

RESOLUTIONS PASSED BY SYNOD IN JUNE, 2004
(Adjourned Session)

The numbers of the resolutions are the Minute numbers for the complete Minutes

- 102 **Moved by the Very Revd Steven Ogden**
that the Revd Andrew King be granted a seat on the floor of Synod with the right to speak but not vote. **CARRIED**
- 107 **Moved by the Hon Justice Bleby (NM 4 of 19 June)**
That this Synod requests the Diocesan Council to cause to be undertaken a review of the present protocol and practices of the Director and Professional Standards Committee in light of the provisions of the proposed Professional Standards Ordinance and the recommendations contained in the report, and that the outcome of this review be brought back to the next ordinary session of Synod. **CARRIED**
- 110 **Moved by the Hon Justice Bleby (NM 3 of 19 June)**
That this Synod and we as members of it acknowledge with deep regret and repentance the past failings of the Church and its members. On behalf of the whole Church in this diocese we apologise unreservedly to those who have been harmed by sexual abuse perpetrated by people holding positions of power and trust in the Church. We apologise for the shameful way we actively worked against and discouraged those who came to us and reported abuse. We are ashamed to have acknowledged that we only took notice when the survivors of abuse became a threat to us. We apologise and ask forgiveness for the Church's failure at many levels to listen to and acknowledge the plight of those who have been abused, to take adequate steps to assist them, and to prevent abuse from happening or recurring. We commit the Church in this diocese to listen to survivors of abuse, to respond with compassion to all those who have been harmed, both to those who have come forward and to those who may choose to do so in the future, and to deal appropriately, transparently and fairly with those accused of abuse and negligence. **CARRIED UNANIMOUSLY**
- 111 **Moved by the Hon Justice Bleby (NM 5 of 19 June)**
That this Synod accepts the recommendation of the Board of Inquiry concerning the composition of the proposed Professional Standards Committee, agrees to incorporate the recommendation in the Measure for a Professional Standards Ordinance to be considered at this session of Synod, and requests the General Synod and its Standing Committee to recommend to all dioceses that the model ordinance be amended to give effect to this recommendation. **CARRIED**
- 112 **Moved by the Hon Justice Bleby (NM 6 of 19 June)**
That this Synod notes the recommendation of the Board of Inquiry regarding the appointment of an independent supervisory office of Independent Ombudsman to audit the activities of the Director and the proposed Professional Standards Committee.
- It recognizes the importance of independent oversight, and requests that the Diocesan Council appoint either an existing committee or a new committee:
- a) to recommend how and by whom such oversight should best be undertaken;
 - b) to determine what the obligations of the Professional Standards Committee and Director with respect to such independent oversight should be;
 - c) to liaise with and make recommendations, if appropriate, to a body appointed by the General Synod or its Standing Committee for the purpose of making recommendations concerning amendments to the model Professional Standards Ordinance;
 - d) to investigate with the Attorney-General the possibility of amending the (SA) Ombudsman Act 1972 to enable the State Ombudsman to fulfill such a role; and
 - e) to report to the next ordinary session of the Synod. **CARRIED**

113 Moved by the Hon Justice Bleby (NM 7 of 19 June)

That the problem recognised in para. 272 of the report be referred to the diocesan Legal Committee for report to the next ordinary session of the Synod in light of any legislation passed by General Synod in October and in light of any further recommendations from the Church Law Commission, that the report of the Legal Committee include:

- a) recommendations for revision of the processes prescribed in the Clergy Discipline Ordinance 1983; and
- b) recommendations as to whether and to what extent the role of the Professional Standards Committee in this diocese should be extended to include consideration of any complaints against clergy and church workers;

and that in preparing its report and recommendations the Legal Committee consult with the Professional Standards Committee. **CARRIED**

118 Moved by Ms Jan Horsnell (NM 8 of 19 June)

That this Synod requests the Professional Standards Committee to develop, implement and maintain adequate systems, procedures, files, records and administrative arrangements relating to all information concerning possible sexual abuse or misconduct by a church worker. It further requires that the standards for the development of these systems and procedures, files, records and administrative arrangements be approved by the Executive Officer of the Diocese be consistent with those of the diocesan office and requests Diocesan Council to consider the development of an auditing function. **CARRIED**

119 Moved by Ms Jan Horsnell (NM 9 of 19 June)

That this Synod requests the Ministry Development Council to:

- a) assess the level of knowledge, understanding and commitment by clergy and lay church workers to make immediate reports of information received with regard to all alleged sexual abuse of children or young people by church workers to the Department of Family and Youth Services and/or the police without any prior intermeddling in the situation
- b) develop and implement appropriate policy and directives which ensure the carrying out of mandatory notification obligations by all church workers
- c) develop and implement education and training programs for all church workers which respond to the assessment undertaken of knowledge, understanding and level of commitment to mandatory reporting
- d) recommend to the Diocesan Council a mechanism which continually monitors the levels of knowledge, understanding and commitment to mandatory notification obligations.

Synod requests that the MDC be requested that these actions be completed within 6 months of this meeting. **CARRIED**

120 Moved by Archdeacon Peter Stuart (NM 10 of 19 June)

That this Synod requests Diocesan Council within 6 months to review all ordinances and policies relating to the handling of complaints and discipline of clergy and church workers against established industrial principle and best practice and initiate amendment or new policies as appropriate together with training for all responsible for their implementation. **CARRIED**

123 Moved by Archdeacon Cathy Thomson (NM 11 of 19 June)

That this Synod request Diocesan Council to formulate within 6 months a Charter of fundamental rights of complainants of sexual abuse which respects those recommended by the Uniting Church of Australia Commission on Men and Women 1992, and also takes account of the rights of complainants to speak out.

Further that Diocesan Council be requested to affirm this charter as authoritative in this diocese and distribute it widely. **CARRIED UNANIMOUSLY**

124 Moved by Ms Jan Horsnell (NM 12 of 19 June)

That this Synod notes that the primary responsibility of mandated notifiers (which includes clergy, and other church workers) is to report information relating to child sexual abuse immediately to FAYS.

That this Synod requests the Professional Standards Committee to develop and implement protocols and procedures to ensure all members of the clergy, employees and other church workers who receive such information that suggests a real possibility that a criminal offence of the nature of sexual abuse of children or young people may have been committed, to report that information to FAYS, and to the Professional Standards Director in a case involving a church worker.

It further requests the Professional Standards Committee to develop and implement protocols and procedures that:

- a) ensure that upon receipt of such information by the Director, the Director will further report the information to the police and the Department of Family and Youth Services; and
- b) that necessary investigations will be undertaken by the Director to ascertain whether there are other past or present victims who have been sexually abused by the same alleged perpetrator.

CARRIED

125 Moved by Mrs Dianne Bradley (NM 13 of 19 June)

That this Synod requires the Diocesan Administration Council to ensure that adequate financial resources are allocated; and Diocesan Council to ensure that all other reasonable measures are taken to equip the Professional Standards Committee to investigate, consider and report on all matters coming before it with due expedition, having regard to the need to observe the dictates of principles of natural justice and for co-operation with the police and the Department of Family and Youth Services.

CARRIED

126 Moved by Archdeacon Peter Stuart (NM 14 of 19 June)

That this Synod requests the Diocesan Council to review the wording of licences for clergy and church workers that provide the Archbishop with increased flexibility should suspension or termination be necessary and report to the next session of Synod.

CARRIED

127 Moved by Ms Jan Horsnell (NM 15 of 19 June)

That this Synod requests the Diocesan Administration Council to establish protocols for the development and maintenance of personnel files for all clergy and church workers and that the protocols provide for appropriate cross referencing with files maintained by the Professional Standards Committee.

CARRIED

128 Moved by Archdeacon Bob George (NM 16 of 19 June)

That this Synod requires that the education and training activities relating to abuse, and relating to the care of those who have been abused, be conducted in partnership with relevant external experts to ensure best practice is promoted and ensured within the Diocese.

CARRIED

129 Moved by Archdeacon John Stephenson (NM 17 of 19 June)

That this Synod requests the Ministry Development Council within six months to:

- a) Assess knowledge, understanding and attitudes of clergy and church workers in relation to the need to appropriately respond to claims of sexual assault of adults.
- b) Develop and implement appropriate policy, directives and education and training programs for all church workers which respond to the assessment undertaken.

- c) Recommend to the Diocesan Council a mechanism which continually monitors the knowledge, understanding and attitudes of clergy and church workers in relation to the need to appropriately respond to claims of the sexual assault of adults.

CARRIED

130 Moved by Mrs Maxine Goulding (NM 19 of 19 June)

That Synod consideration of the Professional Standards Ordinance be deferred until the first meeting of Synod in 2005.

In the interim:

.1 That Diocesan Council, in consultation with the Legal Committee, be requested to establish a process to revise the draft Professional Standards Ordinance, which takes into account submissions and suggested amendments from members of Synod.

.2 The application of the Interim Professional Standards Committee and Director Policy should continue.

CARRIED

132 Moved by the Revd Dr Tim Harris

That this Synod requests that the Diocesan Council appoint either an existing committee or a new committee to give consideration to matters relating to the Archbishop's responsibilities in relation to hearing and responding to advice from the Professional Standards Committee and the Director, the Professional Standards Board and the Diocesan Tribunal, and further to explore possible models for appropriate independent review and accountability for the Archbishop's determinations on such matters.

CARRIED

133 Moved by the Revd Bruce Stocks

That this Synod requests the Professional Standards Committee to investigate acts of negligence or illegality mentioned in the report of the Board of Inquiry and to initiate or recommend any disciplinary action as appropriate.

CARRIED

134 Moved by the Hon Justice Bleby

That the representatives of the diocese to General Synod be requested to ensure that a report of the recommendations of the Board of Inquiry and of the proceedings of this Synod concerning the Report and the draft Professional Standards Ordinance be presented to the General Synod.

CARRIED

135 Moved by Dr Warren Rogers

That this Synod records its appreciation to the Hon Justice Bleby in seeing the need for this meeting of the Synod to deal with matters other than the Professional Standards Ordinance, that is, matters arising out of the Report of the Board of Inquiry, and in particular, motions 3, 4, 5, 6, and 7 standing in his name on the Notice Paper, and for the care and attention given by him in the drafting of these motions to facilitate the debates by the Synod on these motions which took place today; and in addition, those members of Synod for the drafting of motion 8 – 17 appearing on the notice paper.

CARRIED WITH ACCLAMATION

137 Moved by the Ven John Stephenson

that this Synod give its thanks and appreciation to the Administrator, the Ven John Collas for his chairmanship of the proceedings today.

CARRIED BY STANDING OVATION