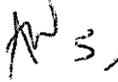


Statement of Reverend Dr Andrew Williams

Name: Reverend Dr Andrew Williams

Address: 222 Pitt Street, Sydney NSW

Occupation: General Secretary of the Uniting Church in Australia Synod of New South Wales and the ACT

Date:  4 February 2015

- 1 This statement sets out the evidence that I will give to the Royal Commission into Institutional Responses to Child Sexual Abuse. This statement is true and correct to the best of my knowledge and belief. I make an oath and say as follows. In April 2010, I was appointed the General Secretary of the Uniting Church in Australia Synod of New South Wales and the ACT. I commenced in this role on 1 August 2010 and presently hold this position.
- 2 The Synod welcomes the Royal Commission's inquiry into its role in relation to the events that occurred at Knox. The Synod deeply regrets those events and acknowledges the harm and distress caused to each of the survivors and their families.
- 3 On 18 November 2012, The Assembly appointed a National Engagement and Response Task Group (**the National Task Group**) to the Royal Commission.
- 4 In early 2013, the National Task Group commissioned a Statement of Uniting Church Values to guide The Church's response arising from the issues raised at the Royal Commission and which declares our readiness to uphold Christian principles through our full and honest co-operation with the Royal Commission. It states as follows:

The Uniting Church believes that God has given us the gift of the Spirit to "constantly correct that which is erroneous" in our life (Basis of Union, Para 18). Therefore, we will not hide from the truth, however painful that may be, and we will seek, with compassion and humility, to address whatever issues and challenges may emerge for us. We will say "sorry" to anyone who was sexually abused when in our care and, in consultation with those so affected, actively seek for ways to make amends for what happened in the past and identify how we can best offer support into the future. In all of this we are guided by the Word of God, remembering the teaching of the Apostle Paul: "Whatever is true, whatever is honourable, whatever is just, whatever is pure, whatever is pleasing, whatever is commendable... think about these things" (Philippians 4:8).

From the beginning of our life together as the people of God within the Uniting Church in Australia, we have sought through prayer, and a spirit of consensus, to discern what it means to confess Jesus as Lord and Head over all things (Basis of Union, Para 3). At the time of Inauguration, the Assembly spoke to the nation in a statement that has guided and encouraged us ever since to be a church that honours Christ in all that we say and do. The statement declared, in part, that "we affirm our eagerness to uphold basic Christian values and principles, such as the importance of every human being, the need for integrity in public life, and the proclamation of truth and justice... We pledge ourselves to seek the correction of injustices wherever they occur". (Statement to the Nation, National Assembly, June 1977).

To adopt such a stance in the life of our nation means that we must be willing to examine our own motives and behaviour and be open to accept the close scrutiny of others. In that regard the Uniting Church welcomes the decision of the Federal Government to establish a Royal Commission on the sexual abuse of children in both

public and church institutions, and pledges itself to cooperate fully and honestly with the process the Commission will implement. The sexual abuse of children is criminal behaviour that is totally abhorrent and unacceptable.¹

5 The National Task Group has provided prayers in relation to the Royal Commission.² Similarly, the Synod established a Task Group in February 2013.

6 In March 2013, the Assembly Standing Committee issued the following statement, which also appears in The Church's response to Issues Paper 6 – Redress Schemes:

We will say "sorry" to anyone who was sexually abused when in our care and, in consultation with those so affected, actively seek ways to make amendments for what happened in the past and identify how we can best offer support into the future... [W]e must be willing to examine our own motives and behaviours and be open to accept the close scrutiny of others.³

Definitions

7 In this statement I refer to, or use, the following expressions:

- (1) **Knox** – means Knox Grammar School;
- (2) **Royal Commission** – means the Royal Commission into Institutional Responses to Child Sexual Abuse;
- (3) **Synod schools** – means the schools constituted under the Synod in New South Wales and the Australian Capital Territory;
- (4) **Synod Standing Committee** – means the Committee of the Synod empowered to act for the Synod between meetings of the Synod;
- (5) **The Church** – means the Uniting Church in Australia;
- (6) **The Property Trust** – means (together and separately) The Uniting Church in Australia Property Trust (NSW) and The Uniting Church in Australia Property Trust (ACT); and
- (7) **The Synod** – means The Uniting Church in Australia, Synod NSW and the ACT;
- (8) **The Assembly** – means The Uniting Church in Australia Assembly;

8 I have also referred to a number of documents which are identified by a code and included in The Synod's Tender Bundle.

My background

9 I hold the following qualifications:

- (1) Bachelor of Theology from Flinders University, Adelaide, 1985;
- (2) Master of Theology (Hons) from The University of Sydney, Sydney. My thesis was on "The Concept of Partnership in the Uniting Church's Understanding of Mission" 1995; and
- (3) Doctor of Theology from Birmingham University, Birmingham. My thesis was a case study approach to issues of personnel sharing in mission 2005.

¹ <http://assembly.uca.org.au/rcvalues>

² <http://assembly.uca.org.au/resources/royalcommission>

³ <http://www.childabuseroyalcommission.gov.au/submissions/752/issues-paper-6>

- 10 In 1984, I was ordained as a minister of the The Church. Since then I have held a range of roles in the Church including pastoral, leadership and executive appointments in Australia (Adelaide, Darwin and Sydney) and abroad.
- 11 From 1999 to 2007, I worked in London as the Executive Secretary for Personnel and Training in the Council for World Mission (the former London Missionary Society). This role focused on training people as missionaries with the 32 member-churches of the Council globally.
- 12 My experience includes being a member of the standing committee of three synods in Australia, a member of the National Assembly's Social Justice Committee, World Mission Committee and Commission on Women and Men. I worked on the policy drafting group for guidelines on clergy sexual misconduct and also helped with the 1992 redrafted version (inclusive language) of The Church's *Basis of Union*. The work on clergy sexual misconduct led to revised regulations (clause 5.6 of current Regulations) and also the introduction of a Code of Ethics and Ministry Practice for Ministers in The Church.

The Uniting Church in Australia

- 13 On 22 June 1977, The Church was inaugurated by a union of the Congregational Union of Australia, the Methodist Church of Australasia and the Presbyterian Church of Australia (**the 3 churches**). The Church is the first church to be created in, and for, Australia.
- 14 The Church is presently the third largest Christian denomination in Australia. Throughout Australia there are around 1,162,970 members and adherents. Around 1.3 million Australians claim an association with the Church.⁴
- 15 While The Church operates throughout Australia, it is organised in a federal model loosely based on its presence in the States and Territories. The inauguration was preceded by enabling legislation, namely, the *Uniting Church in Australia Act 1977* in all States and Territories. A copy of the Act for New South Wales is identified at **UCA.400.002.0435**.
- 16 The legal status of The Church is an unincorporated association of individual members.
- 17 Prior to the inauguration, the 3 churches had approved a *Basis of Union* as the basis on which the union would occur. The *Basis of Union* is a foundational document which continues to guide the Church. The *Basis of Union* is a schedule in the various State Acts and Territory Ordinances (see Schedule 2 of the *Uniting Church in Australia Act 1977 (NSW)*). The original basis of union is identified at **UCA.400.002.0001**. The 1992 edition is identified at **UCA.400.002.0013**.
- 18 In addition to the *Uniting Church in Australia Act 1977* and the *Basis of Union*, the other key documents which address the Church's structure, governance and the status are the Constitution of the Uniting Church in Australia, including the Preamble (**UCA.400.002.0212**), and the Regulations of the Uniting Church in Australia (**UCA.400.002.0239**). The Synod operates under the Synod by-laws made pursuant to the Constitution and the Regulations (**UCA.400.002.0134**).

Uniting Church Structure defined in the Basis of Union

- 19 Among other things, the *Basis of Union* (at paragraph 15) provides for the government of the Church through inter-related councils as follows:
- (1) The congregation;
 - (2) The Elders' or Leaders' Meeting (the council within a congregation or group of congregations);
 - (3) The Presbytery (the district council);

⁴ According to the 2013 Uniting Church Census of Congregations and Ministers by Ruth Powell, Miram Pepper, Nicole Hancock, Sam Sterland and Claudia Mollidor, dated March 2014.

- (4) The Synod (the regional council); and
 - (5) The Assembly (the national council).
- 20 Paragraph 15 of the *Basis of Union* outlines the framework in which these inter-related councils will operate, it provides:

The Uniting Church recognises that the responsibility for government in the Church belongs to the people of God by virtue of the gifts and tasks which God has laid upon them. The Uniting Church therefore so organises its life that locally, regionally and nationally government will be entrusted to representatives, men and women, bearing the gifts and graces with which God has endowed them for the building up of the Church. The Uniting Church is governed by a series of inter-related councils, each of which has its tasks and responsibilities in relation both to the Church and the world.

The Uniting Church acknowledges that Christ alone is supreme in his Church, and that he may speak to it through any of its councils. It is the task of every council to wait upon God's Word, and to obey God's will in the matters allocated to its oversight. Each council will recognise the limits of its own authority and give heed to other councils of the Church, so that the whole body of believers may be united by mutual submission in the service of the Gospel.

- 21 The form of government of The Church is unlike that of other churches, including its own predecessor denominations. Three particular features are noteworthy:
- (1) it is a non-hierarchical form of governance - meaning that rather than power being vested in an individual, such as a bishop the episcopacy is vested in the presbytery council;
 - (2) decisions taken in one council may bind the whole Church (e.g. the decision of a presbytery to ordain a person must be accepted by the whole Church) notwithstanding that in some areas more than one Council can make some aspect of the decision (e.g. property dealings); and
 - (3) decisions are made by councils not individuals. The councils operate under the consensus decision-making procedures outlined in the Church's "Manual for Meetings". The idea behind this is about trying to hear the Spirit of God through the gathered community rather than through individuals.

Members and adherents of the Uniting Church

- 22 Everyone is welcome to participate in The Church. Members of The Church are baptised persons recognised by The Church Council as being within the pastoral responsibility of The Church. This includes members of the 3 churches and congregations that united under the *Basis of Union*, except those who declined to be members of The Church.
- 23 Membership also includes any person who becomes a member in accordance with the procedures of The Church, set out in the Constitution and Regulations, which fall under three categories: baptised members, confirmed members and members-in-association. Membership is recorded on the relevant membership roll kept by The Church Council of each Congregation.
- 24 Adherents are not members of The Church, but are those who regularly attend the services of worship and share in the life of the congregation. The main difference between members and adherents is that adherents may attend and speak at meetings of the congregation but not in the determination of items of business. Adherents also include persons who are not baptised whereas members must be baptised.
- 25 The role of the laity is valued in The Church, recognising that ministry is a function of the whole church and all members. However, certain specific roles or "specified ministries" are defined. Of these, the role of elder and pastor are open to lay members.

- 26 There are two orders of ordained ministry in The Church, these are Ministers of the Word and Deacons. In situations where it is not possible or desired to have an ordained minister, a lay pastor (which grew out of the Methodist local preacher tradition) or lay ministry teams may perform the role of a minister, particularly in rural areas.

Congregations

- 27 Members and adherents worship together in a congregation. The primary expression of the corporate life of The Church is the congregation (paragraph 22 of the Constitution).
- 28 There are approximately 2,078 congregations, preaching places and faith communities of The Church throughout Australia. Some are large with several hundred members others are very small. At least forty different languages are used in worship in The Church each week. Some congregations are grouped together for the better exercise of their mission (Regulation 3.4.2).
- 29 Each congregation or group of congregations has a Church Council. The Church Council gives priority in its life to building up the congregation in faith and love, sustaining its members in hope, and leading the congregation to a fuller participation in Christ's mission in the world.

Presbyteries

- 30 Each Synod determines the number and bounds of Presbyteries in its bounds. Relevantly, there are 14 in NSW and the ACT. Presbyteries exercise such oversight as is necessary to the life and mission of The Church in the area committed to it. This oversight extends to both ministers and congregations.
- 31 Each Presbytery elects a Chairperson. This office may be filled by either lay or ordained persons. The duties of a Chairperson are primarily to constitute, preside over and generally direct the business of the meetings of the Presbytery, and to exercise pastoral oversight.

Synods

- 32 The Church has six Synods across Australia.⁵ The Constitution of The Church provides as follows:

"...the Synod shall have general oversight, direction and administration of the Church's worship, witness and service within its bounds. It shall exercise executive, administrative, pastoral and disciplinary functions over the Presbyteries within its bounds, shall be the council to hear and deal with appeals and requests from Presbyteries and shall establish and maintain such boards, institutions, committees and agencies as are appropriate to the furtherance of its responsibilities..."

(Paragraph 32 of the Constitution).

- 33 Similarly, Regulation 3.5.55 provides that a Synod may:

"... enter into or establish such activities and enterprises as it deems expedient for the furtherance of the life and witness of the Church, and may set up organizations, either temporary or permanent, for any purposes consistent with the policy and procedures of the Church."

- 34 At paragraph 41 below and following, I address the entities established by The Synod with respect to the activities and enterprises performed by The Synod.
- 35 The Synod gathers presbyteries and congregations in New South Wales and the ACT where, according to the 2013 Census, there were around 615 congregations made up of 381,435 members and adherents with around 30,000 regular Church attendees.⁶

⁵ The bounds of a Synod do not correlate exactly to State or Territory boundaries. For example, several congregations and other Uniting Church entities on the northern side of the River Murray are located in the State of NSW but are within the Synod of Victoria and Tasmania. Similarly, the Kimberley region and much of northern Western Australia is in the Northern Synod.

- 36 The membership of the Synod in session consists of such number as The Synod shall determine up to a maximum of 500 (Regulation 3.3.7). The average membership is 350 – 400 members. The Synod meets every 18 months.
- 37 In between meetings of the Synod in session, the Synod Standing Committee is empowered to act on behalf of The Synod in respect of any of the responsibilities of The Synod except such as The Synod may determine (Regulation 3.7.4.1(d)). The average number of members is 35. The composition, roles and responsibilities of The Synod, the Synod Standing Committee and key office holders is set out in part 2 of the By-Laws.
- 38 Each Synod elects a Moderator.⁷ The Moderator usually holds the position for a term of three years. Both lay and ordained persons are eligible for election. The Moderator has a pastoral and advisory leadership role in their synod. The Moderator has considerable moral and relational influence but limited formal powers with respect to the day to day administration or governance of the relevant Synod.
- 39 Each Synod appoints a General Secretary who fulfils the responsibilities of a chief executive officer of the Synod operations. This is a full time position and there is no maximum length of tenure. This is the role I presently hold for The Synod.
- 40 I oversee the Secretariat. The Secretariat's key purpose is to ensure the work and operations of The Synod and Synod Standing Committee continue smoothly. It has responsibility to coordinate the work of the Boards and other agencies and to provide support for the:
- (1) Advisory Committee of Ministry Placements;
 - (2) Admission of Ministers Committee;
 - (3) Support funds for Ministers;
 - (4) The discipline of Ministers; including sexual misconduct ;
 - (5) Communications Unit that publishes and distributes *Insights* magazine; and
 - (6) Various other committees.
- 41 I also oversee the operations of The Synod. The Synod is divided into four ministry areas:
- (1) Uniting Mission and Education (**UME**)
 - (2) Social Responsibility (**Uniting Care**)
 - (3) Finance & Property (**Uniting Resources**)
 - (4) Treasury and Investment Services (**Uniting Financial Services**)
- Each of these is overseen by a Board which reports to The Synod Standing Committee.
- 42 The responsibilities and functions of the Boards, which reflect their purpose, are set out in the By-Laws. For the most part, the Boards shall:
- (1) provide “advice and service, leadership, support, general oversight, assistance”;
 - (2) determine policy;
 - (3) carry out research; and
 - (4) inter-act with Congregations , Presbyteries and Ministers.

⁶ 2013 Uniting Church Census of Congregations and Ministers by Ruth Powell, Miram Pepper, Nicole Hancock, Sam Sterland and Claudia Mollidor, dated March 2014.

⁷ <http://nswact.uca.org.au/about-us/moderator/>

- 43 As General Secretary, I am an ex-officio member of the Boards approved and established by The Synod.
- 44 The Synod's offices currently houses the administration areas responsible for the Boards' operations:
- (1) Secretariat (the responsibilities of the Secretariat are outlined in paragraphs to 39 to 41 and 43 above, the responsibilities of the Boards are outlined in paragraphs 45 to 65 below);
 - (2) Uniting Resources (**UR**);
 - (3) Uniting Financial Services (**UFS**) (UR and UFS were formerly one board, the Board of Property and Finance);
 - (4) UnitingCare NSW.ACT; and
 - (5) UME (formerly two separate boards, the Board of Mission and the Board of Education) (**UCA.110.002.6541**).

Uniting Resources

- 45 Uniting Resources provides support to The Synod by working collaboratively with congregations, presbyteries, schools, UnitingCare and other Synod bodies. It works like an innovative partner; delivering resources and management services that help create and sustain a growing and vibrant church.
- 46 Uniting Resources has the following core capabilities:
- (1) Human resources;
 - (2) Marketing and communications;
 - (3) Workplace safety;
 - (4) Information technology and systems;
 - (5) Finance and administration;
 - (6) Property services; and
 - (7) Risk, compliance and insurance.

Insurance (a responsibility of Uniting Resources)

- 47 Since inauguration, all general insurances have been centrally managed by each respective Synod in order to ensure that the assets and potential legal liabilities of its various property trusts / operational entities are appropriately insured.
- 48 The rationale supporting a 'centrally managed' insurance arrangement are:
- (1) leveraging the economies of scale when negotiating premium and coverage in the external insurance market; and
 - (2) avoiding potential gaps and/or duplication of cover that would exist if stand-alone arrangements are in place with individual policies taken out at operational level.
- 49 Under Synod By-Laws 8.0.2, 8.2.1(d) and 8.2.5, it is the responsibility of Uniting Resources to arrange and administer centrally such insurances. This requirement has been in place since inauguration in 1977.

- 50 In addition, UR (and its forerunner) has also administered (under a memorandum of agreement) the general insurances for both the Northern Synod and The National Assembly of the Uniting Church for the same commercial reasons outlined above.
- 51 The majority of insurance policies are arranged on a 'blanket' basis (i.e. one policy covering all entities) and held in the name of the respective property trusts as legal owners of the assets. Since becoming a Church School in 1977, Knox has been insured under such 'blanket' arrangements along with other Synod schools and entities of the Church. Prior to 1977, I understand that Knox was insured via the Presbyterian Church and/or the Presbyterian Indemnity Fund.
- 52 The Synod purchases a range of insurances with assistance from an insurance broker. The following table sets out the principal types of insurance policies covering all entities of The Synod including Knox, unless otherwise stated:

Property Damage & Business Interruption	Accident & Travel
Public & Products Liability	Marine Hull & Liability
Professional Indemnity	Aviation Hull & Liability *
Medical Malpractice *	Crime / Fidelity Guarantee
Employment Protection Liability	Motor Third Party Damage Liability

(* not applicable to Knox Grammar School)

- 53 In line with other organisations of a similar size and scale, The Synod has a self-insured managed fund (the Synod Insurance Fund) established in 1977. The principal purpose of this Fund is for the Synod to finance (through the payment of annual fund contributions paid by agencies or entities), the proportion of claim costs that fall below the policy excess of the external insurance arrangements. These losses are more economically financed by the Synod Insurance Fund as an alternative to being transferred to the external insurance market. The Synod Insurance Fund also finances certain costs and expenses not covered by the insurance market, including those claims where indemnity has been declined by insurers.
- 54 The Risk and Insurance Team in UR administer policies, collect premiums and process claims in conjunction with an external claims management company, currently Proclaim. The insurance premium allocated to each agency within The Synod is made up of external insurance premium, self-insured retentions (below deductible claims paid from the Synod Insurance Fund) plus operating expenses for the Synod's risk and insurance function.

Uniting Financial Services

- 55 The Uniting Church (NSW) Trust Association Limited (**UCTAL**) - ACN 000 022 480, ABN 89 725 654 978, AFSL 292186 is one of the four Synod businesses with a Board and operates as the treasury for The Synod. It sources funds, undertakes investments, acts as a trustee under a Charitable Equity Fund and provides loans to organisations both within and outside the Church.
- 56 UCTAL is a company limited by guarantee under the Corporations Act and was previously known as The Methodist Trust Association, which was formed in 1929 to provide a corporate body to hold church investments. It operated substantially as such until 1967 when it was decided to 'pool' all church funds and similar investments and utilise The Methodist Trust Association as an investment agency of the Methodist Church in New South Wales. In 1977, the name was changed to The Uniting Church (NSW) Trust Association and then later The Uniting Church (NSW) Trust Association Limited (i.e. UCTAL).
- 57 The objects of UCTAL state that it is to act for any, or all, purposes of The Synod. The assets and income of UCTAL must be applied exclusively to those activities. Any funds or assets which the Directors declare to be available for distribution are entirely used for The Synod. In

the event of the winding up or dissolution of UCTAL, after the satisfaction of its debts or liabilities, any remaining property shall be disposed of to the Property Trust.

58 The Property Trusts were formed as corporations in 1977 under the *Uniting Church in Australia Act 1977 (NSW)* and the *Uniting Church in Australia Ordinance 1977 (ACT)* (now *Uniting Church in Australia Act 1977 (ACT)* respectively). The Property Trusts are the sole owners of all assets, real and personal, of the agencies and activities of The Synod and for all intents and purposes are treated as one Property Trust. This includes the purchase and sale of property, the leasing of property, and the acceptance of funding from Government or other Agencies.

59 UFS is the trading name for UCTAL and The Property Trust for the purposes of carrying out their business activities in relation to the issue of debentures and related services to Uniting Church Organisations / entities and Community of Faith respectively.

UnitingCare NSW.ACT

60 The Board of UnitingCare NSW.ACT has the responsibility for the oversight of all, and governance of some, of The Church's community welfare services. The UnitingCare NSW.ACT Board has three main roles:

- (1) oversight and reporting on community welfare services;
- (2) management and delivery of some community welfare services; and
- (3) social justice advocacy.

Uniting Mission & Education (or UME)

61 UME was established in 2011. It combined the former Board of Mission (**BOM**) and Board of Education (**BOE**). UME "*assists The Church and equips the Synod to provide education, theological insight, strategy, research and resources for leadership, discipleship, ministry and mission to serve Christ who rules and renews The Church and seeks the reconciliation of creation*" (see By-Law 5A.1.1).

62 Of relevance to the Royal Commission's hearing is the role of BOE (now UME). I will address BOE's role briefly, as I understand that Mr Oldmeadow and Mr Mein will address BOE's role in relation to Knox in more detail.

63 BOE (now UME) is responsible to The Synod for leadership in educational resources, facilities, processes and consultancy. UME advises The Synod on policy and strategy in education and seeks to implement the policy directions of The Synod with regard to education.

64 One of the functions of UME is overseeing the operation of Synod schools in New South Wales and the ACT. When BOE and BOM were amalgamated, the By-Laws were amended. Part 5A of The Synod's current By-Laws sets out UME's function.

65 The 1995 edition of The Synod's By-Laws set out the function of the BOE relevantly as follows: "(a) *Responsible to the Synod for giving leadership in the provision educational resources, facilities, processes and consultancy. It will do so be seeking to equip, challenge and support the people of God personally and corporately with skills, knowledge and attitudes, so that they grow towards maturity in faith, and live out that faith by exercising their particular ministries of the Church within the world*

....

The specific responsibilities of the Board include:

....

(c) *Consultation and liaison with Church Schools on behalf of the Synod."*

(UCA.400.003.0019)

66 The UME appoints a Director: Schools Ministry to assist it perform this role in relation to the Synod schools. Mr Oldmeadow is currently in its role.

The Assembly

67 From the time of its inauguration, The Assembly has had determining responsibility for matters of doctrine, worship, government and discipline, and makes the guiding decisions on the tasks and authority to be exercised by other councils.

68 In its exercise of the responsibility for government, and empowered by the *Uniting Church in Australia Act 1977* (NSW) to adopt a Constitution consistent with the *Basis of Union*, the inaugural Assembly approved a Constitution for The Church.

69 Subsequent meetings of The Assembly have approved amendments to the Constitution, but, to take effect, such amendments must be approved by a majority of the Synods and two-thirds of the Presbyteries.

70 Further, in its exercise of responsibility for government, The Assembly has approved *Regulations* which govern the manner in which the tasks entrusted to each council are to be exercised.

71 The Assembly meets once in each three years. A Standing Committee elected by members of each Assembly meets three times per year and has the authority of The Assembly between meetings of The Assembly.

72 Each ordinary meeting of The Assembly elects a President who holds office until the next meeting of The Assembly. Both ordained ministers and laypersons are eligible for election as President. The duties of the President are "*to give spiritual leadership and encouragement to the Church generally, to represent the Church as appropriate, to give counsel as occasion requires and to do such other things as may be requested or advised by the Assembly*" (Regulation 3.6.4.2). Whilst the President has considerable moral and relational influence, the position has limited formal powers.

73 The Assembly also elects a General Secretary. This is a full time position and there is no maximum tenure. The duties of the General Secretary, as executive officer of The Assembly, are to give general leadership to the Church, to ensure execution of Assembly policy, to co-ordinate Assembly activities, to oversee the management of Assembly staff, and to do such other things as The Assembly may require (Regulation 3.6.4.4 (b)).

74 The Royal Commission has asked about the UCA Assembly Ltd. As far as I am aware, it is the legal entity used by The Assembly. It is not an entity used by The Synod and has no legal or financial links to The Synod. UCA Assembly Ltd is an Australian public company limited by shares. It is the company which holds assets on trust for The Assembly and for agencies of The Assembly.

Entities established by the Synod

75 Over time, The Church has established and maintained institutions such as schools, university colleges, hospitals, children's homes, child care centres and aged care facilities. Many of these offered a variety of both residential and non-residential services to the community. The origins and contemporary roles of these institutions in The Church and community are based on theological and missiological rationales.

- 76 Paragraph 32 of the Constitution provides that a Synod "*shall establish and maintain such boards, institutions, committees and agencies as are appropriate to the furtherance of its responsibilities.*"
- 77 This statement of general responsibility is particularised in the Regulations which prescribe The Synod's authority over its institutions. Institutions are defined as, "*any body whether incorporated or unincorporated established by or on behalf of the Church or any of the uniting churches or in which the Church participates for a religious, educational, charitable, commercial or other purpose*" (Regulation 3.7.4.7).
- 78 The Synod's authority over its institutions (including Knox) are set out in Regulation 3.7.4.7 as follows"

"INSTITUTIONS
3.7.4.7

- (a) *For the purposes of this Regulation, unless the context or subject matter otherwise indicates:*
- (i) ***institution** means any body whether incorporated or unincorporated established by or on behalf of the Church or any of the uniting churches or in which the Church participates for a religious, educational, charitable, commercial or other purpose;*
 - (ii) *person includes a church, a body corporate and an unincorporated body;*
 - (iii) ***the Church** includes any body of the Church.*
- (b) *Subject to any directions by the Assembly on matters of policy, the Synod, paying due regard to the responsibilities of any other body:*
- (i) *shall determine what institutions shall be continued, established, conducted or discontinued by or on behalf of the Church;*
 - (ii) *may authorise the establishment or continuation of any institution by the Church conjointly with another person, or require the withdrawal of the Church from any institution which has been or may hereafter be established by the Church conjointly with another person;*
 - (iii) *may approve or authorise the participation of the Church in, or the association of the Church with any institution, or may terminate or cause to be terminated any such participation or association;*
 - (iv) *may authorise affiliation of the Church with, or membership of the Church in, such bodies (being bodies conducting or connected or associated with an institution or with which an institution is associated) as shall seem appropriate to the Synod and may terminate or cause to be terminated any such affiliation or membership;*
 - (v) *may make any such determination, authorisation, approval, termination or requirement subject to conditions and from time to time vary the conditions.*
- (c) *The Synod may authorise the separate incorporation of any institution or the participation of the Church in, or its association with, an incorporated institution.*
- (d) (i) *The property of any institution referred to in paragraph (b)(i) shall, subject to any special trusts which may be applicable, be vested in the appropriate Synod Property Trust unless the Synod determines otherwise;*
- (ii) *In the case of each other institution referred to in paragraph (b) the Synod may concur in the property of that institution being vested in the Synod*

Property Trust or in such other person and subject to such terms and conditions as to the Synod shall seem proper.

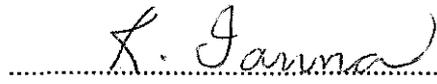
- (e) *In respect of institutions established or conducted by or on behalf of the Church and the Church's participation in or association with other institutions and its membership of or affiliation with bodies pursuant to paragraph (b)(iv) the Synod may:*
- (i) *oversee and from time to time review the same;*
 - (ii) *appoint an official visitor thereto for the purpose of exercising oversight;*
 - (iii) *intervene in such manner as it is able and as it considers necessary or proper in the interests of the Church.*
- (f) *Subject to any by-laws and any conditions applicable pursuant to paragraph (b)(v), an institution which is established or conducted by or on behalf of the Church or the council or other authority administering the institution:*
- (i) *shall be responsible and accountable for its proper management to the Synod or such body as it designates;*
 - (ii) *may exercise all the powers and functions delegated to it by the Synod or such body as it designates; and*
 - (iii) *shall report and present audited financial statements to the Synod or such body as it designates at least annually and at other times as the Synod requires.*
- (g) *Where an institution is established and conducted by the Church conjointly with any other person, the provisions of paragraph (f) shall apply, subject to any relevant provisions contained in any constitution or any other instrument relating to the joint establishment and conduct of the institution.*
- (h) *Where an institution is primarily responsible to a body of the Church within the bounds of a particular Synod, that Synod shall have the powers and responsibilities given to the Synod under this Regulation.*
- (i) *In relation to an institution, and to the extent to which the Church is concerned:*
 - (ii) *The constitution or other instrument whereby an institution is established, continued or conducted by or on behalf of the Church shall:*
 - (1) *specify the name, purpose and management procedures of the institution;*
 - (2) *provide for effective representation of the Synod, the Presbytery, the Church Council or other body as the case may be on the managing or controlling authority of the institution;*
 - (3) *provide for the furnishing of regular reports and financial statements to the Synod or such body as it designates.*
 - (iii) (1) *The Synod shall be responsible for granting or approving the constitution or other instrument whereby the institution is established, conducted or continued and shall have authority to amend, revoke or suspend the operation of such constitution or instrument, notwithstanding any provisions within the constitution or other instrument.*
 - (2) *No alteration of such constitution or other instrument shall be operative unless and until it is approved by the Synod."*

Events at Knox

- 79 Prior to taking up the position of General Secretary in August 2010, I had no personal involvement in The Synod's response to the allegations of child sexual abuse at Knox and cannot comment on the criminal proceedings arising from the allegations. Since August 2010, I am aware that former students of Knox have come forward to make claims in relation to child sexual abuse during their time at Knox. Others giving evidence to the Royal Commission on behalf of The Synod had a closer involvement and are better placed to speak about those events and The Synod's response to the claims.
- 80 The Synod welcomes any recommendations from the Royal Commission that will assist The Synod to improve and strengthen its policies, procedures and practices in relation to the Synod schools. The Synod supports fully the important work of the Royal Commission.



Reverend Dr Andrew Williams



Witness