

Submission to Diocesan Council – Professional Standards Ordinance

1. Section 23(1)(i) Why has DC not put limits on expenditure?
2. Part 6, Section 24(2) What resolution of the appointment has been approved by DC?
3. Part 8, Section 34(2) Silence does not mean guilt.
4. Section 38 Three (3) months supervision. Priest out for 12 months or more. Review.
5. Section 39(d) Change – funding issues.
6. Section 48 Delete – too dangerous.
7. Section 54(3) Amend. Bound by rules of evidence.
8. Section 57 Event costing legal aid scale. Second reading speech on amendment of the ordinance.
9. Section 60(3) What rules, if any, have been made?
10. Section 62 Has the Board always complied with this section?
11. Section 71(1) Why was counsel for the Director and Diocese allowed in one matter to give medical evidence from the Bar table with no qualifications?
12. Section 80 What Regulations, if any, have been made by DC?
13. Section 23(1)(i) DC should impose limits on expenditure.
14. Section 24(2) Director appointed by DC. Has this happened?
15. Section 25(e) DC may limit or define duties. Has not happened.

16. Section 54(3) Has there been a breach of procedural fairness to those appearing before the Board? If so,
- a. Go to the Supreme Court for adjournment.
 - b. No warning given to priests being interviewed as to whether the statement will be used in evidence.
 - c. Told them to plead and the Diocese will pay them money.
 - d. No retainer for Counsel entered into by the Diocese.
 - e. No retainer by Solicitors appointed. They are not appointed by the Diocese.
 - f. Leaking of photos of the Terrigal Priest taken at the hearing.
 - g. On what basis are press releases made? Who drafts and authorises the document for release? What is the timing for this?
17. The Director of Professional Standards should not have an office in the Registry.
18. There should not be a close relationship by the Director's secretary and another senior person (or secretary) in the Diocesan office.
19. As difficult or painful as it may be to repeal the Ordinance, it will not affect persons presently before the Board.
20. Work under "Panel of Triers" – who may adopt parts of faithfulness in service Documents approved by DC. The new ordinance developed for approval at a future synod.
21. A copy of Mr Elliot's contract should be tabled and provided to each DC member at the next meeting.
22. Synod – Select Committee to prepare protocols.
23. Report of Mr Cleary, Mr Helman and Mr Allen should be provided to each DC member at the next DC relative to costing and legal issues.

Submitted: Keith Allen. 20 January 2011.