

Relations between the North Coast Children's Home Inc. Lismore and the Diocese of Grafton

The North Coast Children's Home has always stated in its Constitutions (1920, 1951, 1989 and 2005) that it is indissolubly connected with the Anglican Church within the Diocese of Grafton. The actual wording has varied over time but the intent is constant.

Groups of people operate under the aegis of the Church in two main ways: (1) they are formally part of the church structure and ultimately are controlled by the church; and (2) they are members of the church who see a task that needs performing in tradition and ethos of the church, who proceed to carry out that task but although using the name of the church are not controlled by it. The two main missionary bodies of the Anglican Church of Australia set out these two modes of operation: the Australian Board of Missions was established officially by the church and is responsible to General Synod; the Church Missionary Society was formed by Anglicans concerned with the missionary task of the church, draws most of its support from church members, but is not responsible to the church authorities.

The North Coast Children's Home was founded at the instance of the then Vicar of Lismore. It has functioned independently of the Parish of Lismore, although the Rector of Lismore is required to be President of the Home. In recent years this has been delegated to a nominee of the Rector.

The Home has always had a wide measure of community support. At times it has seemed politic to downplay the relationship to the Church in the interests of attracting support from non-Anglicans. But the fact remains that the committee has always comprised a majority of Anglicans, many of them being parish officers at the same time. From 1989 the Home has been an incorporated body under the Associations Incorporation Act.

Examination of the reports to synod show that the reports are aimed at attracting clients and support from the whole diocese. For much of the period 1960 to 1985 the Home featured on the Diocesan Budget, with an annual grant towards running costs. A previous General Manager of the Diocese appeared to resent this practice, and grants to the Buttery and the Home ceased. At the time that the writer was Treasurer of the Home, only some 65% of the expenditure was covered by government grants, and the Home had to find large sums of money from other sources.

The Committee of the Home has always understood that they had the management role regarding the Home, with no control by the Diocese. Discussions with two previous secretaries who were in office from the 1970's to about 2000 have confirmed that this was their understanding. Thus the Diocese had no direct control over the Home, its operations and the appointment and supervision of staff.

The Diocese did not own the property (see the 1935 Land Sale Ordinance p. 21 of the Resource material), and did not employ the staff. It is difficult to see how a case for damages could be brought against the Diocese.

On the other hand, the Diocese probably has a moral obligation to ensure that former residents of the Home receive appropriate counselling or other assistance.

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