLAINTS BY THE DIRECTOR

14. What can the Director do when dealing with a complaint?

The Director must deal with the complaint as expeditiously as possible and must take at least one or more of the following courses of action:

- (a) decline to deal with the complaint under clause 15;
- (b) refer to the matter directly to the PSC and seek the concurrence of the PSC that the complaint be declined or deferred under clause 16;
- (c) ask the complainant to verify the complaint by statutory declaration;
- (d) ask the complainant to provide further details of the conduct that is the subject of the complaint;
- (e) recommend to the relevant Church authority that the respondent should be suspended from exercising the functions of office or employment by one or more Church bodies or that an interim prohibition order be made against the respondent under Part 3D;
- (f) if the respondent is an unpaid lay church worker, refer the matter to an Adjudicator under Part 3H;
- (g) investigate, or appoint a person to investigate the complaint under Part 3F;
- (h) invite a response from the respondent under Part 3G.

PART 3C – DECLINING, DEFERRING OR REFERRING COMPLAINTS**15. When must the Director decline a complaint?**

The Director must decline a complaint if the complaint does not allege any misconduct which may be the subject of a complaint under this Ordinance.

16. When may the Director decline or defer a complaint with the concurrence of the PSC?

(1) The Director may at any time, with the concurrence of the PSC, decline to deal with a complaint, or defer dealing with a complaint if:

- (a) the complainant has not provided further details or a verifying statutory declaration after being asked to do so and it is reasonable in the circumstances to conclude that the complainant will not do so; or
- (b) the complaint is false, vexatious or misconceived or the subject-matter of the complaint is trivial; or
- (c) there is insufficient reliable evidence to warrant an investigation or further investigation; or
- (d) the conduct that is the subject matter of the complaint can properly be dealt with by other means, unless the conduct is serious child-related conduct;
- (e) the conduct which is the subject of the complaint is under investigation by some other competent person or body or is the subject of legal proceedings, or
- (f) there would be no utility in dealing with the complaint under this Ordinance having regard to:
 - (i) whether the respondent currently holds any position of leadership within the Diocese,
 - (ii) the length of time since the respondent has held any position of leadership within the Diocese,
 - (iii) the age of the respondent,
 - (iv) the health of the respondent, and
 - (v) any other relevant circumstance.

(2) The Director, with the concurrence of the PSC, must decline to deal with a complaint if the misconduct the subject of the complaint is not materially different from conduct already dealt with under:

- (a) this Ordinance, or
- (b) the Discipline Ordinance 2006, or
- (c) the Church Discipline Ordinance 1996, or
- (d) the Church Discipline Ordinance 2002, or
- (e) the Tribunal Ordinance 1962, or
- (f) 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,

- (g) in the opinion of the Director, the complaint is supported by apparently credible evidence of fresh facts likely to lead to a different result; or
- (h) the complaint has only been dealt with under Part 3E, or;
- (i) the complaint alleges serious child-related conduct and the Director decides to deal with the complaint under this Ordinance in order to make a finding that the respondent has or has not engaged in the alleged serious child-related conduct in connection with:
 - (i) any requirement by law to notify a person or authority that a finding has been made that the respondent engaged in conduct the subject of any such requirement to notify; and
 - (ii) entering on the National Register the details of information required by the provisions of the National Register Canon 2007.

(3) In dealing with a complaint for the purposes of clause 2(h) above, any prior findings of fact made by a body exercising functions under any of the ordinances (or a formal investigation or inquiry with the authority of the Archbishop) listed in subclause (2) are conclusive.

17. Notification of a decision to decline to deal with or defer a complaint

(1) Subject to subclause (2), if the Director declines to deal with or defer a complaint under this Part, the Director must give the complainant and the respondent written notice of this decision, including reasons for the decision.

(2) The Director may, but is not required to, provide written notice to the respondent under this clause if the Director believes on reasonable grounds that the respondent is not aware of the existence of the complaint.

18. When may a complaint be referred to an equivalent body?

(1) The Director may, with the concurrence of the PSC, if they think it appropriate to do so, refer a complaint, or the investigation of a complaint, to an equivalent body or bodies.

(2) Without limiting the discretion of the PSC under subclause (1), it is appropriate to refer a complaint, or the investigation of a complaint, to an equivalent body or bodies if when the complaint is made the respondent:

- (a) resides in another diocese or holds a licence or from a Church authority in another diocese; and
- (b) neither resides in the Diocese nor holds a licence or permission to officiate or other authority from a Church authority in the Diocese.

(3) When the PSC and an equivalent body or bodies have the power and duty to investigate information concerning the alleged misconduct of the respondent and the respective bodies cannot agree on:

- (a) which body shall carry out the investigation or any parts of such investigation; or
- (b) whether a complaint should be referred to the Board or to an equivalent body which has jurisdiction,

the PSC must refer the disagreement for decision by an independent person agreed upon by the PSC and the equivalent body or bodies who is to reach a decision within a reasonable time.

(4) In all matters affecting the operation of this Ordinance the PSC and the Director must co-operate with and assist an equivalent body and a person acting in the corresponding capacity of the Director in another diocese.

(5) In making a decision under subsection (3) the independent person will not be bound by the views or instruction of the PSC but shall take into account the most convenient course for all concerned and the proper and expeditious conduct of the investigation or referral as the case may be.

PART 3D - SUSPENSION AND INTERIM PROHIBITION ORDERS

19. What can the Director recommend?

At any time after a complaint is made the Director may recommend to the relevant Church authority that the respondent is suspended from being a church worker or may recommend that an interim prohibition order be made against the respondent, subject to the following:

- (a) the Director must give the respondent the opportunity to be heard in relation to the proposed recommendation or order; and
- (b) in deciding whether to make the recommendation or order the Director must take the following matters into account:
 - (i) the seriousness of the conduct alleged in the complaint;
 - (ii) the nature of the material to support or negate the complaint;
 - (iii) whether any person is at risk of harm; and
 - (iv) the likely effect on the respondent and on the relevant Church body.

20. What is the effect of the Director recommending a suspension order?

If the Director recommends that the respondent be suspended from being a church worker:

- (a) the relevant Church authority is authorised to do all such things as may be necessary to give effect to the recommendation;
- (b) during any period of suspension by the Church Authority, or during a period when a person voluntarily stands down from a position:
 - (i) the respondent is ineligible for appointment to any position or function covered by the suspension;
 - (ii) the relevant Church authority may fill the vacancy during the term of any suspension; and
 - (iii) the person against whom the complaint is made is entitled to continue to receive their ordinary stipend, salary, allowances and other benefits in connection with the position, except to the extent that these are provided on account of expenses incurred in undertaking their duties or functions; and

- (iv) in the case of a respondent who is licensed or authorised for ministry in a parish - the parish concerned is entitled to reimbursement from funds under the control of the Synod for the reasonable additional costs incurred by the parish for the engagement of any temporary personnel to undertake the duties of the person against whom the complaint is made during the period of suspension;
- (c) the respondent must comply with the terms of recommendation; and
- (d) the suspension ceases to have any effect:
 - (i) if the Director terminates the investigation without referring the matter to the PSC, or
 - (ii) upon any direction to that effect given by the PSC, or
 - (iii) upon the Church authority or the respondent (as the case may be) giving effect to the recommendation(s) of the Adjudicator, PSC or the Board.

21. What is the effect of the Director recommending an interim prohibition order?

- (1) If the Director recommends that an interim prohibition order be made the Archbishop must give prompt consideration to the Director's recommendation and may make an Interim Prohibition Order.
- (2) If the Archbishop makes an Interim Prohibition Order:
 - (a) the respondent and any relevant Church authority must comply with the Interim Prohibition Order;
 - (b) the respondent is ineligible for appointment to any position or function covered by the order;
 - (c) the relevant Church authority may fill the vacancy caused by the order;
 - (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.
- (3) An Interim Prohibition Order ceases to have effect:
 - (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 –
 - (i) the respondent complying with all recommendation(s) (if any) of the PSC accepted by the respondent, subject to the respondent continuing to comply with the recommendation(s) within any period set out in the notice; and
 - (ii) the Church authority giving effect to the recommendation(s) (if any) of the Adjudicator, PSC or the Board.
 - (d) if the Archbishop suspends the respondent under section 61 of the 1961 Constitution.

PART 3E – COMPLAINTS INVOLVING SERIOUS CRIMINAL CONVICTIONS

21A. Application of this Part

This Part 3E applies to complaints concerning respondents who have been convicted of a disqualifying offence, being an offence listed in Schedule 2 of the *Child Protection (Working with Children) Act 2012*, and the conviction is not subject to a stay or an appeal against the conviction.

21B. Notification to respondent

- (1) If the Director is in possession of the reasons for judgment or other record from a court, a police history check, or a notification from a statutory authority, which indicates that the respondent has been convicted of a disqualifying offence, the Director may:
 - (a) notify the substance of the complaint to the respondent,
 - (b) provide the respondent with a copy of the judgment, record or notification evidencing the conviction,
 - (c) inform the respondent that it is the intention of the Director to refer the complaint to the PSC for a recommendation to the Archbishop that a prohibition order be issued, and
 - (d) invite a response to the complaint within a period of not less than 21 days or such longer period specified by the Director.
- (2) Following expiration of the period within which the respondent may provide a response under clause 21B(1)(d), the Director must refer the complaint to the PSC, including a copy of all the material provided to the respondent and any response from the respondent.

21C. Recommendations of the PSC

If the PSC is satisfied that the respondent has been convicted of a disqualifying offence, the PSC may recommend to the Archbishop that a prohibition order be made against a respondent in terms recommended by the PSC. If the PSC is not satisfied that the respondent has been convicted of the relevant offence, this Part 3E ceases to apply to the complaint and the Director is to deal with the complaint in accordance with the other provisions of this Ordinance.

PART 3F - INVESTIGATION OF COMPLAINTS**22. Conduct of Investigation**

(1) Subject to Part 3C, the Director may appoint a person to investigate a complaint, and such investigations are to be conducted as promptly as reasonably possible.

(2) The Director may, by notice in writing, revoke the appointment of an investigator if the investigator fails or refuses to comply with the requirements of this Ordinance or any other reasonable requirements of the Director.

23. Powers of the investigator

(1) For the purposes of an investigation:

- (a) the investigator may obtain such statutory declarations, written statements, recorded conversations, reports, documents and other material as the investigator considers necessary or advisable;
- (b) the investigator may require the person making the complaint to verify the complaint by statutory declaration if this has not already been done;
- (c) if the investigator interviews a person, the investigator must:
 - (i) record the interview, subject to the interviewee giving their consent, and
 - (ii) 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;
- (d) the investigator may, by notice in writing, require the respondent –
 - (i) 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
 - (ii) to otherwise assist in, or cooperate with the investigation of the complaint in a specified manner.

(2) A person must answer truthfully any question put by or on behalf of the investigator in exercising the powers conferred by this Ordinance, and must not mislead or obstruct the investigator in the exercise of powers conferred by this Ordinance.³

24. Outcome of the 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 in the course of the investigation.

PART 3G - NOTIFICATION OF AND RESPONSE TO THE COMPLAINT**25. What notification must the Director provide to the respondent?⁴**

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 respondent, and
- (b) to request the respondent to provide a response to the complaint within a period of not less than 21 days or such longer period specified by the Director, and
- (c) to inform the respondent generally of the processes under this Ordinance (which may be done by providing a copy of this Ordinance), and
- (d) to advise the respondent of the possible outcomes if the allegations in the complaint are upheld, and
- (e) to caution the respondent not to make any admissions without the benefit of legal advice.

³ *Misconduct for the purposes of this Ordinance includes failure without reasonable excuse by a respondent to cooperate with the investigation of a complaint.*

⁴ *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.*

26. What responses may be given by a respondent?

- (1) A respondent may respond by admitting or denying the complaint in whole or in part.
- (2) A response must be in writing signed by the respondent or, in the case of a respondent under legal incapacity, by –
 - (a) a parent or guardian, or
 - (b) a person responsible for the welfare of the respondent under legal incapacity or acting on his or her behalf.
- (3) If the complaint has not been investigated and the respondent denies the complaint, or does not admit the complaint or the substance of the complaint, the Director may appoint a person to investigate the complaint in the manner set out in Part 3F.

PART 3H – SPECIAL PROCEDURE FOR UNPAID LAY CHURCH WORKERS (ADJUDICATORS)**27. Application of this Part**

- (1) Subject to subclause (2), this Part applies to complaints made against unpaid lay church workers to the exclusion of Parts 4A to 4D.
- (2) If the Director considers that a complaint against an unpaid lay 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 to be dealt with under Chapter 4.

28. Action on receipt of an admission or the investigator's report

- (1) On receipt of an admission under clause 26 or the investigator's report, the Director must:
 - (a) request the Registrar to appoint an experienced lawyer to be the Adjudicator for a complaint to which this Part applies;
 - (b) notify the Adjudicator of the identity of the respondent; and
 - (c) 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 Registrar must promptly appoint an experienced lawyer following a request from the Director under subclause (1)(a).
- (3) The Director must also:
 - (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.

29. 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 30.
- (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 30 or findings under clause 31.

30. Powers and Recommendations by the Adjudicator

- (1) If the Adjudicator is satisfied that the church worker:
 - (a) is not fit to hold a role office or position; or
 - (b) is not fit, whether temporarily or permanently, to exercise ministry or perform any duty or function of the role or position; or
 - (c) should be subject to any condition or restriction in the exercise of ministry or in the performance of any duty or function;

the Adjudicator must find accordingly in writing and make recommendations to the relevant Church Authority, including but not limited to any one or more of the following:

- (d) that the church worker be counselled;
- (e) that the church worker be suspended from performing function(s) for such period determined by the Adjudicator;
- (f) that the authority of the church worker be revoked;
- (g) that any agreement for the church worker's engagement (if any) be terminated;
- (h) that the church worker's performance of function(s) be made subject to such conditions or restrictions as the Adjudicator may specify;
- (i) that the church worker be directed to do or to refrain from doing a specified act;
- (j) that a prohibition order be made in terms specified by the Adjudicator.

(2) Prior to making any recommendations under subclause (1), the Adjudicator may inform the Archbishop, the relevant Church authority and the respondent of the proposed recommendations and provide a reasonable opportunity for each to make written submissions.

31. Making findings on serious child-related conduct

If the complaint alleges that the respondent has committed serious child-related conduct, the Adjudicator must make a finding on whether the respondent engaged in any or all of the conduct so alleged, and these findings shall constitute findings for the purpose of –

- (a) any requirement by law to notify a person or authority that a finding has been made that the respondent engaged in conduct which is the subject of any such requirement to notify; and
- (b) entering on the National register the details of information required by the provisions of the *National Register Canon 2007*.

32. 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.

33. Review

The decisions and recommendations of the Adjudicator are not appellable or subject to review, except that a respondent may make an application for review under Part 4C and for this purpose references to the Board and PSC in Part 4C are taken to be references to the Adjudicator.

CHAPTER 4 – RESOLVING COMPLAINTS**PART 4A – CONSIDERATION BY THE PSC****34. Referral to the PSC**

On receipt of any report from the Investigator in relation to a complaint made against a person who is not an unpaid lay church worker and any response from the respondent, 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 any investigator's report,

and must also -

- (c) notify the respondent that the complaint has been referred to the PSC, and
- (d) 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
- (e) invite the respondent 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.

35. What can the PSC do when dealing with the complaint?

(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 respondent and may take at least one or more of the following courses of action:

- (a) request the Director to appoint an Investigator to further investigate the whole or any aspect of the complaint; or
- (b) take no further action in relation to the Complaint under clause 36; or
- (c) make findings on the conduct and dismiss the complaint under clause 37; or
- (d) terminate suspension and prohibition orders under clause 38; or
- (e) refer the matter to the Board under clause 39; or
- (f) recommend that the complaint be referred to the Diocesan Tribunal under clause 40; or
- (g) make one or more recommendations under clause 41.

(2) In deciding upon a course of action 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 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 misconduct committed by the person against whom the complaint has been made;
- (l) whether any part of the conduct which is the subject of the complaint is exempt conduct;
- (m) the practicability and likely effectiveness of the recommendation; and
- (n) such other matters as the PSC considers relevant.

36. No further action

If the PSC considers –

- (a) that the material furnished to it by the Director does not disclose any misconduct which may be the subject of a complaint under this Ordinance, 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.⁶

37. Findings on conduct

If the PSC is satisfied on the material before it that the respondent did not engage in any of the misconduct which is the subject of the complaint, it must dismiss the complaint and recommend that no further action be taken with respect to the complaint, other than action which is incidental to dismissal.

38. Termination of suspension and prohibition orders

The PSC may direct that a suspension or prohibition order made by a Church authority pursuant to a recommendation under Part 3D must be terminated by the Church authority.

39. Reference to the Board

(1) The PSC must refer to the complaint to the Board if:

- (a) the complaint alleges serious child-related conduct, and the PSC considers that it is unable to make a finding on the material before it that the respondent has or has not engaged in any or all of such misconduct which is the subject of the complaint; or
- (b) the PSC makes a recommendation under clause 41 and the respondent 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 clause 42(3)(b); or
- (c) the respondent fails to substantially comply with a recommendation made under clause 40 to the satisfaction of the PSC, including within or throughout any period that the notice issued under clause 42(1) states that the action required by the recommendation is to be undertaken.

(2) The PSC must refer the complaint to the Board by delivering to the secretary of the Board a written report of its assessment and opinion on the complaint signed by a member of the PSC and:

- (a) within 14 days of the date of the reference of the complaint to the Board or within 14 days of the date of the document or material coming into existence, whichever is the later, the PSC must cause to be delivered to the secretary of the Board any documents and material relevant to the reference; and
- (b) the PSC, as soon as practicable after delivering the report referred to in paragraph (a) to the secretary of the Board, shall, if they have not already been delivered to the respondent, cause to be delivered to the respondent:
 - (i) a copy of the report and opinion; and
 - (ii) a notice that the respondent may send any submissions in advance to the Board if he or she wishes to do so.

40. Recommendation that a complaint be dealt with by the Diocesan Tribunal

(1) The PSC may also recommend that the Archbishop appoint a person to promote a charge against the respondent before the Diocesan Tribunal, or that the complaint be referred to a body in another diocese with equivalent jurisdiction, if:

- (a) the person is subject to the jurisdiction of the Tribunal;⁷

⁶ *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.*

⁷ **Note:** Section 54(2) of the Anglican Church of Australia Constitution Act 1961 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.

- (b) the PSC is of the opinion that there is a reasonable likelihood that the complaint, if sustained, will result in the Tribunal making a recommendation for the respondent's deposition from orders, prohibition from functioning or removal from office; and
- (c) the PSC is of the opinion that there is a reasonable likelihood that the complaint will be sustained before the relevant Tribunal.

(2) If the PSC makes a recommendation to the Archbishop under this clause, the Archbishop must comply with the recommendation. The complaint is then to be dealt with in accordance with the Diocesan Tribunal Ordinance 2017 and no further action is to be taken in respect to the complaint under this Ordinance.

41. What recommendations can the PSC make?

The PSC may make one or more of the following recommendations in relation to the respondent:

- (a) that the respondent make an apology of a kind specified by the PSC;
- (b) that the respondent make reparation as specified by the PSC for the conduct the subject of the complaint;
- (c) that the respondent undertake training, or retraining, of a nature specified by the PSC;
- (d) that the respondent receive counselling of a nature specified by the PSC;
- (e) that the respondent undertake to the Director, in such terms as are specified by the PSC, any one or more of the following:
 - (i) that they will resign from any specified position or office in the Diocese or any specified employment by a Church body or Church authority; or
 - (ii) that they will not, either indefinitely or for a period of time, 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; or
 - (iii) that they will not, either indefinitely or for a period of time, 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;
- (f) that the respondent resign from office or employment, request relinquishment of holy orders or request voluntary deposition from holy orders, with such admissions and other conditions as the PSC considers appropriate in all the circumstances;
- (g) that the respondent consent to the relevant Church authority issuing a prohibition order;
- (h) that the respondent enter into a safety plan with the relevant Church authority;
- (i) that the respondent be excluded from entry or access to specified Church premises or activities;
- (j) that no further action be taken with respect to the complaint.

42. Notice of the recommendations

(1) The PSC must give notice of its recommendation(s) to the complainant, the respondent, the Director, the Archbishop and the relevant church authority as soon as practicable after being made.

(2) If the PSC makes a recommendation under paragraph 41(e), (f) or (g), the PSC must include a statement of the reasons for the recommendation(s).

(3) In respect of any other recommendation(s) 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:

- (a) if the respondent does not accept the PSC's recommendation(s) within 14 days after the date of the notice and subsequently comply with the recommendation to the satisfaction of the Director, the complaint will be referred to the Board, and
- (b) the respondent may request the Director to allow a longer period for the recommendation to be accepted by the respondent.

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.*

(4) 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(s) will result in the information being removed from or retained on the National Register.

43. Response to the recommendation

(1) If the respondent, by notice in writing to the Director:

- (a) accepts the recommendation(s) of the PSC within 14 days after the date of the notice of the recommendation(s) or within such longer period as the Director determines under subclause 42(3)(b), and
- (b) complies with any recommendation to the satisfaction of the Director, and continues to do so within or throughout any period that the notice issued under subclause 42(1) states that the action required by the recommendation is to be undertaken,

no further action is to be taken against the respondent under this Ordinance in relation to the complaint, except as provided by this clause.

(2) If the complaint alleges serious child-related conduct and the person against whom the complaint is made:

- (a) admits the complaint or the substance of the complaint; or
- (b) accepts the recommendation or recommendations of the PSC;

and the PSC is satisfied that the respondent has engaged in any or all of the conduct which is the subject of the complaint, the PSC must make a finding that the respondent engaged in that conduct.

PART 4B – DETERMINATION OF COMPLAINTS BY THE BOARD

44. Application of this Part

This Part applies to complaints that are referred to the Board by the PSC under clause 39.

45. Convening of the Board

(1) Upon a complaint being referred to the Board, the President or Deputy President as the case may be shall as soon as possible determine the membership of the Board for the purpose of the reference.

(2) The President or Deputy President as the case may require must convene the Board for the purpose of giving directions.

46. Powers of the Board

(1) Upon the referral of a complaint to the Board, the Board may take at least one or more of the following courses of action:

- (a) make findings on serious child-related conduct under clause 47;
- (b) dismiss the matter or take no further action under clause 48;
- (c) make a recommendation under clause 49.

47. Making findings on serious child-related conduct

(1) If the complaint alleges that the respondent has committed serious child-related conduct, the Board must make a finding on whether the respondent engaged in any or all of the conduct so alleged, and these findings shall constitute findings for the purpose of –

- (a) any requirement by law to notify a person or authority that a finding has been made that the respondent engaged in conduct which is the subject of any such requirement to notify; and
- (b) entering on the National register the details of information required by the provisions of the *National Register Canon 2007*.

48. Power to dismiss or take no further action

(1) If the Board is not satisfied that the church worker committed any misconduct, or is satisfied that the complaint is false, vexatious or misconceived, the Board may determine accordingly and must dismiss the complaint.

(2) If the Board is satisfied that the church worker did commit misconduct but is not satisfied as to any of the matters in clause 49(1), the Board may determine accordingly and must take no further action in relation to the complaint. The Board may nonetheless recommend under clause 49 that the respondent be counselled.

49. Recommendations and Orders by the Board

(1) If the Board is satisfied that the church worker:

- (a) is not fit to hold a role office or position, or to be or remain in Holy Orders; or

- (b) is not fit, whether temporarily or permanently, to exercise ministry or perform any duty or function of the role office or position; or
- (c) should be subject to any condition or restriction in the exercise of ministry or in the performance of any duty or function;

the Board must determine in writing accordingly and make recommendations to the Archbishop or relevant Church authority, including but not limited to any one or more of the following:

- (d) that the church worker be counselled;
- (e) that the church worker be suspended from office or employment or from performing the function as the case may be for such period determined by the Board;
- (f) that the licence or authority of the church worker be revoked;
- (g) that the church worker's contract of employment (if any) be terminated;
- (h) that the church worker cease to hold any office then held;
- (i) that the church worker's holding of office or employment or performance of the function, as the case may be, be made subject to such conditions or restrictions as the Board may specify;
- (j) that the church worker be directed to do or to refrain from doing a specified act;
- (k) that a charge be promoted against the respondent before the Diocesan Tribunal;
- (l) that the operation of a determination shall be suspended for such period and upon such conditions as the Board shall specify;
- (m) that the church worker should be deposed from Holy Orders; and
- (n) that a prohibition order be made in terms specified by the Board.

50. Provision of copies of determination and recommendation

(1) The Board must cause a copy of the determination and recommendations, together with reasons, to be provided to –

- (a) the relevant Church authority;
- (b) the complainant;
- (c) the respondent;
- (d) the PSC; and
- (e) the Director or

(2) The Director must cause to be entered in the national register all details of information required by the provisions of the *National Register Canon 2007*.

51. Power to defer final recommendation

(1) The Board may defer making any final recommendation on a complaint and may for that purpose adjourn any hearing from time to time for a period or periods not exceeding in aggregate, 12 months, on terms that the church worker undertake for a specified period and in a form approved by the Board to do one or more of the following acts or omissions:

- (a) stand down from the office or employment or from performing specified duties of office or employment;
- (b) undertake counselling from a person approved by the Board;
- (c) submit to periodic medical examination by a person approved by the Board;
- (d) undertake a specified program of medical treatment or rehabilitation whether as an outpatient or inpatient;
- (e) provide medical or other evidence requested by the Board to assist it in deciding on any final recommendation; or
- (f) perform or refrain from performing some other specified act.

(2) If at the time of deferring a final recommendation in accordance with this clause the Board is satisfied that the church worker is at that time either unfit to hold office or to exercise ministry or to perform any duty or function of the office or employment, any undertaking given by the church worker must include an undertaking under clause 51(1)(a) in such form as the circumstances may require and as the Board may approve.

(3) If within a period specified by the Board the church worker declines to give an undertaking in accordance with clause 51(1), the Board must proceed to make a determination and recommendation.

(4) The Board may take into account the failure of the church worker to comply with his or her undertaking under clause 51(1) in deciding on any final recommendation on a complaint.

52. Effect of Prohibition Orders

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.

PART 4C – REVIEW OF BOARD DETERMINATIONS

53. Application for review

(1) If the respondent is aggrieved by a decision of the Board, the respondent may apply to the Registrar for a review of the decision.

(2) If the PSC is aggrieved by a decision of the Board, the PSC may apply to the Registrar for a review of the decision.

(3) The application must be made within 21 days after the applicant is provided with a copy of the Board’s report under clause 50 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.

54. Grounds for review

The grounds on which an application for a review of a decision of the Board 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 making 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 Board did not have jurisdiction to make the decision,
- (d) that the decision was so devoid of any plausible justification that no reasonable Board could have made it.

55. Stay of proceedings

An application for a review of a decision of the Board acts as a stay of the decision pending the determination of the review.

56. 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.

57. Conduct of review

(1) A review by an experienced lawyer of the determination of the Board 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.

58. Determination on review

The experienced lawyer who reviews a determination of the Board may do any one or more of the following –

- (a) quash or set aside the determination,
- (b) refer the determination to the Board 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 Board relates,
- (d) direct the applicant or the Board to do, or to refrain from doing, anything that the experienced lawyer considers necessary to achieve justice between the parties.

PART 4D – PROCEDURAL MATTERS FOR THE PSC AND THE BOARD**59. Conduct of proceedings**

Subject to the provisions of this Ordinance each of the PSC and the Board—

- (a) must act with fairness and according to equity, good conscience, procedural fairness and the substantial merits of the case without regard to technicalities or legal forms; and
- (b) is not bound by the rules of evidence but may inform itself on any matter in such manner as it thinks fit; and
- (c) must deal with each matter as expeditiously as possible.

60. Failure to appear

(1) The PSC may make findings or recommendations in any proceedings in the absence of additional material from the respondent if satisfied that reasonable efforts were made to give the respondent an opportunity to provide that material.

(2) The Board may make a determination in any proceedings in the absence of a person affected by the determination if satisfied that reasonable efforts were made to give that person an opportunity to appear.

61. Powers and duties

(1) Subject to this Ordinance, the Board:

- (a) may regulate the proceedings of its meetings as it sees fit;
- (b) may inform itself from the record of or transcript of proceedings in any court or tribunal and may adopt any findings in, and accept as its own, the record of or transcript of proceedings of any court or tribunal;
- (c) may conduct its business and any proceedings by video link, conference telephone or by any electronic means of communication; and
- (d) must give written reasons for any determination and recommendation, other than by way of directions in the course of an application, unless the determination is made by consent of the respondent and the PSC.

(2) The Board must give the PSC and the respondent a reasonable opportunity to adduce evidence, to examine and cross-examine witnesses and to make submissions to the Board.

62. Legal representation

The PSC may and the respondent may each appoint a legal representative to assist in the process.

63. Directions

The Board may at any time give directions:

- (a) as to the inspection by and supply of copies to the respondent or any other person of the documents or material relevant to the reference; and
- (b) as to the conduct of its inquiry into the reference or review;

and for that purpose the Board may be constituted by the presiding member or by a member appointed for the purpose by the presiding member.

64. Appointment of a person to assist

The Board may, for the purpose of any particular reference, appoint such person or persons to assist it in inquiring into (but not determining) a reference as the Board thinks fit.

65. Directions to Director or the PSC

The Board may at any time, and from time to time, give directions to the Director or the PSC as to any further inquiries or investigation it requires to be carried out for the purposes of the reference and the Director or the PSC, as the case may be, must to the best of its ability cause such directions to be carried out.

66. Written evidence

Without limiting the meaning and effect of clause 61, The Board may receive a statutory declaration or a signed statement without the need for the personal attendance of the maker of the statutory declaration or statement and may also in its discretion use electronic means such as video link or conference telephone to receive evidence and submissions.

67. Decisions of other bodies

- (1) In any proceedings before it, where the PSC or the Board is satisfied that the respondent:
- (a) has been convicted by a court within Australia of an offence involving misconduct;
 - (b) has been found guilty (without conviction) by a court within Australia of an offence involving misconduct;
 - (c) has admitted in proceedings before a court, tribunal or commission of inquiry within Australia having engaged in conduct involving misconduct;
 - (d) has been found by a court, tribunal or commission of inquiry within Australia to have engaged in conduct involving misconduct; or
 - (e) has been disqualified by a court, tribunal or commission of inquiry within Australia from professional practice on account of conduct involving misconduct;

then:

- (f) a certificate, reasons for judgment or other record from the court, tribunal or commission (as the case may be) shall be conclusive evidence that the respondent engaged in the misconduct concerned; and
- (g) neither the respondent nor any other party shall be at liberty to call or give evidence or make submissions for the purpose of calling into question the conviction or finding of guilt of the respondent or denying that the respondent engaged in the misconduct concerned.

68. Standard of proof

The standard of proof to establish an allegation is that of reasonable satisfaction on the balance of probabilities.

69. Members of Board not to meet with parties

No member of the PSC or the Board shall individually meet with in relation to the complaint either the complainant or the respondent or anyone acting on their behalf while the matter is in progress.

70. Disqualification where personal interest

- (1) Where a member of the PSC or the Board has a personal interest in a matter before it the member shall be disqualified from participating in the matter.
- (2) The opinion of the chair of the PSC or the presiding member of the Board, as the case may be, shall be conclusive as to whether any other member of the PSC or the Board has a personal interest in a matter.

71. Medical examination

- (1) The PSC or the Board may require the respondent to submit within a specified time to a medical, psychiatric or psychological examination by a person approved by the PSC or the Board (as the case may be) the cost of which shall be met from funds under the control of the Synod.
- (2) A copy of the report of an examination under subclause (1) shall be provided to the respondent, the Director, the PSC and the Board.

72. Duties of the respondent

- (1) The respondent must, subject to subclause (2), truthfully answer any question put by or on behalf of the Board in the exercise of powers conferred by this Ordinance.
- (2) If the respondent declines to answer a question on the ground that the answer might tend to incriminate the respondent, a written record shall be made of the question and of the ground of refusal.

- (3) The respondent must not:
- (a) mislead the Board or a member of the Board; or
 - (b) unreasonably delay or obstruct the Board in the exercise of powers conferred by this Ordinance.

73. Limitation on promotion of a charge in the Diocesan Tribunal

If the PSC or the Board is satisfied that there is no reasonable likelihood that the Diocesan Tribunal would find the respondent guilty of any offence, the PSC or the Board shall not recommend that a charge be promoted against the respondent in the Diocesan Tribunal.

74. Costs

- (1) Neither the PSC nor the Board has the power to award costs of any complaint or matter before it.
- (2) A respondent who is not an unpaid lay church worker may apply to the Standing Committee for reimbursement of their reasonable costs of obtaining advice and assistance from a legal practitioner for the purposes of a process under this Ordinance.
- (3) The Standing Committee may grant legal assistance to a church worker on such terms and subject to such conditions as it shall determine.
- (4) For the purposes of subclause (3), the Standing Committee may approve a scale of costs on the recommendation of the Director.

75. Making of rules

- (1) The President of the Board may make or approve rules of the Board reasonably required in relation to the practice and procedure.
- (2) The rules of the Board made under this clause may provide that, in relation to the exercise of specified functions, or in relation to matters of a specified class, other than the determination of an application including the making of a recommendation, the Board may, at the direction of the presiding member, be constituted by a single member sitting alone.

76. Practice and procedure

Subject to this Ordinance and the relevant rules, the practice and procedure of the Board will be as directed by the presiding member of the Board.

77. Determination of questions

- (1) In any proceedings of the Board:
- (a) any question of law or procedure shall be determined by the presiding member; and
 - (b) any other question will be determined by majority decision of the members, and in the case of an equality of votes the opinion of the presiding member shall prevail.
- (2) Where the Board is constituted by a member sitting alone who is not the President or the Deputy President, any question of law that arises must be referred to the President or Deputy President for decision and any decision made on such a reference is a decision of the Board, as the case may be.

78. Public Hearings

- (1) Subject to subclauses (2) and (3), any hearing of the Board must be held in public.
- (2) The Board may direct:
- (a) that the whole or part of a proceeding be held in private; or
 - (b) that only persons or classes of persons specified by it may be present during the whole or any part of a proceeding.
- (3) The Board may only make a direction under the preceding subclause if satisfied that the direction is necessary on or more of the following grounds:
- (a) to comply with applicable legislation of the State or a Territory or the Commonwealth;
 - (b) to prevent a real and substantial risk to the proper administration of justice that cannot be prevented by other reasonably available means;
 - (c) to protect the safety of any person;
 - (d) to avoid causing undue distress or embarrassment to a complainant (other than the Director) or a witness (other than the respondent) in a proceeding that relates in whole or part to a complaint;

- (e) to avoid the disclosure of confidential information; and
- (f) for any other reason in the interests of justice.

79. Suppression of names

- (1) The Board may order that the name of, or other information that could lead to the identification of the respondent, or a person who appears, or is reasonably likely to appear, before the Board is not to be published or broadcast, except in such circumstances as the Board may authorise.
- (2) An order of the Board under this clause does not apply to the publication of a report authorised or required under this Ordinance.

79A. Non-publication orders

- (1) The Board may, on the application of a party or the Director, order that a party by himself or herself or through his or her agents and associates not publish verbally, in writing or by electronic means:
 - (a) any matter relevant to a fact or circumstance likely to be considered when the Director or Board is dealing with the complaint; or
 - (b) any aspersion on the character of a person who may be a material witness to such fact or circumstance.
- (2) Such an order may be made ex parte, but may be discharged on the application of the person against whom it is made on at least five days' notice to the person on whose application it was made.

PART 4E – CHURCH AUTHORITIES AND COMPLIANCE**80. Church authority to give effect**

- (1) Subject to subclause (2), the Church authority to whom a recommendation under this Ordinance is made must and is empowered to do any acts to give effect to a recommendation of the Director, an Adjudicator, PSC or the Board.
- (2) The Church authority referred to in subclause (1) may vary, modify or temporarily suspend the implementation of a recommendation consistent with any facts found by the body making the recommendation provided that the body making the recommendation agrees that the substance of the recommendation is preserved.

81. Compliance by church worker

A church worker must:

- (a) comply with any undertaking given to an Adjudicator, PSC or the Board or the relevant Church authority; and
- (b) comply with a direction made by the relevant Church authority to give effect to a recommendation of the Adjudicator, PSC or the Board, as the case may be, or any permitted variation or modification that recommendation.

CHAPTER 5 - PERSONS OR BODIES PERFORMING FUNCTIONS UNDER THIS ORDINANCE

PART 5A – THE DIRECTOR

82. Appointment

- (1) There shall be a Director of Professional Standards.
- (2) The Director shall be appointed by the Archbishop.
- (3) The Director shall hold office on such terms and conditions as may be determined from time to time by the Archbishop.
- (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.

83. Functions of the Director

- (1) The Director's functions include:
 - (a) to receive complaints;
 - (b) to make a complaint against a church worker;
 - (c) to appoint investigators to investigate complaints in a timely and appropriate manner;
 - (d) to be the executive officer of the PSC;
 - (e) to attend meetings of the PSC except for any part of a meeting which deals with the conditions of employment, remuneration or performance of the Director;
 - (f) to provide advice about the code of conduct and procedures under this Ordinance;
 - (g) to provide or arrange care for or treatment of the complainant and respondent;
 - (h) to provide input into education and vocational training programs for church workers;
 - (i) to keep proper records of complaints, decisions, meetings, employment screening details, police checks and people affected by any allegation of misconduct;
 - (j) to consult and co-operate with other persons and bodies in the Church with responsibility for professional standards;
 - (k) to support complainants in making a report to police or child protection authorities;
 - (l) to report to the PSC on any recommended changes to processes, structures and education programs that would reduce the risk of misconduct; and
 - (m) such specific functions and duties, consistent with this Ordinance, as may be determined from time to time by the PSC.
- (2) The Director must act in all things as expeditiously as possible.

84. 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.

85. The Director's entitlement to information held by certain persons

A Church authority, Church body or relevant person that appointed a church worker to an office or position must provide the Director with such information as the Director may reasonably require.

86. The Director to report annually to the Standing Committee

Before 1 August each year, the Director is to make a report to the Standing Committee as to the actions 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 5B – THE PROFESSIONAL STANDARDS COMMITTEE

87. Establishment of the PSC

There shall be a Professional Standards Committee for the diocese constituted in accordance with the provisions of this Part.

88. Functions of the PSC

The PSC has the following functions:

- (a) to act on a complaint in accordance with this Ordinance and, where appropriate, to obtain independent legal advice for that purpose;
- (b) to recommend to the Standing Committee any changes to Church processes, structures and education programs, where appropriate, that would reduce the risk of misconduct;
- (c) to authorise such expenditure as may be necessary or appropriate to implement, in a particular case, the provisions of this Ordinance subject to any limit imposed by the Standing Committee;
- (d) to advise relevant Church bodies as to the financial, pastoral or other needs of a person affected by misconduct which is the subject of a complaint and to advise relevant Church bodies in connection with any legal proceedings, anticipated or existing, against such Church bodies arising out of that alleged misconduct;
- (e) to refer any information in its possession to a law enforcement, prosecution or child protection authority of a State or Territory or of the Commonwealth of Australia for which the information is or may be relevant;
- (f) to maintain proper records of all information and complaints received and of action taken in relation to each of them; and
- (g) to exercise such other powers and functions as are conferred on it by this or any other Ordinance.

89. Membership of the PSC

- (1) The members of the PSC shall be appointed by the Archbishop-in-Council.
- (2) The members of the PSC shall hold office on such terms and conditions as may be determined from time to time by the Archbishop-in-Council.
- (3) The PSC must have at least three members including the chair.
- (4) 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.
- (5) The PSC must so far as is reasonably practicable:
 - (a) include at least one person who is not a member of the Church;
 - (b) have at least one man and one woman.
- (6) The chair of the PSC must be appointed by the Archbishop.
- (7) A member of the PSC must not act unless the member has agreed in writing to abide by this Ordinance.

90. Term of office

Subject to clause 89, 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.

91. 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.

92. Conduct of business

- (1) The PSC may meet from time to time as determined by the chair or a majority of its members and may conduct its business by telephone or electronic communication.
- (2) The chair must convene a meeting of the PSC at the request of the Director.
- (3) The procedures of the PSC shall be determined by the PSC.
- (4) A majority of the members shall constitute a quorum.
- (5) A decision taken other than at a meeting of the PSC, if supported by a majority of members of the PSC, constitutes a decision of the PSC.
- (6) The PSC must act in all things as expeditiously as possible.

93. Validity of proceedings

An act or proceeding of the PSC is not invalid by reason only of a vacancy in its membership and, notwithstanding the subsequent discovery of a defect in the nomination or appointment of a member, any such act or proceeding is as valid and effectual as if the member had been duly nominated or appointed.

94. Delegation of functions

- (1) Subject to subclause (2), the PSC may delegate, upon such terms and conditions as the PSC may approve, any of its functions under this Ordinance to any person.
- (2) The PSC cannot delegate:
 - (a) its functions under subclause (1); or
 - (b) its functions under Part 4A.
- (3) A delegation under this clause must be made by an instrument in writing signed by a member of the PSC pursuant to a resolution of the PSC.

PART 5C – THE PROFESSIONAL STANDARDS BOARD

95. Establishment of the Board

There shall be a Professional Standards Board comprising three persons constituted and appointed in accordance with the provisions of this Part.

96. Functions of the Board

The function of the Board is to enquire into and determine complaints referred to it by the PSC under this Ordinance.

97. Panel

- (1) The members of the Board in a particular case shall be appointed from a panel comprising:
 - (a) a President and a Deputy President, both of whom shall be experienced lawyers;
 - (b) three members of the clergy of at least seven years' standing; and
 - (c) three laypersons who may or may not be members of the Church and at least two of whom are persons who are considered by the Archbishop-in-Council as having professional experience, training or skills in a field that is relevant to addressing the needs of persons who are subjected to misconduct.
- (2) As far as reasonably practicable the members of the panel should comprise an equal number of men and women.

98. Appointment of the Panel

- (1) The members of the panel shall be appointed by the Archbishop-in-Council and shall hold office on such terms and conditions as may be determined from time to time by the Archbishop-in-Council.
- (2) Any vacancy in the membership of the panel shall be filled by the Archbishop-in-Council.

99. Appointment of the Board

- (1) The members of the panel to be convened for a complaint referred to the Board shall be determined by the President or, if there is a vacancy in the office of President or if the President is unable to act, by the Deputy President.
- (2) For the purpose of any reference to the Board, the Board shall consist of the President or Deputy President, who shall be the presiding member, and one clerical and one lay member of the panel.
- (3) The Board must, so far as reasonably practicable, have at least one man and at least one woman.
- (4) A member of the Board must not act in a matter unless the member has agreed in writing to abide by this Ordinance.

100. Vacancies on the Board

- (1) If a member of the Board, other than the presiding member, dies or is for any other reason unable to continue with any matter referred to the Board –
 - (a) the Board constituted of the presiding member and the other member may, if the presiding member so determines, continue and complete the reference; or
 - (b) if the presiding member so determines, a substitute member may be appointed to fill the vacancy.
- (2) If the presiding member dies or is for any reason unable to continue with any matter referred to the Board, the Deputy President becomes the presiding member for that matter.

101. Secretary

There shall be a secretary to the Board who shall be appointed by or in accordance with a resolution of the Archbishop-in-Council, and whose duties shall be defined by the President.

102. Quorum

The quorum for a meeting of the Board shall be all the members of the Board except where the Board by its presiding member makes directions under clause 63 of this Ordinance.

103. Validity of proceedings

An act or proceeding of the Board is not invalid by reason only of a vacancy in its membership or of the membership of the panel and, notwithstanding the subsequent discovery of a defect in the nomination or appointment of members of the panel or the Board, any such act or proceeding is as valid and effectual as if the member had been duly nominated or appointed.

CHAPTER 6 - MISCELLANEOUS

PART 6A – CONFIDENTIALITY AND PUBLICATION

104. Duty of confidentiality

(1) Subject to the provisions of this Ordinance, the Director, an Adjudicator, a member of the PSC, a member of the Board and a person employed or engaged on work related to the affairs of the PSC, must not divulge information that comes to his or her knowledge by virtue of that office or position except:

- (a) in the course of carrying out the duties of that office or position;
- (b) as may be authorised by or under this Ordinance;
- (c) as may be authorised or required by or under the *National Register Canon 2007* or any canon prescribed by General Synod in substitution for that canon;
- (d) in any proceedings before a Diocesan Tribunal, a Provincial Tribunal, the Special Tribunal or the Appellate Tribunal;
- (e) as may be required by law; or
- (f) to any insurer or insurance broker of a Church body where the information may give rise to or be relevant to a claim for indemnity by the Church body is against the insurer or is relevant to obtaining or continuing insurance cover.

(2) The PSC may release to any person, including a Church authority, such material as it may determine with respect to any information or complaint.

105. Release of information by PSC

(1) The PSC must disclose to an equivalent body information in its possession concerning the alleged misconduct of a church worker:

- (a) which is information relevant to, or arising 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 misconduct alleged to have occurred in the diocese of the equivalent body;

and must co-operate with any equivalent body.

(2) The PSC may disclose to a person or body of another church or Christian denomination exercising powers, duties or functions similar to those of the PSC, details of information in its possession concerning the alleged misconduct of a church worker and the PSC must co-operate with such person or body to whom the information is disclosed.

106. Church authority may release information

The Archbishop or the relevant Church authority may, following consultation with the Director, release to any person such material as the Church authority may determine with respect to any information, complaint or finding.

107. PSC reports

(1) Without disclosing the identity of any complainant or the details of any complaint, the PSC must report annually to the Synod on the operation this Ordinance and its activities for that calendar year.

(2) Notwithstanding subclause (1), the report of the PSC pursuant to that subclause may identify a church worker who has been exonerated from an allegation which is the subject of the complaint or who has been the subject of a determination or recommendation by the Board favourable to the church worker.

(3) The PSC must, in respect of every complaint with which it is dealing under this Ordinance, report either orally or in writing to the Archbishop with such frequency and as fully as the Archbishop may reasonably require.

PART 6B – INDEMNITY

108. Obligation to indemnify

The Standing Committee must and is hereby authorised out of funds under the control of the Synod to indemnify –

- (a) the Director and any delegate of the Director;
- (b) each member of the PSC;
- (c) any delegate of the PSC;

- (d) an Adjudicator;
- (e) each member of the Board;
- (f) the secretary of the Board;
- (g) any person appointed by the Board pursuant to this Ordinance; and
- (h) the Archbishop;

in respect of any act or omission respectively by them in good faith and in the exercise or purported exercise of powers or functions, or in the discharge or purported discharge of duties, under this Ordinance in relation to a church worker.

PART 6C – REGULATIONS

109. Regulation making power

The Archbishop-in-Council may from time to time make, amend or repeal regulations not inconsistent with the provisions of this Ordinance providing for records arising out of or incidental to the operation of this Ordinance and for all or any of the purposes, whether general or to meet particular cases, which may be convenient for the administration of this Ordinance or which may be necessary or expedient to carry out the overriding purposes of this Ordinance.

PART 6D – OTHER

110. Rights of employers

Nothing in this Ordinance affects any right of an employer to terminate the employment of an employee.

111. Findings of certain other bodies may be treated as conclusive

Any findings made by an equivalent body or a court, tribunal or commission of inquiry, that have not been overturned on appeal, may be treated as conclusive by a person performing functions under this Ordinance.

112. 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.

113. Commencement

Except for this clause, this Ordinance commences on the date determined by the Archbishop on the advice of the Chancellor.

Notes

In accordance with Clause 113, the Archbishop determined the commencement date of the original form of this Ordinance to be 1 November 2017 on the advice of the Chancellor.

Table of Amendments

Diagram	Amended by Ordinance No. 35, 2018.
Clause 4	Amended by Ordinance No 35, 2018.
Clause 6	Amended by Ordinance No 35, 2018.
Clause 7	Amended by Ordinance No 35, 2018.
Clause 13	Amended by Ordinance No 35, 2018.
Clause 16	Amended by Ordinance No 35, 2018.
Clause 20	Amended by Ordinance No 35, 2018.

Clause 21A	Inserted by Ordinance No 35, 2018.
Clause 21B	Inserted by Ordinance No 35, 2018.
Clause 21C	Inserted by Ordinance No 35, 2018.
Clause 30	Substituted by Ordinance No 35, 2018.
Clause 31	Amended by Ordinance No 35, 2018.
Clause 35	Amended by Ordinance No 35, 2018.
Clause 39	Amended by Ordinance No 35, 2018.
Clause 43	Amended by Ordinance No 35, 2018.
Clause 46	Amended by Ordinance No 35, 2018.
Clause 47	Amended by Ordinance No 35, 2018.
Clause 49	Amended by Ordinance No 35, 2018.
Clause 51	Amended by Ordinance No 35, 2018.
Clause 59	Amended by Ordinance No 35, 2018.
Clause 106	Amended by Ordinance No 35, 2018.
Clause 107	Amended by Ordinance No 35, 2018.



Provincial Synod – Provincial Tribunal Ordinance 2018 Accepting Ordinance 2019

Explanatory Report

Key Points

- The Provincial Synod held in November 2018 passed the *Provincial Tribunal Ordinance 2018* which repeals and replaces the *Tribunal Ordinance 1892*.
- The constitution of the Provincial Synod specifies that an ordinance does not operate in a diocese unless it is 'accepted' by the Synod of the Diocese by Ordinance.
- If the Synod accepts the *Provincial Tribunal Ordinance 2018*, the Provincial Tribunal will have no jurisdiction in the Diocese of Sydney, except in accordance with an Ordinance of our Diocese.

Purpose

1. The purpose of this report is to provide the context of, and rationale for, accepting the *Provincial Tribunal Ordinance 2018* in the Diocese of Sydney.

Recommendation

2. That the Synod pass the Bill for the Provincial Synod – Provincial Tribunal Ordinance 2018 Accepting Ordinance 2019.

Background

3. Chapter IX of the Anglican Church of Australia Constitution Act 1961 concerns Tribunals.
4. Section 53 states: "There shall be a diocesan tribunal of each diocese, the Special Tribunal and the Appellate Tribunal, and there may be a provincial tribunal of any province."
5. Section 55 (1) states: "*A provincial tribunal shall consist of a president who shall be the metropolitan, or a deputy president appointed by him, and not less than two other members as may be prescribed by ordinance of the synod of the province.*"

Discussion

6. It appears that until late 2018, the current legislation for the NSW Provincial Tribunal was *the Tribunal Ordinance 1892* and that this ordinance had not been used for many years, if ever.
7. A number of years ago there was a matter concerning a member of the clergy in another diocese in NSW. In accordance with the procedures of that diocese, the matter was referred to the NSW Provincial Tribunal but there were no known members of the Provincial Tribunal because no members had been elected by the Provincial Synod in living memory.
8. In November 2018 the NSW Provincial Synod passed the *Provincial Tribunal Ordinance 2018*. The ordinance provides for members to be elected by the Standing Committee of the Diocese of Sydney (2 members) and the Diocesan Council of each of the other seven NSW dioceses (1 member per diocese).

9. It is recommended that the Synod accept the ordinance and that the Standing Committee elect two members. If the Synod accepts the ordinance, the Provincial Tribunal will have no jurisdiction in the Diocese of Sydney except in accordance with an ordinance of our Diocese.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

29 August 2019

Provincial Synod – Provincial Tribunal Ordinance 2018 Accepting Ordinance 2019

No _____, 2019

Long Title

An Ordinance to accept the *Provincial Tribunal Ordinance 2018*.

The Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Provincial Synod – Provincial Tribunal Ordinance 2018 Accepting Ordinance 2019.

2. Acceptance of the Provincial Tribunal Ordinance 2018

5 The Synod accepts the *Provincial Tribunal Ordinance 2018*, the text of which is set out in the Schedule.

Schedule

Provincial Tribunal Ordinance 2018

AN ORDINANCE to provide for the Provincial Tribunal of New South Wales.

WHEREAS Section 55 of the Constitution of this Church makes provision for a Provincial Tribunal to consist of the Metropolitan as President or a Deputy President appointed by him and at least two other members as may be prescribed by Ordinance of Provincial Synod to be elected in accordance with such Ordinance.

NOW the Provincial Synod Ordains as follows to implement such constitutional provisions.

1. This Ordinance may be cited as the Provincial Tribunal Ordinance 2018.
2. The Provincial Tribunal shall consist of the Metropolitan as President, a Deputy President appointed by the Metropolitan either for a fixed term or otherwise and a panel of eight qualified persons.
3. The eight qualified persons shall be elected as follows:
 - (a) Two by the Standing Committee of the Diocese of Sydney; and
 - (b) One each by the Diocesan Council of each other diocese;

Such appointment should be made for four years, provided that a person sitting in a part heard case may continue to conclude such a case.
4. The Tribunal shall normally convene as a group consisting of the Deputy President and two members of the panel, who have been elected by different dioceses, nominated by the President.
5. No person who is an officer or member of a diocese shall sit on an Appellate reference involving a person resident or licensed in such diocese.
6. A qualified person is a lay person eligible to be appointed as a member of the Appellate Tribunal or a person in priest's orders for at least seven years.
7. No member of the Appellate Tribunal or Special Tribunal may sit on the Provincial Tribunal. No diocesan bishop may sit on the Provincial Tribunal.
8. A quorum of any sitting of the Provincial Tribunal shall be two persons.
9. Decisions of the Provincial Tribunal shall be by a majority. In the case of an equality of differing opinions, the view of the Deputy President shall prevail.
10. A casual vacancy in the panel shall be filled by those with authority to appoint or elect.

11. The Provincial Tribunal shall have jurisdiction in accordance with Section 55(2) and (3) of the Constitution of the Anglican Church of Australia provided that jurisdiction under Section 55(3) shall not be exercised except as prescribed by ordinance of the synod of the relevant diocese.
12. The Provincial Tribunal may make any order that the tribunal from which any appeal is brought was competent to make
13. The Provincial Tribunal may make any order for costs as may be appropriate.
14. The President shall convey any determination of the Provincial Tribunal to the relevant Diocesan Bishop.
15. The Standing Committee of Provincial Synod may make such regulations to implement this Ordinance.
16. The Deputy President and not less than three members of the panel may make rules of procedure, not inconsistent with the Ordinance or any regulations, for the efficient conduct of its business.
17. The Tribunal Ordinance 1892 is repealed.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

Chair of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney
on 2019.

Secretary

I Assent to this Ordinance.

Archbishop of Sydney

/ /2019

Standing Committee Ordinance 1897 Amendment Ordinance 2019

Explanatory Report

Key Points

- The Standing Committee Ordinance 1897 Amendment Ordinance 2019 –
 - clarifies the role of the Archbishop as President but not a member of Standing Committee
 - establishes that at least one third of the members of subcommittees of Standing Committee must be Standing Committee members
 - establishes that a quorum for a meeting of a subcommittee must include at least one member who is also a member of Standing Committee
- Various other administrative changes are also made.

Purpose of the Bill

1. The purpose of the bill is to amend the *Standing Committee Ordinance 1897* (the **Principal Ordinance**) to –
 - (a) remove the Archbishop from being a member of the Standing Committee,
 - (b) outline the role of the Archbishop as the President of the Standing Committee, and
 - (c) make other administrative changes to the Principal Ordinance.

Recommendations

2. Synod receive this report.
3. Synod pass the bill as an ordinance of the Synod.

Background

Delegation and Quorum Requirements of Subcommittees

4. At its meeting on 18 February 2019, the Standing Committee received a report from the Finance Committee regarding desired changes to the delegation and quorum arrangements. These changes would permit the minimum proportion of Standing Committee members on Finance Committee to be reduced below 50%.
5. At that same meeting, the Standing Committee appointed a committee consisting of Ms Nicola Warwick-Mayo, Mr Michael Easton and Mr Doug Marr (the **Committee**) to prepare a report for a future meeting with any recommendations of the committee regarding quorum, delegation and other membership arrangements of subcommittees.
6. At its meeting on 17 June, the Standing Committee received a report from the Committee. The report noted that while 50% of the members of a subcommittees must be from Standing Committee, the subcommittee would be able to exercise its delegated powers at a meeting at which only one third of the total members of the subcommittee, and potentially none of the Standing Committee members, are present. This scenario would seem to defeat the purpose of requiring at least half of the members of the subcommittee to be members of the Standing Committee.
7. The Standing Committee Ordinance 1897 Amendment Ordinance 2019 amends clause 4(5)(c) of the Principal Ordinance to rectify the issue above.

Archbishop as President but not a member of the Standing Committee

8. Further, at its meeting on 17 June, the Standing Committee received the following report from the Diocesan Registrar –

“The *Standing Committee Ordinance 1897* (at paragraph 1A(1)(a)) provides that the Archbishop is a member of the Standing Committee, and the *Conduct of the Business of Synod Ordinance 2000* (at subclause 1.2 of the Schedule) provides that the Archbishop is the President of the Synod. However, the *Synod Membership Ordinance 1995*, does not contain a provision that the Archbishop is a member of the Synod. At the request of the Archbishop, with the rationale that members of the Standing Committee of the Synod should be members of Synod, I recommend that the *Standing Committee Ordinance 1897* be amended so that the Archbishop is President but not a member of the Standing Committee.”

9. At that same meeting the Standing Committee asked the Senior Legal Counsel to include in the Bill for an ordinance to be promoted by Standing Committee at the forthcoming ordinary session of Synod, a suitable amendment to the *Standing Committee Ordinance 1897*, so that the Archbishop is the President, but not a member, of the Standing Committee.
10. The Bill for Standing Committee Ordinance 1897 Amendment Ordinance 2019 (the ‘Amendment Ordinance’) gives effect to the recommendations of the Standing Committee on these issues.

Effect of the Amendments – clauses 2(e)-(f)

11. Clause 2(e) amends the requirements for subcommittees so that at least one third of the members must be Standing Committee members.
12. Clause 2(f) amends clause 6 of the Principal Ordinance so that a quorum for a meeting of a subcommittee includes at least one member who is also a member of Standing Committee. It also allows a Standing Committee member of a subcommittee to refer any matter back to the Standing Committee before the exercise of the subcommittee’s delegated authority.

Effect of the Amendments – clauses 2(a)-(b) and (d)

13. The amendments in clauses 2(a)-(b), and (d) of the Amendment Ordinance clarify the role of the Archbishop as President but not a member of Standing Committee.
14. The amendment in clause 2(a) inserts a new definition in clause 1 of the Principal Ordinance referring to the Constitutions in force pursuant to the *Anglican Church of Australia Constitutions Act 1902* (NSW).
15. Subclause 1A(1)(a) of the Principal Ordinance outlines the membership of Standing Committee. Clause 2(b) removes the reference to the Archbishop from that clause.
16. Clause 2(d) of the Amendment Ordinance inserts a new clause 1AA in the Principal Ordinance. The clause outlines the role of the Archbishop at the Standing Committee. Clause 1AA(3) of the Principal Ordinance identifies the person who will be President if the Archbishop is absent or unable or unwilling to preside in respect of any business of the Standing Committee.
17. Clause 1AA(3) determines the person who will be President in the absence of the Archbishop by referencing the mechanism in clause 11 of the Constitutions that determines who exercises the powers vested in the Archbishop if the Archbishop is absent from the Province. However clause 2(d) adds the requirement that, the President will be the person who is next in rank, who is also present at the Standing Committee meeting. If the person who is next in rank is also not present, the presidency would be exercised by the next person and so on.

For and on behalf of the Standing Committee

Standing Committee Ordinance 1897 Amendment Ordinance 2019

No , 2019

Long Title

An Ordinance to amend the *Standing Committee Ordinance 1897*.

The Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Standing Committee Ordinance 1897 Amendment Ordinance 2019.

2. Amendment

The *Standing Committee Ordinance 1897* is amended as follows –

- 5 (a) insert a new definition in clause 1 as follows –
“Constitutions” means the Constitutions in force pursuant to the *Anglican Church of Australia Constitutions Act 1902 (NSW)*.’
- (b) delete the matter ‘Archbishop, the’ in subclause 1A(1)(a),
- (c) delete the word ‘Secretariat’ in subclause 1A(1)(a) and insert instead the word ‘Services’,
- 10 (d) insert a new clause 1AA prior to clause 1A as follows –
‘1AA (1) The Archbishop is President of the Standing Committee.
(2) The President may take part in debate.
(3) If the Archbishop is absent or unable or unwilling to preside in respect of any business of the Standing Committee, the President is the
15 next person present at the meeting of the Standing Committee who would at that time exercise the powers vested in the Archbishop under the Constitutions if the Archbishop was absent from the Province.’,
(4) A person acting as President under subclause (3) may not vote on any item of business while he is President.
- 20 (e) delete the word ‘half’ in subclause 4(5)(c) and insert instead the words ‘one third’, and
(f) delete all the matter in subclause 4(6) and insert instead the following –
‘(6) Where the Standing Committee resolves or has resolved under subclause
(5) that certain of its business be determined by a Regional Council or a
committee or committees –
25 (a) in the case of a committee –
(i) the quorum for a meeting includes at least one member who is a member of the Standing Committee, and
(ii) a member of the committee who is a member of the Standing
30 Committee may require any matter to be referred back to Standing Committee before the exercise of the subcommittee’s delegated authority, and
(b) such Regional Council, committee or committees may, with the approval of the Standing Committee and subject to such conditions as the Standing Committee may impose, resolve that such business
35 or any part of such business be determined by another person or body.’

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

Chair of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on
2019.

Secretary of Synod

I Assent to this Ordinance.

Archbishop of Sydney

/ /2019

Standing Committee Ordinance 1897

(Reprinted under the Interpretation Ordinance 1985.)

The Standing Committee Ordinance of 1897 as amended by the Standing Committee Ordinance Amending Ordinance of 1915, Standing Committee (Amending) Ordinance 1930, Standing Committee Ordinance of 1897 Further Amending Ordinance 1932, Casual Vacancies Ordinance 1935, Bishops Coadjutor ex Officio Ordinance 1940, Standing Committee Ordinance of 1897 Further Amending Ordinance 1948, Assistant Bishops (Bishops Coadjutor) Ordinance 1971, Standing Committee Amendment Ordinance 1978, Standing Committee Ordinance 1897-1978 Amending Ordinance 1984, the Diocesan Officers (Retirement) Ordinance 1987, the Miscellaneous Amendments Ordinance (No 1) 1991, the Standing Committee Amendment Ordinance 1991, the Committee Membership Amendment Ordinance 1995, the Standing Committee Ordinance 1897 Amending Ordinance 1995, the Regions (Transitional Provisions and Miscellaneous Amendments) Ordinance 1995, the Regional Electors Amendment Ordinance 1997, the Standing Committee (Elections) Amendment Ordinance 1998, the Miscellaneous Amendments Ordinance 2001, the Diocesan Officers (Retirement) Repeal Ordinance 2001, the Synod and Standing Committee (Membership) Amendment Ordinance 2003, the Regions Amendment Ordinance 2006, the Standing Committee Ordinance 1897 Amendment Ordinance 2010, the Synod Elections (Efficiency and Transparency) Amendment Ordinance 2013, the Standing Committee Amendment Ordinance 2014, the Synod (Governance of Diocesan Organisations) Amendment Ordinance 2015, the Synod and Standing Committee (Membership) Amendment Ordinance 2015, the Sydney Anglican Home Mission Society Council (Merger with Anglican Retirement Villages Diocese of Sydney) Ordinance 2016 and the Standing Committee Ordinance 1897 and Regions Ordinance 1995 Amendment Ordinance 2018.

Table of Provisions

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3	Filling of Casual Vacancies
4	Duties and Powers
5	Custody of Property
6	Conduct of Business, Quorum, etc
7	Minutes to be Kept
8	Report of Proceedings
9	Date of Coming into Force
10	Ordinance Repealed
11	Name of Ordinance

† † † † † † † † † † †

Long Title

An Ordinance to provide for the Constitution of a Standing Committee of the Synod of the Diocese of Sydney and to define their powers and duties.

Preamble

Whereas it is expedient to provide for the constitution of a Standing Committee of the Synod of the Diocese of Sydney and to define their powers and duties, the said Synod in pursuance of the powers conferred upon it by the Constitutions for the management and good government of the United Church of England and Ireland within the Colony of New South Wales, and of all other powers, vested in the said Synod, ordains and rules as follows.

Definitions

- (1) In this Ordinance –
 “Elected Member” means a member of the Standing Committee referred to in paragraph (b), (c), (d) or (e) of subclause 1A(1).

“parochial unit” means a parish, provisional parish, assisted provisional parish or other ecclesiastical district recognised under the Parishes Ordinance 1979.

“Qualified Minister” means a person in Holy Orders who is a member of the Synod and is not an ex-officio member of the Standing Committee.

“Qualified Lay Person” means a lay person who is a member of the Synod.

“Regional Elected Member” means a member of the Standing Committee referred to in paragraph (d) or (e) of subclause 1A(1).

“Regional Electors” means, in relation to a Region, the following persons –

- (a) the Regional Bishop and the Regional Archdeacon;
- (b) each Qualified Minister licensed to a parochial unit in the Region;
- (c) each Qualified Lay Person who is a member of the Synod as a representative of a parochial unit in the Region; and
- (d) each other member of the Synod who is a parishioner of a church in the Region and is not a Regional Elector for another Region.

“Synod Elected Member” means a member of the Standing Committee referred to in paragraph (b) or (c) of subclause 1A(1).

(2) In this Ordinance a person is from a Region if –

- (a) in the case of a Qualified Minister that person is licensed to a parochial unit in that Region; and
- (b) in the case of a Qualified Lay Person that person is a parishioner of a church in that Region.

(3) In this Ordinance the previous form of the Synod Elections Ordinance 2000 is the form of that Ordinance immediately before the Synod Elections (Efficiency and Transparency) Amendment Ordinance 2013 came into force.

Constitution of the Standing Committee

1A. (1) The Standing Committee is constituted with the following members –

- (a) The Archbishop, the Regional Bishops, the Archdeacon for Women’s Ministry, the Chancellor, the Registrar, the Dean, the Diocesan Secretary, the Chief Executive Officer of Sydney Diocesan Secretariat and the Principal of Moore Theological College, ex-officio.
- (b) 4 Qualified Ministers elected by the members of Synod.
- (c) 8 Qualified Lay Persons elected by the members of Synod.
- (d) 2 Qualified Ministers from each Region elected by the Regional Electors of that Region.
- (e) 4 Qualified Lay Persons from each Region elected by the Regional Electors of that Region.
- (f) The Regional Archdeacons.

(2) A Regional Archdeacon who is a member of the Standing Committee under paragraph (1)(f) does not have the right to vote. In the absence of a Regional Bishop the Regional Archdeacon has a right to vote.

(3) The election of the Elected Members is to be held during the first session of each Synod and, subject to this Ordinance, such persons hold office until the first day of the first session of the next Synod.

(4) The following rules apply to the election of the Elected Members –

- (a) A person who has the necessary qualifications may be nominated for election as either –
 - (i) a Synod Elected Member, or
 - (ii) a Regional Elected Member.
- (b) If a person is nominated for election as a Synod Elected Member and a Regional Elected Member, the nomination for election as a Regional Elected Member is invalid.
- (c) Each election shall otherwise be conducted in accordance with the Synod Elections Ordinance 2000.

1B. (1) If a new Region is created, the Regional Electors of the Region are to elect the Regional Elected Members for that Region –

- (a) during the next ordinary session of the Synod, or
- (b) by postal ballot conducted under the previous form of the Synod Elections Ordinance 2000 provided that –

- (i) a notice of the election under rule 3.1 of the Schedule to the previous form of the Synod Elections Ordinance 2000 is to be sent as soon as practicable after the creation of that Region, and
- (ii) the subsequent time frames for the election are to correspond to those that apply to a ballot held before the first appointed day of a session of the Synod.

(1A) A postal ballot to fill a vacancy in the membership of the Standing Committee under clause 1B(1) may, with the approval of the Standing Committee given by resolution, be conducted by electronic means.

(2) Subject to this Ordinance the persons elected under subclause (1) hold office until the first day of the first session of the next Synod.

(3) If a Region is abolished, the Regional Elected Members cease to be members of the Standing Committee on and from the date of abolition of the Region.

Casual Vacancies

2. (1) A casual vacancy in the office of an Elected Member occurs on –
- (a) resignation in writing addressed to the Diocesan Secretary;
 - (b) death;
 - (c) insolvency under administration;
 - (d) loss of membership of the Synod;
 - (e) incapacity to act or absence from 3 consecutive meetings of the Standing Committee without leave;
 - (f) becoming an ex-officio member;
 - (g) becoming an Elected Member in another capacity;
 - (h) in the case of a Regional Elected Member, ceasing to be from the Region for which that person was elected as a member of the Standing Committee;
 - (i) a resolution by the Synod, or by the Standing Committee when the Synod is not in session, declaring a vacancy and specifying the person, this ordinance, and the reason therefore.

(2) A vacancy in the office of an Elected member which is not filled at an election referred to in clause 1A or a ballot referred to in clause 1B, for the purposes of this Ordinance, is taken to be a casual vacancy.

Filling of Casual Vacancies

3. (1) A casual vacancy among the Synod Elected Members may be filled by the Synod by an election conducted during the next ordinary session of the Synod. When the Synod is not in session the casual vacancy may be filled by the Standing Committee.

(2) Subject to clause 2, the term of office of a person filling a casual vacancy under subclause (1) expires –

- (a) if the casual vacancy is filled by the Synod – on the first day of the first session of the next Synod; and
- (b) if the casual vacancy is filled by the Standing Committee – on the first day of the next session of the Synod.

(3) A casual vacancy in the office of a Regional Elected Member may be filled by the Regional Electors of the Region by an election conducted –

- (a) during the next ordinary session of the Synod, or
- (b) by postal ballot conducted under the previous form of the Synod Elections Ordinance 2000 provided that –
 - (i) a notice of the election under rule 3.1 of the Schedule to the previous form of the Synod Elections Ordinance 2000 is to be sent as soon as practicable after the casual vacancy occurs, and
 - (ii) the subsequent time frames for the election are to correspond to those that apply to a ballot held before the first appointed day of a session of the Synod.

(3A) A postal ballot to fill a vacancy in the membership of the Standing Committee under clause 3(3) may, with the approval of the Standing Committee given by resolution, be conducted by electronic means.

(4) Subject to clause 2, the term of office of a person filling a casual vacancy under subclause (3) expires on the first day of the first session of the next Synod.

Duties and Powers

4. (1) It shall be the duty of the Standing Committee to make arrangements for the sessions of the Synod, and to prepare the business to be brought before the Synod, with power to propose such business as may appear to the Committee to be necessary or desirable to be brought before the Synod, in addition to that arising out of matters which have been referred to them, and to print a Report of the proceedings of the Synod from time to time, and all documents ordered by the Synod to be printed.

(2) The Standing Committee are empowered to defray the necessary working expenses of the Synod and of the Standing Committee, and to pay such further sums as may from time to time be authorised by the Synod.

(3) The Standing Committee shall be a Council of Advice to the Bishop in any matter in which he may desire their advice. The Standing Committee shall consider and report upon any matter which the Synod may from time to time refer to them, and shall carry out or assist in carrying out the resolutions from time to time passed by the Synod and entrusted to them, or not otherwise provided for. The Standing Committee may deliberate and confer upon all matters affecting the interest of the Church and cognisable by the Synod, may make such enquiries as they shall deem to be requisite, and may communicate with the Government and all such bodies and persons as they shall consider necessary, and may present petitions and addresses to all such bodies and persons. PROVIDED that any action taken by the Committee not already sanctioned by the Synod shall have full force unless disallowed by the Synod at its next session.

(4) The Standing Committee shall discharge such other duties and exercise such other powers as the Synod shall from time to time prescribe.

(5) The Standing Committee may from time to time resolve that any of its business (other than the making of ordinances, the making of appointments or the filling of casual vacancies) be determined by a Regional Council or a committee or committees having members –

- (a) who are appointed from time to time by the Standing Committee;
- (b) who hold office for such terms and in accordance with such conditions as the Standing Committee may specify; and
- (c) at least half of whom are Standing Committee members.

(6) Where the Standing Committee resolves or has resolved under subclause (5) that certain of its business be determined by a Regional Council or a committee or committees, such Regional Council, committee or committees may, with the approval of the Standing Committee and subject to such conditions as the Standing Committee may impose, resolve that such business or any part of such business be determined by another person or body.

(7) A person who is an insolvent under administration is not eligible to be appointed to a committee referred to in subclause (5). A person appointed to such a committee ceases to be a member of that committee if that person becomes an insolvent under administration.

Custody of Property

5. The Standing Committee shall have the custody of all books, documents or other property belonging to the Synod, and all other property belonging to the Church in the Diocese of Sydney not vested in any other body or person.

Conduct of Business, Quorum, etc

6. (1) A notice of a meeting of the Standing Committee may be given to a member verbally or by serving it on the member personally or by sending it to the postal or email address supplied by the member for the giving of notices to the member but, if no address has been supplied by a member to the secretary or acting secretary of the Standing Committee, then to the address which is believed by the person giving the notice to be the place of business or of work or of residence of that member or an email address held by the Registrar for the member.

(2) Where a notice is sent by post, service shall be deemed to be effected by properly addressing prepaying (in the case of a notice sent by post) and posting or otherwise appropriately dispatching the notice and to have been effected on the day next following the day (neither day being a Saturday, Sunday or public holiday) after the date of its posting or dispatch.

(3) The Standing Committee may meet and exercise all powers conferred upon it notwithstanding that notice of the meeting may not have been given to all members of the Standing Committee in accordance with subclauses (1) and (2) of this clause if the notice has not been given –

- (a) due to inadvertence or an accidental omission, or
- (b) by reason of insufficient time;

Provided, in the case referred to in paragraph (b), by resolution supported by two-thirds of all members of the Standing Committee, the Standing Committee resolves that the nature of the business to be discussed and the powers to be exercised are such that delay is likely to prejudice the order and good government of the Anglican Church of Australia in the Diocese or a part thereof.

(4) No business shall be transacted at any meeting of the Standing Committee if a quorum is not present at the time when the business is to be transacted. If a quorum is not present within half an hour from the time appointed for a meeting of the Standing Committee, the meeting shall be dissolved. A quorum shall be not less than one-half of all members of the Standing Committee.

(4A) The members of the Standing Committee may pass a resolution without a meeting of the members being held if –

- (a) the secretary or acting secretary of the Standing Committee sends a copy of the proposed resolution to all members of the Standing Committee and specifies a reasonable timeframe within which members may indicate their support for or objection to the proposed resolution being passed, and
- (b) at least 75% of members indicate within the specified timeframe that they support the proposed resolution being passed, and
- (c) no more than 2 members object within the specified timeframe either to the proposed resolution being passed or the proposed resolution being passed without a meeting.

The secretary or acting secretary shall notify the Standing Committee of any resolution passed without a meeting at its next meeting and shall record in the minutes kept for that meeting the resolution together with any supporting attachments. A resolution so recorded shall be treated as a minute of the proceedings of the Standing Committee for the purposes of clause 7(1).

(5) Subject to this Ordinance and any other relevant ordinance, the Standing Committee from time to time may frame, alter, and repeal rules and regulations for the conduct of all business coming before it.

Minutes to be Kept

7. (1) Minutes of the proceedings of the Standing Committee shall be entered in a book kept for that purpose and, subject to subclause (2), the Committee shall cause such minute book to be laid before the Synod at the commencement of every session.

(2) The secretary or acting secretary of the Standing Committee is authorised to omit from the Minute Book laid before the Synod any minute and any attachment to a minute which contains details of –

- (a) current legal proceedings or claims which may become the subject of legal proceedings,
- (b) the terms of any settlement of legal proceedings which require confidentiality,
- (c) any matter which the Archbishop acting on the advice of the Chancellor considers is properly treated as commercial-in-confidence, or
- (d) any other matter the Standing Committee declares by resolution to be confidential for the purposes of this subclause.

Report of Proceedings

8. The Standing Committee shall present an Annual Report of their proceedings to the Synod, which shall include a statement of their receipts and expenditure during the year, audited by the auditors appointed by the Synod.

Date of Coming into Force

9. This Ordinance shall come into force upon the first day of the first session of the next Synod.

Ordinance Repealed

10. The Ordinance intituled the “Standing Committee Ordinance of 1895” is hereby repealed.

Name of Ordinance

11. This ordinance is the Standing Committee Ordinance 1897.

Notes

This Ordinance came into effect on 20 September 1898.

Clause 5 of the Miscellaneous Amendments Ordinance 1997 provides as follows –

“Notwithstanding clauses 1A and 3(1) of the Standing Committee Ordinance 1897, an election by the Synod to fill a casual vacancy in the office of member of the Standing Committee referred to in paragraphs 1A(1)(b) and (c) of the Standing Committee Ordinance 1897 shall be conducted in accordance with the provisions of the Elections Ordinance 1970, other than clause 37A.”

The amendments made by Ordinance No 34, 2015 commence on the day immediately following the last day of the 2nd session of the 50th Synod.

Table of Amendments

Clause 1	Original clause amended by Ordinances Nos 1, 1915; 11, 1930; 9, 1932; 9, 1948; 27, 1971; 29, 1978; 28, 1987; 37, 1991 and 23, 1995. New clause inserted by Ordinance No 33, 1995 and amended by Ordinances Nos 31, 1997, 36, 2006 and 42, 2013. Amended by Ordinance No 27, 2018.
Clause 1A	New clause inserted by Ordinance No 33, 1995 and amended by Ordinances Nos 31, 1998; 32, 2001; 47, 2003; 6, 2010; 42, 2013; 34, 2015 and 9, 2016.
Clause 1B	Inserted by Ordinance No 33, 1995 and amended by Ordinance No 32, 2001. New clause inserted by Ordinance No 42, 2013. New clause inserted by Ordinance No 27, 2018.
Clause 2	Original clause amended by Ordinances Nos 11, 1935 and 28, 1987. New clause inserted by Ordinance No 33, 1995 and amended by Ordinances Nos 59, 2001; 47, 2003; 36, 2006 and 42, 2013.
Clause 3	Original clause amended by Ordinances Nos 11, 1935 and 28, 1987. New clause inserted by Ordinance No 33, 1995 and amended by Ordinances Nos 36, 2006; 42, 2013; 9, 2015 and 27, 2018.
Clause 4	Amended by Ordinances Nos 44, 1991; 23, 1995 and 9, 2014.
Clause 6	Amended by Ordinances Nos 26, 1984 and 9, 2014.
Clause 7	Amended by Ordinance No 9, 2014.
Clause 11	Amended by various ordinances including Ordinance No 32, 2001 and the Interpretation Ordinance 1985.



Synod Membership Ordinance 1995 Amendment Ordinance 2019

Explanatory Report

Key Points

- The Declaration to be made by all sitting members should be expanded to incorporate a Statement of Faith to be consistent with what is required of members of governing bodies of Diocesan Organisations administered by the Synod
- Given the reach of the gospel through Anglican Schools, it is appropriate that a small number of heads of Diocesan Schools be included as members of Synod
- The Purpose of the Bill for the Synod Membership Ordinance 1995 Amendment Ordinance 2019 (the **Bill**) is to make changes to the membership of the Synod and expand the Declaration to be made by members of Synod

Recommendations

1. Synod receive this report.
2. Synod pass the Bill as an Ordinance of the Synod.

Background

3. At its meeting on 7 August 2019, the Council of the Northern Region (the **Council**) resolved to promote a Bill to Synod to amend the *Synod Membership Ordinance 1995*.
4. After a meeting between some members of the Council and some members of the committee set up to look at the "Composition, purpose and role of Synod" pursuant to the request of Synod under resolution 43/17 (the Committee), a number of suggested changes were agreed between the two parties.
5. At the August meeting of Standing Committee a report from the Council detailing the Council's changes was noted. At the same meeting a report from the Committee was also presented. The Standing Committee deferred the Committee's recommendations to a future meeting so further thought could be given to changes they were proposing.

General Discussion

6. Within the Northern Region there are a number of Anglican Schools which are constituted by an Ordinance of the Synod and are subject to the Ordinances, Policies and Rules made by the Synod as the governing body of the Diocese.
7. Anglican Schools within the Diocese have the privilege of forming large communities of people, many of whom are not otherwise connected to the Diocese. This provides a large range of opportunities for students, as well as their parents and siblings, to hear the gospel through the work of each school.
8. It seemed anomalous to the Council that this was not acknowledged and reflected in some way in the composition of the Synod.

9. The Council considered various alternative approaches such as specifying in clause 5 "Heads of Nominated Diocesan Schools" with the Standing Committee then nominating three schools. However, it was felt that it would be better for the Heads, in consultation with the Archbishop, to recommend three individual Heads to the Standing Committee for election under Part 8.
10. Problems could arise if three schools were the permanent nominees of the Standing Committee or schools were nominated but the relevant Heads were unwilling to be active members of the Synod. Some schools might feel that they were being unfairly treated if their school was never nominated by the Standing Committee.

Statement of Faith

11. The current Synod Membership Ordinance simply requires lay members in clause 6 to declare that each is a communicant member of the Anglican Church of Australia and not a member of any other Church. Members of governing bodies of Diocesan Organisations are now required to make a declaration of belief in the form of the Statement of Faith. It was considered by the Council to be anomalous that members of organisations which were governed by Synod had to make such a declaration but members of Synod themselves were not required to do so.

For and on behalf of Northern Region Council.

CHRISTOPHER EDWARDS
Bishop

27 August 2019

Synod Membership Ordinance 1995 Amendment Ordinance 2019

No , 2019

Long Title

An Ordinance to make a change to the membership of the Synod to include some heads of Diocesan Schools and to amend the Declaration by members to include a Statement of Faith to bring it into conformity with declarations by members of the Governing Boards or Councils of Diocesan Organisations.

The Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the *Synod Membership Ordinance 1995 Amendment Ordinance 2019*.

2. Amendment of the Synod Membership Ordinance 1995

The *Synod Membership Ordinance 1995* is amended as follows –

- 5 (a) delete the existing 6(1) and insert the following as a new 6(1) –

‘(1) Each lay person, prior to notice of his or her election being given under this Ordinance to the Registrar, or if ex-officio, as soon as practicable after appointment to the relevant office, must sign the following declaration –

10 “I, the undersigned A.B., do declare that I am a communicant member of the Anglican Church of Australia and not a member of any other Church.

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 –

15 *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.*

20 *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.*

25 *I believe in the Holy Spirit;
the holy catholic church;
the communion of saints;
the forgiveness of sins;
the resurrection of the body,
30 and the life everlasting.*

In particular I believe –

- 35 (a) 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;
- (b) that 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
- (c) that we are justified before God by faith only.”, and

- 40 (b) renumber the text of clause 18 as subclause 18(2) and insert a new subclause 18(1) as follows –

‘(1) A Parochial Representative continues to be a member of the Synod until the day before the first day of the first ordinary session of the next Synod.’, and

(c) after clause 42, insert the following new clause –

‘42A. Heads of Diocesan Schools

The persons elected by Standing Committee under clause 42 must include at least three heads of Diocesan Schools. In determining candidates, the Standing Committee must consider any names that have been recommended by heads of the Diocesan Schools in consultation with the Archbishop.’, and

(d) renumber the text of clause 46 as subclause 46(2) and insert a new subclause 46(1) as follows –

‘(1) A Nominated Layperson continues to be a member of the Synod until the day before the first day of the first ordinary session of the next Synod.’, and

(e) insert the following new definition in the Dictionary –

“Diocesan School” means any school that is constituted by or under an ordinance of the Synod of the Diocese or in relation to which the Synod is empowered to make ordinances, and includes schools of the Anglican Schools Corporation.’

3. Commencement

The amendments in clause 2 of this Ordinance will commence on 1 January 2020.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

Chair of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 2019.

Secretary of Synod

I Assent to this Ordinance

Archbishop of Sydney

/ / 2019

Synod Membership Ordinance 1995

(Reprinted under the Interpretation Ordinance 1985.)

The Synod Membership Ordinance 1995 as amended by the Miscellaneous Amendments Ordinance 1997, the Assisted Provisional Parishes (Reclassification) Ordinance 1997, the Conduct of the Business of Synod Ordinance 2000, the Synod Membership Ordinance 1995 Amendment Ordinance 2003, the Synod and Standing Committee (Membership) Amendment Ordinance 2003, the Synod Membership (Election of Parochial Representatives) Amendment Ordinance 2004, the Synod Membership (Indigenous Representation) Amendment Ordinance 2006, the Synod Membership (Nominated Indigenous Representatives) Ordinance 2009, the Synod (Electronic Communications) Amendment Ordinance 2013, the Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2014, the Synod and Standing Committee (Membership) Amendment Ordinance 2015, the Synod Membership Ordinance 1995 Amendment Ordinance 2016 and the Synod Membership Amendment Ordinance 2017.

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Dictionary

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Long Title

An Ordinance to provide for the election, appointment and summoning of Synod members and for matters incidental thereto.

Now the Synod of the Diocese of Sydney Ordains as follows –

Part 1 – Preliminary

1. Citation

This Ordinance may be cited as the “Synod Membership Ordinance 1995”.

2. Definitions

A word or expression used in this Ordinance and which is defined in the Dictionary at the end of this Ordinance has the meaning set out in the Dictionary.

Part 2 – Frequency and Proceedings of Synod

3. Frequency

A new Synod must be elected and convened at least once in every 3 years.

4. Rules for Conduct of Business of Synod

The rules for the conduct of all business coming before the Synod shall be those set out in the Schedule to the Conduct of the Business of Synod Ordinance 2000.

Part 3 – Membership of Synod

5. Membership

Subject to this Ordinance, the members of a Synod comprise –

- (a) Parochial Ministers (see Part 4);
- (b) Parochial Representatives for that Synod (see Part 5);
- (c) Chief Executive Officers of Nominated Organisations for that Synod (see Part 6);
- (d) Nominated Ministers for that Synod (see Part 7);
- (e) Nominated Laypersons for that Synod (see Part 8); and
- (f) Nominated Indigenous Representatives for that Synod (see Part 8A); and
- (g) Other members (see Part 9).

5A. Consent to use of personal information by Registrar

(1) Each person elected or appointed as a Parochial Representative, alternate for a Parochial Representative, Nominated Layperson or lay Nominated Indigenous Representative must give the following consent prior to notice of his or her election or appointment being given under this Ordinance to the Registrar –

“I consent to my name, contact details and any other personal information that is reasonably necessary for the proper administration of the Synod and the Diocese being collected, used and disclosed by the Registrar for these purposes.”

(2) The person who or the body which is required to give the Registrar notice of an election or appointment referred to in subclause (1) must retain, or cause to be retained, a written record of the consent.

(3) For the purposes of subclause (1), the proper administration of the Diocese includes any act or practice which is –

- (a) performed pursuant to or under an ordinance or resolution of the Synod or the Standing Committee, or
- (b) reasonably necessary to give effect to an ordinance or resolution of the Synod or the Standing Committee, or
- (c) a discharge of the duties or exercise of the powers and authorities of the Archbishop however arising,

and the proper administration of the Synod includes any act or practice which is undertaken by the Diocesan Secretary or the Secretary of the Synod in the course of administering the Synod.

6. Declaration

(1) Each Parochial Representative, alternate for a Parochial Representative, Nominated Layperson and lay Nominated Indigenous Representative must sign the following declaration prior to notice of his or her election or appointment being given under this Ordinance to the Registrar –

“I, the undersigned A.B., do declare that I am a communicant member of the Anglican Church of Australia and not a member of any other Church.”

(2) The person or body which is required to give the Registrar notice of an election or appointment referred to in subclause (1) must retain, or cause to be retained, the signed declaration.

Part 3A – Synod Communications

6A. Members of Synod to ensure Registrar holds current postal and email addresses

(1) Each person who holds office as a member of the Synod *ex officio* must ensure that the Registrar holds a current postal and email address for that person.

(2) Each member of the Synod must ensure that each postal and email address held by the Registrar for the member remains current.

6B. Synod communications may be sent by email

(1) Subject to subclauses (2), (3) and (4), a Synod Communication may be sent to a member of the Synod at any email address held by the Registrar for the member instead of the member's postal address.

(2) If the Registrar does not hold an email address for a member of the Synod, any Synod Communication which would otherwise have been sent to the member by email is taken to have been duly sent to and received by the member.

(3) If an email address held by the Registrar for a member of the Synod is not current and a Synod Communication is sent to the member at that email address, the Synod Communication is taken to have been duly sent to and received by the member.

(4) The Standing Committee may make regulations from time to time prescribing –

- (a) the manner in which Synod Communications are to be sent to members of the Synod by email, and
- (b) any type of Synod Communication which must also be sent to members by post.

6C. Notifying information about members of the Synod to the Registrar

(1) The Registrar may make provision for –

- (a) any notice required by ordinance to be given to the Registrar about a member of the Synod, and
- (b) any other information which is or may be held by the Registrar about a member of the Synod,

to be directly provided to or updated on a secure on-line database held by the Registrar.

(2) To the extent the Registrar makes the provision referred to in subclause (1) –

- (a) any notice required by ordinance to be given to the Registrar about a member of the Synod is taken to have been given to the Registrar, and
- (b) any other information about a Synod member is taken to be held by the Registrar,

if the notice or information is duly provided to or updated on the secure on-line database.

(3) In making the provision referred to in subclause (1), the Registrar must take reasonable steps to ensure that –

- (a) the information held by the Registrar on the database is secure, and
- (b) a person who provides a notice to or updates information on the secure on-line database is a person entitled to do so.

Part 4 – Parochial Ministers

Division 1 – Parochial Ministers

7. Each Parochial Minister must be summoned to Synod

Each Parochial Minister is a member of the Synod and must be summoned to each session of the Synod convened after that person becomes a Parochial Minister.

8. What if a person ceases to be a Parochial Minister after a summons has issued?

If a person is summoned to a session of Synod as a Parochial Minister and before the first day of that session the person ceases to be a Parochial Minister, the person ceases to be a member of the Synod and the summons is void.

Division 2 – Alternate for a Parochial Minister**8A. Parochial Minister may appoint an alternate**

(1) A Parochial Minister may appoint an Associate Minister licensed to the same Parochial Unit to be the alternate for the Parochial Minister for a session of the Synod if the Parochial Minister expects that during all or part of that session –

- (a) the Parochial Minister will be outside the Diocese; or
- (b) the Parochial Minister will be on annual leave or long service leave; or
- (c) the Parochial Minister will be unable to perform normal ministry duties due to sickness or accident for which the Parochial Unit will be in receipt of benefits from the Sydney Diocesan Sickness and Accident Fund; or
- (d) the Parochial Minister, with the consent of the Archbishop, will for any other reason be unable to attend all or part of that session.

(2) The appointment of an alternate can only be made by the Parochial Minister giving to the Registrar, at least 14 days prior to the first day of the session, a written notice –

- (a) certifying that the Parochial Minister expects that during all or part of that session the Parochial Minister will be outside the Diocese or will be on annual leave or long service leave or will be unable to perform normal ministry duties in terms of subclause (1)(c) or, with the consent of the Archbishop, will for another reason be unable to attend all or part of that session; and
- (b) specifying the name of, and a postal and email address for, the Associate Minister appointed as the alternate and the session of the Synod for which the alternate has been appointed.

(3) An appointment made under this clause may only be revoked –

- (a) by the Parochial Minister; and
- (b) if written notice of the revocation is given to the Registrar at least 14 days prior to the first day of the session.

8B. Alternate to attend in place of the Parochial Minister

(1) At the session of the Synod for which an Associate Minister is appointed as the alternate for a Parochial Minister, the alternate –

- (a) may exercise all the rights which a Parochial Minister may exercise as a member of the Synod; and
- (b) shall be taken to be a Parochial Minister in determining any quorum at the session,

but is not entitled to be elected to any office or committee of the Synod for which membership of the Synod is a qualification.

(2) If –

- (a) a Parochial Minister has appointed an alternate under clause 8A; and
- (b) the appointment has not ended under clause 8C,

the Parochial Minister is not to attend the session of the Synod for which the alternate has been appointed.

8C. When does an appointment of an alternate end?

The appointment of an Associate Minister as the alternate for a Parochial Minister under clause 8A ends on the first to occur of –

- (a) the person making the appointment ceasing to be the Parochial Minister of the Parochial Unit to which the person was licensed at the time the appointment was made; or
- (b) the person appointed as alternate ceasing to be an Associate Minister licensed to the Parochial Unit to which the person was licensed at the time the appointment was made; or
- (c) the Parochial Minister revoking the appointment under clause 8A(3); or
- (d) the end of the last day of the session of the Synod for which that person was appointed as an alternate.

Part 5 – Parochial Representatives**Division 1 – Parochial Representatives****9. Who is a Parochial Representative?**

A person is a Parochial Representative for a Synod if –

- (a) that person has been elected to be a Parochial Representative for that Synod; and

- (b) notice of the election has been given to the Registrar under clause 17; and
- (c) that person has not retired as a Parochial Representative under clause 18.

Division 2 – Election of Parochial Representatives

10. How many Parochial Representatives can a Parish elect?

A Parish may elect 1 or 2 Qualified Persons to be Parochial Representatives.

11. How many Parochial Representatives can a Provisional Parish elect?

A Provisional Parish may elect 1 Qualified Person to be a Parochial Representative.

12. What if a Parish is reclassified as a Provisional Parish?

(1) If a Parish is reclassified as a Provisional Parish, the persons elected (if any) to be Parochial Representatives for that Parish retire as Parochial Representatives on the date the reclassification takes effect.

(2) A Parochial Representative for the Provisional Parish may be elected at a General Meeting held at any time after the date of reclassification.

(3) For the purposes of this clause –

- (a) “reclassified” does not include provisionally reclassified; and
- (b) where the date of reclassification occurs within 2 months before the first day of a session of Synod or occurs during a session of Synod, the date of reclassification is taken to be the day after the last day of that session of Synod.

13. What if a Provisional Parish is reclassified as a Parish?

(1) If a Provisional Parish is reclassified as a Parish an additional Parochial Representative for that Parochial Unit may be elected at a General Meeting held at any time after the date of reclassification.

(2) If a Provisional Parish is reclassified as a Parish within 2 months before the first day of a session of Synod or during a session of Synod, the date of reclassification is taken to be, for the purpose of this clause, the day after the last day of that session of Synod.

14. What if 2 or more Parochial Units Amalgamate?

(1) Where 2 or more Parochial Units are amalgamated, the persons elected (if any) to be Parochial Representatives for each of those Parochial Units retire as Parish Representatives on the date of amalgamation.

(2) A Parish Representative or Representatives for the new Parochial Unit may be elected at a General Meeting held at any time after the date of amalgamation.

(3) If 2 or more Parochial Units are amalgamated within 2 months before the first day of a session of Synod or during a session of Synod the date of amalgamation is taken to be, for the purposes of this clause, the day after the last day of that session of Synod.

15. When may persons be elected to be Parochial Representatives?

A person may be elected to be a Parochial Representative of a Parochial Unit for a Synod at a General Meeting held at any time during the calendar year in which the first ordinary session of that Synod is to be convened or at any time thereafter.

16. How are elections to be conducted?

The provisions which apply to the nomination of persons and the conduct of contested elections at a General Meeting apply in relation to the nomination of a person as a Parochial Representative and to the conduct of contested elections as if those provisions were set out in full in this ordinance.

17. Notice to be given to the Registrar when a person is elected to be a Parochial Representative

Upon the election of a person to be a Parochial Representative, the chairman of the General Meeting at which the election took place must give, or cause to be given, to the Registrar a written notice –

- (a) specifying the name and date of election of the person elected to be a Parochial Representative; and
- (b) specifying a postal and email address for the person; and
- (c) specifying the Synod for which the person has been elected to be a Parochial Representative; and
- (d) certifying that the person has given the consent required by clause 5A and that a written record of the consent has been retained; and

- (e) certifying that the person has signed the declaration required by clause 6(1) and that the signed declaration has been retained.

Division 3 – Retirement of Parochial Representatives

18. When does a person retire as a Parochial Representative?

A person retires as a Parochial Representative if –

- (a) a Disqualifying Event occurs in respect of that person;
- (aa) the person ceases to be a Qualified Person;
- (b) the person resigns by written notice given to the Parochial Minister or, if there is no Parochial Minister, to the Wardens;
- (c) the person retires as a Parochial Representative by reason of clause 12 or 14; or
- (d) a General Meeting of the Parochial Unit resolves to revoke the person's entitlement to hold office as a Parochial Representative in circumstances where the person has ceased being a parishioner of the Parochial Unit and the Parochial Minister certifies that, having made reasonable efforts to contact the person –
 - (i) no contact has been made, or
 - (ii) contact has been made but the person did not indicate a wish to remain as a Parochial Representative.

19. Notice to be given to the Registrar when a person retires as a Parochial Representative

If a person retires as a Parochial Representative otherwise than by reason of clause 12 or 14, the Parochial Minister or, if there is no Parochial Minister, the Wardens must give, or cause to be given, to the Registrar a written notice specifying –

- (a) the name of the person and the date on which the person retired as a Parochial Representative; and
- (b) the Synod for which the person had been a Parochial Representative.

20. A vacancy in the office of a Parochial Representative may be filled

A person may be elected to fill a vacancy in the office of a Parochial Representative at a General Meeting of the Parochial Unit.

Division 4 – Summoning of Parochial Representatives to Synod

21. Parochial Representatives must be summoned to Synod

Each person who is a Parochial Representative for a Synod is a member of that Synod and must be summoned to each session of that Synod convened after that person becomes a Parochial Representative.

22. What if a person retires as a Parochial Representative after a summons has issued?

If a person is summoned to a session of Synod as a Parochial Representative and before the first day of that session that person retires as a Parochial Representative, the summons is void.

Division 5 – Alternate for a Parochial Representative

22A. Parochial Representative may appoint an alternate

(1) With the consent of the Wardens, a Parochial Representative may appoint a Qualified Person to be the alternate for the Parochial Representative for a session of the Synod if the Parochial Representative expects that during all or part of the session –

- (a) the Parochial Representative will be outside the Diocese; or
- (b) the Parochial Representative will be on annual leave or long service leave or sick leave; or
- (c) the Parochial Representative will be for any other reason unable to attend all or part of that session.

(2) The appointment of an alternate can only be made by the Parochial Representative giving to the Registrar, at least 14 days prior to the first day of the session, a written notice –

- (a) certifying that the Parochial Representative expects that during all or part of that session the Parochial Representative will be outside the Diocese or will be on annual leave or long service leave or sick leave or for another specified reason will be unable to attend all or part of that session; and
- (b) specifying the name of the Qualified Person appointed as the alternate and the session of the Synod for which the alternate has been appointed; and

- (c) specifying a postal and email address for the Qualified Person appointed as the alternate; and
 - (d) certifying that the Wardens have consented to the appointment of the Qualified Person as the alternate; and
 - (e) certifying that the Qualified Person appointed as the alternate has given the consent required by clause 5A and that a written record of the consent has been retained; and
 - (f) certifying that the Qualified Person appointed as the alternate has signed the declaration required by clause 6(1) and that the signed declaration has been retained.
- (3) An appointment made under this clause may be revoked if written notice of the revocation is given to the Registrar at least 14 days prior to the first day of the session –
- (a) by the parish council; or
 - (b) by the Parochial Representative if he or she has become available to attend the session of Synod.

22B. Alternate to attend in place of the Parochial Representative

- (1) At the session of the Synod for which a Qualified Person is appointed as the alternate for a Parochial Representative, the alternate –
- (a) may exercise all the rights which a Parochial Representative may exercise as a member of the Synod; and
 - (b) shall be taken to be a Parish Representative in determining any quorum at the session,
- but is not entitled to be elected to any office or committee of the Synod for which membership of the Synod is a qualification.
- (2) If –
- (a) a Parochial Representative has appointed an alternate under clause 22A; and
 - (b) the appointment has not ended under clause 22C,

the Parochial Representative is not to attend the session of the Synod for which the alternate has been appointed.

22C. When does an appointment of an alternate end?

The appointment of a Qualified Person as the alternate for a Parochial Representative under clause 22A ends on the first to occur of –

- (a) the retirement of the Parochial Representative under clause 18; or
- (b) the person appointed as the alternate ceasing to be a Qualified Person; or
- (c) the revocation of the appointment under clause 22A(3); or
- (d) the end of the last day of the session of the Synod for which that person was appointed as an alternate.

Part 6 – Chief Executive Officers of Nominated Organisations

Division 1 – Nominated Organisations

23. What is a Nominated Organisation?

Subject to clause 25, a diocesan organisation established by ordinance is a Nominated Organisation for a Synod if –

- (a) the organisation has been declared by the Standing Committee under clause 24 to be a Nominated Organisation for that Synod; and
- (b) notice of the declaration has been given to the Registrar under clause 26.

Division 2 – Declaration of organisations etc to be Nominated Organisations

24. How does a organisation etc become a Nominated Organisation?

The Standing Committee may, by resolution, declare a diocesan organisation to be a Nominated Organisation for a Synod.

25. How many Nominated Organisations may exist at one time?

- (1) Standing Committee may only make a declaration under clause 24 for up to 7 diocesan organisations for the same Synod in respect of which the Standing Committee proposes making the declaration.
- (2) A declaration made in breach of subclause 25(1) is void.

26. Notice must be given to the Registrar when a organisation etc is declared to be a Nominated Organisation

Upon the making of a declaration under clause 24, the Standing Committee must give, or cause to be given, to the Registrar and to the governing body of the relevant organisation a written notice specifying –

- (a) the name of the organisation and the date on which the declaration was made; and
- (b) the Synod for which the organisation has been declared to be a Nominated Organisation.

Division 3 – Chief Executive Officers of Nominated Organisations**27. Nominated Organisation to give notice re Chief Executive Officer**

At any time after receiving notice under clause 26, the governing body of a Nominated Organisation may give to the Registrar written notice of the name of, and a postal and email address for, its Chief Executive Officer.

28. Notice must be given to the Registrar when a person ceases to be Chief Executive Officer

(1) If –

- (a) the governing body of a Nominated Organisation has given a notice under clause 27; and
- (b) the person referred to in that notice ceases to be the Chief Executive Officer,

the governing body of the Nominated Organisation must give to the Registrar written notice specifying the name of that person and the date on which that person ceased to be the Chief Executive Officer.

(2) The governing body of the Nominated Organisation may then give a notice under clause 27 in respect of its new Chief Executive Officer.

Division 4 – Summoning of Chief Executive Officers to Synod**29. Chief Executive Officers of Nominated Organisations must be summoned to Synod**

If –

- (a) a diocesan organisation is a Nominated Organisation; and
- (b) a notice has been given under clause 27; and
- (c) the person referred to in that notice has not ceased to be Chief Executive Officer; and
- (d) that person is not entitled to be summoned to the Synod under Part 4, 5 or 9 of this ordinance,

that person is a member of the Synod and must be summoned to each session of the Synod held after the date on which the person became the Chief Executive Officer.

30. What if a person ceases to be Chief Executive Officer of a Nominated Organisation after a summons has issued?

If a person is summoned to a session of Synod as the Chief Executive Officer of a Nominated Organisation, and before the first day of that session that person ceases to be the Chief Executive Officer of a Nominated Organisation, the summons is void.

Part 7 – Nominated Ministers***Division 1 – Nominated Ministers*****31. Who is a Nominated Minister?**

A person is a Nominated Minister for a Synod if –

- (a) that person has been appointed by the Archbishop to be a Nominated Minister for that Synod;
- (b) notice of the appointment has been given to the Registrar and to the Standing Committee under clause 34; and
- (c) that person has not retired as a Nominated Minister under clause 35.

32. Number of Nominated Ministers

(1) As soon as is practicable in the calendar year in which the first ordinary session of a Synod is to be convened, and in any event not less than 2 months before the first day of that session, the Archbishop shall advise the Standing Committee of the number of persons the Archbishop intends to appoint as Nominated Ministers for that Synod.

(2) The number of Nominated Ministers for a Synod must not, at any time, exceed that number which is equal to 10% of the total number of Parochial Ministers determined on 1 January in the calendar year in which the first session of that Synod is to be or was held.

(3) The Archbishop may, at any time, by advice to the Standing Committee increase the number of persons to be appointed as Nominated Ministers for a Synod provided that the total number of Nominated Ministers for that Synod must not exceed the number calculated in accordance with subclause (2).

(4) If the Archbishop increases the number of Nominated Ministers under subclause (3) within 2 months before the first day of a session of Synod, such increase does not take effect until the day after the last day of that session.

Division 2 – Appointment of persons to be Nominated Ministers

33. Who may be appointed to be a Nominated Minister?

The Archbishop may only appoint a person to be a Nominated Minister if –

- (a) that person is a Qualified Minister; and
- (b) that person is not entitled to be summoned to a session of Synod under Part 4, 6 or 9 of this ordinance.

34. Notice must be given on the appointment of a person to be a Nominated Minister

(1) The Archbishop must give written notice to the Registrar and the Standing Committee of the name of each person appointed by the Archbishop to be a Nominated Minister for a Synod and a postal and email address for such persons.

(2) The Archbishop must not appoint a person to be a Nominated Minister for a Synod if such appointment would result in the number of Nominated Ministers for that Synod exceeding the number advised by the Archbishop to the Standing Committee under subclauses 32(1) or (3).

Division 3 – Retirement of Nominated Ministers

35. When does a person retire as a Nominated Minister?

A person retires as a Nominated Minister if –

- (a) a Disqualifying Event occurs in respect of that person; or
- (b) the person resigns by written notice given to the Archbishop; or
- (c) the person ceases to be a Qualified Minister; or
- (d) the Archbishop, by written notice to the person, revokes the person’s appointment as a Nominated Minister; or
- (e) the person becomes entitled to be summoned to a session of Synod under Part 4, 6 or 9 of this ordinance.

36. Notice must be given when a person retires as a Nominated Minister

Upon a person retiring as a Nominated Minister the Archbishop must give, or cause to be given, to the Registrar a written notice specifying –

- (a) the name of the person and the date on which the person retired as a Nominated Minister; and
- (b) the Synod for which that person had been a Nominated Minister.

37. Filling of Casual Vacancies

The Archbishop may appoint a person to fill a vacancy in the office of a Nominated Minister.

Division 4 – Summoning of Nominated Ministers to Synod

38. Nominated Ministers must be summoned to Synod

Each Nominated Minister is a member of the Synod for which that person has been appointed and must be summoned to each session of that Synod convened after that person becomes a Nominated Minister.

39. What if a person retires as a Nominated Minister after a summons has issued?

If a person is summoned to a session of Synod as a Nominated Minister and before the first day of that session the person retires as a Nominated Minister, the summons is void.

Part 8 – Nominated Laypersons

Division 1 – Nominated Laypersons

40. Who is a Nominated Layperson?

A person is a Nominated Layperson for a Synod if –

- (a) that person has been elected to be a Nominated Layperson for that Synod; and
- (b) notice of the election has been given to the Registrar under clause 45; and

- (c) the person has not retired as a Nominated Layperson under clause 46.

41. Number of Nominated Laypersons

- (1) The number of Nominated Laypersons for a Synod is the same as the number of Nominated Ministers for that Synod which the Archbishop has advised the Standing Committee under subclause 32(1) or (3).
- (2) The retirement of a Nominated Minister under clause 35 does not reduce the number of Nominated Laypersons for a Synod.

Division 2 – Election of Nominated Laypersons

42. Who elects persons to be Nominated Laypersons?

The Standing Committee may elect persons to be Nominated Laypersons.

43. Who may be elected to be a Nominated Layperson

The Standing Committee may only elect a person to be a Nominated Layperson if –

- (a) that person is a Qualified Person; and
- (b) that person is not entitled to be summoned to a session of Synod under Part 5, 6 or 9 of this ordinance.

44. When may persons be elected to be Nominated Laypersons?

On receipt of advice from the Archbishop under clause 32 or at any time thereafter, the Standing Committee may, by resolution, elect Qualified Persons to be Nominated Laypersons.

45. Notice must be given on the election of a Nominated Layperson

Upon the election of a person to be a Nominated Layperson, the Standing Committee must give, or cause to be given, to the Registrar written notice –

- (a) specifying the name of that person and the date of election; and
- (b) specifying a postal and email address for that person; and
- (c) specifying the Synod for which that person has been elected to be a Nominated Lay Person; and
- (d) certifying that the person elected to be a Nominated Lay Person has given the consent required by clause 5A and that a written record of the consent has been retained.
- (e) certifying that the person elected to be a Nominated Lay Person had signed the declaration required by clause 6(1) and that the signed declaration has been retained.

Division 3 – Retirement of Nominated Laypersons

46. When does a person retire as a Nominated Layperson?

A person retires as a Nominated Layperson if –

- (a) a Disqualifying Event occurs in respect of that person; or
- (b) that person resigns by written notice given to the Diocesan Secretary; or
- (c) the Standing Committee, by resolution, revokes the person's entitlement to hold office as a Nominated Layperson; or
- (d) the person becomes entitled to be summoned to Synod under Part 5, 6 or 9 of this ordinance.

47. Notice must be given when a person retires as a Nominated Layperson

When a person retires as a Nominated Layperson, the Standing Committee must give, or cause to be given, to the Registrar written notice specifying the name of that person and the date on which that person retired as a Nominated Layperson.

48. A new Nominated Layperson may be elected to fill a vacancy

A person may be elected by the Standing Committee to fill a vacancy in the office of a Nominated Layperson.

Division 4 – Summoning of Nominated Laypersons to Synod

49. Nominated Laypersons must be summoned to Synod

Each Nominated Layperson is a member of the Synod for which that person has been elected and must be summoned to each session of that Synod convened after the date on which that person becomes a Nominated Layperson.

50. What if a person retires as a Nominated Layperson after a summons has issued?

If a person is summoned to a session of Synod as a Nominated Layperson and before the first day of that session the person retires as a Nominated Layperson, the summons is void.

Part 8A – Nominated Indigenous Representatives

Division 1 – Election of Nominated Indigenous Representatives**50A. Who is a Nominated Indigenous Representative?**

A person is a Nominated Indigenous Representative for a Synod if –

- (a) that person has been elected to be a Nominated Indigenous Representative for that Synod; and
- (b) notice of the election has been given to the Registrar under clause 50C; and
- (c) the person has not retired as a Nominated Indigenous Representative under clause 50D.

50B. Election of Nominated Indigenous Representatives

(1) The Sydney Anglican Indigenous Peoples' Ministry Committee may elect up to 2 persons to be Nominated Indigenous Representatives.

(2) A person may be elected to be a Nominated Indigenous Representative if the person is –

- (a) an Indigenous Person,
- (b) a Qualified Person or Qualified Minister, and
- (c) not entitled to be summoned to a session of the Synod under any Part of this Ordinance other than Part 8A.

50C. Notice must be given on the election of a Nominated Indigenous Representative

Upon the election of a person to be a Nominated Indigenous Representative, the Sydney Anglican Indigenous Peoples' Ministry Committee must give, or cause to be given, to the Registrar written notice –

- (a) specifying the name of that person and the date of election; and
- (b) specifying a postal and email address for that person; and
- (c) specifying the Synod for which that person has been elected to be a Nominated Indigenous Representative; and
- (d) if the person elected to be a Nominated Indigenous Representative is a Qualified Person, certifying that the person has given the consent required by clause 5A and that the person has signed the declaration required by clause 6(1), and that a written record of the consent and the signed declaration have been retained.

Division 2 – Retirement of Nominated Indigenous Representatives**50D. When does a person retire as a Nominated Indigenous Representative?**

A person retires as a Nominated Indigenous Representative if –

- (a) a Disqualifying Event occurs in respect of that person, or
- (b) that person resigns by written notice given to the Chairman of the Sydney Anglican Indigenous Peoples' Ministry Committee, or
- (c) the person becomes entitled to be summoned to Synod under any Part of this Ordinance other than Part 8A.

50E. Notice must be given when the person retires as a Nominated Indigenous Representative

When a person retires as a Nominated Indigenous Representative, the Sydney Anglican Indigenous Peoples' Ministry Committee must give, or cause to be given, to the Registrar written notice specifying the name of that person and the date on which that person retired as a Nominated Indigenous Representative.

50F. A new Nominated Indigenous Representative may be elected to fill a vacancy

A person may be elected by the Sydney Anglican Indigenous Peoples' Ministry Committee to fill a vacancy in the office of a Nominated Indigenous Representative.

Division 3 – Summoning of Nominated Indigenous Representative to Synod

50G. Nominated Indigenous Representatives must be summoned to the Synod

Each Nominated Indigenous Representative is a member of the Synod for which that person has been elected and must be summoned to each session of that Synod convened after the date on which that person becomes a Nominated Indigenous Representative.

50H. What if a person retires as a Nominated Indigenous Representative after a summons has issued?

If a person is summoned to a session of Synod as a Nominated Indigenous Representative and before the first day of that session the person retires as a Nominated Indigenous Representative, the summons is void.

Part 9 – Other Members of Synod

51. The Chancellor

The Chancellor is a member of the Synod and must be summoned to each session of the Synod.

52. The Registrar

The Registrar is a member of the Synod and must be summoned to each session of the Synod.

52A. Diocesan Secretary

The Diocesan Secretary is a member of the Synod and must be summoned to each session of the Synod.

52B. Regional Bishops

The Regional Bishops are members of the Synod and must be summoned to each session of the Synod.

52C. Archdeacon for Women's Ministry

The Archdeacon for Women's Ministry is a member of the Synod and must be summoned to each session of the Synod.

52D. Principal of Moore Theological College

The Principal of Moore Theological College is a member of the Synod and must be summoned to each session of the Synod.

53. Warden of St Paul's College and College Representatives

(1) The Warden of St Paul's College is a member of the Synod and must be summoned to each session of the Synod.

(2) Two Qualified Persons, elected by the council of St Paul's College from among themselves, must, subject to the giving of the notice under subclause (3), be summoned to the Synod.

(3) The Warden must cause a certificate of election to be delivered to each member of the council so elected and must give, or cause to be given, to the Registrar written notice –

- (a) specifying the names of the persons elected and the date of election; and
- (b) specifying postal and email addresses for those persons; and
- (c) certifying that those persons have given the consent required by clause 5A and that a written record of such consents has been retained.

Part 10 – Transitional

54. Commencement and Transitional

(1) Parts 2 to 8 inclusive and Part 9 and clause 55 commence on the last to occur of –

- (a) the date on which the Constitution Ordinance 1994 of the Provincial Synod is adopted by the Synod of each diocese in the Province of New South Wales; and
- (b) the passing of a canon of the General Synod ratifying the Constitution Ordinance 1994 of the Provincial Synod.

(2) With effect on and from the date of commencement of Parts 2 to 8 inclusive and Part 9 –

- (a) persons who, immediately before that date, were representatives of a Parochial Unit elected for a Synod under the Former Legislation are taken to be Parochial Representatives duly elected for that Synod under Part 5;
- (b) persons who, immediately before that date, were nominated chief executive officers for a Synod under clause 2A of the Synod Representative and Membership Ordinance 1945 are

- taken to be duly appointed Chief Executive Officers of a Nominated Organisation for that Synod under Part 6;
- (c) clergymen who, immediately before that date, were eligible to be summoned to a session of Synod under the 14th Constitution Ordinance 1988 are taken to be duly appointed Nominated Ministers for that Synod under Part 7; and
 - (d) laypersons who, immediately before that date, were eligible to be summoned to a session of Synod under the Regulations made by the Synod on 23 September 1903 under the 14th Constitution in the Schedule to the Anglican Church of Australia Constitutions Act 1902 are taken to be duly appointed Nominated Laypersons for that Synod under Part 8.
- (3) A declaration made by a person under the 17th Constitution in the Schedule to the Anglican Church of Australia Constitutions Act 1902 for the purposes of the Synod which is current on the date on which 2 to 8 inclusive and Part 9 commence are taken to have been made under clause 6.

55. Repeal of Former Legislation

The Former Legislation is repealed but without invalidating anything done under or pursuant to it before the commencement of this clause.

Dictionary

In this ordinance unless the context otherwise requires –

“Associate Minister” means an assistant minister or a senior assistant minister within the meaning of the Assistant Ministers Ordinance 1990.

“Chief Executive Officer” of a diocesan organisation means the person who is responsible to the governing body of the organisation for the work of the organisation.

“Disqualifying Event” in relation to a person means any of the following –

- (a) the death of that person;
- (b) becoming an insolvent under administration;
- (c) becoming a mentally incapacitated person;

“Former Legislation” means each of the following (as amended) –

- (a) Synod Representative and Membership Ordinance 1945;
- (b) 14th Constitution Ordinance 1988; and
- (c) regulations made by the Synod on 23 September 1903 under the 14th of the Constitutions contained in the Schedule to the Anglican Church Constitutions Act Amendment Act of 1902.

“General Meeting” means –

- (a) in relation to a Parochial Unit having only one church to which the rules in Schedule 1 of the Parish Administration Ordinance 2008 apply – a general meeting of the parishioners of the church of the Parochial Unit, and
- (b) in relation to a Parochial Unit having more than one church to which the rules in Schedule 1 of the Parish Administration Ordinance 2008 apply or in relation to a Parochial Unit to which the rules in Schedule 2 of that ordinance apply – a general meeting of the parishioners of the Parochial Unit, and
- (c) in relation to St Andrew’s Cathedral – the Annual Meeting of the Cathedral Congregations under the Cathedral Ordinance 1969.

“Indigenous Person” means a person of the Aboriginal race of Australia or who is a descendant of the Indigenous inhabitants of the Torres Strait Islands.

“Minister” means a person in holy orders.

“Nominated Indigenous Representative” for a Synod means a person to whom clause 50A applies.

“Nominated Layperson” for a Synod means a person to whom clause 40 applies.

“Nominated Minister” for a synod means a person to whom clause 31 applies.

“Nominated Organisation” for a Synod means a diocesan organisation that, in accordance with clause 23, is a nominated organisation for the Synod.

“Parish” means a parish constituted under or recognised as such under the Parishes Ordinance 1979 or a recognised church under the Recognised Churches Ordinance 2000.

“Parochial Minister” means a Minister who is licensed as the rector or acting rector of a Parochial Unit.

“Parochial Representative” for a Synod means a person to whom clause 9 applies.

“Parochial Unit” means a Parish and a Provisional Parish.

“Provisional Parish” means a provisional parish constituted under or recognised as such under the Parishes Ordinance 1979 or a provisional recognised church under the Recognised Churches Ordinance 2000.

“Qualified Minister” means a Minister who is authorised or licensed to officiate by the Archbishop.

“Qualified Person” means a layperson who –

- (a) is 18 years of age or older; and
- (b) is a communicant member of the Anglican Church of Australia.

“session of the Synod” means all meetings of the Synod to which a summons issued to members of the Synod applies.

“Synod Communication” means a summons, notice, document or other communication that is –

- (a) required by ordinance or resolutions of the Synod or the Standing Committee to be sent or provided to one or more members of the Synod; or
- (b) sent or provided to all members of the Synod or a class of members of the Synod by the Diocesan Secretary or the Secretary of the Synod in the course of administering the Synod.

“Wardens” means –

- (a) in relation to a Parochial Unit to which the rules in Schedule 1 of the Parish Administration Ordinance 2008 apply – the wardens of the principal or only church of the Parochial Unit, and
- (b) in relation to a Parochial Unit to which the rules in Schedule 2 of the Parish Administration Ordinance 2008 apply – the wardens of the Parochial Unit, and
- (c) in relation to St Andrew’s Cathedral – the Cathedral Chapter.

Note

The amendments made by Ordinance No 34, 2015 commence on the day immediately following the last day of the 2nd session of the 50th Synod.

Table of Amendments

| | |
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| Clause 4 | Amended by Ordinance No 29, 2000. |
| Clause 5 | Amended by Ordinance No 26, 2006. |
| Clause 5A | Inserted by Ordinance No 41, 2013 and amended by Ordinance No 38, 2014. |
| Clause 6 | Amended by Ordinances Nos 46, 2003; 26, 2006; 32, 2009 and 34, 2015. |
| Clause 6A | Inserted by Ordinance No 41, 2013. |
| Clause 6B | Inserted by Ordinance No 41, 2013. |
| Clause 6C | Inserted by Ordinance No 41, 2013. |
| Clause 8A | Inserted by Ordinance No 46, 2003 and amended by Ordinance No 41, 2013. |
| Clause 8B | Inserted by Ordinance No 46, 2003. |
| Clause 8C | Inserted by Ordinance No 46, 2003. |
| Clause 11 | Amended by Ordinance No 35, 1997. |
| Clause 12 | Amended by Ordinance No 34, 2015. |
| Clause 13 | Amended by Ordinance No 34, 2015. |
| Clause 14 | Amended by Ordinance No 34, 2015. |
| Clause 15 | Amended by Ordinance No 34, 2015. |
| Clause 16 | Amended by Ordinance No 34, 2015. |
| Clause 17 | Amended by Ordinances Nos 41, 2013 and 34, 2015. |
| Clause 18 | Amended by Ordinances Nos 29, 1997; 34, 2015 and 42, 2016. |
| Clause 19 | Amended by Ordinance No 34, 2015. |
| Clause 20 | Amended by Ordinance No 34, 2015. |
| Clause 22A | Inserted by Ordinance No 46, 2003 and amended by Ordinances Nos 41, 2013; 34, 2015 and 42, 2016. |

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| Clause 22B | Inserted by Ordinance No 46, 2003. |
| Clause 22C | Inserted by Ordinance No 46, 2003. |
| Clause 23 | Amended by Ordinance No 40, 2017. |
| Clause 24 | Amended by Ordinance No 40, 2017. |
| Clause 25 | Amended by Ordinances Nos 47, 2003, 42, 2016 and 40, 2017. |
| Clause 26 | Amended by Ordinance No 40, 2017. |
| Clause 27 | Amended by Ordinance No 41, 2013. |
| Clause 28 | Amended by Ordinance No 41, 2013. |
| Clause 29 | Amended by Ordinances Nos 41, 2013 and 40, 2017. |
| Clause 34 | Amended by Ordinance No 41, 2013. |
| Clause 35 | Amended by Ordinance No 42, 2016. |
| Clause 36 | Amended by Ordinance No 41, 2013. |
| Clause 45 | Amended by Ordinances Nos 41, 2013 and 34, 2015. |
| Clause 46 | Amended by Ordinance No 42, 2016. |
| Clause 50A | Inserted by Ordinance 26, 2006 and amended by Ordinance No 32, 2009. |
| Clause 50B | Inserted by Ordinance 26, 2006. Omitted and new clause inserted by Ordinance No 32, 2009. |
| Clause 50C | Inserted by Ordinance 26, 2006 and amended by Ordinances Nos 41, 2013 and 34, 2015. |
| Clause 50D | Inserted by Ordinance 26, 2006 and amended by Ordinance No 32, 2009. |
| Clause 50E | Inserted by Ordinance 26, 2006. |
| Clause 50F | Inserted by Ordinance 26, 2006. |
| Clause 50G | Inserted by Ordinance 26, 2006. |
| Clause 50H | Inserted by Ordinance 26, 2006. |
| Clause 52A | Inserted by Ordinance No 47, 2003. |
| Clause 52B | New clause inserted by Ordinance No 42, 2016. |
| Clause 52C | New clause inserted by Ordinance No 42, 2016. |
| Clause 52D | New clause inserted by Ordinance No 42, 2016. |
| Clause 53 | Amended by Ordinance No 41, 2013. |
| Clause 54 | Amended by Ordinance No 26, 2006. |
| Dictionary | Amended by Ordinances Nos 35, 1997; 46, 2003; 39, 2004; 26, 2006; 32, 2009; 41, 2013; 38, 2014, 34, 2015 and 40, 2017. |



47/18 Property Use Policy

8/17 Statement of Anglican Doctrine of Marriage

(A report of the Standing Committee.)

Key Points

- A policy of the Synod, including the Property Use Policy, has a similar status to a resolution of the Synod insofar as it represents the views of a majority of the members of the Synod at the time the policy was agreed. However ordinances bind diocesan bodies according to the terms of the relevant power or powers relied on. While the terms of the Property Use Policy are not of themselves binding on diocesan bodies, clause 4 of the *Sydney Anglican Use of Church Property Ordinance 2018* gives the terms of the Policy particular importance as part of a binding ordinance of the Synod.
- The inclusion of the doctrine of marriage in the Statement of Faith set out in Appendix 3 of the Governance Policy for Diocesan Organisations, without the inclusion of a range of currently contested doctrines on other matters, would have the effect of fixing the statement as an expression of concern in relation to one doctrine at a particular point in time. It is undesirable and impractical to attempt to itemise in the Statement of Faith a list of all other doctrinal matters currently relevant and contested in our society. Furthermore, the primary purpose of the Statement of Personal Faith is to require that those who serve in key roles in our organisations are Christians, and including specific Anglican doctrines in the Statement would preclude members of other denominations.
- The Statement of Faith should be amended so that a person also affirms that they will endeavour to fulfil their duties in accordance with the “other applicable ordinances and policies of the Synod”. A corresponding change is proposed to the Statement of Support for Christian Ethos.
- The Committee also proposes certain amendments to the Property Use Policy to make clear that the Policy does not require disengagement and distancing from the community around us.

Purpose

1. The purpose of this report is to respond to requests made by the Synod in relation to its Property Use Policy under Resolution 47/18 and in relation to the statement of our Anglican Doctrine of Marriage under Resolution 8/17.

Recommendations

2. Synod note this report.
3. Synod consider the following motion to be moved at the forthcoming session of the Synod “by request of the Standing Committee” –

‘Synod agrees to amend its Property Use Policy by inserting the following as a new paragraph 10(a) –

“This policy is not intended to require a withdrawal from, or the exclusion of, those who do not share our doctrines, tenets and beliefs. Rather, we should welcome to our properties those who do not share our doctrines, tenets and beliefs, to the fullest extent possible, yet in a way that does not cause our doctrines, tenets and beliefs to be contravened or compromised. The mere presence of those who do not share our beliefs or the mere expression of beliefs we do not share, will not contravene this policy. However allowing our property to be used for the promotion or propagation of such beliefs does. For example, it does not contravene our doctrines, tenets and beliefs for a resident of an Anglican retirement village who is an adherent of another faith to practise their faith in the privacy of their own residence, but it would be a contravention if the retirement village were to allow a service of public worship for those of that faith to be held.”

4. Synod consider the following motion be to moved at the forthcoming session of the Synod “by request of the Standing Committee” –
- ‘Synod agrees –
- (a) to amend the Statement of Personal Faith set out in Appendix 3 of the Governance Policy for Diocesan Organisations by amending paragraph 3 of that statement as follows -

“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, and other applicable ordinances and policies of the Synod.”, and
 - (b) to amend the Statement of Support for Christian Ethos set out in Appendix 4 of the Governance Policy for Diocesan Organisations by amending paragraph 2 of that statement as follows –

“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, and other applicable ordinances and policies of the Synod.”
5. If amendments in or to the effect of the above are made to one or both of the Property Use Policy and the Governance Policy for Diocesan Organisations, Synod consider a suitable form of the following motion at the forthcoming session of Synod “by request of the Standing Committee” –
- ‘Synod –
- (a) requests that the amended Property Use Policy be circulated to all applicable diocesan bodies together with the amended Statements of Personal Faith and Support for Christian Ethos under the Governance Policy for Diocesan Organisations,
 - (b) requests that diocesan bodies ensure they continue to comply with the requirements of applicable ordinances and policies of the Synod, including the Property Use Policy, and
 - (c) requests that, where applicable, the form of the Statement of Personal Faith required to be signed by those to be elected or appointed as members of the boards or councils of diocesan bodies or as the Chief Executive Officer of such bodies be updated to the amended form in their constituting ordinances,
 - (d) in other cases, notes its expectation under the Governance Policy for Diocesan Organisations that those to be elected or appointed as members of the boards or councils of diocesan bodies or as the Chief Executive Officer of such bodies will sign the Statement of Personal Faith or, if applicable until 1 July 2020, the Statement of Support for Christian Ethos in the amended form, and
 - (e) requests further feedback from diocesan bodies to ensure the Property Use Policy remains an effective tool for ensuring our doctrines, tenets and beliefs are consistently upheld across the whole of the undertaking of the Diocese.’

Background

6. In 2018, the Synod passed the *Sydney Anglican Use of Church Property Ordinance 2018* and the related Property Use Policy. The resolution to pass the policy included a request for feedback and review during the first year of operation of this new policy –

47/18 Property Use Policy

Synod passes the *Property Use Policy* as a Policy of the Synod, and requests –

- (a) Synod members to provide feedback on the policy to the Diocesan Secretary by 28 February 2019, and
 - (b) Standing Committee to review the policy, including with reference to Resolution 8/17, and bring recommendations to the next ordinary session of the Synod.
7. As specified in clause (b) of resolution 47/18, the review of the policy was to include further consideration of resolution 8/17 from the previous year –

8/17 Statement of Anglican doctrine of marriage

Synod –

- (a) requests that Standing Committee appoint a committee of suitably qualified persons to consider whether the Diocesan Education Policy, the Corporate Governance Policy Statement of Faith, or any other relevant diocesan policies, statements or ordinances should be amended to state formally our Anglican doctrine that marriage is the union of a man and a woman for life to the exclusion of all others, so as to assist the ability of our Anglican schools and other organisations to maintain that it is a genuine, legitimate and justified occupational requirement for their board members, principals, executive officers and other relevant staff and office holders to hold to this traditional Christian belief about marriage, in order to maintain the Christian religious ethos of our institutions,
 - (b) affirms that such a committee could also consider any other core doctrinal matters currently relevant and contested in our society,
 - (c) encourages Standing Committee to consider making any amendments suggested by the committee, and
 - (d) asks that this be treated as a matter of urgency.
8. The Standing Committee resolved in November 2018 that the committee that had prepared the Property Use Policy in 2018 be reconvened to conduct the review and bring a report to the Standing Committee. The Committee that met to conduct this review comprised the following -
- | | |
|---------------------------------------|------------------------------|
| Bishop Michael Stead (Chair) | Mr Stephen Kinsella (EdComm) |
| Mr Robert Wicks | Mr Grant Millard (Anglicare) |
| Assoc Professor Neil Foster | The Rev Michael Kellahan |
| Mr Max Caddy (for the CEO of the ASC) | Dr Mark Thompson |
| Dr Ed Loane | |
9. At its meeting in June 2019, the Standing Committee requested that a committee appointed by the Chancellor bring a report to the next meeting clarifying the extent to which the requirements of the *Sydney Anglican Use of Church Property Ordinance 2018* and the policy made under that ordinance are applicable to or binding on churches, schools and organisations. This work was also referred to the Committee reviewing the Property Use Policy.

Extent to which the Property Use Policy and Ordinance are applicable or binding

10. The Committee considered it is appropriate to consider first the extent to which the requirements of the *Sydney Anglican Use of Church Property Ordinance 2018* and the Property Use Policy referred to in that ordinance are applicable to or binding on churches, schools and organisations.
11. The application of the Ordinance and Policy and their capacity to bind are separate but related questions.

Application of ordinance and policy

12. The *Sydney Anglican Use of Church Property Ordinance 2018* applies to Diocesan bodies.
13. The Property Use Policy applies more broadly to Diocesan bodies and Anglican bodies.
14. A Diocesan body means any parish of the Diocese and any body corporate, organisation, school or association that exercises ministry within or on behalf of the Diocese –
 - (i) which is constituted by ordinance or resolution of the Synod,
 - (ii) in respect of whose organisation or property the Synod may make ordinances, or
 - (iii) which is a trustee of Church trust property.
15. An Anglican body means any body which has charitable purposes that include purposes for or in relation to the Anglican Church of Australia, which is not a Diocesan body, but is situated in the Diocese and the

governing body of the body has resolved to adopt this policy as amended from time to time as a policy of the body.

16. It is important to note that the application of the Policy to a (non-diocesan) Anglican body requires the agreement of the governing board or council of that body.

Extent to which the policy and ordinance are binding

17. A policy of the Synod, including the Property Use Policy, has a similar status to a resolution of the Synod insofar as it represents the views of a majority of the members of the Synod at the time the policy was agreed. While there is an expectation that bodies which are constituted by the Synod or in respect of whose property the Synod may make ordinances (ie. diocesan bodies) will follow the policies of the Synod, a policy of the Synod is not, of itself, binding on such bodies. An example of such a policy is the Synod's Governance Policy for Diocesan Organisations.
18. The Synod does however have certain powers to make ordinances which are binding on diocesan bodies (eg. s.4 Anglican Church of Australia Constitutions Act 1902; s.24 Anglican Church of Australia Trust Property Act 1917; ss.6(2) and 10(1) Anglican Church of Australia (Bodies Corporate) Act 1938).
19. The extent to which these ordinances bind diocesan bodies varies according to the terms of the relevant power or powers relied on.
20. In contrast to its policies (which the Synod expects will be followed by those to whom the policies apply), the Synod reserves its ordinance making powers for matters which are sufficiently important to require compliance. Examples of ordinances that make provision for matters of importance for diocesan bodies, in addition to their respective constituting ordinances, include the *Accounts, Audits and Annual Reports Ordinance 1995*, the *Anglican Schools Ministry Ordinance 2016* and the *Sydney Anglican Use of Church Property Ordinance 2018*.

Interaction between the Property Use Policy and Ordinance

21. The key provision of the *Sydney Anglican Use of Church Property Ordinance 2018* is clause 4 which is as follows –
- (1) A Diocesan body must only use or allow the use of Church property for acts or practices which conform to the doctrines, tenets and beliefs of the Diocese.
 - (2) A Diocesan body conforms to the doctrines, tenets and beliefs of the Diocese if it undertakes or authorises acts or practices which –
 - (a) are consistent with the [Property Use] Policy, or
 - (b) involve not allowing Church property to be used for an activity that is inconsistent with the Policy.
 - (3) Any dispute about whether a use or proposed use of Church property conforms to the doctrines, tenets and beliefs of the Diocese is to be determined by the Archbishop.
22. It follows that while the terms of the Property Use Policy are not of themselves binding on diocesan bodies, clause 4 of the Ordinance gives the terms of the Policy particular importance as part of a binding ordinance of the Synod.
23. The reason for giving the terms of the Property Use Policy particular importance are set out in full in the Committee's previous report to the Synod in 2018 entitled *8/17 Statement of Anglican doctrine of marriage*. In summary, it was considered that the most appropriate way to address a number of threats to maintaining the Christian ethos of our Anglican institutions was through the implementation of a Property Use Policy, which would (at the same time) –
- (a) articulate certain "doctrines, beliefs and tenets" to facilitate reliance on the balancing clauses in anti-discrimination legislation, and
 - (b) provide clear guidance for ministers, wardens and board members as to the appropriate and inappropriate uses of church property, and
 - (c) be binding on members of boards in their decisions about church property.

24. In view of the above, the Committee wishes to draw attention to the significance of the consultation that has been undertaken with diocesan bodies to ensure the Property Use Policy is an effective tool for upholding our doctrines, tenets and beliefs across the whole of the undertaking of the Diocese. The Committee is grateful to those diocesan bodies which have contributed feedback as part of this consultation process, and encourages those bodies yet to consider the Policy to engage in any further consultation on its terms.
25. The remainder of this report outlines the Committee's finding and recommendations in relation to the latest consultation process arising from Synod resolution 47/18.

Expanding the Statement of Faith

26. Feedback received by the Committee argued that the diocesan Statement of Personal Faith should be expanded to include explicit reference to our Anglican doctrine that marriage is the union of a man and a woman for life to the exclusion of all others. The Statement of Personal Faith is a part of the Governance Policy for Diocesan Organisations. Key office holders are required to affirm commitment to the Statement of Personal Faith prior to commencing in a governance role. The purpose of the expansion would be to enable Anglican schools and other organisations to require that board members, principals and executive officers hold this traditional Christian belief.
27. As discussed above, the Property Use Policy applies to all Sydney Diocesan bodies. It is likely that the obligation under clause 4 of the *Sydney Anglican Use of Church Property Ordinance 2018* requiring the use of church property to conform to the doctrine, tenets and beliefs of the Diocese, including the traditional Christian view of marriage, is binding in certain circumstances on diocesan bodies and those that govern or otherwise lead such bodies. However, it was argued, this does not go far enough, because it would still allow (for example) a school principal to promote a personal belief about marriage that was opposed to the doctrine of the diocese, provided this did not involve the use of school property.

28. It was suggested that paragraph 2 of the statement of faith be modified as follows –

2. In particular I believe –
- (a) 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;
 - (b) that 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;
 - (c) that we are justified before God by faith only; and
 - (d) that marriage is the union of a man and a woman for life, to the exclusion of all others.

29. The Committee recognised that it is important to ensure that those who lead our organisations personally hold our doctrines, tenets and beliefs (and not merely that they are willing to use Church property in accordance with a diocesan policy). However, the committee concluded that adding a statement about marriage to section 2 of the Statement of Personal Faith was not the appropriate way to do this. Paragraph 1 of the Statement of Personal Faith defines the Christian faith with reference to the Nicene Creed and Apostles' Creed, and paragraph 2 adds three further (protestant and evangelical) core beliefs that are not sufficiently articulated in the creeds - the authority of the scriptures, the atonement and justification by faith only. As important as the doctrine of marriage is, it is not in the same category as these core beliefs.
30. The Committee considered that the inclusion of the doctrine of marriage in the Statement of Faith, without the inclusion of a range of currently contested doctrines on other matters, for example on the human person (which touches on the on-going debates in relation to abortion, euthanasia and gender), would have the effect of fixing the statement as an expression of concern in relation to one doctrine at a particular point in time. The Committee considered this would be undesirable and over time potentially problematic. For similar reasons, the Committee considered it undesirable and impractical to attempt to itemise in the Statement of Faith a list of all other doctrinal matters currently relevant and contested in our society.
31. In an attempt to avoid these difficulties, the Committee considered the following amendment to paragraph 3 of the Statement of Faith as an alternative means of achieving a similar end–

3. I affirm the doctrines, tenets and beliefs of the Anglican Church of Australia in the Diocese of Sydney and acknowledge the requirement of the diocesan Property Use Policy that church property is not to be used for purposes which contravene the doctrines, tenets and beliefs expressed in that policy. 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~~ Anglican ethos and its constituting ordinance.

32. Currently paragraph 3 is a commitment to act in accordance with the “Christian ethos and constituting ordinance” of the diocesan body. Modifying paragraph 3 in this way would not only draw attention to the requirements of the Property Use Policy, but would also require a signatory to affirm that they hold the doctrines, tenets and beliefs of the Anglican Church of Australia in the Diocese of Sydney. There would also be a consequential change from “Christian ethos” to “Anglican ethos” in the existing wording of paragraph 3.
33. The doctrines, tenets and beliefs expressed in the Property Use Policy include the following –
- We believe in one God, who is Father, Son and Spirit. Our triune God alone is to be worshipped, in the way he requires. There is only one way of salvation, which comes through faith in the atoning work of Jesus Christ. The gospel calls us to turn from sin and abandon our idolatrous or syncretistic worship, and to worship the true God, through Jesus Christ, by the Holy Spirit. (Paragraph 11)
 - We believe that all human beings are uniquely created in the image of God, loved by God and precious to him. We believe that God created humanity with two complementary sexes – male and female – and that both male and female are equally made in God’s image. We believe that God made people of all races and abilities as equal in his sight, and offers salvation through faith in the atoning work of Jesus Christ to all people without distinction. We believe that God alone determines the beginning and end of life. (Paragraph 15)
 - We believe that there are only two expressions of faithful sexuality: marriage between a man and a woman or abstinence in singleness. (Paragraph 18)
 - We believe that the gospel of salvation brings freedom from our captivity to sin. Christian freedom is not a freedom to indulge the sinful nature. Rather, Christians should seek to throw off everything that hinders and the sin that so easily entangles and should seek not to cause others to sin by leading them into temptation. (Paragraph 21)
34. However the Archbishop has expressed the view that it is not appropriate to amend the Statement of Personal Faith in this way because this misunderstands the purpose of this statement. In the Archbishop’s view, the purpose of the Statement of Personal Faith is to require that those who serve in key roles in our organisations are Christians. They may be Anglican Christians, but the Statement of Personal Faith currently does not require this. Sections 1 and 2 are a statement of reformed protestant Christian faith, which could be signed (for example) by Presbyterians and Baptists.
35. The Archbishop has drawn attention to the fact that a requirement that all board members etc. “affirm the doctrines, tenets and beliefs of the Anglican Church of Australia in the Diocese of Sydney” would preclude Baptists (who reject infant baptism) and Presbyterians (who do not recognise bishops as an order of ministry) from serving on our boards or as heads of our schools and diocesan organisations. Furthermore, requiring lay board members and heads to affirm Anglican doctrine would be a significant departure from Anglican practice. In contrast to ordained Anglican ministers, who are required to subscribe to the doctrines of the church, lay people have never been required to subscribe or otherwise affirm the doctrines of the church in order to qualify for membership in the church.
36. In the view of the Archbishop, a better way to ensure that board/council members are aware of their obligations to comply with the obligations to comply with the Property Use Policy is to make this explicit in the constituting ordinance of each organisation, using a variation on the form of words in the Arden Anglican School Ordinance recently passed by the Standing Committee.

The Council shall comply with all ordinances and policies of the Synod applying to the Council (as amended from time to time), including –

- (a) the *Accounts, Audits and Annual Reports Ordinance 1995*,
- (b) the *Anglican Schools Ministry Ordinance 2016*, and
- (c) the *Sydney Anglican Use of Property Ordinance 2018*

37. In view of the matters outlined above, the Committee has concluded that the following modest change should be made to the wording of paragraph 3 of the Statement of Faith in Appendix 3 of the Synod's Governance Policy –

"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,~~ and other applicable ordinances and policies of the Synod."

38. There would also be the following corresponding change to paragraph 2 of the Statement of Support for the Christian Ethos in Appendix 4 of the Governance Policy (notwithstanding the use of this statement will be discontinued under the Policy from 1 July 2020) –

"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,~~ and other applicable ordinances and policies of the Synod."

39. In making these recommendations, the Committee is aware that this would still allow (for example) a school principal to promote a personal belief about marriage that was opposed to the doctrine of the Diocese, provided this did not involve the use of school property. However the Committee believes that the most appropriate way of addressing this possibility is through a careful selection process of those to be appointed or elected to leadership positions in diocesan bodies and, in the case of executive positions, a careful framing of the terms upon which they are appointed.

Modifying the Property Use Policy

40. Other feedback received by the Committee noted that the Property Use Policy was framed negatively – for example in the phrase "not allowing Church property to be used for an activity that is inconsistent with the Policy." The unintended impact of this framing is that the policy could be read as requiring a disengagement and distancing from the community around us.
41. In response to this feedback, the committee recommends inserting a new paragraph 10(a) in the Property Use Policy. Paragraph 10 has several provisions which are headed by the statement "For the avoidance of doubt". The new paragraph 10(a) proposal is as follows.

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| <p>10. For the avoidance of doubt –</p> <p>(a) This policy is not intended to require a withdrawal from, or the exclusion of, those who do not share our doctrines, tenets and beliefs. Rather, we should welcome to our properties those who do not share our doctrines, tenets and beliefs, to the fullest extent possible, yet in a way that does not cause our doctrines, tenets and beliefs to be contravened or compromised. The mere presence of those who do not share our beliefs or the mere expression of beliefs we do not share, will not contravene this policy. However allowing our property to be used for the promotion or propagation of such beliefs does. For example, it does not contravene our doctrines, tenets and beliefs for a resident of an Anglican retirement village who is an adherent of another faith to practise their faith in the privacy of their own residence, but it would be a contravention if the retirement village were to allow a service of public worship for those of that faith to be held.</p> |
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42. The other provisions of the Property Use Policy are unchanged.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

29 August 2019

Property Use Policy

A Policy of the Synod of the Diocese of Sydney

Introduction

1. The Synod has from time to time passed ordinances and resolutions to articulate the kinds of uses of church property that are (and are not) consistent with the purposes of the Anglican Church of Australia in the Diocese of Sydney.¹ These ordinances and resolutions seek to ensure that church property is not used for inappropriate purposes.
2. The purpose of this policy is to bring these various policy resolutions into a single document, and to clarify the theological rationale.
3. The doctrines, tenets and beliefs of the Diocese include, but are not limited to, the doctrines, tenets and beliefs set out in this policy. A Church body conforms to the doctrines, tenets and beliefs of the Diocese if it undertakes or authorises an act or practice which –
 - (a) is consistent with this policy, or
 - (b) involves not allowing church property to be used for an activity that is inconsistent with this policy.

From time to time there are certain actions and practices that a Church body will need to undertake in order to avoid injury to the religious susceptibilities of a significant proportion of Anglicans in the Diocese. However the Synod, as the governing body representing Anglicans in the Diocese, considers that, as a minimum, these include any act or practice undertaken to conform to the doctrines, tenets and beliefs set out in this policy.

4. On 23 October 2018, the Synod approved this policy in respect to Diocesan bodies under the *Sydney Anglican Use of Church Property Ordinance 2018*. The policy also applies to an Anglican body that chooses to adopt it as a policy of the body.

Interpretation

5. In this Policy –

“Anglican body” means a body which has charitable purposes that include purposes for or in relation to the Anglican Church of Australia, which is not a Diocesan body, but is situated in the Diocese and the governing body of the body has resolved to adopt this policy as amended from time to time as a policy of the body.

“Diocese” means the Anglican Church of Australia in the Diocese of Sydney.

“Diocesan body” means –

- (a) a parish,
- (b) any body corporate, organisation, school or association that exercises ministry within or on behalf of the Anglican Church of Australia in the Diocese –
 - (i) which is constituted by ordinance or resolution of the Synod,
 - (ii) in respect of whose organisation or property the Synod may make ordinances, or
 - (iii) which is a trustee of Church trust property.

¹ Examples include:

- (a) The *Anglican Church Property Trust Diocese of Sydney Ordinance 1965* prohibits the corporate trustee of the Diocese from licensing or allowing property to be used for purposes the Synod and Standing Committee may be resolution disapprove (clause 10(1). The disapproved purposes are set out in the Social Covenants Policy - section 11.2
https://www.sds.asn.au/sites/default/files/ACPT%20User%20guide_Leasing_and_Licensing_Church_Trust_Property_Current_1.pdf
- (b) Use of churches by non-Anglican congregations - see s5.6 of the *Parish Administration Ordinance 2008* - only if "the profession of faith of the non-Anglican congregation is Bible-based"
- (c) The Ethical Investment Policy of the ACPT, defines “prohibited activities” as
 - (i) The manufacture or sale of Abortifacient or abortifacient-like contraceptives, or Alcohol, or Armaments, or Pornography, or Tobacco.
 - (ii) Undertaking medical and/or surgical elective abortions.
 - (iii) Undertaking stem cell research involving the destruction of embryos.
 - (iv) Gambling.

The Glebe Administration Board, the trustee of the Diocesan Endowment, is subject to similar ethical investment requirements.
- (d) Yoga and other such activities: <https://www.sds.asn.au/sites/default/files/reports/Y/Yoga.OtherSuchActivities.Rep2015.pdf>

“Church body” means a body that is an Anglican body or a Diocesan body.

“Church property” means –

- (a) Church trust property, and
- (b) the property of an Anglican body.

“Church trust property” has the same meaning as in section 4 of *Anglican Church of Australia Trust Property Act 1917*, being property that is held “for the use, benefit, or purposes” of the Anglican Church of Australia in a particular diocese.

“Synod” includes the Standing Committee of the Synod.

Policy Principles

6. The priority use of church property is for Christian ministry conducted in accordance with the doctrines, tenets and beliefs of the Diocese.
7. Where church property is not suitable for ministry, is temporarily not required for current ministry purposes, or there are periods of time during the week in which a ministry property is not required for ministry purposes, it may be good stewardship of these resources to employ them for the general benefit of the community or for income-producing purposes, provided that all such income is used for the “use, benefit or purposes” of some part of the Diocese.
8. However, it is inappropriate for church property to be used to facilitate, or generate income from, activities which are inconsistent with the doctrines, tenets or beliefs of the Diocese. As a matter of policy, therefore, ***church property must not be used for purposes which contravene the doctrines, tenets and beliefs of the Diocese***. Without limiting the generality of this principle, the following sections provide a theologically grounded application of this policy to specific examples, in order to provide guidance for wardens, ministers, members of governing boards and others involved in decisions involving the use of church property.
9. The application of this policy is intended to be informed by other policies and guidelines endorsed by the Synod, including
 - Sydney Anglican Policy on Responding to Domestic Abuse
 - Ethical Investment Policy
 - Gender Identity Initial Principles of Engagement
10. For the avoidance of doubt,
 - (a) This policy does not prevent discussion and debate about contentious issues on church property, including dissent from the doctrinal statements in this policy. As Articles 20 and 21 remind us, Christians have erred in the past “in things pertaining to God”, and therefore as a church we must always be open to reform our doctrine, if that doctrine is contrary to God’s Word written.
 - (b) This policy does not override the terms of residential tenancy or occupancy agreements, commercial leases and contractual and statutory requirements for retirement living or residential aged care. The conformity with the doctrines, tenets and beliefs of the Diocese in relation to leased and licensed property is administered through the inclusion of the relevant “social covenants” in the lease or licence document pursuant to the *Church Trust Property (Declaration of Certain Purposes and Objects) Ordinance 1979*. In relation to the investment of church property, such conformity is administered through the *Investment of Church Trust Property Ordinance 1990*.
 - (c) This policy does not prevent an act or practice on Church property that is necessary for a body or person to comply with the law.

The Application of this Policy

Doctrine of Salvation

11. We believe in one God, who is Father, Son and Spirit. Our triune God alone is to be worshipped, in the way he requires. There is only one way of salvation, which comes through faith in the atoning work of Jesus Christ. The gospel calls us to turn from sin and abandon our idolatrous or syncretistic worship, and to worship the true God, through Jesus Christ, by the Holy Spirit.
12. Church property must therefore not be used for the worship of other gods, or to profess and promote a different doctrine of salvation.
13. The use of a church building by another Christian congregation for the purposes of worship is only allowed if “the profession of faith of the non-Anglican congregation is Bible-based” (section 5.6 of the *Parish Administration Ordinance 2008*). This “Bible-based” profession of faith must (at least) conform to the 4 core principles articulated in the statement of faith required of those who serve on the boards of our diocesan organisations - that is:
 - (a) The Christian faith as set forth in the Apostles’ and Nicene Creeds;
 - (b) 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;
 - (c) That 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
 - (d) That we are justified before God by faith only.
14. Some examples of property use which would be inconsistent with the doctrines, tenets and beliefs of the Diocese:
 - (a) Use of church property for the promotion of non-Christian religions such as Hinduism, Buddhism and Islam, or for events the purpose of which is to attack, denigrate or undermine Christian beliefs;
 - (b) Use of church property by other (Christian) groups, whose basis of faith differs from the four principles articulated above;
 - (c) Use of church property for activities which promote a spirituality that is in conflict with true Christian Spirituality. For example, those yoga classes which go beyond mere “positional yoga” and involve spiritual practices such as meditative practices and chants derived from Hinduism.

Doctrine of the Human Person

15. We believe that all human beings are uniquely created in the image of God, loved by God and precious to him. We believe that God created humanity with two complementary sexes – male and female – and that both male and female are equally made in God’s image. We believe that God made people of all races and abilities as equal in his sight, and offers salvation through faith in the atoning work of Jesus Christ to all people without distinction. We believe that God alone determines the beginning and end of life.
16. Church property must therefore not be used for purposes which destroy human life or devalue the inherent worth of human beings in the image of God.
17. Some examples of property use which would be inconsistent with the doctrines, tenets and beliefs of the Diocese:
 - (a) Abortion advocacy;
 - (b) Undertaking or making referrals for medical and/or surgical elective abortions;
 - (c) Production of abortifacient or abortifacient-like contraceptives;
 - (d) Undertaking any activity that involves or leads to the destruction of human embryos;
 - (e) Advocacy for, or assistance with, euthanasia;
 - (f) Manufacture of armaments or other weapons of war;
 - (g) Activities that incite racial hatred;
 - (h) Advocacy of or activities that incite discrimination against people with disabilities.

Doctrine of Marriage and Human Sexuality

18. We believe that there are only two expressions of faithful sexuality: marriage between a man and a woman or abstinence in singleness.
19. Church property must therefore not be used for activities which promote sexual intimacy outside of marriage, or which promote a version of marriage that is inconsistent with God’s plan for marriage.

The use of an Anglican Church building for a wedding by those from another denomination is only appropriate where the marriage rites to be used are consistent with authorised Anglican marriage services.

20. Some examples of property use which would be inconsistent with the doctrines, tenets and beliefs of the Diocese:
- (a) Production or distribution of pornography;
 - (b) Commercialisation of sexual services (e.g., a brothel);
 - (c) Solemnisation or blessing of a same-sex wedding;
 - (d) A reception venue for a same-sex wedding;
 - (e) Events for the purpose of advocacy for expressions of human sexuality contrary to our doctrine of marriage.

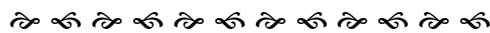
Doctrine of Christian Freedom

21. We believe that the gospel of salvation brings freedom from our captivity to sin. Christian freedom is not a freedom to indulge the sinful nature. Rather, Christians should seek to throw off everything that hinders and the sin that so easily entangles and should seek not to cause others to sin by leading them into temptation.
22. Church property must therefore not be used for activities which profit from addictive desires, or which will cause others to become entrapped by addictive desires.
23. Some examples of property use which would be inconsistent with the doctrines, tenets and beliefs of the Diocese:
- (a) The production, promotion or sale by wholesale of tobacco;
 - (b) The commercial manufacture, distribution or sale of liquor (other than the sale and consumption of liquor on premises where the liquor is intended to be consumed with food sold on those premises for consumption on those premises);
 - (c) Any use in connection with narcotic drugs (including any prohibited drug, prohibited plant or drug of addiction) except as part of the normal trading practices of a registered medical practitioner, accredited residential aged care facility, pharmacist, chemist, dental or veterinary surgeon;
 - (d) For the purposes of gambling or betting.



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. If the Archbishop is a board member he should be entitled to chair meetings of the board when present.
9. If the Archbishop is not a board member he should be entitled –
 - (a) to receive board papers at his request, 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

10. 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.
11. 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.
12. 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.

- 13. 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.
- 14. 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.
- 15. 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

- 16. 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.
- 17. 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.
- 18. 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

- 19. The board should have the power to appoint and remove the Chief Executive Officer.
- 20. The Chief Executive Officer is responsible to the board for the leadership and management of the diocesan organisation.
- 21. 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

- 22. Meetings of the board may be convened by the chair or a specified number of board members.
- 23. Board members should be able to attend meetings either personally or by suitable electronic means.
- 24. A quorum for meetings of the board should be no less than one half of its members.

25. 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.
26. 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.
27. 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.
28. 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

29. The diocesan organisation should have such powers as are necessary for the diocesan organisation to fulfil its purpose.
30. The board should, in governing the diocesan organisation, exercise all the powers of the diocesan organisation.
31. 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.
32. 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.
33. The board should maintain records of applicable eligibility criteria for board membership and conflicts of interest disclosed by board members.
34. 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.
35. The diocesan organisation should not offer its property as security for any liability other than a liability of the diocesan organisation or a body controlled by the diocesan organisation.
36. Any mortgage, charge, debenture or other negotiable instrument given by the diocesan organisation over its property (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.
37. 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

38. 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

39. 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) 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;
 - (b) that 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
 - (c) that we are justified before God by faith only.
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.

Signature

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:

Notes

The policy was amended by resolution of the Standing Committee on 14 September 2015 and 1 May 2017.



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2019 Session of Synod

Book 3

(Pages 401 to 439)

Supplementary Report of the Standing Committee and Other Reports and Papers

**Standing Committee of the Synod
Anglican Church Diocese of Sydney**

2019 Supplementary Report of the Standing Committee

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Supplementary 2019 Report of the Standing Committee

(Updates to the material published in Synod Book 1.)

The following material updates the Standing Committee's Report to the Synod in Synod Book 1 to take into account the work of the Standing Committee since that book was finalised. Any items that have been updated are shown in full, with amendments shown in tracked form, unless indicated in square brackets.

1. Introduction

1.3 Meetings and members

Since October 2018 we have met ~~9~~10 times. The names of the members are listed below.

[The full membership list is not reproduced here. Rather, in the membership list, omit "Mr Peter Evans" and insert instead "Vacancy (ex Mr Peter Evans, resigned 21 September 2019)".]

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

- A vacancy arose in the position of a lay person elected by the Georges River Region upon the resignation of Mrs Tara Sing. The Regional Electors of the Georges River Region elected Dr Ian McFarlane to fill the vacancy.
- A vacancy arose in the position of a minister elected by the Wollongong Region upon the death of the Rev Stephen Semenchuk. The Regional Electors of the Wollongong Region elected the Rev Joseph Wiltshire to fill the vacancy.
- A vacancy arose in the position of a lay person elected by the Wollongong Region upon the resignation of the Mr Peter Evans on 21 September 2019.

1.13 Retirement of Bishop David Robinson

We noted that the Rt Rev David Robinson will conclude his term as the Bishop of Rockhampton on 22 February 2020.

3. Financial and Property Administration

3.4 Ordinances

The following table shows the number of ordinances passed and assented to in 2013 to 2018, and in 2019 up to ~~26 August~~23 September 2019 –

| | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
|--------------------|------|------|------|------|------|------|-------------------------|
| Standing Committee | 60 | 42 | 46 | 53 | 40 | 42 | 34 <u>40</u> |
| Synod | 6 | 7 | 6 | 4 | 11 | 8 | 0 |
| | 66 | 49 | 52 | 57 | 51 | 50 | 34 <u>40</u> |

A separate report lists the ordinances passed by us since the 2018 ordinary session of the Synod. There are ~~45~~18 ordinances of particular interest.

[Descriptions of ordinances (1)-(15) are not reproduced here, and have not been amended.]

(16) The Parish Administration Ordinance 2008 Amendment (Architectural Panels) Ordinance 2019 amended the Parish Administration Ordinance 2008 (PAO) to replace the existing provisions with respect to architectural panels. The PAO previously required parishes to obtain approval from Regional Architectural Panels (RAPs) before erecting or altering a building on Church Trust Property intended for use as a church or hall, or erecting or making structural alterations to a house for the use of clergy or a lay minister of the parish. The amendments to the PAO maintain the existing requirement for approval for these projects by an architectural panel, but –

(a) restrict RAPs to considering projects with total projected construction costs up to \$1.5m, and

(b) provide for new Project Architectural Panels to consider projects with total construction costs above \$1.5m.

A Project Architectural Panel will be separately constituted for each project, with membership comprising the Regional Bishop (or his nominee) and at least 2 persons appointed by the Regional Bishop from a pool.

(17) The *Solemnisation of Marriage Ordinance 2011 Amendment Ordinance 2019* amended the *Solemnisation of Marriage Ordinance 2011* to make provision for any assistant bishop to act on behalf of the Archbishop in relation to the solemnisation of marriage. Previously, only the Regional Bishop acting in his own region had such authority, which led to problems when a Regional Bishop is on leave.

(18) The *Sydney Anglican Indigenous Peoples' Ministry Committee Land Sale Ordinance 2019* provided for the sale of certain land held by the Sydney Anglican Indigenous Peoples' Ministry Committee (the **SAIPMC**), and the application of the sale proceeds and part of the capital of the SAIPMC Fund to purchase a new residence suitable for a Minister in Indigenous Ministry.

3.15 Stipend Continuance Insurance renewal

We decided in late 2018 to maintain the existing benefit design of Stipend Continuance Insurance even though it would involve an increase of 21.6% (being the lowest price quote after going to tender) to the premium payable in 2019. As a result, in 2019 the portion of the premium applicable to parishes is expected to exceed the recovery from parishes by an amount in the order of \$220,000. The Finance Committee indicated that this shortfall would be able to be funded from resources within the existing PCR group of Funds.

However, a continuing under-recovery of this magnitude is not sustainable and in August 2019 we agreed to renew the Stipend Continuance insurance for 2020 with a slightly reduced benefit structure in order to contain the cost to something approximating the estimates incorporated in the *Parochial Cost Recoveries and Church Land Acquisition Levy Ordinance* passed by Synod in 2018.

In September 2019 we noted that after initially providing an indicative premium quote that would have achieved that objective, the current insurer then withdrew that offer and has indicated that, notwithstanding the reduced benefits, any revised quote is now likely to be significantly more expensive than the existing cover. A further report about this matter is provided separately, in the report "Parochial Cost Recovery charges for 2020".

3.19 Parish of Bondi and Waverley – Strategic Masterplan

We supported in-principle stage 1 of the Church 2050 Strategic Masterplan put forward by the Parish of Bondi and Waverley. Stage 1 includes the sale of the three properties and redevelopment of the parish's Wairoa and Birrell Street sites. We subsequently passed the *Bondi and Waverley Land Sale and Variation of Trusts Ordinance 2019* to facilitate progress in stage 1 of the Masterplan, and encouraged the parish in the next phase of the project.

5. Relations with Government

5.2 Freedom of Religion

We noted a submission to the Review of the Religious Discrimination Bill – Exposure Draft, prepared by the Religious Freedom Reference Group, and approved the printing of the submission for Synod.

A report with recommendations is printed separately.

6. The International, National and Provincial Church

6.3 Special session of the General Synod 2020 Blessing of same-sex marriage

We noted that the General Synod Standing Committee (GSSC) had recommended to the Primate that a special session of General Synod be convened between 31 May and 5 June 2020 (the dates previously advised for the next ordinary session of General Synod). The primary business proposed for the special session is to be the Anglican Church in Australia's response to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

We further noted that the GSSC had resolved that in conjunction with the special session, a conference would be convened involving some or all General Synod members and possibly others to consider the range of issues the Anglican Church in Australia is facing in relation to human sexuality, same-sex relationships and marriage, and "possible ways forward".

We requested a number of motions to be moved at this session of (Sydney) Synod including motions regarding same-sex marriages, the planned special session of General Synod to be held in 2020, fellowship with Anglicans outside of the Diocese and the deferral of General Synod Assessments.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

28 August 2019, 26 September 2019

Supplementary Report: Ordinances passed by the Standing Committee

(Updates to the material published in Synod Book 1.)

The following material updates this report in Synod Book 1 (at page 147) to take into account the work of the Standing Committee since that book was finalised. Any lines that have been updated are shown in full, with amendments shown in tracked form.

...

Dundas/Teloepa Trust Ordinance 2012 Amendment Ordinance No 28, 2019 (~~assent pending~~)

...

Bondi and Waverley Land Sale and Variation of Trusts Ordinance No 32, 2019

Maroubra (Sunman Estate) Variation of Trusts Ordinance No 33, 2019

Maroubra Trust Ordinance No 34, 2019

North Sydney Trust Ordinance 2019 Amendment Ordinance No 35, 2019

Parish Administration Ordinance 2008 Amendment (Architectural Panels) Ordinance No 36, 2019

Randwick Trust Ordinance 2004 Amendment Ordinance No 37, 2019

Solemnisation of Marriage Ordinance 2011 Amendment Ordinance No 38, 2019

Sydney Anglican Indigenous Peoples' Ministry Committee Land Sale Ordinance No 39, 2019

Synod Fund Application Ordinance No 40, 2019

For and on behalf of the Standing Committee.

DANIEL GYNN

Diocesan Secretary

~~28 August~~ 26 September 2019

Freedom of Religion: Submission on the Exposure Draft of the Religious Discrimination Bill

(A report from the Standing Committee.)

Key Points

- The submission to the Federal Attorney-General's Department on the Religious Discrimination Bill – Exposure Draft, prepared by the Religious Freedom Reference Group, is provided as an attachment.
- Synod is encouraged to consider a motion regarding freedom of religion in Australia.

Purpose

1. The purpose of this report is to provide the Synod a copy of the submission made on the Synod's behalf by the Religious Freedom Reference Group to the Federal Attorney-General's Department on the Religious Discrimination Bill – Exposure Draft.

Recommendations

2. Synod receive this report.
3. Synod consider the following motion to be moved at the forthcoming session of the Synod, "by request of the Standing Committee" –

'Synod welcomes the Federal Government's proposed Religious Discrimination Bill as an important first step towards protecting the right of all Australians to hold and manifest religious beliefs, but expresses grave concerns about a number of drafting issues in the Exposure Draft of the Bill which profoundly threaten the Christian mission and purpose of Anglican religious institutions, including –

- (i) the exclusion of bodies such as Anglicare Sydney and Anglican Youthworks from the definition of 'religious bodies' because of fees charges for goods and services,
- (ii) the requirement that schools and other religious bodies would have to employ only Christian staff, and not be allowed to merely preference the employment of Christian staff, and
- (iii) the undefined term "vilify" undercuts the protection that the Bill gives to statements of belief.

Accordingly Synod –

- (a) urges diocesan bodies, ministers and lay people to continue to pray for, and engage respectfully with, our political leaders to improve this Bill to ensure that Australia is a place where people of all faiths and none can freely practice their beliefs with mutual respect,
- (b) calls on the Government to amend the Bill to address the concerns identified above, to ensure that no body established for religious purposes will be prevented from acting in accordance with its religious beliefs or in the furtherance of its religious purpose because of this Bill, and
- (c) noting that Australian Law Reform Commission (ALRC) has been asked by the Attorney-General to propose legislative reforms to 'limit or remove altogether (if practicable) religious exemptions to prohibitions on discrimination, while also guaranteeing the right of religious institutions to reasonably conduct their affairs in a way consistent with their religious ethos', and that the Attorney-General has altered the terms of reference and deferred the reporting timetable for the ALRC until the end of 2020 –

- (i) declares that the implementation of such reforms that guarantee the right of religious institutions to reasonably conduct their affairs in a way consistent with their religious ethos is a necessary next step towards protecting freedom of belief in Australian law, and
- (ii) respectfully requests the Attorney-General to expedite the ALRC reporting timetable, to ensure that the recommendations from the ARLC can be considered during the current Parliamentary term.'

Background

4. Set out in the Attachment to this report is the submission prepared by the Standing Committee's Religious Freedom Reference Group to the Federal Attorney-General's Department on the Religious Discrimination Bill – Exposure Draft submitted on 23 September 2019.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

24 September 2019

Submission on the Exposure Draft of the Religious Discrimination Bill

By the Anglican Church Diocese of Sydney

1 Who are we?

The name of our organisation is the Anglican Church Diocese of Sydney (the Diocese). The Diocese is one of twenty three dioceses that comprise the Anglican Church of Australia.

The Diocese is an unincorporated voluntary association comprising 270 parishes and various bodies constituted or incorporated under the *Anglican Church of Australia Trust Property Act 1917* (NSW) and the *Anglican Church of Australia (Bodies Corporate) Act 1938* (NSW). These bodies include 40 Anglican schools, Anglicare Sydney (a large social welfare institution, which includes aged care), Anglican Youthworks and Anglican Aid (which focusses on overseas aid and development). A number of these bodies will be making submissions in their own right, highlighting the significant adverse impact that the current drafting of the Bill will have on their religious activities.

The Diocese, through its various component bodies and through its congregational life, makes a rich contribution to the social capital of our nation, through programs involving social welfare, education, health and aged care, overseas aid, youth work and not least the proclamation of the Christian message of hope for all people.

We welcome the opportunity to make this submission and we give consent for this submission to be published.

2 Executive Summary

The Diocese welcomes the Religious Discrimination Bill.

However, there are a number of problems with the current drafting which are so serious that we cannot support the passage of the Bill in its current form.

Many of these problems arise where the Bill has the effect of preventing an entity that has religious purposes from engaging in conduct in furtherance of its doctrines, tenets, beliefs or teachings, and in order to preserve its mission and identity, because this conduct is categorised by the Bill as discrimination.

There are 7 issues that need to be addressed.

- A. The “commercial activities” disqualification is over-reach and will effectively prevent many religious bodies from pursuing the religious purpose or mission for which they exist
- B. Merely preferring (instead of requiring) religious staff may not be “in accordance with doctrine”
- C. The ambiguity of the undefined term “vilify” renders statements of belief vulnerable
- D. Limiting protection to “lawful” religious activity is circular and may subvert the purpose of the Bill
- E. There is no mechanism for a religious body to establish its religious beliefs
- F. The “inherent requirements” test should be limited in order to prevent misuse
- G. The “reasonableness” of restricting the manifestation of belief outside of work needs clarification

In addition to the 7 issues identified above, we are also concerned that this Bill is being considered in isolation from the matters referred to the Australian Law Reform Commission (ALRC) by the Attorney General. The ALRC has been asked to propose legislative reforms to “limit or remove altogether (if practicable) religious exemptions to prohibitions on discrimination, while also guaranteeing the right of religious institutions to reasonably conduct their affairs in a way consistent with their religious ethos”.

We note that the Attorney-General has narrowed the terms of reference and extended the reporting timetable for the ALRC until the end of 2020. It is our view that reforms that guarantee the right of

religious institutions to reasonably conduct their affairs in a way consistent with their religious ethos are a necessary next step towards protecting freedom of belief in Australian law, and we respectfully request the Attorney-General to expedite the ALRC reporting timetable, to ensure that the recommendations from the ALRC can be considered during the current Parliamentary term.

3 Submission

The Diocese welcomes the Religious Discrimination Bill. It provides a general protection for people of faith from discrimination in Commonwealth law, enhanced protection for the expression of statements of belief and some protection for freedom of conscience for medical practitioners.

However, there are major problems with the current drafting, which are so serious that we cannot support the passage of the Bill in its current form. There are 7 issues that need to be addressed.

A. The “commercial activities” disqualification is over-reach and will effectively prevent many religious bodies from pursuing the religious purpose or mission for which they exist

We are gravely concerned about the unintended consequences of the current drafting of clause 10.

The definition of religious body in 10(2) excludes registered charities and other religious institutions that “engage solely or primarily in commercial activities”. There is no definition of “commercial activities” in the Bill. The commentary in the Explanatory Memorandum (paragraphs 170-175), suggests that the test is to be given a broad scope, to cover religious bodies “operating in the secular marketplace” and “selling goods [or services] to the general public” on a fee basis. Paragraph 174 of the Explanatory Memorandum makes clear that religious hospitals (e.g., St Vincent’s) and religious aged-care providers (e.g., Anglicare Sydney) would NOT be religious bodies for the purposes of clause 10.

However, many religious bodies use a market mechanism in the provision of goods and services as an important and legitimate means by which they pursue and fulfil their religious purpose or mission. The exclusion of such bodies from the definition of religious body in clause 10 will therefore profoundly undermine the reason for their existence.

For example, Anglican Youthworks provides “Christian Outdoor Education”. Most of the clients of this service are Christian schools, who choose Youthworks because Youthworks has a policy of employing Christians as outdoor educators. Youthworks charges fees to cover the cost of this service. On the definition above, this is a “commercial activity”. The same could be said for Youthworks Campsites and the publishing arm of Youthworks, Christian Education Publications (CEP). All of Youthworks activities are directed towards the religious purposes of the organisation, but since more than 80% of its revenue is from selling goods and services, the organisation is engaging “primarily in commercial activities”, and Anglican Youthworks is deemed not to be a religious body for the purposes of this Bill.

The test in clause 10(2) is equally problematic for Anglicare Sydney. Anglicare Sydney is the social welfare arm of the Diocese. The single largest component of Anglicare’s ministry relates to its retirement villages and aged care services. These ministries are unashamedly Christian in their approach. Anglicare Sydney welcomes people of other faiths as residents, but has a long standing policy of preferring to employ Christians where possible, especially in pastoral care roles, because this goes to the essence of their purpose in providing Christian aged care in a Christian context. However, since the majority of Anglicare’s income and activities are “commercial” (in the sense that people pay fees for accommodation and services), Anglicare Sydney does not qualify as a “religious body” for the purposes of clause 10.

As currently framed, the “commercial activities” test is highly arbitrary, because it only disqualifies a body that engages “solely or primarily in commercial activities”. The threshold for what counts as “primarily” will depend on how a religious body chooses to structure its operations. For example, if a religious denomination created a separately incorporated entity for a specific role (e.g., a stand-alone entity to publish liturgical resources), this entity is engaged primarily in commercial activities, but if the religious denomination conducted exactly the same activities within the denominational entity itself, the commercial publishing activities would not be the “primary” activity of the denomination. This is apparent within the Anglican Church of Australia. There are some dioceses that are incorporated as a whole (e.g., the Diocese of Southern Queensland), others are not incorporated and are made up of multiple incorporated and unincorporated bodies (e.g., the Diocese of Sydney).

We urge the Government to remove the wording in clauses 10(2)(b) and 10(2)(c) that excludes as a religious body an entity “that engages solely or primarily in commercial activities”. The consultation

materials for the Bill do not given any reasoning for the “commercial activities” exclusion. As a matter of principle, there are no good arguments that receiving a fee somehow nullifies the activity as a legitimate means of pursuing a religious purpose or mission – an activity is no less religious simply because it has a commercial character. A test which disqualifies a religious body based on whether it engages “primarily in commercial activities” is novel in Australian charity and anti-discrimination law, and should not be included in this Act. As reflected in paragraph 173 in the Explanatory Memorandum, the current drafting creates the anomaly that a not-for-profit religious charity (which is recognised as such by the ACNC for the purposes of charity law) can be defined **not** to be a religious body for the purpose of the Religious Discrimination Bill. Similar confusion will arise in relation to the interaction with applicable state and territory law. For example, an entity which is recognised as “a body established for a religious purpose” under section 81 of the *Equal Opportunity Act 2010* (Vic), would not be recognised as a “religious body” for the purposes of this Bill.

There are very significant implications for a religious entity that is not recognised as a “religious body” for the purposes of clause 10.

For example, as clause 10 currently stands:

- It would be unlawful discrimination under clause 13 (“Employment”) for Anglican Youthworks to recruit only Christians as outdoor educators to run its “Christian Outdoor Education” programs.
- It would be unlawful discrimination under clause 20 (“Goods, Services and Facilities”) for Anglicare Sydney to allow residents to use a chapel only for Christian services (and not allow a resident who adheres to another religion to use the chapel for services of that religion).
- It would be unlawful discrimination under clause 20 (“Goods, Services and Facilities”) for Anglican Youthworks to reject an application from the (hypothetical) First Church of Satan to hold a Black Mass at one of its campsites.
- It would be unlawful discrimination under clause 21 (“Accommodation”) for a Christian residential university college to give any preference to Christian students.

For these reasons, we cannot support passage of the Religious Discrimination Bill if clause 10 remains in its current form. Our recommendation is that the “commercial activities” test be removed. Clause 10(2) would then read

10(2) **Religious body** means:

- (a) an educational institution that is conducted in accordance with the doctrines, tenets, beliefs or teachings of a particular religion; or
- (b) a registered charity that is conducted in accordance with the doctrines, tenets, beliefs or teachings of a particular religion (~~other than a registered charity that engages solely or primarily in commercial activities~~); or
- (c) any other body that is conducted in accordance with the doctrines, tenets, beliefs or teachings of a particular religion (~~other than a body that engages solely or primarily in commercial activities~~).

B. Merely preferring (instead of requiring) religious staff may not be “in accordance with doctrine”

Clause 10 applies to “conduct that may reasonably be regarded as being in accordance with the doctrines, tenets, beliefs or teachings of the religion in relation to which the religious body is conducted.”

The Explanatory Memorandum gives two examples of such conduct in relation to employment, where it would be permissible for a Jewish school (para 180) and a Catholic charity (para 181) to require **all** staff to be Jewish or Catholic respectively, provided that this was “in accordance with” Jewish/Catholic teaching.

However, often there won’t be a specific doctrine, tenet, belief or teaching that requires the religious body to only engage staff that are adherents of the faith of the institution. The issue is more that doing so is necessary in order for the institution to further its doctrines, tenets, beliefs and teachings or to maintain its identity as a religious body.

Furthermore, many religious schools and other institutions do not insist that **all** staff are adherents to the faith of the institution. Some religious schools, for example, will seek to ensure that there is a

“critical mass” of teachers of that religion, and require other teachers to “support the religious ethos of the school” (or words to that effect). Sometimes it also arises because there are insufficient qualified and experienced adherents of the faith of the institution available for employment. That an institution cannot insist that all staff be adherents should not prevent it from insisting that some or any particular members of staff be adherents.

Clause 10 in its current form does not give sufficient flexibility.

This could be rectified by a small addition to subclause 10(1), as highlighted below.

10(1) A religious body does not discriminate against a person under this Act by engaging, in good faith, in conduct that may reasonably be regarded as being **in furtherance of, or** in accordance with the doctrines, tenets, beliefs or teachings of the religion in relation to which the religious body is conducted.

The Explanatory Memorandum should then give an example which clarifies that the preferencing of staff who hold or support the religious belief of the organisation, or (for a school) the enrolment of students of that faith, is conduct which is in furtherance of the religious purposes of that institution.

An alternative means of achieving the same result would be to add a new subclause.

10(3) Without limiting the generality of sub-section (2), for the avoidance of doubt, a religious body does not discriminate against a person under this Act by giving a preference:

- (a) in its decisions in relation to employment, or
- (b) if it is an educational institution, in its decisions in relation to the admission of students,

to persons who support, adhere to, or act in a way that is consistent with the doctrines, tenets, beliefs and teachings of the religion in relation to which the body is conducted.

C. The ambiguity of the undefined term “vilify” renders statements of belief vulnerable.

A welcome feature of the Religious Discrimination Bill is clause 41, which declares that a statement of belief does not constitute discrimination for the purposes of Commonwealth, state or territory anti-discrimination law.

However, this clause is subject to the limitation in 41(2) that it does not apply to a statement that would, or is likely to “harass, **vilify** or incite hatred or violence” (emphasis added). The word “vilify” is not defined. Leaving this term ambiguous is unhelpful.

The word “vilify” is also used to provide a similar limitation in subclause 8(4). Paragraph 132 of the Explanatory Memorandum appears to apply this to a statement which “**may cause harm to a person**, group of persons or the community at large.” The argument that orthodox statements of religious belief “cause harm” to certain groups is well-rehearsed, and if it is accepted that such statements amount to vilification, then the purposes of clause 41 (and clause 8) will have been subverted.

Furthermore, the definition of “statement of belief” already includes that the statement is made in good faith. This already provides a measure of protection. It is also unnecessary for there to be a “malice” disqualification in subclause 41(2)(a). It is difficult to see how someone can make a malicious statement in good faith. An absence of good faith is at the heart of malice.

The word “vilify” should either be removed from subclauses 41(2) and 8(4), or the word should be defined narrowly in clause 5.

The disqualification in subclause 41(2)(a) for malice should be removed.

D. Limiting protection to “lawful” religious activity is circular and may subvert the purpose of the Bill

Clause 5 limits the definition of religious activity to “engaging in *lawful* religious activity” (emphasis added).

From paragraph 70 of the Explanatory Memorandum, it is clear that the intention of this limitation is to prevent criminal acts such as forced marriages or child marriages being protected by this Bill. However, the expression “lawful” goes much further than criminal acts.

This creates a circularity of definition that could potentially subvert the protection that the Bill seeks to give to the manifestation of religious belief. If certain conduct (such as making a statement of belief) was “unlawful” religious discrimination for the purposes of state or territory legislation, then it would not be a “lawful religious activity” for the purposes of this Bill, and therefore the protection of clause 41 would not apply. This is clearly not the intention of the Bill.

To prevent this subversion of the intention of the Bill, the definition in clause 5 should be modified as follows.

religious belief or activity means:

- (a) Holding a religious belief; or
- (b) engaging in ~~lawful~~ religious activity **that is not a criminal offence under the laws of the Commonwealth or any State or Territory**; or

E. There is no mechanism for a religious body to establish its religious beliefs

The definition of “person” in clause 5 makes clear that it can include a religious body or other religious institution. This is welcome, because it ensures that the protection against unlawful discrimination will extend to religious bodies. Paragraph 78 of the Explanatory Memorandum gives the example of a religious body which was refused a facility booking on the ground of its religious beliefs or activity.

However, it is not clear how a body corporate would establish its “religious beliefs”. Clause 6 extends the meaning of “on the ground of a person’s religious belief” as applied to a natural person, but this clause provides no clarity for religious bodies.

To resolve this, a new subclause should be added which provides a mechanism by which a religious body is able to establish its beliefs.

A religious doctrine, tenet, belief, or teaching by which a religious body is conducted may be:

- (a) included in its governing documents, organising principles, statement of beliefs or statement of values; or
- (b) adopted by reference to the governing documents, organising principles, statement of beliefs or statement of values which include the doctrine, tenet, belief or teaching of another religious body or institution; or
- (c) adopted by reference to a document or source that includes the doctrine, tenet, belief, or teaching; or
- (d) established through consistent conduct in accordance with that doctrine, tenet, belief, or teaching.

F. The “inherent requirements” test should be limited in order to prevent misuse.

Subclause 31(2)(b) declares that it is not unlawful to discriminate “because of the other person’s religious belief or activity, the other person is unable to carry out the **inherent requirements** of the employment” (emphasis added). There are similar provisions in relation to qualifying bodies [31(4)] and employment agencies [31(5)].

A matter of concern with this drafting is that it could be used to authorise religious discrimination by a secular company that specifies that is an “inherent requirement” that, for example, staff must not talk about religious topics at work, or must refrain from talking about certain aspects of their religious belief at work. Such a rule would not be prohibited by subclause 31(6). This would have a chilling effect on religious expression. Moreover, there are overseas cases where religious people have

experienced discrimination because their religiously-based beliefs are regarded as incompatible with the “inherent requirements” of their professional role. This has included students training for their profession.

This could be addressed by redrafting clause 31(2) to limit the potential for misuse, as follows.

- (1) It is not unlawful to discriminate against another person in employment on the ground of the other person’s religious belief or activity, if a religious belief, or a religious belief of a particular kind, is a genuine occupational requirement of the position.
- (2) It is not unlawful to discriminate against another person in employment, in relation to a partnership, or in conferring a qualification, if a person’s religious belief is such as to make him or her wholly unable to perform the work required.

(This drafting has been proposed by Prof. Patrick Parkinson, and is reproduced with his consent)

G. The "reasonableness" of restricting the manifestation of belief outside of work needs clarification

It is commendable that subclause 8(3) seeks to make it *prima facie* unreasonable for a large employer to restrict the expression of religious belief outside the employment context. However, the current form of this clause may have the perverse effect of encouraging the restriction of religious freedom by third party sponsors (e.g., Qantas in relation to Rugby Australia) or social media boycotts (e.g., of Coopers Brewer) to create financial hardship, which would enable conduct that would otherwise be unlawful discrimination. As a matter of public policy, this should not be encouraged. This could be addressed by including a definition of “unjustifiable financial hardship” as follows

“unjustifiable financial hardship” does not include hardship that arises, or may arise, as a result of conduct that may reasonably be regarded as intended, in whole or part, to cause an employer to impose or enforce an employer conduct rule.

Furthermore, a clause similar to section 17 of the *Racial Discrimination Act 1975* could be inserted as a new clause 9 in the Bill as follows (with consequential renumbering) –

Unlawful to incite doing of unlawful acts

It is unlawful for a person:

- (a) to incite conduct that is unlawful by reason of a provision of this Act; or
- (b) to assist, promote or induce whether by financial assistance, threats of financial detriment or otherwise the doing of such conduct.

It is also not clear what the implications of subclause 8(3) are for circumstances outside the scope of the clause. For example, since subclause 8(3) only declares it to be unreasonable when a **large** employer limits religious expression **outside** work hours, should a court or tribunal infer that it **is** reasonable to limit religious expression during work hours, or that it **is** reasonable for employers under the \$50M threshold to regulate religious expression outside work hours?

If it is not possible for this to be clarified in the drafting of subclause 8(3) then, at the least, the Explanatory Memorandum should clarify that the intention of subclause 8(3) is not to otherwise permit employers to limit the expression of religious belief, but rather to make clear that employer conduct rules that fall outside the scope of subclause 8(3) would nevertheless be subject to subclauses 8(1)(c) and 8(2)(d), whereby the onus is on the employer to demonstrate that it is reasonable to limit an employee’s religious belief or activity. The Explanatory Memorandum should explain that the \$50M threshold is an expression of the Government’s commitment to limit the regulatory burden on small business, rather than giving small business permission to discriminate, and that it would be unreasonable in most circumstances for a small employer to have a blanket rule prohibiting the expression of religious views on social media.

4 The ALRC Referral

In addition to the matters identified above in relation to the drafting of the Religious Discrimination Bill, we are concerned that this Bill is being considered in isolation from the matters referred to the Australian Law Reform Commission (ALRC) by the Attorney General. The ALRC has been asked to propose legislative reforms to “limit or remove altogether (if practicable) religious exemptions to

prohibitions on discrimination, while also guaranteeing the right of religious institutions to reasonably conduct their affairs in a way consistent with their religious ethos”.

There is an obvious intersection between that task and the subject matter of this Bill. The interaction of the Bill with other discrimination law is a continuing matter of uncertainty that must be addressed. We note that the Attorney-General has limited the ALRC’s terms of reference and extended the reporting timetable for the ALRC until the end of 2020. It is our view that reforms that guarantee the right of religious institutions to reasonably conduct their affairs in a way consistent with their religious ethos is a necessary next step towards protecting freedom of belief in Australian law, and we respectfully requests that the Attorney-General to expedite the ALRC reporting timetable, to ensure that the recommendations from the ALRC can be considered during the current Parliamentary term.

Bishop Michael Stead
Chair, Religious Freedom Reference Group

Anglican Church Diocese of Sydney

23 September 2019

Parochial Cost Recovery charges for 2020

(A report from the Standing Committee.)

Key Points

- Parochial Cost Recovery (**PCR**) charges are made up of parochial network costs and ministry costs.
- The total parochial network costs for 2020 are slightly less than the estimate provided to Synod in 2018. The parochial network costs will be recovered from parishes in 2020 by means of the variable PCR charge which is estimated at approximately 6.44% of each parish's net operating receipts for 2018.
- In aggregate the ministry costs for 2018 are expected to be significantly higher than the estimate provided to Synod in 2018. A small reduction in the superannuation contribution will be more than offset by a 25% increase in the cost of Stipend Continuance Insurance.

Purpose

1. The purpose of this report is to inform the Synod of the nature and amount of the PCR charges payable by parishes in 2020.

Recommendation

2. Synod receive this report.

Background

3. Under clause 2(3) of the *Parochial Cost Recoveries and Church Land Acquisitions Levy Ordinance 2018 (the Ordinance)* Standing Committee is to report to the third ordinary session of the 51st Synod in 2019 about –
 - (a) the ministry costs and parochial network costs payable in 2020 and an estimate of the amounts payable, and
 - (b) the cost recoveries charge estimated to be payable by each parochial unit in 2020 and details of how that charge is calculated.
4. Except as explained below, the nature and amount of the costs to be incurred and therefore the charge payable by parochial units is largely unchanged from the estimates provided in the Ordinance. The details are shown in the following 2 tables attached –

Attachment A details each of the components of the parochial network costs and the ministry costs.

Attachment B details the amount of the variable PCR charge and Levy per parochial unit.

Parochial network costs

5. It is anticipated that the amount of 10 of the 11 components of the parochial network costs to be recovered from parishes will be unchanged from the estimates provided to Synod in 2018.

Parish property and liability insurance program

6. The Anglican Church Property Trust (**ACPT**) has advised that the cost of the 2020 Parish Insurance Program will be \$6.145m compared to the estimate of \$5.0m provided to Synod last year.

7. The main reason for this change is a substantial increase in the premium rate on the renewal of the Industrial and Special Risks (**ISR**) insurance policy (covering buildings and contents). The current ISR policy has come to the end of a 3 year fixed rate agreement, and the insurance market has hardened significantly during that time. Preliminary estimates from the tender responses indicate a premium rise of approximately 80% (from 0.0283% to approximately 0.05% of insured value).
8. The increase in the premium rate of other policies is expected to be much more modest and should be within the 10% increase allowed for in the estimates provided to Synod last year.
9. The Standing Committee considered the impact such an increase would have on parishes and has agreed that the actual amount to be recovered from parishes in 2020 be limited to \$5,070,000. The shortfall in funding next year will be covered by reserves pending a review of the insurance program by the ACPT to consider options to limit the cost from 2021 onwards.

Voluntary relinquishment of incumbency

10. During the period to 30 June 2019 the Archbishop's Discretionary Trust was not required to make any contributions on behalf of the Diocese in connection with this new initiative. Accordingly, there will not be any reimbursement required from parochial network costs in 2020.

Parish HR expertise

11. In July 2019 Standing Committee approved a 12 month pilot program for the provision of HR expertise to support bishops, rectors, wardens and church staff.
12. The DRC recognises that this decision was a response to numerous concerns pertaining to the appointment of assistant ministers and stipendiary lay workers, including recruitment, appointment, performance management, dispute resolution and termination. There have been occasions, and quite possibly an increasing number of occasions, where –
 - (a) rectors and wardens have been unable to effectively manage these HR matters in relation to their assistant ministers and other church staff, and
 - (b) assistant ministers and other church staff have not clearly understood or been prepared to accept the responsibilities that rectors and wardens have in relation to such matters,
 with the result that there have been misunderstandings, damaged relationships, and distress both to the parties and the broader parish concerned.
13. After noting that Sydney Diocesan Services (**SDS**) and the ACPT have each agreed to contribute \$50,000 to the total expected cost of the program of \$150,000, Standing Committee authorised the application of \$50,000 as the final one-third contribution to the pilot program to be paid from the working capital of the PCR Fund. If the planned review of this program next year confirms its value to parishes, consideration will need to be given to having parishes contribute to the cost in a more direct way from 2021 onwards.

Finalisation of parochial network costs for 2020

14. There are no other elements of the parochial network costs for 2020 which are expected to vary from the estimates approved by Synod in 2018, so the total cost to be recovered is \$7,461,000 (see Attachment A).
15. The total of the 2018 net operating receipts across all parochial units is likely to be about \$116.9 million (compared with the estimate provided to Synod in 2018 of \$114.9 million). As a result, the variable charge percentage payable by parochial units with property in 2020 is expected to be approximately 6.44%, which is slightly less than the estimate of 6.63% provided in 2018.
16. Later this year Standing Committee will approve the actual variable charge percentage to be charged to parishes in 2020, once the actual 2018 net operating receipts for all parishes have been finalised.

Ministry costs

17. The quantum of at least two of the components of the ministry costs for 2020 will now be slightly different to the estimates provided to Synod in 2018. In aggregate the ministry costs are expected to be significantly more per clergy than the estimate provided to Synod in 2018 (see Attachment A).

Superannuation

18. The actual superannuation contribution is now known, as it is derived directly from the recommended minimum stipend which Standing Committee has determined will be increased by 1.6% over 2018. As a result this element, which is the largest component of the ministry costs, will be slightly less than the estimate provided to Synod in 2018 as that estimate had allowed for a 3% increase in the recommended minimum stipend.

Long service leave

19. The actual long service leave (**LSL**) contribution will not be known until set by the General Synod LSL Fund in late 2019. Accordingly, for now the estimated LSL contribution has been maintained at the same figure advised to Synod in 2018.

Stipend Continuance Insurance

20. The cost of all salary continuance insurance has risen substantially. In December 2018 Standing Committee considered a recommendation from the Finance Committee to renew the Stipend Continuance Insurance Policy for 2019 onwards on terms which would have reduced the benefits slightly in order to contain the cost within the estimates incorporated in the ordinance passed by Synod in October 2018. However, Standing Committee decided to renew the cover under terms which retained the previous long standing (and very generous) benefit structure, notwithstanding that incurred a 25% increase in the premium rate. During 2019 that increased premium could not be fully recovered from parishes and as a result the Stipend Continuance Insurance Fund has recorded a significant loss during 2019 and has completely exhausted its reserves.
21. In August 2019 Standing Committee agreed to renew this insurance cover for 2020 with a slightly reduced benefit structure in order to contain the cost to something approximating the estimates incorporated in the ordinance passed by Synod in 2018. However, after initially providing an indicative premium quote that would have achieved that objective, the current insurer then withdrew that offer and has indicated that, notwithstanding the reduced benefits, any revised quote is now likely to be significantly more expensive than the existing cover.
22. Last year the current insurer agreed to a 3 year fixed rate agreement (2019-2021) for the existing benefit structure, so although the cost is significantly more than is being recovered from parishes in 2019, we can rely on that agreement and continue the current benefit structure for 2020 (and potentially also 2021) provided we are able to recover the actual cost of the premium.
23. In September 2019 Standing Committee encouraged the Finance Committee to continue to explore other options to provide reasonable cover at a cost closer to the estimate incorporated in the ordinance passed by Synod last year. The advice from our broker is that the market for income protection insurance in general has 'hardened' significantly over the last year and as a consequence the premium rates continue to rise. Despite continuing negotiations with the current insurer and an approach to the insurer who provided the second most competitive quotes during the open tender process undertaken in 2018, at the date of this report there is still no firm premium quote from either the current or an alternative insurer below the cost of the agreement currently in place.
24. Consideration has also been given to the possibility of self-insuring, however this is not a viable option with anything similar to the current benefit structure, at least for 2020, because –
 - (a) the Stipend Continuance Insurance Fund has no capital it could draw on to pay claims, particularly in the short term, and
 - (b) a review of the history of the movements in that Fund has shown that, over the last ten years, the aggregate value of claims received has exceeded both the total insurance premiums paid and the total amount recovered from parishes, and the gap is particularly evident over the last five years.

25. Unless we are able to secure agreement in the next few months for a lower premium on the basis of a slightly reduced, but still acceptable, benefit structure we will have no option but to increase the amount to be recovered from parishes in 2020 to cover the cost of the premium for the existing insurance under the current benefit structure.
26. Accordingly, the proposed cost of Stipend Continuance Insurance for 2020 shown in Attachment A has been increased from the estimate of \$2,407 to \$3,022 (a 25% increase) per F/T clergy person. The actual charge to parishes during 2020 will of course be reduced if we are able to secure a more cost effective benefit structure to take effect from 1 January 2020.

Clergy Assistance Program

27. The recovery of the cost of this program for clergy licensed to parishes will be maintained at \$120 per person, which was the estimate contained in the ordinance passed by Synod in 2018.
28. The Standing Committee agreed not to extend the program to authorised lay ministers from January 2020 because to do so would require parishes being charged an amount of \$120 pa for each such person and this cost was not included in the estimates incorporated in the Ordinance passed by the Synod in 2018.

Finalisation of ministry costs

29. While these estimates are the best figures currently available, the Ordinance allows Standing Committee to report an estimate of the amounts payable to Synod in October this year and then set the actual charge for 2020 based on the formula in the Schedule to the Ordinance, some elements of which may not be finalised until later in the year.
30. The Ordinance also specifies that in addition to the cost recoveries charge, in 2020 each parochial unit is to pay a church land acquisition levy calculated at 2% of the net operating receipts of that parochial unit for 2018.

For and on behalf of the Standing Committee.

BISHOP PETER HAYWARD
Chair, Diocesan Resources Committee

26 September 2019

Parochial Cost Recovery Charges & Church Land Acquisitions Levy for 2020

| | Actual for
2019 | Synod
Estimate
for 2020 | DRC/Standing
Committee
proposal for
2020 |
|--|--------------------|-------------------------------|---|
| Parochial Network Costs | | | |
| Parish property and liability insurance program | 4,562,341 | 5,003,912 | 5,070,000 |
| Parish risk management program | 236,000 | 241,000 | 241,000 |
| Professional Standards Unit - | | | |
| Parish related costs | 950,000 | 973,000 | 973,000 |
| Reimbursing Synod Risk Reserve for non-standard expenses | 50,000 | 50,000 | 50,000 |
| Safe ministry training program | 148,000 | 152,000 | 152,000 |
| Ministry Spouse Support Fund | 150,000 | 150,000 | 150,000 |
| Provision for relief and remission of PCR charges | 10,000 | 10,000 | 10,000 |
| Parish contribution to the cost of Diocesan archives | 70,000 | 71,000 | 71,000 |
| SDS fee for managing the PCR Fund 951 | 206,000 | 211,000 | 211,000 |
| ACPT management fee payable by all parishes with property | 521,000 | 533,000 | 533,000 |
| Voluntary relinquishment of incumbency fund | | 200,000 | - |
| | 6,903,341 | 7,594,912 | 7,461,000 |
| <i>\$ increase on previous year</i> | 25% | 10% | 8% |
| Total Net Operating Receipts 2017 & 2018 | 112,494,251 | 114,946,193 | 116,897,424 |
| Variable PCR charge percentage (parochial units with property) | 6.16386% | 6.63% | 6.4394130% |
| Variable PCR charge percentage (parochial units without property) | 3.69832% | 3.98% | 3.8636478% |
| Ministry costs (per F/T minister) | | | |
| Ministers, Assistant Ministers (7+ years, Senior Assistant Ministers) | | | |
| Superannuation contribution | 11,354 | 11,695 | 11,536 |
| Long service leave contribution | 1,704 | 1,755 | 1,755 |
| Clergy Care - | | | |
| Stipend Continuance Insurance | 2,269 | 2,407 | 3,022 |
| Clergy/Churchworker Assistance Program | 120 | 120 | 120 |
| Sickness & accident fund | 125 | 125 | 125 |
| Cost per minister | 15,572 | 16,102 | 16,558 |
| Assistant Ministers | | | |
| Superannuation contribution | 10,218 | 10,525 | 10,381 |
| Long service leave contribution | 1,704 | 1,755 | 1,755 |
| Clergy Care - | | | |
| Stipend Continuance Insurance | 2,269 | 2,407 | 3,022 |
| Clergy/Churchworker Assistance Program | 120 | 120 | 120 |
| Sickness & accident fund | 125 | 125 | 125 |
| Cost per minister | 14,436 | 14,932 | 15,404 |
| Church Land Acquisitions Levy | | | |
| Contribution to the acquisition of land for future church sites | 2,249,885 | 2,298,924 | 2,337,948 |
| Parish levy percentage | 2.00% | 2.00% | 2.00% |

Attachment B

Variable PCR Charge and Church Land Acquisitions Levy for 2020

| | \$ | Parishes with property | Parishes without property |
|---|-------------|------------------------|---------------------------|
| Total Net Operating Receipts for 2018 (as at 9 August 2019) | 116,897,424 | 114,315,355 | 2,582,069 |
| Parochial Network Costs to be recovered in 2020 | 7,461,000 | | |
| Variable PCR percentage | | 6.439413% | 3.8636478% |
| Church Land Acquisitions Levy percentage | | 2.00% | 2.00% |
| Contribution to the acquisition of land for future church sites | 2,337,948 | | |

| | Parish,
Prov.P,
R.Church,
Prov.R.C. | Region | Parochial Unit | 2018
Net
Operating
Receipts
for parishes
with
property | 2018
Net Operating
Receipts for
parishes
without
property | Variable PCR
charge for
2020 | Church Land
Acquisition
Levy for 2020 |
|----|--|--------|---|--|--|------------------------------------|---|
| 1 | PP | S | Abbotsford | 186,858 | | 12,033 | 3,737 |
| 2 | P | W | Albion Park | 303,090 | | 19,517 | 6,062 |
| 3 | P | S | Annandale | 599,874 | | 38,628 | 11,997 |
| 4 | P | N | Artarmon | 288,794 | | 18,597 | 5,776 |
| 5 | P | S | Ashbury | 300,554 | | 19,354 | 6,011 |
| 6 | P | S | Ashfield Five Dock and
Haberfield | 944,861 | | 60,844 | 18,897 |
| 7 | P | N | Asquith / Mt Colah / Mt
Kuring-gai | 403,799 | | 26,002 | 8,076 |
| 8 | P | WS | Auburn - St Philip | 313,402 | | 20,181 | 6,268 |
| 9 | PP | WS | Auburn - St Thomas | 168,382 | | 10,843 | 3,368 |
| 10 | P | W | Austinmer | 464,211 | | 29,892 | 9,284 |
| 11 | P | N | Balgowlah | 342,894 | | 22,080 | 6,858 |
| 12 | P | S | Balmain | 128,008 | | 8,243 | 2,560 |
| 13 | P | G | Bankstown | 114,551 | | 7,376 | 2,291 |
| 14 | P | N | Barrenjoey | 388,881 | | 25,042 | 7,778 |
| 15 | P | WS | Baulkham Hills | 279,462 | | 17,996 | 5,589 |
| 16 | PP | G | Bayside (formerly Arncliffe) | 352,966 | | 22,729 | 7,059 |
| 17 | P | N | Beecroft | 530,771 | | 34,179 | 10,615 |
| 18 | P | S | Bellevue Hill | 242,451 | | 15,612 | 4,849 |
| 19 | P | G | Belmore with McCallums Hill
& Clemton Park | 146,524 | | 9,435 | 2,930 |
| 20 | P | N | Belrose | 401,450 | | 25,851 | 8,029 |
| 21 | PP | WS | Berala | 197,241 | | 12,701 | 3,945 |
| 22 | P | N | Berowra | 363,554 | | 23,411 | 7,271 |
| 23 | P | W | Berry | 118,118 | | 7,606 | 2,362 |
| 24 | P | G | Beverly Hills with
Kingsgrove | 375,698 | | 24,193 | 7,514 |
| 25 | P | WS | Blackheath | 165,539 | | 10,660 | 3,311 |
| 26 | P | WS | Blacktown | 481,716 | | 31,020 | 9,634 |
| 27 | P | G | Blakehurst | 213,435 | | 13,744 | 4,269 |
| 28 | P | W | Bomaderry | 201,439 | | 12,971 | 4,029 |
| 29 | P | S | Bondi and Waverley | 616,647 | | 39,708 | 12,333 |

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| | Parish,
Prov.P,
R.Church,
Prov.R.C. | Region | Parochial Unit | 2018
Net
Operating
Receipts
for parishes
with
property | 2018
Net Operating
Receipts for
parishes
without
property | Variable PCR
charge for
2020 | Church Land
Acquisition
Levy for 2020 |
|----|--|--------|---------------------------------------|--|--|------------------------------------|---|
| 30 | p | W | Bowral | 614,989 | | 39,602 | 12,300 |
| 31 | P | G | Brighton / Rockdale | 194,823 | | 12,545 | 3,896 |
| 32 | P | S | Broadway | 1,199,881 | | 77,265 | 23,998 |
| 33 | P | W | Bulli | 392,050 | | 25,246 | 7,841 |
| 34 | P | S | Burwood | 351,715 | | 22,648 | 7,034 |
| 35 | PP | G | Cabramatta | 377,785 | | 24,327 | 7,556 |
| 36 | P | WS | Cambridge Park | 156,499 | | 10,078 | 3,130 |
| 37 | P | W | Camden | 721,630 | | 46,469 | 14,433 |
| 38 | P | W | Campbelltown | 816,718 | | 52,592 | 16,334 |
| 39 | P | G | Campsie | 229,284 | | 14,765 | 4,586 |
| 40 | P | G | Canterbury with Hurlstone
Park | 206,676 | | 13,309 | 4,134 |
| 41 | P | W | Caringbah | 796,361 | | 51,281 | 15,927 |
| 42 | P | WS | Carlingford and North Rocks | 1,533,957 | | 98,778 | 30,679 |
| 43 | P | WS | Castle Hill | 2,524,215 | | 162,545 | 50,484 |
| 44 | P | S | Centennial Park | 710,685 | | 45,764 | 14,214 |
| 45 | P | N | Chatswood | 543,269 | | 34,983 | 10,865 |
| 46 | RC (np) | WS | Cherrybrook # | | 288,089 | 11,131 | 5,762 |
| 47 | PP | G | Chester Hill with Sefton | 285,908 | | 18,411 | 5,718 |
| 48 | P | N | Christ Church
Northern Beaches | 265,206 | | 17,078 | 5,304 |
| 49 | PRC (np) | G | Church at the Peak
Peakhurst South | | 118,287 | 4,570 | 2,366 |
| 50 | P | S | Church Hill | 1,277,105 | | 82,238 | 25,542 |
| 51 | P | S | Clovelly | 388,677 | | 25,029 | 7,774 |
| 52 | PP | W | Cobbitty | 269,819 | | 17,375 | 5,396 |
| 53 | P | S | Concord & Burwood | 171,844 | | 11,066 | 3,437 |
| 54 | PP | S | Concord North | 221,305 | | 14,251 | 4,426 |
| 55 | P | S | Concord West | 156,700 | | 10,091 | 3,134 |
| 56 | P | S | Coogee | 273,871 | | 17,636 | 5,477 |
| 57 | P | S | Cooks River | 104,804 | | 6,749 | 2,096 |
| 58 | P | W | Corrimal | 206,627 | | 13,306 | 4,133 |
| 59 | RC (np) | WS | Cranebrook with
Castlereagh | | 365,158 | 14,108 | 7,303 |
| 60 | P | N | Cremorne | 375,579 | | 24,185 | 7,512 |
| 61 | P | W | Cronulla | 228,719 | | 14,728 | 4,574 |
| 62 | P | S | Croydon | 863,277 | | 55,590 | 17,266 |
| 63 | PP | W | Culburra Beach | 128,394 | | 8,268 | 2,568 |
| 64 | P | W | Dapto | 707,682 | | 45,571 | 14,154 |
| 65 | P | S | Darling Point | 930,248 | | 59,903 | 18,605 |
| 66 | P | S | Darling Street | 678,349 | | 43,682 | 13,567 |
| 67 | P | S | Darlinghurst | 696,833 | | 44,872 | 13,937 |
| 68 | P | N | Dee Why | 264,385 | | 17,025 | 5,288 |
| 69 | PP | W | Denham Court | 151,815 | | 9,776 | 3,036 |
| 70 | PP | WS | Doonside | 72,791 | | 4,687 | 1,456 |

| | Parish,
Prov.P,
R.Church,
Prov.R.C. | Region | Parochial Unit | 2018
Net
Operating
Receipts
for parishes
with
property | 2018
Net Operating
Receipts for
parishes
without
property | Variable PCR
charge for
2020 | Church Land
Acquisition
Levy for 2020 |
|-----|--|--------|--|--|--|------------------------------------|---|
| 71 | P | S | Drummoyne | 294,382 | | 18,956 | 5,888 |
| 72 | PP | G | Dulwich Hill | 159,700 | | 10,284 | 3,194 |
| 73 | P | WS | Dundas / Telopea | 677,151 | | 43,605 | 13,543 |
| 74 | P | WS | Dural District | 509,246 | | 32,792 | 10,185 |
| 75 | P | W | Eagle Vale | 329,548 | | 21,221 | 6,591 |
| 76 | P | G | Earlwood | 236,022 | | 15,198 | 4,720 |
| 77 | P | N | East Lindfield | 284,316 | | 18,308 | 5,686 |
| 78 | P | S | Eastgardens | 596,273 | | 38,396 | 11,925 |
| 79 | P | N | Eastwood | 710,247 | | 45,736 | 14,205 |
| 80 | P | WS | Emu Plains | 355,046 | | 22,863 | 7,101 |
| 81 | P | S | Enfield and Strathfield | 846,925 | | 54,537 | 16,939 |
| 82 | P | W | Engadine | 693,268 | | 44,642 | 13,865 |
| 83 | P | S | Enmore / Stanmore | 210,196 | | 13,535 | 4,204 |
| 84 | P | N | Epping | 340,256 | | 21,910 | 6,805 |
| 85 | PP | N | Ermington | 92,477 | | 5,955 | 1,850 |
| 86 | PP | G | Fairfield with Bossley Park | 507,000 | | 32,648 | 10,140 |
| 87 | P | W | Fairy Meadow | 292,261 | | 18,820 | 5,845 |
| 88 | P | W | Figtree | 1,350,512 | | 86,965 | 27,010 |
| 89 | P | N | Forestville | 508,086 | | 32,718 | 10,162 |
| 90 | P | N | Frenchs Forest
(incorporating Beacon Hill) | 358,879 | | 23,110 | 7,178 |
| 91 | P | N | Freshwater | 294,918 | | 18,991 | 5,898 |
| 92 | P | G | Georges Hall | 144,289 | | 9,291 | 2,886 |
| 93 | P | W | Gerringong | 306,607 | | 19,744 | 6,132 |
| 94 | P | N | Gladesville | 1,238,048 | | 79,723 | 24,761 |
| 95 | P | S | Glebe | 348,543 | | 22,444 | 6,971 |
| 96 | P | WS | Glenhaven | 471,727 | | 30,376 | 9,435 |
| 97 | P | WS | Glenmore Park and Mulgoa | 965,310 | | 62,160 | 19,306 |
| 98 | P | N | Gordon | 531,518 | | 34,227 | 10,630 |
| 99 | P | WS | Granville | 142,877 | | 9,200 | 2,858 |
| 100 | PP | G | Greenacre | 127,019 | | 8,179 | 2,540 |
| 101 | P | N | Greenwich | 165,138 | | 10,634 | 3,303 |
| 102 | P | WS | Greystanes -
Merrylands West | 116,336 | | 7,491 | 2,327 |
| 103 | PP | WS | Guildford with Villawood | 274,315 | | 17,664 | 5,486 |
| 104 | P | W | Gymea | 475,887 | | 30,644 | 9,518 |
| 105 | RC (np) | W | Harbour Church #
Helensburgh and
Stanwell Park | | 225,300 | 8,705 | 4,506 |
| 106 | P | W | | 322,049 | | 20,738 | 6,441 |
| 107 | P | N | Hornsby | 155,757 | | 10,030 | 3,115 |
| 108 | PRC (np) | N | Hornsby Anglican
Chinese Church # | | 93,521 | 3,613 | 1,870 |
| 109 | P | N | Hornsby Heights | 139,345 | | 8,973 | 2,787 |
| 110 | P | G | Hoxton Park | 359,878 | | 23,174 | 7,198 |
| 111 | P | N | Hunters Hill | 316,630 | | 20,389 | 6,333 |

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| | Parish,
Prov.P,
R.Church,
Prov.R.C. | Region | Parochial Unit | 2018
Net
Operating
Receipts
for parishes
with
property | 2018
Net Operating
Receipts for
parishes
without
property | Variable PCR
charge for
2020 | Church Land
Acquisition
Levy for 2020 |
|-----|--|--------|---|--|--|------------------------------------|---|
| 112 | P | G | Hurstville | 728,631 | | 46,920 | 14,573 |
| 113 | P | G | Hurstville Grove | 488,694 | | 31,469 | 9,774 |
| 114 | P | W | Huskisson | 153,520 | | 9,886 | 3,070 |
| 115 | P | W | Ingleburn
(incorporating Glenquarie) | 335,105 | | 21,579 | 6,702 |
| 116 | PP | W | Jamberoo | 53,492 | | 3,445 | 1,070 |
| 117 | P | W | Jannali | 772,414 | | 49,739 | 15,448 |
| 118 | P | W | Kangaroo Valley | 108,866 | | 7,010 | 2,177 |
| 119 | P | WS | Katoomba | 307,144 | | 19,778 | 6,143 |
| 120 | P | W | Keiraville | 184,508 | | 11,881 | 3,690 |
| 121 | P | WS | Kellyville | 731,172 | | 47,083 | 14,623 |
| 122 | P | S | Kensington Eastlakes | 230,719 | | 14,857 | 4,614 |
| 123 | P | W | Kiama And Minnamurra | 529,590 | | 34,102 | 10,592 |
| 124 | P | N | Killara | 474,685 | | 30,567 | 9,494 |
| 125 | P | S | Kingsford | 191,143 | | 12,308 | 3,823 |
| 126 | P | WS | Kingswood | 373,461 | | 24,049 | 7,469 |
| 127 | P | N | Kirribilli | 1,295,596 | | 83,429 | 25,912 |
| 128 | P | WS | Kurrajong | 310,252 | | 19,978 | 6,205 |
| 129 | PP | G | Lakemba | 55,880 | | 3,598 | 1,118 |
| 130 | P | WS | Lalor Park and
Kings Langley | 205,528 | | 13,235 | 4,111 |
| 131 | P | N | Lane Cove and Mowbray | 629,950 | | 40,565 | 12,599 |
| 132 | P | N | Lavender Bay | 263,363 | | 16,959 | 5,267 |
| 133 | P | WS | Lawson | 117,868 | | 7,590 | 2,357 |
| 134 | P | S | Leichhardt | 480,929 | | 30,969 | 9,619 |
| 135 | P | WS | Leura | 143,191 | | 9,221 | 2,864 |
| 136 | P | WS | Lidcombe | 283,534 | | 18,258 | 5,671 |
| 137 | P | N | Lindfield | 557,609 | | 35,907 | 11,152 |
| 138 | P | WS | Lithgow | 291,111 | | 18,746 | 5,822 |
| 139 | P | G | Liverpool | 356,137 | | 22,933 | 7,123 |
| 140 | P | G | Liverpool South | 117,021 | | 7,535 | 2,340 |
| 141 | P | N | Longueville | 237,718 | | 15,308 | 4,754 |
| 142 | PP | S | Lord Howe Island | 32,335 | | 2,082 | 647 |
| 143 | P | WS | Lower Mountains | 591,895 | | 38,115 | 11,838 |
| 144 | P | G | Lugarno | 122,832 | | 7,910 | 2,457 |
| 145 | P | N | Macquarie | 504,762 | | 32,504 | 10,095 |
| 146 | P | S | Malabar | 362,396 | | 23,336 | 7,248 |
| 147 | P | N | Manly | 1,526,212 | | 98,279 | 30,524 |
| 148 | P | S | Maroubra | 403,009 | | 25,951 | 8,060 |
| 149 | P | G | Marrickville | 575,501 | | 37,059 | 11,510 |
| 150 | P | W | Menai | 888,441 | | 57,210 | 17,769 |
| 151 | P | W | Menangle | 156,786 | | 10,096 | 3,136 |
| 152 | P | WS | Merrylands | 280,569 | | 18,067 | 5,611 |

| | Parish,
Prov.P,
R.Church,
Prov.R.C. | Region | Parochial Unit | 2018
Net
Operating
Receipts
for parishes
with
property | 2018
Net Operating
Receipts for
parishes
without
property | Variable PCR
charge for
2020 | Church Land
Acquisition
Levy for 2020 |
|-----|--|--------|--------------------------------------|--|--|------------------------------------|---|
| 153 | P | WS | Minchinbury | 318,274 | | 20,495 | 6,365 |
| 154 | P | W | Minto | 306,723 | | 19,751 | 6,134 |
| 155 | P | W | Miranda | 1,006,775 | | 64,830 | 20,136 |
| 156 | P | W | Mittagong | 439,786 | | 28,320 | 8,796 |
| 157 | P | N | Mona Vale | 226,542 | | 14,588 | 4,531 |
| 158 | P | G | Moorebank | 431,736 | | 27,801 | 8,635 |
| 159 | P | N | Mosman - St Clement | 791,433 | | 50,964 | 15,829 |
| 160 | P | N | Mosman - St Luke | 572,954 | | 36,895 | 11,459 |
| 161 | P | W | Moss Vale | 158,950 | | 10,235 | 3,179 |
| 162 | PP | WS | Mt Druitt | 127,170 | | 8,189 | 2,543 |
| 163 | P | W | Narellan | 292,963 | | 18,865 | 5,859 |
| 164 | P | N | Nareburn / Cammeray | 1,062,170 | | 68,398 | 21,243 |
| 165 | P | N | Narrabeen | 874,041 | | 56,283 | 17,481 |
| 166 | P | N | Neutral Bay | 408,744 | | 26,321 | 8,175 |
| 167 | P | N | Newport | 161,839 | | 10,421 | 3,237 |
| 168 | P | S | Newtown with Erskineville | 671,810 | | 43,261 | 13,436 |
| 169 | P | S | Norfolk Island | 163,405 | | 10,522 | 3,268 |
| 170 | P | N | Normanhurst | 750,805 | | 48,347 | 15,016 |
| 171 | P | N | North Epping | 523,579 | | 33,715 | 10,472 |
| 172 | P | N | North Ryde | 181,934 | | 11,715 | 3,639 |
| 173 | P | N | North Sydney | 1,660,311 | | 106,914 | 33,206 |
| 174 | P | N | Northbridge | 469,734 | | 30,248 | 9,395 |
| 175 | P | WS | Northmead and
Winston Hills | 683,612 | | 44,021 | 13,672 |
| 176 | P | WS | Norwest | 1,018,860 | | 65,609 | 20,377 |
| 177 | P | W | Nowra | 427,574 | | 27,533 | 8,551 |
| 178 | P | W | Oak Flats | 276,967 | | 17,835 | 5,539 |
| 179 | P | WS | Oakhurst | 227,759 | | 14,666 | 4,555 |
| 180 | P | G | Oatley | 199,199 | | 12,827 | 3,984 |
| 181 | P | G | Oatley West | 183,662 | | 11,827 | 3,673 |
| 182 | PP | W | Oran Park | 347,035 | | 22,347 | 6,941 |
| 183 | P | S | Paddington | 191,016 | | 12,300 | 3,820 |
| 184 | P | G | Padstow | 110,277 | | 7,101 | 2,206 |
| 185 | P | G | Panania | 404,406 | | 26,041 | 8,088 |
| 186 | P | WS | Parramatta | 1,852,284 | | 119,276 | 37,046 |
| 187 | P | WS | Parramatta North with
Harris Park | 356,456 | | 22,954 | 7,129 |
| 188 | P | G | Peakhurst / Mortdale | 307,574 | | 19,806 | 6,151 |
| 189 | P | WS | Penrith | 296,052 | | 19,064 | 5,921 |
| 190 | P | G | Penshurst | 229,280 | | 14,764 | 4,586 |
| 191 | P | S | Petersham | 308,750 | | 19,882 | 6,175 |
| 192 | PRC (np) | N | Philadelphia
Anglican Church # | | 131,374 | 5,076 | 2,627 |
| 193 | P | W | Picton | 131,064 | | 8,440 | 2,621 |

| | Parish,
Prov.P,
R.Church,
Prov.R.C. | Region | Parochial Unit | 2018
Net
Operating
Receipts
for parishes
with
property | 2018
Net Operating
Receipts for
parishes
without
property | Variable PCR
charge for
2020 | Church Land
Acquisition
Levy for 2020 |
|-----|--|--------|---|--|--|------------------------------------|---|
| 194 | PP | WS | Pitt Town | 540,647 | | 34,814 | 10,813 |
| 195 | PP | W | Port Kembla | 121,677 | | 7,835 | 2,434 |
| 196 | P | N | Pymble | 865,019 | | 55,702 | 17,300 |
| 197 | P | WS | Quakers Hill | 742,874 | | 47,837 | 14,857 |
| 198 | P | S | Randwick | 859,068 | | 55,319 | 17,181 |
| 199 | PP | G | Regents Park | 48,283 | | 3,109 | 966 |
| 200 | PP | G | Revesby | 91,065 | | 5,864 | 1,821 |
| 201 | P | WS | Richmond | 426,091 | | 27,438 | 8,522 |
| 202 | PP | WS | Riverstone | 131,046 | | 8,439 | 2,621 |
| 203 | P | G | Riverwood - Punchbowl | 332,230 | | 21,394 | 6,645 |
| 204 | P | W | Robertson | 165,621 | | 10,665 | 3,312 |
| 205 | P | WS | Rooty Hill | 1,543,327 | | 99,381 | 30,867 |
| 206 | PP | W | Rosemeadow | 231,627 | | 14,915 | 4,633 |
| 207 | P | N | Roseville | 1,024,154 | | 65,950 | 20,483 |
| 208 | P | N | Roseville East | 468,950 | | 30,198 | 9,379 |
| 209 | PP | WS | Rouse Hill | 407,391 | | 26,234 | 8,148 |
| 210 | P | N | Ryde | 783,123 | | 50,429 | 15,662 |
| 211 | PP | G | Sadleir | 263,649 | | 16,977 | 5,273 |
| 212 | P | G | Sans Souci | 166,130 | | 10,698 | 3,323 |
| 213 | P | N | Seaforth | 261,950 | | 16,868 | 5,239 |
| 214 | P | WS | Seven Hills | 313,194 | | 20,168 | 6,264 |
| 215 | P | W | Shellharbour | 182,671 | | 11,763 | 3,653 |
| 216 | P | W | Shellharbour City Centre | 373,456 | | 24,048 | 7,469 |
| 217 | P | W | Shoalhaven Heads | 150,046 | | 9,662 | 3,001 |
| 218 | RC (np) | W | Soul Revival Church | | 642,932 | 24,841 | 12,859 |
| 219 | P | G | South Carlton | 221,029 | | 14,233 | 4,421 |
| 220 | P | S | South Coogee | 130,455 | | 8,401 | 2,609 |
| 221 | P | W | South Creek | 415,383 | | 26,748 | 8,308 |
| 222 | P | G | South Hurstville | 238,031 | | 15,328 | 4,761 |
| 223 | P | S | South Sydney | 257,987 | | 16,613 | 5,160 |
| 224 | P | WS | Springwood | 847,537 | | 54,576 | 16,951 |
| 225 | PP | WS | St Clair | 103,626 | | 6,673 | 2,073 |
| 226 | P | G | St George | 168,719 | | 10,865 | 3,374 |
| 227 | P | G | St George North | 902,801 | | 58,135 | 18,056 |
| 228 | P | N | St Ives | 1,963,040 | | 126,408 | 39,261 |
| 229 | P | G | St Johns Park
(formerly Smithfield Road) | 200,842 | | 12,933 | 4,017 |
| 230 | P | WS | St Marys | 202,278 | | 13,026 | 4,046 |
| 231 | RC (np) | WS | Stanhope | | 165,459 | 6,393 | 3,309 |
| 232 | P | S | Strathfield and Homebush | 258,088 | | 16,619 | 5,162 |
| 233 | P | S | Summer Hill | 325,026 | | 20,930 | 6,501 |
| 234 | PP | S | Surry Hills | 948,103 | | 61,052 | 18,962 |
| 235 | PP | W | Sussex Inlet | 131,181 | | 8,447 | 2,624 |

| | Parish,
Prov.P,
R.Church,
Prov.R.C. | Region | Parochial Unit | 2018
Net
Operating
Receipts
for parishes
with
property | 2018
Net Operating
Receipts for
parishes
without
property | Variable PCR
charge for
2020 | Church Land
Acquisition
Levy for 2020 |
|-----|--|--------|---------------------------------------|--|--|------------------------------------|---|
| 236 | P | W | Sutherland | 409,746 | | 26,385 | 8,195 |
| 237 | P | W | Sutton Forest | 257,278 | | 16,567 | 5,146 |
| 238 | P | S | Sydney - Cathedral of
St Andrew | 0 | | - | - |
| 239 | P | S | Sydney - Christ Church
St Laurence | 835,913 | | 53,828 | 16,718 |
| 240 | P | S | Sydney - St James,
King Street | 1,767,996 | | 113,849 | 35,360 |
| 241 | P | W | Sylvania | 285,548 | | 18,388 | 5,711 |
| 242 | PP | N | Terry Hills | 93,218 | | 6,003 | 1,864 |
| 243 | P | W | The Oaks | 165,707 | | 10,671 | 3,314 |
| 244 | P | N | Thornleigh - Pennant Hills | 597,670 | | 38,486 | 11,953 |
| 245 | P | WS | Toongabbie | 505,926 | | 32,579 | 10,119 |
| 246 | P | N | Turrumurra | 806,630 | | 51,942 | 16,133 |
| 247 | P | N | Turrumurra South | 380,571 | | 24,507 | 7,611 |
| 248 | P | W | Ulladulla | 208,778 | | 13,444 | 4,176 |
| 249 | RC (np) | S | Unichurch (Uni. NSW) # | | 551,949 | 21,325 | 11,039 |
| 250 | P | S | Vaucluse and Rose Bay | 249,908 | | 16,093 | 4,998 |
| 251 | P | N | Wahroonga - St Andrew's | 386,490 | | 24,888 | 7,730 |
| 252 | P | N | Wahroonga - St Paul's | 541,919 | | 34,896 | 10,838 |
| 253 | P | N | Waitara | 289,453 | | 18,639 | 5,789 |
| 254 | P | S | Watsons Bay | 407,437 | | 26,237 | 8,149 |
| 255 | P | WS | Wentworth Falls | 248,802 | | 16,021 | 4,976 |
| 256 | P | WS | Wentworthville | 147,985 | | 9,529 | 2,960 |
| 257 | P | N | West Lindfield | 213,439 | | 13,744 | 4,269 |
| 258 | P | WS | West Pennant Hills | 926,835 | | 59,683 | 18,537 |
| 259 | P | N | West Pymble | 1,077,937 | | 69,413 | 21,559 |
| 260 | P | N | West Ryde | 534,612 | | 34,426 | 10,692 |
| 261 | P | W | West Wollongong | 503,359 | | 32,413 | 10,067 |
| 262 | P | WS | Westmead | 222,540 | | 14,330 | 4,451 |
| 263 | P | WS | Wilberforce | 254,384 | | 16,381 | 5,088 |
| 264 | P | N | Willoughby | 483,364 | | 31,126 | 9,667 |
| 265 | P | N | Willoughby Park | 283,938 | | 18,284 | 5,679 |
| 266 | P | WS | Windsor | 126,610 | | 8,153 | 2,532 |
| 267 | P | W | Wollondilly | 194,960 | | 12,554 | 3,899 |
| 268 | P | W | Wollongong | 1,030,109 | | 66,333 | 20,602 |
| 269 | P | S | Woollahra | 183,627 | | 11,825 | 3,673 |
| 270 | P | G | Yagoona | 304,550 | | 19,611 | 6,091 |
| | | | | 114,315,355 | 2,582,069 | 7,461,000 | 2,337,948 |

Note

The 9 parochial units without property are charged only 60% of the normal variable PCR percentage, which approximates what the network costs would be if the property insurance premium was excluded from the ACPT's parish property and liability insurance program.

42/18 Reporting on the National Redress Scheme

(A report from the Standing Committee.)

Key Points

- Most institutions under the control of Synod are now participants in the National Redress Scheme (**NRS**) or are in the final stages of being accepted into the scheme. Standing Committee continues to monitor the participation status of each diocesan organisation.
- From 1 July 2018 to 30 June 2019, diocesan organisations were notified of 29 applications. A total of 18 of the applicants had previously been in contact with the relevant institution.
- As at 30 June 2019 three offers had been made to applicants but none had been finalised.

Purpose

1. The purpose of this report is to provide Synod with a brief report regarding the status of applications under the National Redress Scheme (**NRS**), in accordance with the request of Synod resolution 42/18.

Recommendations

2. Synod receive this report.

Background

3. At its ordinary session in 2018, the Synod passed resolution 42/18 in the following terms –

‘Synod requests that Sydney Anglican (National Redress Scheme) Corporation and other diocesan organisations that become a Participating Institution under the National Redress Scheme report all applications received to the Director of Professional Standards to enable an annual report, with appropriate protections of confidentiality, to be provided to each ordinary session of the Synod throughout the life of the National Redress Scheme that includes –

- (a) the number of applications for redress which have been received,
- (b) the number and total and average amount of redress offers made,
- (c) the number and total and average amount of redress offers accepted, and
- (d) the number of persons to whom a direct personal response has been provided.’

Discussion

4. The National Redress Scheme (**NRS**) commenced on 1 July 2018 and is scheduled to continue for 10 years until 30 June 2028. The Standing Committee is strongly encouraging all diocesan organisations which could possibly have any responsibility for claims of child sexual abuse to become part of the scheme. The arrangements for the NRS provide for institutions to be able to join the scheme at any time in the two years to 30 June 2020. Most institutions under the control of Synod are now participants in the NRS or are in the final stages of being accepted into the scheme. Standing Committee continues to monitor the participation status of each diocesan organisation.
5. In accordance with Synod motion 42/18, diocesan organisations have been asked to report to the Director of Professional Standards all applications received to enable an annual report, with appropriate protections of confidentiality, to be provided to each session of Synod. The Director of Professional Standards has been advised that during the first year of the scheme, from 1 July 2018

to 30 June 2019, diocesan organisations were notified of 29 applications. A total of 18 of the applicants had previously been in contact with the relevant institution. After consideration of an application and specified information provided by the institution, an offer of redress, counselling and a direct personal response (if requested) is made by the NRS to the applicant. The applicant then has a period of six months to accept the offer. As at 30 June 2019 three offers had been made to applicants but none had been finalised and consequentially no direct personal responses had been made at that time.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

26 September 2019

2/15 Tertiary Education Ministry Oversight Committee

(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 some oversight of tertiary (university and VET sector) ministry across the Diocese. Part of the role of TEMOC is the distribution of funds allocated by Synod. The Committee is committed to supporting the development of on-campus evangelical tertiary ministries (especially Chaplaincy) within the Diocese in accordance with the statement of vision, strategic priorities and core principles detailed in its report to the Synod in 2010. A short video illustrating examples of work supported by TEMOC is available at <https://m.youtube.com/watch?feature=youtu.be&v=kZT43tVDveQ>
2. The priorities and principles of TEMOC are summarised below (Synod Book, 2010) –
 - (a) Vision: Our vision is to grow Bible-based ministries on each university and Vocational and Education and Training (**VET**) campus in the Diocese that are –
 - evangelistic
 - preparing students for a life-time of Christian service
 - particularly concerned to raise up future generations of vocational Christian ministers.
 - (b) Core Principles: In addition to the values in the vision above, we want these university and VET campus ministries to –
 - serve churches in partnership through training and equipping their members
 - as far as possible, work as a single united team on campus
 - develop effective ministry across the whole campus, including segments such as commuters, international students, postgraduates, staff and residents
 - have (Anglican) chaplains who will serve in these ministries, be recognised by the campus administration and advocate for the ministry.
 - (c) Funding Model: TEMOC funds are –
 - to help initiate new work on tertiary education campuses
 - to help resource campus-based ministry traineeships to encourage the raising up of vocational Christian workers
 - not to be the sole funding source for any campus ministry. Funds are available under two schemes –
 - theologically trained workers
 - ministry traineeships
 - the quantum of each grant will decline over a 2 to 4 year trajectory
3. The members of the Committee are, the Rev Patrick Benn (Chair), the Rev Scott Blackwell, the Rev Richard Blight, the Rev Robert Copland, the Rev Stephen Gooch, Mrs Catherine Miers (Secretary), Associate Professor Boyo Ockinga, the Rev Lisa Thompson and Canon Mark Williamson. Three members retire at each session of Synod.
4. Our biennial meeting of all Anglican University Chaplains with Archbishop Davies is planned for early 2020. We are hoping to continue robust and productive discussions about the role and place of Chaplaincy within our tertiary campuses.
5. Following the 2018 Synod, the Committee (having met on four occasions) has – (i) reviewed reports from 2018 and 2019 grant recipients, (ii) confirmed funding allocations for 2019, (iii) called for and provisionally assessed grant applications for 2020.
6. Several members of the Committee have direct involvement in student ministries on campus which from time to time are grant applicants and - on occasion and after due process - may also become grant recipients. 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.
7. The Committee was responsible for overseeing the distribution of the Synod allocation of \$100,000 to support Tertiary ministry in 2019. As in previous years grant applications were received for projects valued at more than two and a half times the funds made available by the Synod. The committee

considered each of the applications in accordance with the statement of vision, strategic priorities and core principles.

8. For 2019 a total of 7 grants were distributed. All projects were initiated by Anglican ministries in consultation with evangelical student groups on campus. Continuing grants are assisting in the ministry at Meadowbank TAFE, ministry trainees at four universities and trained workers at two universities. New grants support ministry trainees at three universities.
9. Funds for 2019 were distributed as follows –

| Tertiary campus | Organisation | Project Contact | Worker | Funding scheme | 2019 Grant |
|------------------------|---------------------------|-----------------------|---------------|----------------|------------|
| Meadowbank TAFE | West Ryde Anglican Church | Rev Mal York | Andrew Irving | Senior Trainer | 5,000 |
| CBM Penrith/Hawkesbury | Kingswood Anglican Church | Rev Cameron Howard | Stephen Smith | Trainee | 7,000 |
| Wollongong | Anglican Chaplaincy | Rev Rob Copland | Various | Trainees | 6,000 |
| UNSW | Parish of Unichurch | Rev Carl Matthei | Various | Trainees | 38,000 |
| UNSW | Parish of Unichurch | Rev Carl Matthei | Tim Rowe | Senior Trainer | 15,000 |
| CBM Parramatta | Dundas Anglican Church | Rev Alistair Seabrook | Rachel Ewings | Trainee | 5,000 |
| Sydney University | Anglican Chaplaincy | Rev Rowan Kemp | Various | Trainees | 24,000 |
| Total | | | | | 100,000 |

10. The Committee has also considered reports on all the projects funded in 2018. The reports confirmed the application of funds to the specified project and provided details of outcomes achieved from grant funding.
11. Reports from 2018 Grants also reinforced the impact these grants are making in expanding ministry to tertiary students and raising up a new generation of gospel workers. Some quotations from our grant recipients –
 - Student ministry offers incredible opportunities for evangelism and raising up future ministry workers, which both serve the wider kingdom. Our desire is to train evangelists to serve in their churches and workplaces, and we are seeing fruit of this on campus. And there is a strong and growing group of students and graduates who are keen to train for vocational ministry - these are the next generation of gospel servants for the kingdom.
 - The work of evangelism, teaching and training university students has shown our trainees their need of a good quality theological education so that they are better equipped to serve the Lord Jesus in future ministry.
 - Reading the Bible with an unbelieving Indian student and an unbelieving Engineering student taught me how to structure reading the Bible with someone purposely.
12. TEMOC continues to encourage new initiatives in TAFE and CVET ministry and members are available to consult with any parishes considering outreach in this underdeveloped field.
13. The committee has already called for applications for new and continuing projects for 2020. A total of 13 applications requesting over \$438,060 have been received. Final decisions on grants will be made following Synod in the October meeting of TEMOC. Tertiary ministry continues to be a significant opportunity to continue to train the next generation of both lay and vocational leaders for the Diocese. TEMOC would like to remind the Synod of the significant opportunity to set aside greater funding for leveraging existing and developing tertiary ministry across the Diocese. One of the key expectations continues to be recruitment of future students into Moore Theological College.

14. In 2019 TEMOC has been asked to help fund as many as 44 ministry trainees - an increase of 8 from 2019. Many of these men and women are young graduates prepared to forgo other employment to be trained and equipped for kingdom service. Many are considering further study and are encouraged to consider applying to Moore Theological College. We would appreciate the prayers of members of our churches that these trainees will continue the wonderful work of our previous recipients and fruitfully serve the Lord Jesus either in vocational ministry or as life-long gospel partners in church, family and work here in the Sydney Diocese and around the world.
15. Finally we would like to recognise the long-standing and significant involvement in tertiary ministries by Prof Chris Bellenger who resigned this year as Chair of TEMOC after five years of service. We thank him for his significant service.

For and on behalf of the Tertiary Education Ministry Oversight Committee.

THE REV PATRICK BENN
Chair

16 September 2019

47/18 Property Use Policy

8/17 Statement of Anglican Doctrine of Marriage

(A further report from a member of the Synod.)

Purpose

1. This report responds to Synod resolutions 8/17 and 47/18, and to further consideration of these matters by the Standing Committee upon recommendation of its Subcommittee reappointed to consider the matter).

Recommendations

2. That Synod receive this report.
3. That Synod amend the diocesan Governance Policy Statement of Personal Faith by adding, in the appropriate place, the following words –

[I believe] that God created humanity with two complementary sexes – male and female – both equally made in God’s image; that there are only two expressions of faithful sexuality: marriage between a man and a woman or abstinence in singleness; and that all human life is to be valued and protected from conception until death.

4. That Synod approve a procedure to enable the mover of such amendment sufficient time in Synod to enable Synod to consider this as a matter of principle.

Background

5. In October 2017, Synod resolved as follows in **8/17 Statement of Anglican doctrine of marriage**

Synod –

- (a) requests that Standing Committee appoint a committee of suitably qualified persons to consider whether the Diocesan Education Policy, the Corporate Governance Policy Statement of Faith, or any other relevant diocesan policies, statements or ordinances should be amended to state formally our Anglican doctrine that marriage is the union of a man and a woman for life to the exclusion of all others, so as to assist the ability of our Anglican schools and other organisations to maintain that it is a genuine, legitimate and justified occupational requirement for their board members, principals, executive officers and other relevant staff and office holders to hold to this traditional Christian belief about marriage, in order to maintain the Christian religious ethos of our institutions,*
 - (b) affirms that such a committee could also consider any other core doctrinal matters currently relevant and contested in our society,*
 - (c) encourages Standing Committee to consider making any amendments suggested by the committee, and*
 - (d) asks that this be treated as a matter of urgency.*
6. In response, Standing Committee asked the Religious Freedom Reference Group (**RFRG**) to address the request in Synod Resolution 8/17. The RFRG appointed a subcommittee (the **Committee**). This Committee recommended to Standing Committee that the matter be dealt with by way of a Property Use Policy, which it drafted.
 7. It also advised against amending the diocesan Statement of Faith in regards to the doctrine of marriage. Specifically it was reported that the Committee, while affirming that the teaching of Scripture on marriage is a key doctrine, came to the view that it would not be appropriate to put a

statement about marriage belief in the same category as our fundamental beliefs about the Bible, the atoning work of Christ and justification by faith alone.

8. It also rejected the idea of asking board members to assent to the Jerusalem Declaration, which addresses marriage, because the Jerusalem Declaration contained Anglican-specific affirmations that may have the unintended consequence of excluding some non-Anglicans (such as Baptists and Presbyterians) from serving on our diocesan boards.
9. The Standing Committee accepted these recommendations and reported along those lines to Synod in 2018.
10. In response, in October 2018, Synod resolved as follows in **47/18 Property Use Policy** –

Synod passes the Property Use Policy as a Policy of the Synod, and requests –

 - (a) *Synod members to provide feedback on the policy to the Diocesan Secretary by 28 February 2019, and*
 - (b) *Standing Committee to review the policy, including with reference to Resolution 8/17, and bring recommendations to the next ordinary session of the Synod.*
11. This report notes that paragraph (b) was added by way of successful amendment from the floor. In speeches on that matter, it was pointed out that the Property Use Policy obviously dealt primarily with Anglican *property* and its use. However, Synod's original request, repeated in 47/18, was directed towards *persons* and their beliefs, particularly board members, CEOs and principals of Anglican organisations and schools. Synod thus indicated further consideration should be given to adding a statement about marriage to the diocesan Statement of Faith.
12. At Standing Committee's request, the Committee has continued to consider the matter, weighing submissions passed onto it, in response to resolution 47/18.

Committee Recommendations and Discussion

13. The Committee suggests that the Statement of Faith 'defines the Christian faith with reference to the Nicene Creed and Apostles' Creed, and paragraph 2 adds three further (protestant and evangelical) core beliefs that are not sufficiently articulated in the creeds - the authority of the scriptures, the atonement and justification by faith only. As important as the doctrine of marriage is, it is not in the same category as these core beliefs.'
14. The Archbishop's view is reported as suggesting that, 'the purpose of the Statement of Personal Faith is to require that those who serve in key roles in our organisations are Christians', and that 'Sections 1 and 2 are a statement of reformed protestant Christian faith, which could be signed (for example) by Presbyterians and Baptists.'
15. The Committee has noted that the Property Use Policy specifies limits on the use of property in light of a wider range of significant doctrinal matters than marriage and human sexuality alone (which is addressed in paragraph 18 of the policy). Additional key areas regarding the doctrine of the human person are covered in paragraph 15. This highlights the following areas:
 - All human beings uniquely created in the image of God, loved by God and precious to him.
 - Humanity created by God with two complementary sexes – male and female – both equally in his image.
 - Equality of people of all races and abilities as equal in God's sight.
 - The beginning and end of life determined by God alone.
16. The Committee considered amending the diocesan Statement of Faith to require signatories to affirm the "doctrines, tenets and beliefs of the Anglican Church of Australia in the Diocese of Sydney", including those expressed in the diocesan Property Use Policy, and to acknowledge the requirement of the diocesan Property Use Policy that church property is not to be used contrary to these doctrines, tenets and beliefs.

17. However, the Committee, with advice from the Archbishop, has determined that, as with the Jerusalem Declaration, such an addition would contain Anglican-specific affirmations that may have the unintended consequence of excluding some appropriate non-Anglicans (such as Baptists and Presbyterians) from serving on our diocesan boards and schools.
18. Instead the Committee considered it adequate to amend the Statement of Faith to require board members, chief executive and school principals to fulfil their duties not only “in accordance with its Christian ethos and its constituting ordinance” as presently required, but also in accordance with “other applicable ordinances and policies of the Synod”. It was also suggested that each organisation might be encouraged to amend its constituting ordinance to refer specifically to the obligation of compliance to particular relevant ordinances.
19. Standing Committee instead resolved to ask Synod to amend the Governance Statement Policy Guidelines with a new paragraph 37 indicating that diocesan organisation should comply with all applicable ordinances and policies of the Synod (as amended from time to time) including, as applicable the Investment of *Church Trust Property Ordinance 1990*, the *Accounts, Audits and Annual Reports Ordinance 1995*, the *Anglican Schools Ministry Ordinance 2016*, and the *Sydney Anglican Use of Property Ordinance 2018*. It also intends that SDS be asked to produce an induction pack to ensure that directors and board member were aware of their obligations in relation to compliance with these ordinances and policies.
20. In the view of this report, such an approach involves the clumsy requirement of reference to multiple separate documents, several of which are lengthy, by potential nominators and nominees, so as to determine what beliefs nominees must uphold before accepting nomination to a board of, or the senior executive role in, an Anglican organisation. This does not aid simplicity or clarity in our processes.
21. In addition, it by no means ensures that a board member, CEO or principal personally believes the key doctrines identified in the Property Use Policy. It appears arguable this approach would still allow (for example) a school principal to promote and/or operate by a personal belief about marriage that was opposed to the doctrine of the diocese, provided this did not involve the use of school property.
22. This approach also relies on many schools and other organisations agreeing to amend their constituting ordinance, then successfully promoting such amending ordinances to the Standing Committee. An examination of existing Anglican school ordinances indicates that quite a few schools have not got around to modernising their ordinances. So such an approach may take considerable time before being widely agreed by organisations and schools. Some organisations and schools may never actually resolve to act.
23. This report also argues that the views of the Committee on the purpose of the Statement of Faith could have been strengthened by reference to the wording of our Corporate Governance policy itself. The first point of its Governance Standards, under the heading “Christian leadership shaped by the Bible”, states that “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.”
24. According to our own policy, the implied purpose of the Statement of Faith is to articulate a Christian faith *shaped by the Bible*. This certainly includes the three additional protestant and evangelical core beliefs added in the current Statement of Faith. But there can also be other beliefs basic to a Christian faith shaped by the Bible that are not sufficiently articulated by the Creeds. And threats to an orthodox faith shaped by the Bible may, and often do, come also from liberal theological and social directions, as in the case of the debate unleashed by attempts to redefine marriage.
25. This report also notes that the Corporate Governance Policy clearly envisages that the Statement of Faith may change, by referring to its “initial form” and by specifying the mechanism for change (“in a form determined by Synod”, a power which has been delegated to Standing Committee, though any three members can refer such a change back to Synod).
26. Summarising these insights from the Corporate Governance Policy, the benchmark implied for assessing changes to the Statement of Faith, and specifically the bullet points in its paragraph 2, would be whether the change aids the articulation by board members and chief executive officers, in our current context, of a personal Christian faith that is *shaped by the Bible*.

Amending the Statement of Faith

27. This report now argues that our Statement of Faith should be amended to include key matters of longstanding, orthodox biblical anthropology that are vigorously contested and threatened in the wider world today.
28. Specifically, it is recommended that section 2 of the “Governance Policy for Diocesan Organisations Appendix 3: Statement of Personal Faith” be amended by addition of the following subparagraph –
 - (d) *[I believe] that God created humanity with two complementary sexes – male and female – both equally made in God’s image; that there are only two expressions of faithful sexuality: marriage between a man and a woman or abstinence in singleness; and that all human life is to be valued and protected from conception until death.*
29. Human anthropology is widely seen as the over-arching ‘watershed’ or dividing line issue for Christians in our era, although underlying it is the authority and sufficiency of Scripture.
30. The biblical Christian views, noted above, of marriage and human sexuality, of humanity being made in two sexes, and of the sanctity of human life are longstanding aspects of orthodoxy, widely seen as distinctives of Christian practice, from early church history. Yet they are being repeatedly undermined in our society.
31. Regarding marriage, this report notes that the marriage of a man and a woman, a groom and a bride, appears in the first and last chapters of the Bible (Genesis 1 & 2 and Revelation 19, 21, 22). This central place at beginning and end of the meta-narrative of Scripture is seen as highly significant by many theologians.
32. Marriage is also a central image of the relationship between God and his people (e.g. in multiple prophetic books), and between Christ and his church (Eph 5:31-32; John 3:29, synoptic parables of the bridegroom, and in Revelation). As such, the non-symmetrical difference of the bride and groom in their complementarity are important to this image of salvation. God in Christ is not a generic ‘spouse’ or ‘partner’, but a faithful, redeeming husband!
33. This report also further notes that family is the fundamental, pre-political unit of society, and marriage is the fundamental building block of family. For example, marriage is central to the patriarchal narratives and promises, central to the 10 Commandments, i.e., commandments 7 and 10; and central to New Testament ethics (e.g., Ephesians 5-6, Colossians 3, Titus 2).
34. In addition, the amendment now being proposed to the Statement of Faith addresses two other key issues in the doctrinal area of anthropology. These are two key issues contested in our society and also identified in the Property Use Policy, alongside marriage and human sexuality. They are those of God’s creation of humanity with biological sex, and the sanctity or dignity of human life, especially at its beginning and end.
35. From the first pages of Scripture, we see that humans are made in two biological sexes, male and female, equally in God’s image, and precious to him. This reality has ongoing significance for us and our gender considerations in human life. This matter has been extensively, carefully and sensitively articulated and explored in the Gender Identity Report brought to Synod in 2017 and the Gender Identity Initial Principles of Engagement approved at Synod in 2018.
36. God’s sovereignty over life and death is again seen from the first pages of Scripture until the last, alongside God’s particular concern for the protection of the weak and vulnerable. Acts 17:25 says, “God himself gives all people life and breath and everything else.” Psalm 104:29 says of all living creatures, “When [God] take[s] away their breath, they die and return to the dust.” Psalm 139 is a famous and moving application of this doctrine to an individual human life.
37. As those made in the image of God, both Genesis 9:5-6 and the sixth of the Ten Commandments (along with the case law by which it is was applied variously in Israel), indicates that no one should kill another human life, without exceptional and just cause. Hence the wide concern in the Christian churches against abortion and euthanasia.

38. Social engineering and advocacy for legislative and administrative changes undermine and oppose these biblical views in preference for radical personal autonomy via the redefinition of marriage, the promotion of transgender ideology, significant loosening of abortion laws, and the adoption of euthanasia laws. These changes are being pushed on our churches and our organisations.
39. People in our Anglican churches need clarity and consistency in leadership that holds to the biblical teaching on these central, yet publicly contested matters. It is reasonable and wise to expect the key governors and chief leaders of our schools and organisations also to hold to the biblical teaching on these matters, so as to be able to maintain our distinctive Christian faith with consistency.
40. There is also a clear and pressing need to assist our Anglican schools and other organisations to demonstrate that it is a genuine, legitimate and justified occupational requirement for their board members, and principals or chief executive officers, to hold to these traditional Christian beliefs.

Addressing Objections

41. It has been argued that although important, our doctrine of marriage is not in the same category as the “core beliefs” currently itemised in the Statement of Faith, as not sufficiently articulated by the Creeds.
42. This assumes that statements of faith only ever address ‘really core’ doctrines. This is not true. Historically, statements of faith often emerged in response to the issues being contested at the time of their production, not all of which can be characterised as absolutely central to salvation. Some recent statements of faith include currently contested matters, like the Jerusalem Declaration, which touches notably on marriage!
43. Likewise the 39 Articles do place significant focus on matters like justification by faith only, and the sacraments, because these were key matters contested at the time of their composition, and not covered by the Creeds. But the 39 Articles also address issues like the death penalty, the right to bear arms, the right to private property, and Royal Supremacy. Although Anglican clergy in our diocese are required affirm them in their proper context, surely we do not argue these matters are central or core to gospel matters of salvation. Yet such matters are addressed in that statement of faith.
44. Indeed, other classical Protestant statements of faith like the Westminster Confession and the Second Helvetic Confession do make the traditional understanding of humanity and marriage explicit, so it is not idiosyncratic for us to do so in our Corporate Governance Statement of Faith.
45. Perhaps one reason the 39 Articles do not address marriage is that Anglicans have been a little different historically from some other Protestants, in that we have a basic formulary for ‘public worship’, alongside our statement of faith, to which subscription is required by clergy. Of course, our *Book of Common Prayer* (and *An Australian Prayer Book*, etc.) clearly make the traditional doctrine of marriage central in the marriage service. The result is that what is taught in the *Book of Common Prayer* formulary as basic is not elsewhere referenced, unlike some other comparable Protestant confessions/statements of faith.
46. This report argues that we are free to amend our current diocesan Statement of Faith to address what are arguably the key issues of our day.
47. Furthermore, this report notes that the Doctrine Commission’s recent report, “Human Sexuality and the ‘Same Sex Marriage’ Debate”, also affirms the close connection of the significance of marriage not only in creation but also in salvation.

“Rather than contracting, the significance of marriage in creation actually expands with this promise of the new creation in Christ Jesus. As we saw above, the one-flesh bond between a husband and a wife was integral to the creator’s desire to set up his image in the world. Marriage, in fact, played the primary role from which the rest of humanity expanded. In the gospel we learn that now through Christ Jesus and in the church “the manifold wisdom of God might now be made known to the rulers and authorities in the heavenly places. This was according to the eternal purpose that he has realized in

Christ Jesus our Lord” (Eph. 3:8–11). The purpose is both eternal and realized in Christ Jesus our Lord. So the significance of the original institution expands because, unlike the church, marriage is both a testimony to God as creator and God as saviour (a point repeated in Ephesians 5:22ff.).”

48. Reflecting especially on Ephesians 5:22ff, the Doctrine Commission states,

“Just as the reality of the church reveals the eternal purposes of God in the world, the reality of human marriage is specifically designed to reflect the redemptive means by which God’s wisdom is made known – through the loving and sacrificial character of Christ’s ministry for the church in the world. [...]

Ephesians 5:31-32 allows us to see afresh the theological dimension to marriage. The bond between a man and woman which always had the potential to represent God in the world (cf. Gen. 1:26-28) finds its deepest meaning in the way it mirrors the relationship between Christ and his body. This fits with the way this common human institution is used in the Old Testament, where the prophets use marriage as a concrete analogy of the state of the relationship between the Lord and Israel. However, the significance of the testimony of marriage is that the eternal purposes of God are being made known in the world. This gives marriage an extraordinary importance for God’s activities in the world but, at the same time, it enables us to understand something extraordinary about God’s intentions for marriage.” [Original emphasis.]

49. In summary this Report argues that man-woman marriage is far more central to biblical witness and closer to fundamental doctrine connected to the heart of saving faith than may be at first obvious.
50. The Committee’s recent report suggested that, "It is undesirable and impractical to attempt to itemise in the Statement of Faith a list of all other doctrinal matters currently relevant and contested in our society." However this is something of a straw man. The matters of gender and sanctity of life, have been included alongside marriage, largely at the urging of some diocesan leaders that if marriage was addressed, then these other basic matter of anthropology were just as basic, and equally threatened.
51. By contrast, the amendment being suggested for the Statement of Faith does not cover many of the doctrinal or ethical matters covered by the Property Use Policy, such as racism or gambling or drug use. Nor is there any need to comment on climate change or refugees in a Statement of Faith because views commonly held by Bible-based Christians are often within current mainstream of our society.
52. So the proposed amendment’s focus is on the watershed issue of our day: contested biblical anthropology, flowing from our creation by God in his image, for his sovereign purposes, involving gender, marriage and sanctity of life. These longstanding Christian beliefs are found from very first chapters of Genesis, and are foundational to biblical narrative and redemptive history. Refusing to affirm them is symptomatic of a lack of confidence in Scripture’s authority or sufficiency.
53. Some have argued that the requirement entailed in approving this addition to the Statement of Faith imposes a burden that is too wide-reaching on diocesan organisations. However, affirming the Statement of Faith is only required of board members and the chief executive of an organisation and the principal of a school. It is not required of any other executive staff, let alone regular employees, where considerable organisational variety and discretion is already permitted and practised.¹
54. In addition, this report notes that the amendment proposed to the Statement of Faith as drafted does not specify the nature of the complementary sexes, nor ‘lock in’ any particular view on gender relationships. As such, it avoids entirely the risk of being overly prescriptive about gender roles in the context of the Statement of Faith.

¹ Of course, the governing body of an organisation or school could choose in its own employment policies, having regard to its particular context and needs, to require affirmation of the Statement of Faith by candidates for some other particular positions, for example, senior executive staff, or assistant principals or faculty heads. Likewise, rectors in parishes may be assisted by this Statement of Faith in providing a model of what affirmations they could require of church members before appointing them to certain positions within the parish under the *Parish Administration Ordinance 2008* (e.g. 3.17, 3.18 and 3.18A of Schedule 1 and 3.16, 3.17 and 3.17A of Schedule 2).

55. Furthermore, the amendment being proposed here in regards to valuing and protecting all human life from conception until death is not as quite as specific as that implied by the Property Use Policy's tighter claim that God alone determines the beginning and end of life. Neither does the amendment prescribe any precise detail on how our leadership should respond to specific proposals regarding abortion or euthanasia. The same point can be made about responding to the specifics of particular changes that occur at law regarding gender.
56. Lastly, the amendment proposed does not dictate a particular view on how our churches and organisations ought to relate to society in general on such matters, let alone how the leadership of our organisations and schools ought to express or advocate for Christian views on such matters in the public arena.

Conclusion

57. In practical terms, strong anecdotal evidence is that members of Standing Committee are now, before nomination, commonly asking candidates for election to casual vacancies whether or not they hold to the traditional view of marriage. However, this approach is piecemeal in the topics covered, is not universal in practice, and relies on informal goodwill and attentiveness of members inquiring whether the nominator has raised such matters.
58. In addition, there is no process to inquire about such informal 'screening' conversation that covers all those directly nominated and then elected to board positions by the Synod itself.
59. Subjective conversation with potential nominees will remain important in our electoral and appointment processes. However, signing the Statement of Faith is the one objective step that applies to everyone elected or appointed.
60. If amended as suggested, the Statement of Faith would remain a statement of protestant Christian faith, which could be signed (for example) by Presbyterians and Baptists who serve in our organisations. It remains simple to understand and administer, not requiring additional reference to other documents.
61. The Statement of Faith would continue to be focused on fundamental biblical doctrine. With the amendment suggested, it enables us to ensure strong biblical convictions among our leadership at the highest level of our Anglican organisations, in areas where this is being challenged by our society.

CANON SANDY GRANT

(Member of Standing Committee)

Synod representative, Wollongong

24 September 2019

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2019 Session of Synod

Book 4

(Pages 441 to 454)

Further Reports of the Standing Committee

**Standing Committee of the Synod
Anglican Church Diocese of Sydney**

2019 Further Reports of the Standing Committee

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Doctrine Statement on Gender Identity

(A report from the Standing Committee.)

Key Points

- In 2018, the Synod adopted the Initial Principles of Engagement as the framework for the development of the Gender Identity Guidelines.
- Standing Committee is now recommending Synod affirm and adopt the Doctrine Statement on Gender Identity (in Annexure A) and agree that the Pastoral Guidelines for Churches, Schools and Organisations (in Annexure B) inform pastoral care throughout the Diocese.
- Synod will also be asked to recommend that the relevant governing body of each Diocesan school and organisation formally adopt the Doctrine Statement on Gender Identity (in Annexure A) and Pastoral Guidelines for Churches, Schools and Organisations (in Annexure B); and implement, and make publicly accessible, a policy which reflects that Statement and the Guidelines.
- Standing Committee is also recommending that Synod adopt the Gender Identity – Practical Guidelines for Churches (in Annexure C), and commend these guidelines to parishes.

Purpose

1. The purpose of this report is to recommend that Synod –
 - (a) affirm and adopt the attached Doctrine Statement on Gender Identity (in Annexure A) together with the Pastoral Guidelines (in Annexure B) and agree steps to see that Statement and the Guidelines adopted throughout the Diocese, and
 - (b) adopt as a policy the attached Gender Identity – Practical Guidelines for Churches (in Annexure C).

Recommendations

2. Synod receive this report.
3. Synod consider the following motion to be moved at the forthcoming session of Synod, 'by request of the Standing Committee' –

‘Synod, noting the report, “Doctrine Statement on Gender Identity” –

 - (a) affirms and adopts the accompanying Doctrine Statement on Gender Identity (Doctrine Statement) as a principal statement of the doctrines, tenets, beliefs and teachings propagated by the Anglican Church, Diocese of Sydney with respect to Gender Identity,
 - (b) agrees that the “Pastoral Guidelines for Churches, Schools and Organisations” (Pastoral Guidelines) inform pastoral care concerning Gender Identity issues,

and as a consequence –

 - (i) recommends that the relevant governing body of each diocesan school and organisation formally adopt and implement the Doctrine Statement as a statement of the doctrines, tenets, beliefs and teachings on Gender Identity and implement a policy to ensure that the activities of the school or organisation are conducted in accordance with the Doctrine Statement,
 - (ii) recommends that the relevant governing body of each diocesan school and organisation also formally adopt and implement the Pastoral Guidelines,
 - (iii) recommends that the relevant governing body of each diocesan school and organisation compose a publicly accessible policy on Gender Identity, which reflects the Doctrine Statement and Pastoral Guidelines,

- (iv) requests the Archbishop-in-Council to provide advice to diocesan schools and organisations on implementation of the Doctrine Statement and Pastoral Guidelines, and
 - (v) amends the Property Use Policy of the Synod by –
 - (A) replacing the third bullet point in paragraph 9 with the following – “Doctrine Statement on Gender Identity, Pastoral Guidelines for Churches, Schools and Organisations, and Practical Guidelines for Churches”, and
 - (B) inserting a new subparagraph 17(i) as follows – “Events for the purpose of advocacy for expressions of gender identity contrary to our doctrine that gender manifests biological sex”.’
4. Synod consider the following further motion to be moved at the forthcoming session of Synod, ‘by request of the Standing Committee’ –

‘Synod, noting the report “Doctrine Statement on Gender Identity”, adopts as a policy the accompanying “Gender Identity – Practical Guidelines for Churches”, and commends the Guidelines to parishes for implementation.’

Background

5. In 2017 Synod passed two resolutions in relation to Gender Identity. Resolution 23/17 was passed in the following form –
- “Synod, noting the Gender Identity Report –
- (a) agrees to approve in principle the Initial Principles of Engagement at 9.1 of the Gender Identity Report as a policy of the Synod, and
 - (b) in particular affirms –
 - (i) The promise of the gospel is that all who trust in Christ are assured of everlasting peace and wholeness in the resurrection life of the new creation.
 - (ii) All those who have faith in Christ are loved by God and belong to the body of Christ, including those whose personal trials and afflictions in this life include gender identity issues or gender incongruence.
 - (iii) Those who experience gender identity issues or incongruence deserve our compassion, love, and care.
 - (iv) In the beginning, God made humanity male and female, and, in his creative purposes, biological (bodily) sex determines gender.
 - (v) Human nature was damaged and distorted by the Fall but not destroyed. All people continue to be made in the image of God. The experience of incongruence between objective biological sex and subjective gender identity is one consequence of that damage and distortion but in no way diminishes a person’s full humanity.
 - (vi) The human person is a psychosomatic unity, where body and soul come into being at the same time and, in this life and the next, exist together. Embodiment is integral to human identity, and biological sex is a fundamental aspect of embodiment. Preserving the integrity of body and soul, and honouring and protecting the biologically sexed body that God has given are necessary for human flourishing.
 - (vii) The binary distinctions of male and female are to be embraced and upheld in the lives of Christian men and women respectively, and expressed in culturally appropriate ways that conform to Scripture.
 - (viii) We deeply regret that, in the past, some gender non-conforming people have experienced rejection or lack of compassion in our churches and ministries.
 - (ix) Churches, schools, and other Anglican organisations are to be places where all people, including those who experience gender identity issues

and incongruence, are welcomed, loved, supported and helped to live in obedience to Christ.”

6. Then by resolution 24/17 Synod resolved –

“Synod commends the Gender Identity Report (‘the Report’) to all Synod members, Anglican schools and other agencies in the Diocese which are called upon to care for people with gender identity issues and asks the governing boards and councils, and the heads and chief executive officers of such schools and agencies, as well as Synod members, to –

- (a) provide comments and feedback to Standing Committee on the Initial Principles of Engagement approved in principle as a policy of the Synod at its session in 2017 by 30 April 2018, and
- (b) ensure any policies, guidelines and procedures which they draft to address this issue are consistent with those Initial Principles of Engagement, and
- (c) consult with the Archbishop about the final form of such policies, guidelines and procedures before they are published, and
- (d) commit to reviewing such policies, guidelines and procedures in light of any revised form of policy adopted by the Synod following its session in 2017,

and requests that the Standing Committee bring to the Synod session in 2018 a revised form of the Initial Principles of Engagement with a view to the revised form being adopted as a policy of the Synod.”

7. Last year, by resolution 49/18 Synod passed the following resolution –

“Synod, noting Synod resolutions 23/17 and 24/17, adopts the revised form of the Initial Principles of Engagement contained in the report 23/17 *Gender Identity Initial Principles of Engagement / 24/17 Development of a final form of diocesan policy for gender identity issues* as the framework from which the Gender Identity guidelines will be developed.”

Discussion

- 8. In response to resolution 49/18, the Standing Committee asked the subcommittee which it had established last year with responsibility to draft the revised form of the Initial Principles of Engagement, to continue its work in conjunction with the Doctrine Commission to develop proposed guidelines. Successive drafts of the guidelines were discussed with the heads of a number of diocesan schools and organisations.
- 9. After reviewing the draft documents produced by the subcommittee and the advice of the Doctrine Commission the Standing Committee has settled on a framework for promulgating guidelines for gender identity in this Diocese.

Doctrines Statement on Gender Identity, with Pastoral Guidelines for Churches, Schools and Organisations

- 10. Firstly, there is the Doctrines Statement on Gender Identity (**Doctrines Statement**), supported by Bible references (attached as Annexure A). Supporting this statement is a document setting out Pastoral Guidelines for Churches, Schools and Organisations (**Pastoral Guidelines**) which flow from these doctrinal statements (attached as Annexure B).
- 11. Both the Doctrines Statement and the Pastoral Guidelines are intended to apply throughout the Diocese. However, while Synod will be asked affirm and adopt the Doctrines Statement and Pastoral Guidelines on behalf of all the churches and other unincorporated entities in the Diocese, the governance structure of many Diocesan schools and organisations necessarily requires a different process. For these bodies, Synod will be asked to recommend that the relevant governing body, be it a school Council or organisation Board, formally adopt and implement the Doctrines Statement and Pastoral Guidelines for their school or organisation, and compose, and make publicly accessible, a policy which reflects the Doctrines Statement and Pastoral Guidelines.

12. For schools and organisations, some of the issues relating to the implementation of the Doctrine Statement and Pastoral Guidelines in relation to gender identity are particularly complex and these implementation issues will be addressed in more detail through separate advice to be provided by the Archbishop-in-Council.
13. Synod will also be asked to amend the Property Use Policy to refer more explicitly to, and enable implementation of, the Doctrine Statement and Pastoral Guidelines.

Practical Guidelines for Churches

14. Secondly, Synod will be asked to adopt the Practical Guidelines for Churches (attached as Annexure C), and to commend these guidelines to parishes for implementation.

For and on behalf of the Standing Committee.

DANIEL GLYNN
Diocesan Secretary

9 October 2019

Anglican Church – Diocese of Sydney

Doctrines Statement on Gender Identity

1. The Bible teaches us that God is the Creator of all things (Genesis 1:1; Hebrews 11:3) and that human beings are created in his image (Genesis 1:26), according to his design through and for his beloved Son, Jesus Christ (Colossians 1:16). Human beings receive their existence as a gift of God. We are creatures who are not able to create ourselves. We are always accountable to our Creator for the way we use what he has given to us (2 Corinthians 5:10; Hebrews 4:13).
2. From the beginning, God created humanity in the form of two biological sexes – male and female (Genesis 1:26-27; Matthew 19:4). The Bible never envisages a divergence between biological sex and gender identity or expression. For example, in Mark 10:6-7 Jesus recognises that the male/female distinction of Genesis 1:27 is the foundation of the man/wife distinction of Genesis 2:24. In the creative purposes of God, gender manifests biological sex.
3. Human nature was damaged and distorted by the Fall but not destroyed by it (Genesis 3:21-22; Romans 1:18-32; 8:19-23). All people continue to be made in the image of God as male or female, despite the effects of sin (Genesis 5:1-2; 9:6; James 3:9). The effects of the Fall on both human biology and human psychology do not change the normative relationship between biological sex and gender (Matthew 19:4-6; Mark 10:6-7; 1 Corinthians 11:11-12). The experience of incongruence between objective biological sex and subjective gender identity is one of the consequences of the Fall but this in no way diminishes a person's full humanity.¹
4. Embodiment is integral to human identity, and biological sex is a fundamental aspect of embodiment in God's ordering of creation. The human person is a physical and mental unity, where body and soul come into being at the same time and exist together in this life and at the resurrection (Psalm 139:13-16; Matthew 10:28; Romans 8:23; 1 Corinthians 15:50-55). Blurring the distinctions between male and female, or seeking to present as a sex opposite to one's biology, is a denial of the significance of the biologically-sexed body that God has given to us (Deuteronomy 22:5; Leviticus 18:22; 20:13; 1 Corinthians 6:9-10; 11:4-5; 13-15; Ephesians 5:29-31).
5. God made all people and loves all people (Genesis 1:27; Deuteronomy 10:18; John 3:16). God's pattern for human flourishing is good for all people, whether or not they have placed their trust in Christ (Matthew 5:43-45; Luke 6:35-36). Christians are called to do good to all people (Galatians 6:9-10), which includes encouraging them to embrace God's pattern for human wholeness.

¹ Disorders of Sex Development (intersex) are another consequence of the Fall which likewise in no way diminishes the full humanity of those affected, as they too are made in the image of God.

Pastoral Guidelines for Churches, Schools and Organisations

(To be read in conjunction with the Doctrine Statement on Gender Identity and the Pastoral Guidelines for Churches, Schools and Organisations.)

1. In considering how to help our brothers and sisters in Christ who struggle with gender identity issues, we take into account that –
 - 1.1. All those who have faith in Christ are loved by God and belong to the body of Christ, including those whose personal trials and afflictions in this life include gender identity issues or gender dysphoria.
 - 1.2. The promise of the gospel is that all who trust in Christ are assured of existential peace and wholeness in the resurrection life of the new creation.
 - 1.3. God has compassion on the struggling and vulnerable, and is able to bring healing to the experience of gender incongruence, however in his sovereign wisdom, that healing might not be fully experienced in this life.
 - 1.4. The biologically-based binary distinctions of male and female are to be embraced and upheld in the lives of Christian men and women respectively, and expressed in culturally appropriate ways that conform with Scripture.
2. Believers in Christ who struggle with this issue are encouraged to consider the following –
 - 2.1. While gender dysphoria may be a lifelong battle for you, God's word declares that all those who have faith in Christ are loved by God and belong to the body of Christ, and that nothing can separate them from the love of God in Christ Jesus.
 - 2.2. Fix your eyes on Jesus, and look forward to wholeness and relief from suffering and temptation in the new creation.
 - 2.3. Seek options that maintain the integrity of your physical and mental unity, and which honour and preserve the maleness or femaleness of the body God has given you.
 - 2.4. Seek regular Christian fellowship.
 - 2.5. Share your struggles with some mature Christian people so you can receive Christian compassion and support, as well as accountability and encouragement.
 - 2.6. God desires your wholeness and wellbeing, and he will be patient with you, and his grace will sustain you.
3. Further, as Christians, when we consider how we may help anybody who struggles with gender identity issues, we also acknowledge –
 - 3.1. We have an obligation to show compassion, love and care to all those who experience gender identity issues or incongruence, as they too are made in God's image.
4. Churches, Organisations, Schools and individual Christians who care for people struggling with gender identity issues and dysphoria can show this love by –
 - 4.1. Remaining faithful to the teaching of the Bible, including upholding the goodness of God's design of male and female.
 - 4.2. Ensuring that churches, organisations, schools and other persons or parties are adequately informed about gender identity issues and dysphoria, and the relevant teaching of the Bible.
 - 4.3. Showing compassion, active love, care, and support even though you may disagree with the choices or behaviour of those for whom you are caring.

- 4.4. Being committed to pray for the person, including their physical and psychological wellbeing.
 - 4.5. Praying for the person's salvation (if they are not a Christian).
 - 4.6. Rejecting all bullying, ridicule, mistreatment, and abuse of gender non-conforming people.
 - 4.7. Avoiding rigid and unbiblical gender stereotypes.
 - 4.8. Pursuing and affirming evidence-based pathways for treatment, which are consistent with Scripture.
 - 4.9. Differentiating between compassion for the person, including an understanding of the distress of their situation or condition, and agreeing with or validating any treatment protocol for transition.
 - 4.10. Being patient and sensitive to a person's needs, listening carefully to their struggles, and seeking to alleviate their distress.
 - 4.11. Seeking to provide an environment that does not exacerbate the person's distress.
5. Public engagement about gender identity issues by Churches, Organisations, Schools and individual Christians should –
- 5.1. Be informed about and embrace the teaching of Scripture on sex and gender.
 - 5.2. Seek the common good of all people, through concern and involvement in public debate and policy formation.
 - 5.3. Show grace, by being loving, gentle, courteous, wholesome, and humble, which may include recognising the good in our interlocutor's arguments.
 - 5.4. Affirm what is true. God's truth is good, and applies to all people, whether or not they accept or recognise its wisdom. Cultural awareness and effective communication may shape how we express our viewpoint, but it cannot alter our adherence to biblical truth.
 - 5.5. Show love, as public engagement is an expression of love for our neighbour, and withdrawal from such engagement may signify a failure to love.
 - 5.6. Be informed about the different dimensions of the public debate. There are those who promote transgender ideology, and those who experience gender incongruence, who are vulnerable members of our community. The needs and claims of the two groups are different, and must be carefully distinguished in any public engagement on these matters.
 - 5.7. Be courageous, knowing that God is sovereign over all.

Proposed Policy

Gender Identity – Practical Guidelines for Churches

(To be read in conjunction with the Doctrine Statement on Gender Identity and the Pastoral Guidelines for Churches, Schools and Organisations.)

1. Christians struggling with Gender Incongruence or Dysphoria

- 1.1. Some issues for discipleship, such as the experience of gender incongruence or dysphoria, are more public than others, and therefore require different sorts of attention, acknowledgement and care.
- 1.2. The person should be encouraged to speak to a member of the ministry staff whom they trust. While church friends and family can continue to love and support the person, the church itself may be able to offer additional practical resources as well as providing pastoral care and reassurance.
- 1.3. Confidentiality is crucial among church members that may know about the person's concerns as well as among staff. However, the Rector should advise the Regional Bishop of the situation, so that staff might be offered any assistance they require, such as professional supervision.
- 1.4. Church staff should love and care for the person, offer pastoral support, and make available information (reports, research etc.), in addition to biblical teaching in line with the Doctrine Statement on Gender Identity.
- 1.5. Assistance in accessing appropriate professional counselling should be made available.

2. Christians considering or already Transitioning

- 2.1. Beyond applying the points in 1 above, the relevant member of staff should:
 - 2.1.1. attempt to discern whether transitioning is a desire that is being explored or the decision has already been made, and
 - 2.1.2. indicate all forms of gender transitioning are against God's purposes for the person (in accordance with the Doctrine Statement on Gender Identity and Pastoral Guidelines for Churches, Schools and Organisations) but continue to provide pastoral and practical care.
- 2.2. Nevertheless, if a person continues to pursue social or medical transitioning, ministry staff are to continue to provide for the person's spiritual needs. This will include telling and showing the person that they are loved and welcome at church, despite their decision being inconsistent with faithful Christian living. As with all pastoral correction and discipline, this will include a call to repentance and faith issued with patience and sensitivity, taking special account of the vulnerability of the person concerned.

3. Christians who have already Transitioned

- 3.1. Christian brothers and sisters in the person's church, as well as the staff, are to uphold the foundational truths expressed in the Doctrine Statement on Gender Identity.
- 3.2. Given these truths, in the context of caring for the whole person's spiritual, physical, emotional and social wellbeing, the ministry staff are to encourage the person who has already transitioned to consider de-transitioning, where possible, and to be content to live in accordance with their biological sex.
- 3.3. The person should be welcome to continue to attend church but may not be able to participate fully in the life of the congregation.

4. Unbelievers struggling with Gender Dysphoria or Transitioning

- 4.1. Our first concern should be to encourage all unbelievers, regardless of present struggles, to turn to Christ and accept him as their Lord and Saviour.
- 4.2. Bible teachers in the church are to be clear on the Bible's teaching on sex and gender, and are to explain this with love and sensitivity to non-Christians who may be struggling with their identity.
- 4.3. Assistance in accessing appropriate professional counselling should be made available.
- 4.4. All members of a church have the responsibility to show the love of Christ and care for all people struggling with this issue. This love should take both emotional and practical forms.

Governance arrangements for Diocesan Organisations

(A report from the Standing Committee.)

Key Points

- Synod will be asked to encourage certain diocesan organisations to pursue amendments to their constituting ordinances, to require that any person who wishes to serve as a board member, must sign an acknowledgment of duties and responsibilities, including a confirmation that they are able and willing to devote the time required to be spent by a board member to properly fulfil those duties and responsibilities.
- Synod will also be asked to amend the Governance Policy for Diocesan Organisations, by including in the Policy Guidelines a requirement that membership include at least two members of the clergy and at least two members with three-year theological degrees from Moore Theological College, noting that these requirements may be met by the same two people. Currently the Policy Guidelines require 'at least two clergy or other members with formal theological training'.

Purpose

1. The purpose of this report is to recommend that Synod consider changes to its governance arrangements for Diocesan Organisations, in two particular areas – acknowledgment of the duties and responsibilities of a board member, and membership criteria with regard to clergy and theological qualifications.

Recommendations

2. Synod receive this report.
3. Synod encourage the councils of Anglican Schools Corporation, Anglican Community Services (Anglicare), Moore Theological College and Youthworks, to consider pursuing amendments to their constituting ordinances to require the following –
 - (a) Any person who wishes to be elected, appointed or reappointed as a board member of that organisation must sign an acknowledgement of duties and responsibilities, in a form prepared by the organisation and approved by the Standing Committee (an Acknowledgement), including a confirmation that they are able and willing to devote the time required to be spent by a board member to properly fulfil those duties and responsibilities.
 - (b) When a person nominates another person (the nominee) for election to that organisation, that person is required to certify that the nominee is willing to sign the relevant Acknowledgement if elected, and will do so before attending any meeting.
4. Synod agree to amend the Policy Guidelines accompanying the Governance Policy for Diocesan Organisations by omitting the current paragraph (5) and inserting instead –

'The membership of the board should include –

 - (a) at least two clergy licensed in the Diocese of Sydney, and
 - (b) at least two members with (at minimum) a three year theological degree from Moore Theological College or another college that is endorsed by the Archbishop for the purpose of this clause,

noting that the requirements of paragraphs (a) and (b) may be met by the same two people.'

Background

5. At its meeting on 26 August 2019, the Standing Committee discussed a number of matters related to the Governance Policy for Diocesan Organisations (**Governance Policy**). The Standing Committee ultimately requested that two matters be brought to this session of Synod. The first addresses the issue of nominees to positions on Boards of Diocesan Organisations acknowledging the responsibilities of the position prior to election; and the second relates to membership criteria for diocesan organisations. Each are set out below.

Acknowledgment of Duties and Responsibilities

6. At its meeting on 26 August 2019, the Standing Committee requested that a report be prepared for this session of Synod, recommending the insertion of a suitable form of the following additional requirements in the Governance Policy –

‘Any person who wishes to be elected, appointed or to remain as a board member of a Designated Diocesan Organisation must sign an acknowledgement of duties and responsibilities in a form prepared by the Designated Diocesan Organisation, and approved by the Standing Committee (an Acknowledgement), including a confirmation that they are able and willing to devote the time required to be spent by a board member to properly fulfil those duties and responsibilities.

When a person nominates another person (nominee) for election to any Designated Diocesan Organisation, that person is required to certify that the nominee is willing to sign the relevant Acknowledgement if elected, and will do so before attending any meeting.

A Designated Diocesan Organisation is a diocesan organisation designated by Standing Committee –

- (a) which carries on activities which are subject to regulations overseen by a government agency (such as APRA, ASQA, TEQSA, the NSW Department of Education),
- (b) where those activities represent a substantial part of the activities of the diocesan organisation as a whole, and
- (c) where additional obligations, duties and responsibilities are required of the members of the governing board of the diocesan organisation to ensure compliance with those activity-specific regulations.’

7. At the same meeting, the Standing Committee recommended that the Synod adopt the changes to the Governance Policy.
8. It was subsequently determined that the ‘Designated Diocesan Organisations’ to which such a change would apply, are –
 - (a) Anglican Schools Corporation,
 - (b) Anglican Community Services (Anglicare),
 - (c) Moore Theological College, and
 - (d) Youthworks College.
9. As a consequence of the limited number of organisations affected, Bishop Chris Edwards will move a motion at Synod enacting the recommendation at paragraph 3 above, encouraging those specific organisations to consider amending their ordinances in this fashion, rather than applying the requirement through the Governance Policy.

Membership requirements of Diocesan Organisations

10. The Governance Policy includes *Governance Standards (Standards)* as Appendix 1, and *Policy Guidelines (Guidelines)* as Appendix 2.
11. The Standards, at paragraph A(d) provide that ‘the board of a diocesan organisation should include members with formal theological training’. Correspondingly, the Guidelines include at paragraph (5) –

‘The membership of the board should include at least two clergy or other members with formal theological training.’
12. This provision sought to ensure that all boards have members with formal theological training. However, it leaves open the possibility that a board might have members with formal theological training but no clergy licensed to serve in the Diocese of Sydney; or alternatively two clergy having less than three year theological degrees (e.g., deacons with a diploma level qualification).
13. During consideration of these matters at the Standing Committee, the view has been regularly expressed that clergy representatives are important not just for providing the board with the benefit of their with formal theological training, but also in bringing knowledge of Anglican theology, and especially the specific distinctives of the Sydney Diocese. As examples, it would seem strange if a distinctly Anglican organisation such as Anglicare or the Anglican Schools Corporation did not have any clergy members on its board.
14. For that reason, when dealing with ordinances for such organisations, the Standing Committee has regularly exceeded the requirements of the governance policy, by including a clause requiring membership of the board in question to include –
 - (a) at least two clergy licensed in the Diocese of Sydney, and
 - (b) at least two members with (at minimum) a three-year theological degree from Moore Theological College or another college that is endorsed by the Archbishop,noting that the requirements of paragraphs (a) and (b) could be met by the same two people.
15. The purpose of such a clause has been expressed as ensuring that there are clergy representatives on the board while also ensuring sufficient theological acumen (given some may have theological training but not be ordained; and others may be ordained to the permanent diaconate but without a three-year degree).
16. Accordingly, at its meeting on 26 August 2019, the Standing Committee recommended that the Guidelines be amended to bring the Governance Policy into line with the more specific standard already used in practice by the Standing Committee.
17. If the change recommended in paragraph 4 is adopted, the requirement for two clergy *and* two three-year degree qualified members need not be argued upon the consideration of each ordinance. Rather, if there are occasions were a lower standard of membership is thought appropriate (e.g., it is deemed unnecessary to have two licensed clergy on the board), the onus is placed upon the person proposing this deviation from the policy to make an argument for the relaxed standard.

For and on behalf of Standing Committee.

DANIEL GLYNN
Diocesan Secretary

10 October 2019