<table>
<thead>
<tr>
<th>1. The date the Diocese was established</th>
<th>26 March 1914</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. The Province in which the Diocese is located</td>
<td>New South Wales</td>
</tr>
<tr>
<td>3. The current number of parishes in the Diocese</td>
<td>28</td>
</tr>
<tr>
<td>4. The approximate number of Church members in the Diocese</td>
<td>The Anglican Diocese of Grafton does not have a reliable list of members. There is no requirement to register as an Anglican and people are welcome to worship in Anglican churches without being listed on any parish roll. From the statistics supplied by parishes to the Registry the average weekly attendance in the Diocese in 2015 was 4,400. Patterns of worship suggest that it is reasonable to believe that the approximate number of people in the Diocese who would consider themselves to be worshipping Anglicans is 9,000 – 11,000.</td>
</tr>
</tbody>
</table>
| 5. The number of clergy currently licensed to officiate in the Diocese, including retired clergy with permission to officiate | Full-time stipended clergy 25  
Part-time stipended clergy 5  
Full-time clergy on employment contracts (Chaplains) 2  
Clergy licensed as honorary 10 (including 6 Deacons)  
Clergy with an Authority to Officiate 43  
Total licensed clergy 85 |
| 6. The financial position of relevant Diocesan entities, including reference to its asset holdings, liabilities and cash reserves (a high level of overview is sufficient) | The Corporate Trustees of the Diocese of Grafton (from audited financial accounts to 31 December 2015):  
Total Assets $205,350,187  
Cash assets $8,006,996  
Liabilities $45,690,281  
2014 year Total comprehensive income/(loss) $459,041  
2015 year Total comprehensive income/(loss) $2,551,840  
The Anglican Diocese of Grafton (from audited financial accounts to 31 December 2015):  
Total Assets $3,979,190  
Cash and cash equivalents $460,134  
Liabilities $2,757,536  
2014 year Total comprehensive income/(loss) ($1,490,748)  
2015 year Total comprehensive income/(loss) ($358,612) |

Note: Where an individual to whom reference is made in this response has had a change of title, this responses records only the current title and makes no reference to other titles the individual may have held during their service or tenure.

Note: Periods of service expressed in rounded years (e.g. 1990 to 1992) indicate that the record of service has been extracted from sources such as Year Books and note the first and last Year Book where that name appeared. Such records should be considered approximate.
Please note that the real property assets held by the Corporate Trustees have been included in the Balance Sheet at insurance replacement value plus the Valuer General’s assessment of the land value instead of the market value of the property.

That approach was determined by the Corporate Trustees to be expedient because it provided Balance Sheet information without the expense of seeking regular market valuations. This means that the majority of property assets are likely to be significantly overvalued due to the improbability of being able to achieve a purchase price similar to the replacement cost. Therefore, it is likely that the asset backing of the Diocese is grossly overstated.

7. A description of the general relationship between the Diocese and parish asset holdings

The Corporate Trustees of the Diocese of Grafton hold all real property of the Diocese. This means that parishes do not hold any land or buildings in their own right but this is held by the Corporate Trustees for the use of the parish. The parish uses and maintains the property as if it were the parish’s property excepting for restrictions on selling, mortgaging, leasing, major construction or demolition where the approval of the Corporate Trustees (and some other Diocesan bodies) is required.

If real property becomes ‘surplus’ to the ministry requirements of the parish and disposal of that property is contemplated, the Corporate Trustees highly values the view of the parish as to the use of the funds released by a sale.

Proceeds of land sales or funds arising from gifts or bequests for the benefit of a parish are held by the Corporate Trustees and administered according to a Trust Deed. For expediency, where trust funds are less than $10,000 and the conditions of the trust are straightforward, those funds are transferred to the management of the parish.

Other cash raised at the parish is held and managed at a parish level and is considered a parish asset.

Assets that are not real property (e.g. furniture and equipment) are considered as parish assets.

8. The names, employment status, and periods of appointment of those people occupying the following positions in the Diocese between 1 January 1990 and the date of this letter:

a. Bishop

Philip James Huggins (1 February 1998 – February 2003) full-time stipended
Keith Francis Slater (14 November 2003 – 17 May 2013) full-time stipended
Sarah Anne Macneil (1 March 2014 to present) full-time stipended

Each was appointed to the office of Bishop of Grafton following an election process that is in accordance with the relevant diocesan ordinance and Chapter III of The Constitution of the Anglican Church of Australia. The current election and appointment process is described in Chapter 6 of the Diocesan Governance Ordinance 2008

Note: Where an individual to whom reference is made in this response has had a change of title, this response records only the current title and makes no reference to other titles the individual may have held during their service or tenure.

Note: Periods of service expressed in rounded years (e.g. 1990 to 1992) indicate that the record of service has been extracted from sources such as Year Books and note the first and last Year Book where that name appeared. Such records should be considered approximate.
### Schedule A: Responses from Bishop of Grafton

Prior to 2008 the Grafton Bishopric and Administration Ordinance 1936 -1996 applied.

<table>
<thead>
<tr>
<th>Position</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>b. Assistant Bishop</strong></td>
<td>There have been no appointments to this position.</td>
</tr>
<tr>
<td><strong>c. Chancellor</strong></td>
<td>The Hon Mr Justice C S C Sheller QC (1974 to 1996)</td>
</tr>
<tr>
<td></td>
<td>The Hon Mr Justice Bill V Windeyer AM (1997 to 2008)</td>
</tr>
<tr>
<td></td>
<td>Mr Thomas Blackburn SC (29 November 2008 to 20 August 2016)</td>
</tr>
<tr>
<td></td>
<td>The Hon Richard Cogswell SC (21 August 2016 to present)</td>
</tr>
<tr>
<td></td>
<td>The Chancellor is an unpaid appointment by the Bishop of Grafton to provide legal opinion directly to the Bishop of Grafton.</td>
</tr>
<tr>
<td><strong>d. Deputy Chancellor</strong></td>
<td>There have been no appointments to this position.</td>
</tr>
<tr>
<td><strong>e. Registrar/General Manager</strong></td>
<td>The Reverend Bruce McAteer (June 1989 to June 2004)</td>
</tr>
<tr>
<td></td>
<td>The Honourable Patrick Comben (Sept 2004 to Nov 2009)</td>
</tr>
<tr>
<td></td>
<td>Mrs Rosie Catt as Acting Registrar (late 2009 to June 2010)</td>
</tr>
<tr>
<td></td>
<td>Mr Anthony Newby (1 September 2010 until November 2012)</td>
</tr>
<tr>
<td></td>
<td>Ms Anne Hywood as Acting Registrar (September 2012 to 13 October 2013)</td>
</tr>
<tr>
<td></td>
<td>Mr Phillip Bonser as Acting Registrar (14 October 2013 to 21 March 2014)</td>
</tr>
<tr>
<td></td>
<td>Mr Christopher Nelson (24 March 2014 to present)</td>
</tr>
<tr>
<td></td>
<td>Mr Peter Read as Acting Registrar (3 June 2014 to 18 July 2014)</td>
</tr>
<tr>
<td></td>
<td>The overlap in service of Mr Newby and Ms Hywood is related to the redeployment of Mr Newby as head of the investment fund for that period. The overlap in service of Messrs Nelson and Read is related to Mr Read substituting for Mr Nelson while the latter was absent due to a medical condition.</td>
</tr>
<tr>
<td></td>
<td>The Registrar is appointed in accordance with the Diocesan Government Ordinance 2008 (Attachment A1). Clauses 60.1, 60.2, 61.1 and 61.2 are relevant.</td>
</tr>
<tr>
<td></td>
<td>The Registrar is an employee of the Anglican Diocese of Grafton. In the case of the Reverends McAteer and Comben, the appointment took the form of a stipended clergy appointment. In the cases of Messrs Newby and Nelson, their appointments were employment contracts. Mrs Catt and Ms Hywood also had employment contracts. Mr Bonser and Mr Read were contracted through consulting services on a per diem basis.</td>
</tr>
<tr>
<td></td>
<td>All of the Registrar appointments were on a full-time basis. Mrs Catt was Acting Registrar on a full-time basis. Ms Hywood, Mr Bonser and Mr Read acted on a part-time or part-time equivalent basis.</td>
</tr>
<tr>
<td><strong>f. Professional Standards Director</strong></td>
<td>There was no Professional Standards Director prior to the passing of the Professional</td>
</tr>
</tbody>
</table>

---

**Note:** Where an individual to whom reference is made in this response has had a change of title, this response records only the current title and makes no reference to other titles the individual may have held during their service or tenure.

**Note:** Periods of service expressed in rounded years (e.g. 1990 to 1992) indicate that the record of service has been extracted from sources such as Year Books and note the first and last Year Book where that name appeared. Such records should be considered approximate.
Schedule A: Responses from Bishop of Grafton

<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr Phillip Gerber (24 August 2004 to the end of 2007; prior to official appointment to the role, Mr Gerber was engaged for training and advice) Mr Gerber was employed by the Diocese of Sydney and provided some services to the Diocese of Grafton through an agreement with the Diocese. This position was vacant in 2008. Mr Michael Elliott (January 2009 until present) Mr Elliott is employed by Diocese of Newcastle and provides services to Diocese of Grafton through an agreement between Dioceses. Prior to 2013 this was on a case by case basis. Since 2013 a retainer is paid and any costs are reimbursed. The Director of Professional Standards is appointed consistent with Part 5 of the Professional Standards Ordinance 2004.</td>
</tr>
<tr>
<td>g. Chair of the Professional Standards Committee or similar body</td>
</tr>
<tr>
<td>h. Diocesan Solicitor, or any person appointed to advise the Diocese on legal matters relating to child sexual abuse</td>
</tr>
<tr>
<td>The Diocesan Advocate of the time (see next answer) was a key source of legal advice on legal matters relating to child sexual abuse. Since 2014, however, legal advice has also been obtained from other sources, principally a Sydney legal firm specialising in this area.</td>
</tr>
<tr>
<td>i. Diocesan Advocate</td>
</tr>
<tr>
<td>Mr Peter Roland from at least 1990 to 2011 Vacant in 2012 and early 2013 Mr Stephen Campbell from 14 September 2013 to present The Diocesan Advocate is appointed in accordance with the Diocesan Governance Ordinance 2008 (Attachment A1). The relevant clauses are 22.1 to 22.3 inclusive. It appears that prior to 1992, the Diocesan Advocate was known as the Diocesan Solicitor. The role of Diocesan Advocate is an unpaid appointment. This does not prevent an agreement for paid legal work especially for conveyancing and complex legal work.</td>
</tr>
<tr>
<td>j. Presiding members of the Professional Standards Board, Panel of Triers, Disciplinary Tribunal, Diocesan Tribunal or similar bodies.</td>
</tr>
</tbody>
</table>

Note: Where an individual to whom reference is made in this response has had a change of title, this responses records only the current title and makes no reference to other titles the individual may have held during their service or tenure.

Note: Periods of service expressed in rounded years (e.g. 1990 to 1992) indicate that the record of service has been extracted from sources such as Year Books and note the first and last Year Book where that name appeared. Such records should be considered approximate.
Professional Standards Board

In the history of this Board from 2004 to the present, the only presiding member has been The Hon Moreton Rolfe QC who was appointed consistent with clause 39(a) of the Professional Standards Ordinance 2004. The President is not an employee but has been reimbursed for his professional services.

A Board is selected for each case by the President from the panel members appointed in accordance with clause 39 of the Professional Standards Ordinance 2004. These panel members have been:

Mr Peter Dunning QC (Deputy President) (2004 to 2005)
Mr Stephen Sheaffe (Deputy President) (2010 to present)
The Reverend Jane Foulcher (2004 to 2005)
The Right Reverend Doug Stevens (2004 to 2005)
The Reverend Bill Carroll (2004 to 2006)
The Venerable Gail Hagon (2004 to January 2015)
The Reverend Canon David Hanger (2004 to 2007)
Canon John Bryen (2004 to present)
Mr David Ford (2004 to 2007)
Mrs Kaye Ware (2004 to 2007)
Mrs Madeline Pearce (2004 to 2007)
Mrs Lorraine Dixon (2004 to present)
The Very Reverend Donald Kirk (2008 to present)
The Reverend Vivian Hoskins (2008 to present)
Ms Fiona Miller (2008 to present)
Mrs Ann Emery (2008 to present)
The Reverend Angela Dutton (2008 to 2010)
The Reverend Gary Atherton (2008 to 2010)
Mr Stephen Campbell (late 2008 to 2013)
The Venerable Sally Miller (February 2012 to present)
Mr Phillip Bonser (February 2014 to present)
The Reverend Keith McPherson (February 2015 to present)
The Reverend Lynette Bullard (February 2015 to present)

There is no employment contract or remuneration arising from membership of the Professional Standards Board.

Board of Enquiry

A Board of Enquiry is formed in accordance with Part III of the Clergy Discipline Ordinance 1966. There is no record of a Chairman (sic), the presiding member being appointed for the Board of Enquiry. If the Board were required to enquire into a matter, a chair would be determined from among the current members of the Board.

There is no employment contract or remuneration arising from chairing or membership of the Board of Enquiry.

Members of the Board of Enquiry have been:
The Reverend Lindsay McLoughlin (1990 to 1992)
Mr David Miller (1990 to 2011)
Mr Trevor Weir (1990 to 1992)

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Note: Periods of service expressed in rounded years (e.g. 1990 to 1992) indicate that the record of service has been extracted from sources such as Year Books and note the first and last Year Book where that name appeared. Such records should be considered approximate.
Schedule A: Responses from Bishop of Grafton

<table>
<thead>
<tr>
<th>Name</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Reverend Kenneth Munns</td>
<td>(1994 to 1996)</td>
</tr>
<tr>
<td>Mr David Johnston</td>
<td>(1994 to 1996)</td>
</tr>
<tr>
<td>Mr Michael Perrott</td>
<td>(1999 to 2001)</td>
</tr>
<tr>
<td>Mr Peter Patton</td>
<td>(2001)</td>
</tr>
<tr>
<td>The Reverend Andrew Knox</td>
<td>(2002 to 2005)</td>
</tr>
<tr>
<td>Mr Phillip Bonser</td>
<td>(2002 to 2005)</td>
</tr>
<tr>
<td>The Reverend John Thomas</td>
<td>(2005 to 2006)</td>
</tr>
<tr>
<td>The Reverend Phillip Hardie</td>
<td>(2005 to 2008)</td>
</tr>
<tr>
<td>Mr Gary Boyd</td>
<td>(2005 to 2008)</td>
</tr>
<tr>
<td>The Reverend Kevin Bourke</td>
<td>(26 June 2008 to 2010)</td>
</tr>
<tr>
<td>The Reverend Carol Palmer</td>
<td>(26 June 2008 to 2010)</td>
</tr>
<tr>
<td>Mr Gordon Mitchell</td>
<td>(2008 to 2009)</td>
</tr>
<tr>
<td>Mrs Madeline Pearce</td>
<td>(2009 to 2010)</td>
</tr>
<tr>
<td>The Reverend Ian Mabey</td>
<td>(September 2014 to present)</td>
</tr>
<tr>
<td>The Reverend Keith McPherson</td>
<td>(September 2014 to present)</td>
</tr>
<tr>
<td>Mrs Stephanie Ridge</td>
<td>(September 2014 to present)</td>
</tr>
<tr>
<td>Mr Anthony O'Connell</td>
<td>(December 2014 to present)</td>
</tr>
</tbody>
</table>

Panel of Triers

The Panel of Triers are formed to conduct Diocesan Tribunals in accordance with Part V of the Clergy Discipline Ordinance 1966. Clause 20 (2) of that Ordinance states "The President shall be the Bishop". In this sense, the Bishop of Grafton is the presiding member of the Panel of Triers, namely:

Bruce Allen Schultz (23 February 1985 to January 1998)
Philip James Huggins (1 February 1998 to February 2003)
Keith Francis Slater (14 November 2003 to 17 May 2013)
Dr Sarah Anne Macneil (1 March 2014 to present)

Other members of the Panel of Triers have been:
The Reverend Robert Hardwick (1990)
The Reverend Brian Osborne (1990 and 1994 to 1996)
The Reverend Bruce Turner (1990)
The Reverend Geoffrey Foley (1990)
The Reverend Ern Horner (1990)*
Mr Fred Johnson (1990 and 1994 to 1998)
Mrs Lesley Wackett (1990)
The Reverend Canon Dr John Barrett (1990 and 1994 to 1996)*
The Reverend Thomas Hall (1992)
The Reverend Ivan Shepherd (1992)
Mr Garth Corlis (1992)
Mr Graham Smith (1992)
Mr Phillip Thew (1992)
The Right Reverend Richard Hurford (1994 to 1996)#
The Venerable Gregory Ezzy (1994 to 1996)
Mrs Jeanette Munns (1994 to 1996)
Mrs Bridget Colless (1994 to 1996)
The Reverend Canon Kenneth Munns (1997 to 1998)
Mrs Dorothy Butlin (1997 to 2001)
Dr Robert Weatherby (1997 to 2001)
The Right Reverend Douglas Stevens (2001)#

Note: Where an individual to whom reference is made in this response has had a change of title, this responses records only the current title and makes no reference to other titles the individual may have held during their service or tenure.

Note: Periods of service expressed in rounded years (e.g. 1990 to 1992) indicate that the record of service has been extracted from sources such as Year Books and note the first and last Year Book where that name appeared. Such records should be considered approximate.
Schedule A: Responses from Bishop of Grafton

The Reverend Andrew Beel (2001)
Canon Terence Shorten (2001 and 2005 to present)
The Reverend Phillip Hardie (2002 to 2005)
The Reverend Geoffrey Vidal (2002 to 2005)
The Reverend Canon David Hanger (2002 to 2005)
Mr Peter Roland (2002 to 2005)
The Reverend Eron Perry (2005 to 2007)
The Reverend Peter Richards (2005 to 2007)
Mr Gordon Mitchell (2005 to 2008)
The Reverend Camellia Flanagan (2005 to 2006)*
Mrs Noeline Weatherby-Fell (2005 to 2008)
The Reverend Sharon Painter (26 June 2008 to 2010)
The Reverend Alan Shaw (26 June 2008 to 2010)
The Reverend Angela Dutton (2008 to 2010)
The Reverend Carol Adams (26 June 2008 to)
Mrs Ann Emery (26 June 2008 to 2010)
The Venerable Gail Hagon (2009 to 2010)
Ms Pamela Langford (2009 to 2010)
The Reverend Jilleen Chambers (October 2011 to January 2016)
The Reverend Ian Mabey (October 2011 to 2014)
Canon John Bryen (September 2014 to present)
The Reverend Matthew Smedley (June 2015 to present)
The Reverend Judy Taylor (July 2015 to present)
The Reverend Zoe Everingham (July 2015 to present)
Mrs Anne Morris-Bannerman (July 2015 to present)
The Reverend Michael Ridge (18 June 2016 to present)

* denotes service as a lay member
# denotes service as a clergy member

There is no employment contract or remuneration arising from membership of the Panel of Triers.

k. Trustees on any Boards of Trustees established to manage the real property of the Diocese.

The Corporate Trustees of the Diocese of Grafton is the body relevant to this question.

Membership of this body is currently:
The Right Reverend Dr Sarah Macneil (from 1 March 2014)
The Reverend Canon Dr John Barrett (from 4 December 2007)
Mr Brad Bishop (from 17 May 2009)
Dr Gordon Burch (from 1 September 2014)
Mr Lindsay Walker (from 1 September 2014)
Ms Lee Archinal (from 19 June 2016)

Former members of this body within the relevant period were:
The Right Reverend Bruce Schultz (23 February 1985 to 1998)
The Right Reverend Philip Huggins (1 February 1998 to 2003)
Mr Keith Slater (14 November 2003 to 17 May 2013) in his capacity as Bishop of Grafton
Mr Graham K. Smith (1990 to 1992)

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Note: Periods of service expressed in rounded years (e.g. 1990 to 1992) indicate that the record of service has been extracted from sources such as Year Books and note the first and last Year Book where that name appeared. Such records should be considered approximate.
Mr John I. Moorhead (1990 to 1994)
Mr E. Frank Tucker (1990 to 1992)
Mr Frank I. Robinson (1990)
Mr Jim M. Colless (1990 to 1996)
Mr A.L (Bill) Bedser (1992 to 2000)
Mr Gordon Mitchell (30 July 1993 to 2009)
Canon Terence Shorten (from 25 November 1993 to 18 June 2016)
Mr David Miller (23 February 1995 to 2011)
The Reverend Patricia Crossley (1997 to 2000)
Mr Neil Sutherland (26 October 2000 to 2007)
Mr Roger Miliarid (2001 to 2006)
Mr Colin Ware (23 February 2006 to 2008)
Mrs Fiona Miller (23 December 2008 to 2011)
Ms Anne Hywood (November 2013 to May 2014)

Membership of the Corporate Trustees of the Diocese of Grafton includes the Bishop of Grafton and five members elected by the Synod of the Diocese of Grafton for a term of 5 years.

Appointment to the Corporate Trustees does not infer employment status and does not entitle the Trustee to remuneration.

9. The current function, composition, and legal status of the:

a. Bishop-in-Council or Diocesan Council

**Function:** (excerpt from Grafton Diocesan Governance Ordinance 2008)

48.1 Bishop-in-Council acts for Synod between Synods and is responsible and accountable to Synod and the wider Church:
(a) for establishing strategies and goals for the Mission and Ministry of the Church in the Diocese and for the execution of those strategies and the attainment of those goals;
(b) for the nurturing and oversight, in consultation with the Bishop, of the wellbeing of Ministry Units;
(c) for the proper management of the property and financial resources of the Diocese for the purposes of carrying out and sustaining the Mission and Ministry of the Church in the Diocese; and
(d) for the supervision of the affairs of Diocesan agencies and incorporated bodies.

48.2 Bishop-in-Council is the Standing Committee of Synod between Synods and, in that capacity, exercises such of the powers and functions of the Synod as the Synod may and has delegated to Bishop-in-Council by Ordinance and are allowed by the Constitutions of the Church and relevant Acts of Parliament

**Composition:** (excerpt from the current Grafton Diocesan Governance Ordinance 2008)

49.3 The members of Bishop-in-Council are
(a) the Bishop; (The Right Reverend Dr Sarah Macneil)
(b) the ex officio members:
   (i) the Archdeacons; (The Venerable Gail Hagon, The Venerable Sally Miller, and 1 vacant position)
   (ii) the Dean; (The Very Reverend Donald Kirk)
   (iii) the Registrar; (Mr Christopher Nelson)

Note: Where an individual to whom reference is made in this response has had a change of title, this response records only the current title and makes no reference to other titles the individual may have held during their service or tenure.

Note: Periods of service expressed in rounded years (e.g. 1990 to 1992) indicate that the record of service has been extracted from sources such as Year Books and note the first and last Year Book where that name appeared. Such records should be considered approximate.
Schedule A: Responses from Bishop of Grafton

| (iv) the Diocesan Treasurer; (Mr Derek Alden) |
| (v) the Chair of Committees; (Canon Terence Shorten) and |
| (vi) the Ministry Development Officer. (The Venerable Gail Hagen – also listed at |
| (b)(i)) |

Excerpt from Grafton Diocesan Governance Ordinance 2008 that was applicable prior to the June 2015 Synod and has created a membership of Bishop-in-Council that remains unaffected by the June 2015 amendments until the synod of 2017:

(c) where Synod, Bishop or Bishop-in-Council has resolved that there be a Diocesan structure wherein certain Ministry Units are grouped so as to provide more effective mission and ministry, or for administrative purposes, and there are more than three and less than nine of such groupings, then

   (i) if the Bishop has appointed a clergyperson to have oversight of each group, such clergypersons shall be members, else one elected for each group at the first session of each Synod from and by the Clerical Synod Representatives of that group, and:

   (ii) if the Bishop has appointed a lay person to have oversight of each group, such lay persons shall be members, else one elected for each group at the first session of each Synod from and by the Lay Synod Representatives of that group:
   (Mrs Desley Ryan, Canon John Bryen, Mr David Ford, Mrs Stephanie Ridge)

(d) if clause 49.3(c) is not applicable then eight Clerical and eight Lay members of Synod elected at the first session of each Synod by their respective Houses;
(Not applicable)

(e) if clause 49.3(c) applies then two Clerical and two Lay members of Synod elected at the first session of each Synod by their respective Houses; and
(The Reverend Canon David Hanger; The Reverend Rachel Rynehart; Mr Alan Ball, Mr Keith Parker)

(excerpt from the current Grafton Diocesan Governance Ordinance 2008)
(e) Up to three members qualified to be Synod Representatives (either clergy or laity) appointed by the Bishop at the Bishop’s discretion.
(The Reverend Anne Goode)

Legal Status

As noted above, Bishop in Council is the standing committee of Synod between Synods and exercises such powers and functions as have been and may be permissibly delegated to it.

b. Board of Trustees established to manage the real property of the Diocese

Function: (excerpt from Grafton Diocesan Governance Ordinance 2008)
151.1 The incorporated body, The Corporate Trustees of the Diocese of Grafton (The Corporate Trustees), was formed under the provisions of the Anglican Church of Australia Trust Property Act 1917 with the mission, ministry and purposes of:
(a) being the trustee of Church Trust Property for Ministry Units;
(b) being the trustee for the trust funds of Diocesan bodies; and
(c) receiving bequests on trust, which would otherwise be ineffective, on behalf of

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Note: Periods of service expressed in rounded years (e.g. 1990 to 1992) indicate that the record of service has been extracted from sources such as Year Books and note the first and last Year Book where that name appeared. Such records should be considered approximate.
Schedule A: Responses from Bishop of Grafton

<table>
<thead>
<tr>
<th>Parishes and other church entities and Ministry Units.</th>
</tr>
</thead>
</table>

**Composition:** (excerpt from Grafton Diocesan Governance Ordinance 2008)

153.1 The members of the Corporate Trustees of the Diocese of Grafton shall be the Bishop as Chair and five elected members.

153.2 (b) The member of the Corporate Trustees of the Diocese of Grafton shall be elected by Synod for a term of five years

Membership of this body is currently:

- The Right Reverend Dr Sarah Macneil (from 1 March 2014)
- The Reverend Canon Dr John Barrett (from 4 December 2007)
- Mr Brad Bishop (from 17 May 2009)
- Dr Gordon Burch (from September 2014)
- Mr Lindsay Walker (from September 2014)
- Ms Lee Archinal (from 19 June 2016)

**Legal Status**

The Corporate Trustees of the Diocese of Grafton is a body declared to have been duly incorporated by Section 5 of The Anglican Church of Australia Trust Property Act 1917 (NSW).

c. Synod of the Diocese of Grafton

**Function:** (excerpt from the Grafton Diocesan Governance Ordinance 2008)

39.1 Synod is the meeting together of the Bishop and the representatives of the clergy and the laity of the Diocese—
(a) to affirm and celebrate their common life in the Lord Jesus Christ;
(b) to conduct the business of the Synod which is—
(c) the expression, through the resolutions of Synod, of the minds of the people of the Diocese on matters of common concern relating to the Church and to the world in which the Church is called to exercise its mission and ministry;
(d) the ordering of their common life by the making of Ordinances; and
(e) the oversight of the conduct of the affairs of the Diocese by the agencies and officers of the Diocese.

40.1 Synod has the function of making Ordinances for the management and good government and regulation of the Church within the Diocese in accordance with Article 2 of the Schedule to the Anglican Church of Australia Constitutions Act 1902 and Chapter VIII of The Constitution of the Anglican Church of Australia.

40.2 Synod also constitutes a forum in which the members of Synod may consult together on all matters concerning the life of the Church and its Ministry Units within the Diocese.

40.3 Synod exercises oversight over the administration of the institutional affairs of the Diocese by requiring those responsible for the conduct of those affairs to account to Synod when required to do so—
(a) by Ordinance; or
(b) in accordance with a resolution of Synod.

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Note: Periods of service expressed in rounded years (e.g. 1990 to 1992) indicate that the record of service has been extracted from sources such as Year Books and note the first and last Year Book where that name appeared. Such records should be considered approximate.
40.4 Synod may by Article 3(2) of the Schedule to the Anglican Church of Australia Constitutions Act 1902 call, by resolution, on any person holding church trust property to account for that property and its administration.

Composition: (excerpt from Grafton Diocesan Governance Ordinance 2008)

43.2 The Synod is composed of:
(a) the Bishop (who shall not vote in Synod)
(b) the ex officio members (with full participation and voting rights):
   (i) the Archdeacons;
   (ii) the Dean;
   (iii) the Chancellor;
   (iv) the Registrar;
   (v) the Diocesan Advocate;
   (vi) the Diocesan Treasurer;
   (vii) the Corporate Trustees: and
(c) all incumbents and full-time stipended clergy;
(d) all full-time stipended Lay Ministers;
(e) representatives of the Household of Deacons chosen in accordance with subclause 43.4;
(f) two lay Synod Representatives from each Parish;
(g) an additional lay Parish Synod Representative for each full-time stipended clergyperson (additional to the Incumbent) upon appointment of the clergyperson to that ministry unit;
(h) the principals of Diocesan schools;
(i) one Chaplain from each Diocesan school nominated by the Bishop if not already appointed under subclause (c) or (d) above;
(j) one lay person, who is a communicant member of the Anglican Church, from each Diocesan school, appointed from and by the Council thereof;
(k) one lay person from Anglicare North Coast who is a communicant member of the Anglican Church, appointed from and by the Board thereof;
(l) Up to six additional members, either clergy or lay persons, appointed by the Bishop on an annual basis at the Bishop's discretion;
(m) such other persons determined by Synod or Bishop-in-Council to be members of Synod or have a seat at Synod from time to time, and who shall be subject to any restrictions placed upon them by Synod or Bishop-in-Council.

43.3 A person who is a member of Synod by virtue of subclause 43.2 (h) shall not have voting rights unless he or she is a member of the Anglican Church.

43.4 In accordance with 43.2(e), there shall be called to Synod up to 25 percent (then rounded up to the next whole number) of the licensed non-stipendiary Vocational Deacons of the Diocese not otherwise summoned to the Synod, who shall be selected from and by any Household of Deacons or similar Synodically approved representative body including as the majority of their membership Non-stipendiary Vocational Deacons, or should no such Household or body exist (or should such body be unable or unwilling to select members to attend the Synod), then selected by the Bishop in whatever manner the Bishop chooses.

A list of those people summoned to and or attending the Synod of the Diocese of Grafton in 2016 can be provided upon request.

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Legal Status

Legal status of the Synod of the Diocese of Grafton derives from The Anglican Church of Australia Constitutions Act 1902 (NSW), The Anglican Church of Australia Constitution Act 1961 No. 16 (NSW) and Chapter VIII of the Constitution of the Anglican Church of Australia, and from Chapter 7 of the Diocesan Governance Ordinance 2008 (as amended).

10. An overview of the responsibilities, theological training, qualifications, licensing, and employment arrangements of:
   a. Deacons
   b. Priests, and
   c. Bishops
in parish ministry and any variations to other forms of ministry in the Diocese.

Deacons
Responsibilities:
There are two categories of deacons in the Diocese of Grafton: vocational deacons and transitional deacons. Vocational deacons seek to fulfil their ministry as deacons and do not anticipate being ordained as priests whereas transitional deacons are serving as deacons as part of their formation for the priesthood.

Vocational deacons have a particular focus in their ministry on connecting the church with the wider world. They are licensed to perform particular ministry roles and tasks, either in the local parish or another context. Of the 6 vocational deacons currently in the diocese, 4 are licensed exclusively to their parish and their particular responsibilities are negotiated with the Rector of the parish. One is Chaplain at Lindisfarne Anglican Grammar School and the other exercises his diaconal vocation as a nurse.

There are currently no transitional deacons in the Diocese.

However, at the Diocesan Ordination scheduled for 26 November 2016, 2 people will be ordained deacon. One will be licensed as a vocational deacon to a parish and exercise a diaconal ministry among the elderly, the other will be ordained as a transitional deacon and licensed to parish ministry in Ballina and the mid-Richmond.

These responsibilities are exercised in the light of the undertakings made by the deacon at the time of ordination. When a person is ordained as a deacon they undertake, inter alia, to shape their lives according to the way of Christ, to promote peace, unity and love among all Christian people to set forward Christ's kingdom in the world, proclaiming the gospel and working for reconciliation, peace and justice. They also undertake to accept the order and discipline of the Anglican Church of Australia. They are exhorted to "let the transforming love of Jesus be known to all among whom they live and work' and 'to strengthen the faithful, teach the young.' (A copy of the relevant section of the Ordinal is attached as Attachment A2).

Theological training and qualifications:
The supervision for the training of vocational deacons sits with the Ministry Development Officer. Candidates complete a course of theological study equivalent to Education for Ministry (a 4 year part time accredited course). The theological study includes:
- Biblical studies

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Schedule A: Responses from Bishop of Grafton

- Christian Ethics
- The Anglican tradition – especially in relation to corporate worship
- Major themes of pastoral theology (with attention to areas of the candidate’s work)
- Australian society and the church’s role within it (with special reference to the candidate’s area of ministry)

Additional requirements depend on the particular focus of a candidate’s ministry e.g. a recently accepted candidate for the vocational diaconate will have a pastorally based ministry amongst the aged. In addition to her other studies, she will complete a unit of Clinical and Pastoral Education (CPE) before being ordained.

Vocational deacons working in educational ministries are required to complete a degree course with appropriate majors. We currently have one vocational deacon working as a school chaplain. He has a Bachelor of Theology degree and is completing a tertiary education qualification.

The theological training of Vocational Deacons is the same as for priests (see below).

To be ordained as deacon, the candidate must meet the requirements of the Canon Concerning Holy Orders 2004, namely:

4 (1) (a) a person shall not be ordained deacon unless the person is at least 23 years of age;

5 (1) A person shall not be ordained deacon unless on good and credible evidence the authorising bishop is satisfied that the person –
   (a) has been baptised; and
   (b) is a confirmed communicant member of this Church or has
      (i) been received into this Church under the Reception Canon 1981 or any
         other law of this Church providing for the reception of persons into this
         Church; or
      (ii) been received into a Church in communion with this Church under a law
         of that Church corresponding to the Reception Canon 1981 or a law of that
         Church providing for the reception of persons into that Church; and
   (c) has a firm conviction of a calling by God to minister in Holy Orders as a deacon; and
   (d) is of good character, as testified by a person specified by the authorising
      bishop; and
   (e) is an active member of this Church or of a Church in communion with this
      Church and has been for no less than one year; and
   (f) has completed appropriate training in theological and ministerial formation; and
   (g) has a sufficient knowledge of Holy Scripture; and
   (h) has a sufficient knowledge of and accepts the doctrine, discipline and principles
      of worship of this Church; and
   (i) has a sufficient knowledge of the forms of worship of this Church; and
   (j) has demonstrated the physical and mental capacity to minister.

(2) A person shall not be ordained deacon unless the authorising bishop is satisfied that
the person has been designated to receive an appointment as a deacon in this Church
in accordance with the Constitution and ordinances of this Church and the ordinances of
the relevant diocese and Province.

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the current title and makes no reference to other titles the individual may have held during their service or tenure.

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from sources such as Year Books and note the first and last Year Book where that name appeared. Such records should be
considered approximate.
(3) Notwithstanding sub-section (1)(e), a person—
(a) who has been ordained minister of another Christian Church; and
(b) of whom the authorising bishop is satisfied in respect of the other requirements
of sub-section (1)—
may be ordained deacon.

Licensing:
Vocational deacons are licensed for three years, renewable subject to the deacon
having completed all mandatory training and checks (eg Safe Ministry training,
Faithfulness in Service training, Working with Children Check)

Transitional deacons are usually only licensed as a deacon for a short period of time
(e.g. 1 year) before ordination as a priest and their licensing is also subject to
satisfaction of training obligations and completion of mandatory checks.

Employment arrangements: Five of the six vocational deacons in the Diocese are non-
stipended honorary appointments. The school chaplain is employed on a contract basis
by the school with his contract contingent on him holding the Bishop's licence. Two of
the vocational deacons work in secular employment.

There are currently no transitional deacons. Transitional deacons are usually in a
stipended role within a parish that is consistent with their formation for the priesthood.

Priests
Responsibilities: All priests carry the responsibilities laid upon them at the time of their
ordination. Those being ordained priest promise, inter alia, to proclaim the gospel of
Christ, to be a faithful pastor to all to whom they are called, striving with those people ‘to
build up the body of Christ in truth and love, in unity and peace’. They are exhorted to be
a pastor, a teacher a servant leader and to 'love and serve the people with whom [they]
work, caring alike for young and old, rich and poor, weak and strong'. (A copy of the
relevant section of the Ordinal is attached as Attachment A3).

There are several categories of priests:
- Incumbents (Rectors, Priests-in-Charge, Locum Tenens) who in cooperation with
  the Parish Council run parishes;
- priests who are stipended and are assistant or associate clergy in parishes or in
  other positions;
- honorary priests (ie non-stipended) who are licensed to a particular parish; and
- priests with an Authority to Officiate (ATO) who are usually retired clergy and not
  in stipendiary ministry.
- priests who are inactive in their ministry, often due to advanced age or ill health,
  and do not hold a license.

Incumbents – The Incumbent runs a parish together with the lay leadership of the
parish. On behalf of the Bishop, they have oversight of the parish generally. They are
recognised as the spiritual and strategic leaders of the parish. Their responsibilities are
exercised within the framework created by the Constitution and Canons of the Anglican
Church of Australia and the ordinances of the Diocese.

Assistant/associate stipended clergy – In each case the responsibilities of the assistant

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from sources such as Year Books and note the first and last Year Book where that name appeared. Such records should be
considered approximate.
Non-stipended honorary clergy: Non-stipended clergy can be licensed to a particular position in a parish and participate in the ministry of that parish on terms negotiated with the Rector. For example, Christ Church Cathedral in Grafton has two retired clergy who offer their services free of charge and are licensed as associate clergy. They lead services of worship in the churches of the parish, offer pastoral care, and conduct services of worship in a number of nursing homes.

Priests with an ATO: The ATO is issued to clergy who no longer hold a particular position. The ATO holder is usually a retired clergyperson. The ATO authorises them to officiate by reading Morning and Evening Prayer, celebrating Holy Communion and performing other sacramental and ministerial duties in any parish within the Diocese of Grafton when invited to do so by the Rector of that parish or by the Bishop.

Theological training and qualifications: Three years full-time training is the normal standard requirement. However, people are increasingly commencing their studies part time. In those circumstances at least one year will normally be spent as a candidate in full-time preparation for ordination. The options for academic studies are Bachelor of Theology, Bachelor of Divinity or Bachelor of Ministries combined with a certificate of Ministry for Local Priesthood or the equivalent of the Diploma of Anglican Orders.

Compulsory study elements include: Biblical studies, systematic theology, church history, worship and liturgy, the Church in Australian society, homiletics (preaching), pastoral care, mission and evangelism, ethics and moral theology, Christian education and a unit of Clinical Pastoral Education (CPE).

To be ordained as priest, the candidate must meet the requirements of the Canon Concerning Holy Orders 2004, namely:

4 (1) (b) a person shall not be ordained priest unless the person is at least 24 years of age.

6 (1) A person shall not be ordained priest unless on good and credible evidence the authorising bishop is satisfied that the person –
   (a) is a deacon of this Church; and
   (b) has ministered satisfactorily as a deacon for not less than 9 months or, for reasons satisfactory to the authorising bishop, for such shorter period as the authorising bishop approves; and
   (c) has a firm conviction of a calling by God to minister in Holy Orders as a priest; and
   (d) is of good character as testified by a person specified by the authorising bishop; and
   (e) has completed appropriate training in theology and ministerial formation; and
   (f) has a sufficient knowledge of Holy Scripture; and
   (g) has a sufficient knowledge of, and accepts, the doctrine, discipline and principles of worship of this Church; and
   (h) has a sufficient knowledge of the forms of worship of this Church; and
   (i) has demonstrated the physical and mental capacity to minister.

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(2) A person shall not be ordained priest unless the authorising bishop is satisfied that the person has been designated to receive an appointment as a priest in this Church in accordance with the Constitution and ordinances of this Church and the ordinances of the relevant diocese or Province.

Licensing: Rectors are licensed for 7 years with the possibility of extension following a review. Other licences are usually issued for 3 years. Licensing is dependent on satisfactory completion of all mandatory training and checks. All clergy entering the Diocese are required to complete a Safe Ministry Check together with the NSW Government Working with Children Check. They are also checked on the National Register of the Anglican Church of Australia.

Employment arrangements: All priests in parish ministry are stipended, other than the honorary clergy. The stipend is set every year by the Bishop-in-Council following a recommendation by the Stipends and Allowances Committee. For those working part time the stipend and allowances are prorated.

School Chaplains: There are currently six school chaplains. Four are stipended and two are on individual contracts with the school.

The majority of priestly appointments, especially parish appointments, are not considered to be employment arrangements under Australian law. Their status can be considered as an office bearer rather than employee as the responsibilities that they hold under their positions can be exercised with a high degree of discretion and flexibility within guidelines rather than employment style supervision or framework.

Bishops:

The Diocese of Grafton has only one bishop. The Bishop of Grafton’s responsibilities, as outlined in Chapter 5 of the Grafton Diocesan Governance Ordinance 2008 include:

7.1 ....

(a) spiritual and episcopal leadership, oversight and vision;
(b) leading in a way that is personal, collegial and communal;
(c) supporting the initiatives of Synod and Bishop-in-Council; and
(d) consulting and acting cooperatively with Synod and Bishop-in-Council on matters temporal.

7.2 The Bishop’s exercise of authority and responsibility is guided by the traditional rights, roles and responsibilities of an Anglican Diocesan Bishop, as set out in the Ordinal, and is subject to the laws of the Church.

7.3 The Bishop shall exercise episcopal authority and responsibility in matters spiritual concerning Ordinations, Confirmation, Dispensations, Licensing and similar and related matters and may take counsel of any type on such matters. In matters temporal the Bishop shall exercise episcopal authority and responsibility only after due and appropriate consultation, in particular with senior clergy and lay leaders or, where this Ordinance so requires, with the relevant Diocesan body and in accordance with the relevant procedures.

7.4 The Bishop, in the role of Ordinary and Chief Pastor of the Diocese—

(a) is pastor to the clergy;
(b) is responsible for the spiritual and ministry directions of the Diocese;
(c) approves or licenses all ministers, ministries and places of worship within the
Schedule A: Responses from Bishop of Grafton

(d) is responsible for the Church work within a Parish or other Ministry Unit during any vacancy in the office of Rector, Priest-in-Charge or Chaplain;
(e) has full and free access to all places used for public Anglican worship in the Diocese;
(f) is entitled to attend all general meetings of members of Ministry Units; and
(g) may convene general meetings of members of Ministry Units.

7.5 The Bishop, in the role of President and Chair of Synod, Chair of Bishop-in-Council and The Corporate Trustees of the Diocese of Grafton is responsible for providing leadership in the work of the Diocese.

These responsibilities are exercised within the framework of the Constitution and Canons of the Anglican Church of Australia, and relevant Provincial and Diocesan ordinances, as well as in the light of the undertakings made at the time of ordination as a bishop.

Those being ordained bishop undertake, inter alia, to be ‘put aside all ungodly and worldly behaviour, and live modestly, in justice and godliness’, to ‘show compassion to the poor and the stranger, be gentle with the abused and needy, and defend those who have no helper’. A bishop is exhorted to guard the faith, unity and discipline of the church, to promote its mission in the world, to lead and guide the clergy, to watch over, protect and serve the people of God, to teach and govern them and to be hospitable. (The relevant section of the Ordinal is attached as Attachment A4).

Theological Training and qualifications:
There is no specific additional theological training or qualifications required of bishops additional to those required of priests. However, I hold a BTh, a Diploma of Ministry and a PhD. (I also have a BA (Hons) and am a graduate of the French National School of Administration.)

The Canon Concerning Holy Orders 2004 requires:

7 A person shall not be consecrated bishop unless on good and credible evidence the Metropolitan of the Province which includes the diocese for or in respect of which the consecration takes place or, in the case of an extra-provincial diocese, the Primate or, in either case, the diocesan bishop nominated by the Primate or the Metropolitan to act in the place of the Primate or the Metropolitan for such consecration pursuant to the Consecration of Bishops Canon 1966 is satisfied that the person—
(a) is of good character as testified by a person specified by the Metropolitan, Primate or other bishop as the case requires; and
(b) satisfies the requirements of canonical fitness; and
(c) has been duly elected or appointed to an Episcopal office in accordance with the Constitution and any other relevant canon or ordinance.

Licensing:
Bishops of the Diocese of Grafton are appointed for 10 years or until their seventieth birthday, whichever shall come first. Extensions for up to 3 years can be granted following a review process but in no case can the tenure of the Bishop extend beyond their seventieth birthday.

Employment arrangements:
The Bishop of Grafton is a full-time stipended position.

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As is the case with Priests, the position of Bishop cannot be appropriately classified as employment.

11. In relation to any corporate entities created by the Diocese to respond to any legal claims arising from allegations of child sexual abuse:
   a. the name of the entity
   b. the date of incorporation
   c. the mode of incorporation, and
   d. any assets held by the corporation.

The Anglican Diocese of Grafton has not created any corporate entities to respond to any legal claims arising from allegations of child sexual abuse. Such responses have been conducted through the established corporate structure.

12. The nature of any past and/or present relationship between the Anglican Diocese of Grafton and any branch or State Diocesan Council of CEBS and/or the Anglican Boys' Society, including but not limited to any:
   a. legal, financial, and/or administrative relationship
   b. governance arrangements
   c. staffing arrangements, and record-keeping and archiving arrangements.

CEBS operated in a minority of parishes of the Diocese of Grafton. From a search of the Diocesan Archives, it seems that the earliest record of CEBS groups in this Diocese was in 1962 in the parishes of Kempsey and Grafton. Parishes known to have CEBS groups include Bonalbo, Ballina, Casino, Coffs Harbour (including a branch at Sawtell), Grafton, Kempsey, South Grafton, Tweed Heads and Woolgoolga. By 1992, all groups had closed with the exception of South Grafton which is believed to have closed by 1996 or shortly thereafter. In a number of cases, the remnant CEBS groups were incorporated into the local Girls' Friendly Society (GFS) groups and became a mixed gender activity.

The details of the legal, financial, administrative and governance arrangements are not clear however it is likely that the same arrangements existed for parish CEBS groups as exist for parish youth groups in general (reference Q16). That is, they would be considered to be a ministry activity of the parish on behalf of the Diocese. As such they are subject to Diocesan policies and legislation that prevailed at the time but would have been administered locally.

In February 1983, the relationship between the various parish CEBS groups in the Diocese of Grafton was formalised through the creation of a "Diocesan Executive" for CEBS. It is not clear whether the Diocesan Executive was an exercise of control by the leadership of the Diocese or a body formed out of the CEBS parish leadership to generate greater cooperation between CEBS groups. The latter appears more likely as the discovered records do not show a link between CEBS and the bodies established by the Diocese to promote youth ministry.

The first diocesan CEBS camp was held in Grafton from 25 to 27 February 1983.

In 1988, Annual Report of the Bishop-in-Council to Synod shows that the Diocese had formed a Ministry for Groups Committee that had seven members with each representing a different ministry group. There was a CEBS representative in the Ministry.
for Groups Committee. While this shows an interest by the diocese to create some degree of cooperation between ministries, it is unlikely that such an arrangement would be a governance or administration arrangement.

In CEBS’ 1988 report to synod, the group reported that their draft constitution was close to finalisation which included submission to Bishop-in-Council. We have not located a record to verify that the constitution was finalised and the method taken to formalise it (e.g. by synod or by the CEBS Diocesan Executive). A copy of a draft constitution of 15 February 1988 is attached (Attachment A5).

The draft constitution shows that “The Society shall operate under the Australian Constitution of CEBS – The Anglican Boys’ Society (Australia) Incorporated and the State Constitution of CEBs, The Anglican Boys’ Society within the State of New South Wales.”

The draft constitution supports the view that CEBS is fashioned around parishes as branches “Branches of the Society may be formed in any Parish or Parochial District with the consent of the Incumbent and the Executive of the Society.”

The involvement of the Diocese of Grafton was to approve the constitution and subsequent amendments, “The President (ex officio) being the Bishop of Grafton”, and the receipt of an annual financial report and reports as requested. The constitution does not have any mechanism for involvement of the Diocese in the governance or management of CEBS apart from the participation of the Bishop.

The 1988 CEBS’ report to Synod also mentioned that the Bishop of Grafton had appointed a clergyperson, the Reverend Richard Brown, as Chaplain for CEBS in the Diocese of Grafton. This appointment was made in 1987 and was reported as a new initiative however there is also a letter advising the appointment of the Reverend Richard Brown as CEBS chaplain on 27 February 1983. So it is reasonable to expect that the Reverend Richard Brown was the only Chaplain for CEBS in this Diocese as he served in this capacity from 1983 until 2001\(^1\)\(^2\) with a break in service as chaplain in the mid-1980’s.

There was some relationship between CEBS in the Diocese of Grafton and the State and National Councils of CEBS with the Diocese of Grafton being affiliated probably as early as 1983. In 1982, Donald Shearman, as Bishop of Grafton, wrote a letter offering to pay for the attendance of at least two people to attend the CEBS National Leaders Convention to be held in Bendigo.

Further indications of affiliation are that Mr Warren McConnell, a member of the CEBS Diocesan Executive, at one time held the position of State Training Officer (record shows Mr McConnell in this role in May and June 1985, and the Right Reverend Bruce Schultz was invited to be the State Vice President of CEBS on 21 March 1989 as per

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\(^1\) According to a telephone conversation of the Registrar, Mr Chris Nelson, with Reverend Richard Brown on 10\(^\text{th}\) November 2015
\(^2\) The duration of Reverend Brown’s status of Chaplain to CEBS beyond the longevity of CEBS groups can be explained in terms of no action being taken to withdraw the Chaplain license and Reverend Brown also becoming involved with GFS whose groups included former CEBS members

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the State Constitution of CEBS (Attachment A6) and was National Chairman from 1987 until at least May 1991. The State Office of CEBS reportedly\(^3\) assisted with the training of CEBS leaders and assisted in establishing the ability for the Diocese of Grafton to train its own leaders (1988 Report to Synod). The Diocese of Grafton also hosted the State Camp for CEBS at Lennox Head in 1991.

With the financial, administrative and governance of CEBS in the Diocese of Grafton being essentially at a parish level this would also mean that arrangements for staffing and record-keeping for CEBS groups would also be local. No record has been found of any staff employed for the purpose of CEBS at either a local parish or a diocesan level. This is consistent with many ministry activities that utilise the services of clergy stipended for general parish ministry and volunteers.

Record-keeping of parish CEBS groups would have taken place locally and after a number of years the records would have either been discarded or consolidated and passed on to the Diocesan Archives but not necessarily as separate record collections but combined with other parish records. Where records of Diocesan involvement with CEBS have been held centrally they would also be archived.

13. The nature of any relationship, between 1 January 1965 and the date of this letter, between the Diocese and any camp sites or other venues used by CEBS and/or the Anglican Boys' Society for its camping activities, including any child protection policies and procedures maintained by the Diocese in respect of youth attending camps at those venues.

In the period from 1 January 1965, apart from parish facilities (i.e. parish halls) and five schools, the Anglican Diocese of Grafton had two other facilities that could be used for gatherings including gatherings of children.

The Diocese owned a camp site at East Ballina called Gunundi until late 2010. The land was purchased in 1960 and the inaugural camp at the site was held from 27 to 29 October 1967. The Diocese also had rooms for meeting and training at its offices (known as the "Diocesan Centre", "Diocesan Youth Centre" or "Diocesan Conference Centre") at 37-39 Victoria Street, Grafton until about 1997.

Being parish based groups, most CEBS activities would have occurred in parish facilities, primarily the parish hall of the parish operating the group. Combined activities would have used a venue chosen as suitable for the activity. The range of venues would have included parish halls, public spaces (especially for outdoor activities), non-Anglican venues including national parks and rural properties, and the Diocesan Centre.

The use of the Gunundi camp site is also plausible but inspection of the available records fail to show that CEBS actually used that site despite making an enquiry at one stage.

In each case, the CEBS leaders responsible for the activity would control the conduct at the site. For the use of Gunundi, the Diocesan Centre or the facility of any host parish, the CEBS group would have been considered as an occasional user of those facilities.

\(^3\) According to a telephone conversation of the Registrar, Mr Chris Nelson, with Reverend Richard Brown on 10\(^{th}\) November 2015

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### Policies for the welfare of CEBS attendees at camps

Policies for the welfare of CEBS attendees at camps would have been in the hands of the CEBS leadership. The 1988 CEBS report to synod talks under the subject heading "Leader Development" that a camping manual "is in the process of [being] draw[n] up." A copy of the camping manual has not been located.

### 14. Any arrangements under which schools or other institutions in your Diocese are permitted to use the Anglican Church name in their title or brand.

In 1990 the Diocesan Synod assented to the 1989 Use of Church Names Canon of the General Synod. (The amended Canon from the 2014 General Synod was assented to by the Diocesan Synod in 2015.) The practice of the Diocese has been to allow the use of the Anglican Church name where those bodies are parish activities (e.g. Op Shops), or are incorporated under the Anglican Church of Australia (Bodies Corporate) Act 1938 (NSW) and are thereby legally connected with the diocese. For example, the five schools of the Diocese of Grafton can use the word 'Anglican' in their name. They are incorporated under the 1938 Act, are under the oversight of the Diocesan Schools Commission (established by ordinance) and have a common constitution passed by Diocesan ordinance.

### 15. The current legal, financial, administrative, governance and/or any other relationship between the Anglican Diocese of Grafton and:

- any para-church Diocesan youth groups, such as Crusaders or Youthworks
- Anglicare, or entities known as Anglicare
- Anglican schools, and/or
- any Anglican-run or affiliated children’s homes.

#### a. Not applicable

#### b. Anglicare North Coast Inc.

Anglicare North Coast Inc. is incorporated under the Anglican Church of Australia (Bodies Corporate) Act 1938 (NSW) and operates under the Anglicare North Coast Ordinance 2014. The Bishop appoints the Chair of the Board but is not a member of the Board. Five members are appointed by Bishop-in-Council on the recommendation of the Board. Two further members are directly appointed by Bishop-in-Council. Two Board members are to be clergy serving in the Diocese.

Anglicare North Coast Inc. is self-managing and financially separate from the Diocese and is subject to an independent financial audit. The Anglicare North Coast Board and management are responsible for the operations of Anglicare North Coast including compliance requirements and meeting the obligations arising from government grants.

Anglicare North Coast is required to provide a brief annual report to the Diocesan Synod and may be called upon to report to Bishop-in-Council or the Diocese’s Audit Committee.

#### c. There are currently 5 schools of the Anglican Diocese of Grafton. They are St Columba Anglican School (SCAS) at Port Macquarie, Bishop Druiit College (BDC) at Coffs Harbour, Clarence Valley Anglican School (CVAS) at Grafton, Emmanuel Anglican College (EAC) at Ballina, and Lindisfarne Anglican Grammar School (LAGS) at Tweed Heads and Terranora.

These schools are incorporated under the Anglican Church of Australia (Bodies...
Corporation Act 1938 (NSW). Each school is self-managing and financially separate from each other and the Diocese, and each is subject to an independent financial audit. Each school board (usually 'council') and management is responsible for the operations at that school including compliance requirements and meeting the obligations arising from government grants.

Each school is required to provide a brief annual report to the Diocesan Synod. The Anglican Diocese of Grafton has established under ordinance a Diocesan Schools Commission. The Diocesan Schools Commission requests and receives reports from schools and is a mechanism for high-level monitoring of the performance of each school and developing common policies and approaches where that is warranted.

The Diocese also runs a development fund, Anglican Funds Grafton Diocese (AFGD). Of the schools, three (SCAS, EAC, CVAS) currently source their loan funding from AFGD. Two schools (CVAS, EAC) also currently conduct their transactional banking through AFGD.

d. There are no longer any children's homes run by or affiliated with the Anglican Diocese of Grafton.

16. Please describe generally the relationship between the Diocese and parish run youth groups.

Any parish run youth groups are a ministry activity of the parish on behalf of the Diocese. As such they are subject to Diocesan policies and legislation e.g. professional standards legislation, safe ministry checking as well as Government requirements such as the Working With Children Check.

17. Your understanding of your Diocese's practices and theological perspectives in relation to:
   a. marriage of clergy
   b. celibacy, and
   c. homosexuality.

The Diocese of Grafton has both married and single clergy. Those who are single include clergy who are widowed, divorced or never married. Article 32 of the Articles of Religion (The Constitution of the Anglican Church of Australia, para 4 refers) states: 'Bishops, Priests and Deacons, are not commanded by God's Law, either to vow the estate of single life, or to abstain from marriage: therefore it is lawful for them, as for all other Christian men [sic], to marry at their own discretion, as they shall judge the same to serve better to godliness.'

Clergy are required to adhere to Faithfulness in Service (Attachment A7) as adopted by the Synod of the Diocese in 2004, and amended since. There are no particular Diocesan theological perspectives other than the understanding of Christian sexual morality which underpins Faithfulness in Service.

Of particular relevance are the following provisions of Faithfulness in Service:

"7.2 Sexuality is a gift from God and is integral to human nature. It is appropriate for clergy and church workers to value this gift, taking responsibility for their sexual conduct by maintaining chastity in singleness and faithfulness in marriage."
Schedule A: Responses from Bishop of Grafton

| 7.3 | It is part of the role of clergy and church workers to care for, protect and respect all with whom they have a pastoral relationship. It is never appropriate for clergy and church workers to take advantage of their role to engage in sexual activity with a person with whom they have a pastoral relationship. Consent to such activity will not be regarded by the Church as valid, except within marriage. |
| 7.4 | Your sexual behaviour should be characterised by faithfulness and integrity. "Pastoral relationship" is defined elsewhere in Faithfulness in Service as meaning "a relationship between clergy or church workers and any person for the purposes of pastoral ministry. Differing theological perspectives are held throughout the Diocese on the subject of homosexuality. The Anglican rites of marriage do not allow marriage between same sex partners nor is there an authorised blessing of same sex unions. I have not appointed any clergy living in same sex relationships to posts within the Diocese. |

| 18. | The Anglican Church of Australia’s website, as at 11 November 2016, includes the following statement under the heading ‘Internal Diversity’: Significant theological differences also exist which can prevent closer co-operation between dioceses. The conferencing approach and development of community fostering initiatives have served to improve mutual understanding and co-operation on matters of considerable importance, such as child protection. Please set out your understanding of any significant theological differences between your and any other diocese, and the effect, if any, of those differences on the protection of children in the Anglican Church. The theological diversity referred to in this question is also expressed within the Diocese. The Diocese is theologically broad, containing Anglicans who would identify themselves as Evangelical, Catholic and ‘middle of the road’. The principal expression of difference between the Diocese of Grafton and several of the other Dioceses of the Anglican Church of Australia is that the Diocese of Grafton welcomes the ministry of women as deacons, priests and bishops. In a number of Dioceses the doctrine of ‘headship’, derived from a particular reading of the Bible, affects those Dioceses’ practices in relation to the ministry of women and the ministry of female priests and bishops is not accepted. I am not aware of any effect of theological differences within and between Dioceses on the protection of children in the Anglican Church of Australia. |
| 19. | The relationship, if any, between your Diocese and any theological colleges in Australia. The Diocese of Grafton has no theological colleges of its own. Ordination candidates for the Diocese have been trained at several theological colleges on a full-time residential, part-time residential or distance education basis at theological colleges that include: |

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Schedule A: Responses from Bishop of Grafton

<table>
<thead>
<tr>
<th>College</th>
<th>Since</th>
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</thead>
<tbody>
<tr>
<td>St. Francis College, Brisbane</td>
<td>1988</td>
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<tr>
<td>St. John's College, Morpeth</td>
<td>1985</td>
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<tr>
<td>St. Mark's College, Canberra</td>
<td>1988</td>
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<tr>
<td>Nungalinya College, Darwin</td>
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<tr>
<td>Brisbane Bible College</td>
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<td>Australian College of Theology</td>
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<tr>
<td>Trinity College, Melbourne</td>
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<tr>
<td>Ridley College, Melbourne</td>
<td>1985</td>
</tr>
</tbody>
</table>

The Anglican Diocese of Grafton's relationship with those theological colleges is from
the perspective that each college is an independent provider of education and training to
a candidate of the Diocese. The Diocese's primary relationship is with the candidate and
the candidate is enrolled with the college. The Diocese's interest in each college is that
they are a suitable provider of theological education for a minister in the Anglican
Church and relies on accrediting bodies for that assurance.

20. Your Diocese's approach, policies and practices in relation to conducting
psychological assessments of candidates for ordination training and ordination itself,
since 1 January 1960.

Diocesan files suggest that prior to 1973 there was no formal psychological assessment
of candidates. There was a questionnaire which included health questions but there do
not appear to have been any questions relating to mental health other than to ask
whether the candidate or any member of his family had suffered from insanity.

For the period from 1973 to1978, the Ordinands Selection Committee was responsible
for policies and practices pertaining to psychological testing of ordination candidates.
During this period there were only two students in training and it would appear that
these early candidates did not undergo any psychological testing but filled in extensive
questionnaires covering personality and relationship issues.

In 1978, the Ordinands Selection Committee was replaced by the Council for Ministry.
In late 1978 it was decided that all candidates (and, if they were married, their wives)
should undergo psychological testing before being interviewed by the Council for
Ministry. The then Bishop approached a psychologist to provide these reports which
were handed to the Bishop of the Diocese. The files indicate that several clinical
psychologists submitted reports to the Bishop on behalf of the Diocesan candidates.

In the early 1990s a Brisbane based psychologist, Dr Slaughter, recommended to the
Council for Ministry that a psychiatrist or psychologist participating in selection
interviews would be a more appropriate way of assessing students because particular
behaviour and attitudes often presented in group dynamics, rather than in one-on-one
interviews.

The Council for Ministry appointed a Police Department Psychologist as a member with
a particular portfolio of Psychological Assessment and Relationships. That role has
subsequently been taken by a psychologist and then a counsellor, who met separately
with candidates and also participated in the interviews.

In 2014 the Council for Ministry was renamed the Vocations Panel and again reviewed

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considered approximate.
the need for psychological testing. The Panel decided that testing is desirable and should focus on three main areas: personality, relationships and psycho-sexual issues. We have negotiated an arrangement with the psychologist who also provides psychological testing for the Diocese of Brisbane.

All candidates who come before the Vocations Panel undergo a psychological assessment (which involves testing and an interview) and the report is forwarded to the Bishop of the Diocese and the Ministry Development Officer.

21. Your Diocese’s approach to adopting the Anglican Church of Australia General Synod model ordinances and policy guidelines on child protection.

Since my arrival in the Diocese of Grafton in March 2014, we have sought to consistently apply the policy guidelines on child protection promoted by the General Synod. Previous to that the Diocese used General Synod model ordinances and policy guidelines as shown in Schedule B.

In 2004 the Diocese of Grafton adopted the model Professional Standards Ordinance passed by the 2004 General Synod. (Attachment A8) and Faithfulness in Service was adopted for use in the Diocese by Bishop-in-Council in November 2004.

On 29 September 2005 Bishop-in-Council received the report ‘Safe as Churches’ from the General Synod and resolved to form a Safe Ministry Working Party as a sub-committee of the Professional Standards Committee to implement General Synod Resolution 35/04 Child Protection 3.

The 2006 Synod adopted a Safe Ministry Framework based on the General Synod material. This Safe Ministry Framework, as amended from time to time, continues to form the basis of the Diocese’s policies in this area. Proposed changes are considered by the Professional Standards Committee which makes recommendations to the Bishop-in-Council or Synod, as appropriate.

22. Please indicate which General Synod model ordinances, policy guidelines and resolutions on child protection have been adopted or responded to by your Diocese, and how, by completing the table at Schedule B.

Please refer to attached Schedule B.

23. The key differences, if any, between the national model Professional Standards Ordinance (as amended 2008) and your Diocese’s equivalent ordinance/s, and the reasons for your Diocese either adopting the national model, not adopting it, or partially adopting it.

In 2004 the Diocese of Grafton adopted the national Model Professional Standards Ordinance with the following variations (in italics):

1) Para 10 (1) The PSC shall have at least three members one of whom is the Director.

2) The Director shall be Convenor of the PSC. {Model PSO text: The convenor of the

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Schedule A: Responses from Bishop of Grafton

PSC will be appointed by or in the manner determined by the [Archbishop-in-Council].

None of the subsequent amendments to the national Model Professional Standards Ordinance have been adopted by the Diocese and I have been unable to determine whether this was by conscious decision or simply an omission.

When I took office in 2014, I decided in consultation with the Registrar that we would make no changes to the existing professional standards legislation until the pending cases had been heard and completed (Kitchingman, Comben and Slater). This was to ensure there could be no suggestion that changes were being made to either benefit or disadvantage the respondents. It is my intention that amendments will be brought to the 2017 Grafton Synod to bring the Diocese’s professional standards legislation in line with the current national Model Professional Standards Ordinance.

24 Your views on whether each diocese in Australia should:
   a. maintain its own, unique professional standards framework
   b. agree to and adopt a nationally consistent professional standards framework that is administered by each diocese
   c. refer its powers in relation to professional standards to a centrally administered quasi-independent Church body to make decisions on matters such as clergy and Church worker discipline, complaints-handling and redress, with the outcomes of such decisions to be implemented by each diocese, or
   d. adopt any other approach for managing professional standards.

In matters related to the abuse of children, I would in principle welcome a centrally administered quasi-independent Church body to make decisions on matters such as clergy and church worker discipline, complaints-handling and redress, with the outcomes of such decisions to be implemented by each diocese. Such an approach would seem to be pastorally appropriate for victims, providing consistency of response and an arms-length process.

25. Any process, procedure or practice adopted by your Diocese, or adopted or recommended by the General Synod of the Anglican Church of Australia, in relation to responding to complaints of child sexual abuse made in relation to one or more other dioceses, and where multiple dioceses may have jurisdiction to respond, including but not limited to the handling of such complaints, the conduct of disciplinary proceedings, or the payment of compensation.

The Professional Standards Director manages the Diocese’s response to complaints of child sexual assault and is in close contact with the Professional Standards Directors of the other dioceses. He is responsible for coordinating with other dioceses in such circumstances to ensure that the complaint is handled according to our policies and procedures and does not ‘fall through the cracks’.

The diocesan files do not give an indication of previous practice in this matter. However, since I assumed office on 1 March 2014 the practice of the diocese has been:

1) to determine whether the Diocese of Grafton has jurisdiction,
2) to determine whether action is being taken in any other Diocese which may also have jurisdiction and,
3) if action is not being taken elsewhere to take action (Kitchingman, Comben and Slater)

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In terms of the payment of compensation, the Diocese has on several occasions contributed to a multi-jurisdictional settlement.

**Professional Standards in the Anglican Diocese of Grafton**

Please provide a chronological account of your Diocese's approach to professional standards from 1 January 1990 to the date of this letter, with reference to all key policies, procedures, processes, practices and legislation (if any) relating to the protection of children.

[Please note that little information is available to assist me in answering many of these questions for the period between 1 January 1990 and 2013. The Diocese has experienced a significant turnover of staff in its central office and key former staff are not available to offer assistance. There has consequently been a significant loss of corporate memory and the file record is patchy. As a result these answers relate chiefly to current practice.]

In providing your account please address each of the following matters:

26. Screening and assessing suitability of Bishops, clergy, lay and volunteer staff (collectively for the purpose of this Statement, Church workers), prior to:
   a. officiating as a member of clergy
   b. participating in activities involving children
   c. holding positions of authority in relation to the formulation of policy on professional standards matters, and/or
   d. presiding over or participating in disciplinary proceedings.

   (a) Prior to being licensed to officiate as a member of clergy, a church worker must be ordained, either in this Diocese or another Anglican Diocese. Ordination selection involves psychological screening (see response to Q20), assessment of educational qualifications and experience, emotional intelligence and theological approach. Prior to ordination, candidates are required to complete a Safe Ministry Questionnaire, and have a Working With Children Check and a police check. They are also required to assent to Faithfulness in Service and undertake Faithfulness in Service and Safe Ministry training as soon as practicable.

   Already ordained clergy moving into this Diocese are required to complete the Safe Ministry Questionnaire, and have both a police check and a Working With Children Check. They are also required to undertake Safe Ministry Training and Faithfulness in Service training as soon as practicable. A letter from the Bishop of the Diocese from which they have come attesting that the clergy person is 'in good standing' is also obtained and the National Register administered by the General Synod Office is checked.

   The Safe Ministry Questionnaire has been in place since 2006. Prior to the Working with Children Check, clergy were required to have a police check. On 18 December 2000 memoranda were sent to parishes advising that for the purposes of the Child Protection (Prohibited Employment) Act 1998 which came into effect on 3 July 2000 a Prohibited Employment Declaration needed to be completed by all paid employees and all

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Volunteers.

(b) All church workers, clergy and lay, participating in activities involving children are required to have a Working with Children Check and to undertake Safe Ministry training and Faithfulness in Service training. The requirement for a Prohibited Employment Declaration (see above) was also in force from early 2001.

(c) Policy relating to Professional Standards is usually developed at the level of General Synod and considered in the Diocese of Grafton by the Synod and or the Bishop-in-Council, perhaps with recommendations from the Professional Standards Committee. All church workers holding positions of authority in relation to the formulation of policy on professional standards matters are subject to the screening requirements for church workers outlined in (a) and (b) above, depending on whether they are clergy or lay.

(d) Church workers presiding over or participating in disciplinary proceedings are subject to the screening requirements for church workers outlined in (a) and (b) above, depending on whether they are clergy or lay.

27. Training and educating Church workers and Church members on child sexual abuse and responding to instances of child sexual abuse.

From 1995 onwards the then Diocesan Chaplain for Ministry was responsible for ensuring that clergy were trained and educated on child sexual abuse awareness and responding to instances of child sexual abuse. Existing Diocesan files do not record any training but anecdotal evidence suggests it was included in clergy conferences and ministry schools.

In June 2006 the Diocese entered into a Licence agreement with ChildSafe safety management systems.

In early 2009 the Diocesan Compliance Officer and another Diocesan employee undertook training as Safe Ministry trainers. The Professional Standards Committee Report to Synod in 2007 states that 98 clergy and 263 laity were trained between October 2006 and March 2007.

In the second half of 2012, 10 workshops were held across the Diocese for church workers on these topics. In 2015 and 2016, 14 Safe Ministry workshops were held with 468. registered attendees. The Diocese is a member of the Safe Churches Training Agreement and church workers have been advised that they may attend any accredited SCTA training.

Safe Ministry training is mandated for the following people: holders of a licence issued by the Bishop (clergy, Licensed Lay Ministers); members of Parish Council; all leaders of Family, SRE, Youth or Children’s Ministry (or similar); all leaders or coordinators of parish ministries; all leaders of street ministry, hospital visiting, aged home visiting, soup kitchens, Op Shops and other people contact ministries. (Bishop-in-Council, 7 May 2015)

Additional training is offered to those in the first five years of ordained ministry and to those priests who are placed in charge of a parish for the first time. Training is regularly included in the bi-annual Licensed Lay Minister Formation Days and at the annual Ministry School and Clergy Conference.

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28. Internal reporting processes following a disclosure of child sexual abuse.

Those who have been in the Diocese over this period advise that formal processes of reporting child sexual abuse were introduced around 1995 from policies that were adopted from the Anglican Church in New Zealand and from the Anglican Diocese of Brisbane.

The July 2004 meeting of Bishop-in-Council adopted the ‘Protocol for Dealing with Complaints of Sexual Abuse’ (Attachment A9). This Protocol has been diocesan policy since then but has not always been followed. (Royal Commission Case Study no. 3 refers.)

Since late 2013, all complaints of child sexual abuse have been handled by the Director of Professional Standards who follows the procedures set out in the Protocol. However, the Protocol names the Organisation Head as the person who carries out a preliminary assessment of an allegation (13.4.4). The Professional Standards Director and the Professional Standards Committee undertake that function on my behalf.

29. Reporting allegations of child sexual abuse to the police, the Ombudsman and/or any government child protection agencies, including where:

a. a complainant does not consent to such disclosure, and/or
b. the information was disclosed in the context of a ‘confessional’.

The historic practice of the Diocese is not clear from the file record. In the period 2004 to 2013, a former Registrar of the Diocese, Pat Comben, a former Bishop, Keith Slater, and a former Professional Standards Director, Philip Gerber, all failed to report child abuse allegations to police. (Royal Commission Case Study no. 3 refers.) It is not known whether any allegations were reported to police through this period.

In 2013, the current Director of Professional Standards took over responsibility in this area. He advises me that from that time he has applied his current practice which is to:

a) Report any matter involving information relating to criminal behaviour directly to Police as per section 316 of the NSW Crimes Act 1900.

b) Report any matter captured under the terms of the Ombudsman’s Legislation 1974 to the NSW Ombudsman as per the reporting requirements of that legislation

c) Report any relevant matter to appropriate child protection agencies as per their reporting requirements (e.g. NSW Department of Family and Community Services “DOCS” for child at immediate risk of harm)

This reporting by the Director takes place regardless of the wishes of a complainant, as the Director is of the view that he is required to do so in order to discharge his responsibilities under those relevant acts of legislation mentioned above. The Director engages in conversations before and after such reporting with any complainant whose information is passed on in order to explain both the process and the reasons for the reporting. I am not aware of any significant issues created by this practice and he has advised me that he believes there are no barriers to such reporting when those providing

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information are appropriately supported.

30. Notifying an alleged perpetrator of allegations against him or her.

The Director of Professional Standards advises me that his current practice in relation to notifying alleged perpetrators of allegations is based on a case by case assessment of any relevant factors. If a case is being investigated by a higher authority (e.g. Police, Coroner, NSW Ombudsman, Royal Commission) liaison occurs between the Director and the relevant agency. Any disclosure of all or part of the allegations to the respondent would be with the approval of that agency.

Allegations may be presented to a respondent following either a preliminary or thorough investigation. Those allegations would be in writing from the Director of Professional Standards and usually delivered in person by the Director at a pre-arranged meeting where the respondent would be encouraged to have an appropriate support person present. A response is invited from the respondent and in fact a respondent has certain obligations to respond truthfully under Section 29 of the Diocesan Professional Standards Ordinance.

The Diocesan files do not record information about earlier practices.

31. Providing pastoral care and counselling to complainants and/or alleged perpetrators following allegations of child sexual abuse.

Current practice is that such pastoral support is offered and arranged by the Director of Professional Standards. It is unclear how consistently this happened before 2013 but the Diocesan files contain evidence of counselling being offered and also some letters from Keith Slater, when Bishop of Grafton, to claimants appointing support people for them.

32. Investigating allegations of child sexual abuse.

From 1 January 1990 to 2013 the investigation of complaints of child sexual abuse was carried out mainly by the Registrar of the Diocese. The Director of Professional Standards has advised me those investigations were generally not thorough and resulted in compromised outcomes. (Royal Commission Case Study no.3 provides an example.) Diocesan files show that in the period 2006 – 9 the Professional Standards Committee was involved to some degree in the handling of complaints. The complaints relating to the North Coast Children's Home, however, appear to have been managed exclusively by the Registrar and the Bishop with occasional reports to the Committee.

Since 2013 such investigations have been carried out exclusively by the current Director of Professional Standards. His practice in that regard is as follows:

a) Review of the allegations and circumstances of the complaint
b) Cross referencing with any existing available information including intelligence or previous cases / allegations
c) Preliminary Interview of complainant
d) Appropriate support of any complainants
e) Risk assessment conducted
f) Risk management plan enacted if necessary

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Schedule A: Responses from Bishop of Grafton

- Development of an investigation plan with estimated timeline
- Follow investigation plan and follow-up on any additional sources of evidence that may arise during the course of enquiries
- Conduct assessments as the reliability and credibility of available evidence
- Put detailed written allegations to respondent
- Appropriate support of respondent Investigate any evidence sources, alibis etc. arising from the respondents response
- Conduct further assessments as the reliability and credibility of available evidence
- Reach findings or recommendations if required
- Prepare detailed investigation report

The Investigation Plan
A typical investigation plan would be constructed to identify and explore any relevant available sources of evidence including but not limited to:
- Documents and records including those in archives
- Statements
- Recorded interviews
- Physical evidence

The Director advises that the success of most investigations relies on sourcing and accessing relevant people and documents, and that a knowledge of what is available and where to locate it is imperative. These sources may be primary or secondary corroborating sources of evidence. The aim of the investigation is to expose the truth of the matters and to gather all available evidence both in support of and not in support of the allegations.

33. Imposing restrictions on an alleged perpetrator's duties or involvement with the Church pending resolution of an investigation.

Current Practice
When allegations arise they are to be immediately referred to the Director of Professional Standards. Should the allegations come directly to me and involve, for example, current child sexual abuse, I would immediately suspend the alleged perpetrator pending the Director’s assessment. The Director of Professional Standards conducts an immediate risk assessment and if there were significant identified risks the matter would be referred to the Professional Standards Committee (PSC) for a more formal and extensive risk assessment to be undertaken by the PSC as a matter of urgency.

If the risk assessment returned adverse risk factors a risk management plan would be developed identifying what, if any, tasks and engagement can be undertaken by the respondent. A recommendation is then made from the PSC to the Bishop to implement the plan via, directions and/or a prohibition order using the provision of sections 30-34 of the Professional Standards Ordinance. The Director of Professional Standards would coordinate implementation of that risk management plan.

If the matter was one that was under investigation by a higher jurisdiction such as the Police or Royal Commission, the Director of Professional Standards would liaise with that agency and seek advice and input from them regarding the risk assessment process and outcomes in the first instance.

If the process of risk assessment is expected to take some time and there appears to be

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some risk in allowing the alleged perpetrator to continue to serve unrestricted, the Bishop will act immediately to stand down the alleged perpetrator or place restrictions on their activities until such time as the appropriate risk management can be determined and put in place.

34. Codes of conduct or expected behaviours for Church workers.

The primary document generally described as a Code of Conduct in operation in the Diocese of Grafton is "Faithfulness in Service – A national code for personal behaviour and the practice of pastoral ministry by clergy and church workers" which was adopted in connection with the Professional Standards Ordinance 2004 (Attachment A8).

However there have been codes inferred by other documents with standing in the Diocese of Grafton.

The Clergy Discipline Ordinance 1966 describes an "offence" as "(a) breach of faith ritual ceremonial or discipline; (b) unchastity; (c) drunkeness (sic); (d) habitual or wilful neglect of ministerial duty after written admonition in respect thereof by the Bishop; (e) bankruptcy; (f) wilful failure to pay just debts; (g) conduct, whenever occurring, (i) which would be disgraceful if committed by a member of the clergy, and; (ii) which at the time the charge is preferred is productive or, if known publicly would be productive, of scandal (sic) or evil report. (h) any offence punishable by law being a malum in se" (See also response to Q10 and Attachments A2, A3 and A4.)

Faithfulness in Service has been replaced by other Codes of Conduct in the circumstance of administrative workers in the Bishop’s Registry, the activities of Anglicare North Coast and for the employees of the Diocese’s schools so that these specific activities have a Code of Conduct that reflects the deal with the prevailing environment.

35. Conducting disciplinary proceedings in respect of Church workers against whom:

a. allegations of child sexual abuse have been made, or
b. allegations have been made in relation to the way a complaint of child sexual abuse has been handled.

Current Practice

Allegations of child sexual abuse or in relation to the way a complaint of child sexual abuse has been handled are dealt with in accordance with the Professional Standards Ordinance 2004.

As per clause 25 of the Ordinance, “where the [Professional Standards Committee] PSC considers the subject matter of information constitutes examinable conduct it shall investigate the information.” Clause 26 of the Ordinance makes provision for matters or the investigation of information to be referred to an equivalent body or bodies.

Once the PSC commences an investigation, there is the mechanism for the PSC to...
recommend, where appropriate, that the respondent to the claim may be suspended from duties, office or employment and or subject to a prohibition order.

Once the investigation is completed, the PSC may refer the matter, with a written report of its investigation, to the Professional Standards Board to answer one or more of the following questions:

(a) the fitness of the respondent, whether temporarily or permanently to hold a particular office or any office, license or position of responsibility in the Church or to be or remain in Holy Orders or in the employment of a Church body;
(b) whether in the exercise of a Church worker's ministry or employment, or in the performance of any function the Church worker should be subject to certain conditions or restrictions.

The Professional Standards Board considers the matter in accordance with the Professional Standards Ordinance 2004 involving a sitting, usually open, where the respondent, Professional Standards Committee and others are invited to make their submissions and answer questions.

Following its sitting, the Professional Standards Board considers the information presented and reports its findings and recommendations to the Bishop of Grafton.

In each recent case where the Professional Standards Board has made a recommendation to the Bishop of Grafton, the Bishop has enacted the recommendation of the Board within a fortnight of its receipt.

The Diocese of Grafton's Professional Standards Ordinance 2004 currently provides no avenue for an appeal or review of a decision made as a result of a sitting of the Professional Standards Board.

In the Diocese of Grafton, there have been four hearings to date with Thomas Lawton, Allan Kitchingman, Patrick Comben and Keith Slater being the respondents. In each case, the respondent was deposed from Holy Orders.

The procedure under the Professional Standards Ordinance 2004 has only been available since the passing of the Ordinance in June 2004. Prior to that date, disciplinary action for such matters would need to be conducted under the Clergy Discipline Ordinance 1966.

The Clergy Discipline Ordinance 1966 defines “offence” as meaning:

“(a) breach of faith ritual ceremonial or discipline;
(b) unchastity;” [Note: in the context of extramarital sexual relations and not abstention from all sexual intercourse]
“(c) drunkenness;
(d) habitual and wilful neglect of ministerial duty after written admonition in respect thereof by the Bishop;
(e) bankruptcy;
(f) wilful failure to pay just debts;
(g) conduct, whenever occurring (sic),
   (i) which would be disgraceful if committed by a member of the clergy, and;
   (ii) which at the time the charge is preferred is productive or, if known publicly would be productive, of scandal (sic) or evil report.
(h) any offence punishable by law being a malum in se.”

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Prior to 2004, child sexual abuse by a member of clergy could be an offence tried under the Clergy Discipline Ordinance 1966 (Attachment A10) satisfying both (g) and (h) in the meaning of "offence".

When a charge under the Clergy Discipline Ordinance is brought against a member of clergy, it is heard by a diocesan tribunal which makes recommendation to the Bishop. The Bishop may give effect to any recommendation or may consult with the tribunal then in the exercise of his or her prerogative of mercy may mitigate the sentence and or suspend its operation.

The Clergy Discipline Ordinance provides for an appeal to the Appellate Tribunal of the Anglican Church of Australia.

36. Church law offences that apply in your Diocese to matters concerning child sexual abuse and the handling of complaints of child sexual abuse.

Current Practice

Allegations of child sexual abuse, or in relation to the way a complaint of child sexual abuse has been handled, are dealt with in accordance with the Professional Standards Ordinance 2004.

The Professional Standards Ordinance defines "examinable conduct" to mean "conduct wherever and whenever occurring the subject of information which, if established, might call into question:
(a) the fitness of a Church worker, whether temporarily or permanently, now or in the future to hold a particular or any office, license or position of responsibility in the Church or to remain in Holy Orders or in the employment of a Church body; or
(b) whether, in the exercise of a Church worker's ministry or employment, or in the performance of any function, the Church worker should be subject to certain conditions or restrictions"

The Ordinance also defines "information" as meaning "information of whatever nature and from whatever source relating to:
(a) alleged conduct of a Church worker wherever or whenever occurring involving sexual harassment or assault, or sexually inappropriate behaviour;
(b) alleged inappropriate or unreasonable conduct or omission of a Church worker who had knowledge of conduct of another Church worker involving sexual harassment or assault, or sexually inappropriate behaviour; or
(c) an alleged process failure"

The Professional Standards Board established under the Professional Standards Ordinance has considered two matters from information of type (a) (i.e. Thomas Lawton and Allan Kitchingman) and two matters from information of type (b) (i.e. Patrick Comben and Keith Slater).

Prior to the operation of the Professional Standards Ordinance 2004, the Clergy Discipline Ordinance 1966 applied to matters of child sexual abuse and the handling of complaints of child sexual abuse.

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Schedule A: Responses from Bishop of Grafton

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(g) conduct, whenever occurring (sic),
    (i) which would be disgraceful if committed by a member of the clergy, and;
    (ii) which at the time the charge is preferred is productive or, if known publicly would be productive, of scandal (sic) or evil report.
(h) any offence punishable by law being a malum in se.”

Child sexual abuse by a member of clergy is clearly an “offence” consistent with both (g) and (h) of the meaning.

Conditional upon the facts of the matter, a failure in the handling of complaints of child sexual abuse may be an offence consistent with (g) or both (g) and (h) of the meaning.

In 2004, the Clergy Discipline Ordinance 1966 was amended by inserting the following clause “In the event that an offence within the meaning of the ordinance is also a matter of examinable conduct within the meaning of the Professional Standards Ordinance 2004 the provision of that later Ordinance shall prevail.”

37. The standard of proof applied in your Diocesan disciplinary proceedings relating to child sexual abuse matters.

The President of the Anglican Diocese of Grafton’s Professional Standards Board advises me that “the Professional Standards Ordinance 2004 of the Diocese of Grafton, (the Ordinance), establishes and essentially governs the duties and obligations of the Professional Standards Board, (the Board), which is required to consider questions concerning the conduct of Church workers, including sexual abuse matters, addressed to it by the Professional Standards Committee, (the Committee). The Board is obliged to do so and to furnish a report and any recommendation to the Bishop. Sexual abuse matters are also dealt with under the Protocol For Dealing With Complaints of Sexual Abuse 2004, (the Protocol).

“The Board has very wide powers to gather evidence, material and information to enable it to answer any question and to make any recommendation and in doing so clause 49 requires it to “… act with fairness and according to equity, good conscience and the substantial merits of the case without regard to technicalities or legal forms and is not bound by the rules of evidence but may inform itself on any matter in such manner as it sees fit”. The material it may use is set out in some detail in the Ordinance.

“The Ordinance additionally confers rights on the respondent to be aware of the material,
to appear with legal representation, to present evidence, to cross-examine witnesses and to make submissions. I believe that the ordinance provides adequate protection for the respondent to be accorded natural justice.

"The Board’s duty is to consider, analyse and evaluate all the material before it, including the admissions (if any) made by the respondent and submissions made on his/her behalf. Having done so, the duty is to make its report and any recommendations to the Bishop, who takes no part in the Board’s processes."

On each of the recent occasions on which the Professional Standards Board of the Diocese of Grafton has considered a matter, the standard of proof was not a significant consideration. In the case of Kitchingman, the respondent had a criminal conviction and chose not to appear or defend himself. In the cases of Comben and Slater, both chose not to deny the claims of wrongdoing but to ask for leniency in the recommendation of the Board. Therefore, in each case, the Board was not occupied with deciding whether there was wrongdoing but instead it was occupied with making a recommendation on the appropriate remedy or response to the reported wrongdoing.

In the Professional Standards Board 30 September 2005 report on Thomas Lawton, the Professional Standards Board presided over by the Deputy President, Peter Dunning QC, wrote on the topic of standard of proof and reported to the Bishop:

"[21] Like constituted diocesan tribunals in the Dioceses of Sydney and Brisbane in the matters of Gerber v Ellmore and Cunningham v Shearman have considered the standard of proof applicable to such tribunal hearings. The tribunal in each case concluded, with respect correctly, that the appropriate approach to the standard of proof is what is known as the Briginshaw principle."

"[22] In Briginshaw v Briginshaw the High Court affirmed the principle that there is only one standard of proof applicable in civil matters, namely, on the balance of probabilities. However, it was held that the strength of the evidence necessary to establish a matter on the balance of probabilities may vary according to the nature or gravity of the fact to be proved. Dixon J, as his Honour then was, stated:

"The seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, or the gravity of the consequences flowing from a particular finding are considerations which must affect the answer to the question whether the issue has been proved to the reasonable satisfaction of the tribunal. In such matters "reasonable satisfaction" should not be produced by inexact proofs, indefinite testimony, or indirect inferences."
Schedule A: Responses from Bishop of Grafton

"[23] The Briginshaw principle is often applied in disciplinary proceedings where a finding puts the reputation or livelihood of a professional person at risk. For example in *Basser v Pharmacy Board of Victoria* the court neatly stated the position as follows:-

"Where allegations are serious and grave involving professional misconduct and incompetence, the court should not be satisfied that the allegations are true unless the evidence is precise and can survive careful scrutiny. That is proof on the balance of probabilities, the civil standard of proof, with the proviso that the evidence must produce a reasonable state of satisfaction in one’s mind"

"[24] The Briginshaw principle directs a court or tribunal to proceed cautiously where a serious allegation has been made or the facts are improbable. If the finding is likely to produce grave consequences, the evidence should be of high probative value. The Briginshaw principle focuses attention on the standard of the evidence required to prove the case to the ordinary civil standard but is not a change in the standard of proof.

"[25] We have proceeded according in determining the facts in this case."

<table>
<thead>
<tr>
<th>38. A brief overview of your Diocesan processes and procedures relating to the resolution of claims for financial compensation, counselling, apologies and other redress by way of mediation, settlement negotiations, and/or civil litigation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>In November 2005 the Bishop-in-Council passed a resolution that “the Diocese of Grafton become part of the Sydney Diocesan care and assistance appraisal program.” There is, however, no evidence of that program being implemented in the Diocese. In November 2013, Bishop-in-Council adopted a Pastoral Care and Assistance Scheme (PCAS) (Attachment A11) aimed at providing redress in a pastorally appropriate way. The PCAS was modelled on that adopted by the Diocese of Sydney and included a combination of financial compensation (up to $75,000), an offer of counselling services, and an apology. The apology is from the church leadership (usually the Bishop) and may be in the form of a personal apology and or a written apology, depending upon the wishes of the claimant.</td>
</tr>
<tr>
<td>Complaints are responded to by the Professional Standards Director. Counselling may be offered at this point if needed. The responsibility of the PSD is to investigate the claims and make recommendations to the Diocesan Professional Standards Committee as to appropriate courses of action, including financial assistance, if requested, and to refer to external agencies if appropriate. Claims for financial assistance are made to the Professional Standards Director. Support is available to assist claimants with the process. Relevant medical or counselling records may be requested to assist in the assessment of the claim. The assessment of any financial assistance is based on a published Schedule and is made by an assessment panel.</td>
</tr>
<tr>
<td>Where claimants choose not to settle under the PCAS but continue to progress to civil litigation, the Diocese appoints a solicitor to assist with the negotiation of the</td>
</tr>
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</table>
Claim. It is the aim of the Diocese to reach a suitable settlement without putting all parties through the rigours of the court process. To date, no professional standards claims against the Diocese of Grafton have been heard in a court of law.

39. Notifying Church members and Church workers of allegations against a particular Church member or Church worker. Where there is such a policy, the level of detail included in any such notification.

The Anglican Diocese of Grafton has no current or past policy relating to notifying Church members and Church workers of allegations against any individual.

The current practice in the Diocese is for the Bishop to develop a statement with the support of the Diocesan Registrar, media advisor, as well as the Chair of the PSC or the Director of Professional Standards if needed. There are several avenues for such a statement to be disseminated and I might choose any or all of them depending on the individual circumstances of the case. Those include:

1. A Clergy Update which is an internal communication to all clergy and the senior lay leadership of the Diocese;
2. A communication with all of the national Diocesan Bishops;
3. A communication to parishioners of a particular parish or all parishes via the parish priest;
4. A communication to staff of the Diocese; and
5. A general release to the media.

The circumstances would dictate the level of detail in the statement with various factors taken into account such as (in no particular order):
- Pastoral care for all concerned
- Not to compromise any investigation
- Not to prejudge the outcome of the matter

An example of a statement released by me to a parish congregation under these circumstances might be as follows:

"I regret to advise that there have been a number of serious allegations made involving a member of this parish, Mr. Joe Bloggs. Whilst these matters are being investigated by Police Joe has agreed to step down from his role as a licensed lay minister. Please be assured that all persons involved in these matters are being supported including Joe. If anyone feels in need of support in relation to this matter please speak to your parish priest or the Director of Professional Standards. Please keep all persons involved in this matter in your prayers."

40. Risk managing known or alleged offenders involved in the Diocese as Church workers or Church members.

Current Practice
Risk management of known or alleged offenders involved in the Diocese as Church workers or Church members is the responsibility of the Director of Professional Standards. Whilst the Diocese has not formally adopted a policy on this, I understand the Director uses the General Synod Guidelines for managing Persons of Concern as a guide to implement such risk management and this includes the development of a

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Memorandum of Understanding with the Person of Concern to create appropriate limits on the person’s behaviours and activities.

The risk management is tailored to mitigate the identified risks and would normally include measures such as restrictions on activities, visual monitoring and support via a fully informed parish based support and accountability team. This would be co-ordinated by the Parish Priest. We currently have several people (who pose identified risks) under Memoranda of Understanding.

41. Identifying any other victims of known or alleged offenders.

a) Efforts to locate other victims

Victims are mostly identified only once they are prepared to disclose their abuse. To facilitate this all clergy of the diocese as well as those who hold any position within a parish are required to attend Safe Ministry Training that is accredited under the Safe Church Training Agreement (SCTA) of the National Council of Churches in Australia (NCCA). Part of that training is around how to respond to a disclosure of abuse and who to refer the information to.

We also have the 1800 abuse number for people to call. It is answered directly by the Director of Professional Standards.

The Director of Professional Standards advises me that if he were investigating a matter he would routinely make thorough enquiries in an effort to locate any potential additional victims. Some examples of these enquiries in a historical case of child sexual abuse include obtaining altar server records and making attempts to locate and contact those named; interviewing past and present parishioners; and identifying associates of any alleged offender. Such enquiries would be conducted by the Director of Professional Standards within any parish where the perpetrator may have served (including overseas).

On Thursday 5 September 2013 the Diocese took out advertisements in the main news pages of The Sydney Morning Herald, The Sydney Daily Telegraph, The Melbourne Age, The Brisbane Courier Mail, and the Northern Star offering an apology to all victims of abuse at the North Coast Children’s Home and inviting survivors of abuse to make contact with the Professional Standards Director. A Media Release was also distributed to other news outlets. (Attachment A12).

b) Efforts to locate other known or alleged offenders

The Diocesan Safe Ministry Training includes education for participants on identifying grooming behaviour and other potential indicators of offending behaviour. This initiative assists most individuals involved with the Church to better recognise risk factors that may be indicators of offending and informs them of where and how to report that information. Such awareness translates to a general increase in reporting to the Director of Professional Standards and assists him in the identification of offenders.

The Director of Professional Standards liaises closely with the Police Department and other agencies when necessary and keeps detailed records of all complaints, as well as intelligence information. This assists the Director of Professional Standards in identifying patterns of behaviour that may lead to the identification of offender/s. The Director of Professional Standards is part of the National Directors of Professional Standards.

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Network who share information about offenders and persons of concern and their movements.

The Director of Professional Standards will follow up on any leads or intelligence information, including that in historical files, in an effort to identify any potential offenders.

42. Declaring and managing actual or perceived conflicts of interest among Church workers involved in developing policy, conducting disciplinary proceedings, providing legal advice, giving pastoral care or otherwise responding to child sexual abuse, where they have a long-standing personal or professional relationship with a known or alleged offender.

Church workers are expected in all circumstances to declare actual or perceived conflicts of interest. In pastoral matters para 4.7 of Faithfulness in Service states: ‘You must recognise any potential conflict of interest and take steps to resolve it’. In financial matters this is covered by para 8.8 of Faithfulness in Service (‘You are to avoid situations of conflict between your personal financial interest and your pastoral ministry responsibilities.’). Depending on the particular circumstances this will lead to a church worker having no participation or only limited participation in developing policy, conducting disciplinary proceedings, providing legal advice, giving pastoral care or otherwise responding to child sexual abuse.

43. Record-keeping in relation to allegations and complaints of child sexual abuse in the Diocese, parishes, para-Church youth groups, and Church institutions, including the:
   a. form of the records (for example, excel database or paper-based case files)
   b. nature of the information contained in the records, including what information, if any, is routinely recorded, and how consistently the information is represented across all records
   c. maintenance and archiving of records.

Prior to 2013 sexual misconduct complaint files were generally retained in the diocesan office as hard copy files, either in the Bishop’s office, the Registrar’s office or in the archive storage room. There were also some documents retained on the hard drives of the Bishop, the Registrar and members of the Professional Standards Committee.

In 2001/2 the then Director of Professional Standards for the Anglican Diocese of Sydney, Mr Philip Gerber, was engaged to provide advice and training to the Anglican Diocese of Grafton. On the 24 August 2004 Mr Gerber was formally appointed as a member of the Grafton Diocese Professional Standards Committee and remained until the end of 2007. He retained some files or copies of files he may have been working on in his Sydney Office. Over the past two years as part of file audits conducted in the Sydney Diocese Professional Standards Office several files were located that related to the Grafton Diocese that appeared to be the only available copy. These were forwarded to the Grafton Director of Professional Standards.

In 2013 all hard and soft copy sexual misconduct complaint files were transferred into the possession of the Director of Professional Standards whose office is based in Newcastle.

Current Practice

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The Director of Professional Standards is responsible for maintenance, security and archiving of all complaint files that relate to sexual abuse. All hard copy complaint records are held by the Director of Professional Standards in a secure fire resistant store room adjacent to his office. All soft copy records are stored on an external hard drive (not connected to any cloud or server).

Some but not all hard copy files have been scanned to soft copy as text recognisable, searchable PDF documents. Since 2013 all new records are primarily stored as soft copy records and hard copies remain of only essential new documents.

The soft copy records are stored alphabetically by name and contain a mix of pdf, text, MS Word, pictures and email documents that are named in an easily searchable fashion with a relevant title and a date.

Nature of Information
The Director of Professional Standards collects any relevant information to be included in the file. Such information includes:
- media and online reports
- statements including police statements if available
- photographs
- file notes
- medical records
- service histories
- contact details
- counselling records
- court and Royal Commission documents

Any available information, either existing or new, is placed on the relevant case file. New information received by the Director of Professional Standards in the course of his work can include conversations, enquiries, information received and intelligence. The Director of Professional Standards creates a dated and signed record of this information before adding it to the relevant file(s) or to a general intelligence file for miscellaneous information. Files are arranged alphabetically by name. A file exists for each individual person, group, agency, or organisation that has become relevant to the work of the Professional Standards Director. Files are grouped into categories of:

- Respondents and Persons of Interest
- Complainants
- Intelligence
- Organisations / groups / agencies

Maintenance and archiving
The sexual misconduct complaint files are maintained by the Director of Professional Standards. Hard copy files are stored within document boxes in an appropriately climate controlled secure document storage room that only he has access to.

Soft Copy files are also maintained by the Director of Professional Standards who conducts regular backups of the data which is stored in various secure locations (both on and off site).

44. Information-sharing about or related to instances and allegations of child sexual abuse

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abuse between your Diocese and:

a. other Anglican dioceses in Australia
b. other Anglican dioceses outside of Australia
c. the General Synod
d. other faith-based institutions
e. government and non-government institutions or statutory authorities (to the extent these are not addressed in paragraph 29).

Information related to allegations of child sexual abuse is shared in the following ways:

a. Other Anglican Dioceses in Australia

If an allegation of child sexual abuse has implications for another Diocese e.g. the alleged offender has lived in another Diocese, I would discuss the matter with the Professional Standards Director, with a view to alerting the Bishop, as well as relying on the PSD network. In circumstances where an alleged offender has lived and/or ministered in several dioceses, or was intending to do so, I would send a communiqué to all fellow Bishops nationally. The Director of Professional Standards communicates such information on an as needs basis via the Directors of Professional Standards National Network. Information would also be uploaded to the National Register.

Further to the proactive sharing of information is the protocol where Bishops of a Diocese seek confirmation from the Bishop of the relevant Diocese where a minister is moving into the first Bishop’s diocese either temporarily or permanently to take up a position or to perform an act of ministry that the minister is in “good standing”.

b. Other Anglican Dioceses outside of Australia

If an alleged offender had, for example, lived and/or ministered overseas, or was intending to do so, I would make direct contact by phone as well as in writing via email and / or letter with the Bishop of an overseas Anglican diocese to provide advice in relation to child abuse allegations. The Director of Professional Standards would also undertake the same with either an overseas diocesan Bishop and / or Professional Standards personnel if they exist.

The protocol applied between the dioceses of the Anglican Church of Australia of ascertaining whether a minister is in “good standing” is applied to some extent in the case of dioceses outside of Australia.

c. The General Synod

The General Synod Office manages the National Register (a register of persons of concern including those who have outstanding allegations made against them) and allegations about child sexual abuse are added to the Register. Apart from the National Register, allegations of child sexual abuse are not routinely communicated to the General Synod Office. That information would, however, probably be made available to General Synod Office personnel on request as has occurred previously when the National Anglican Church Child Sexual Abuse Study was conducted.

d. Other faith-based institutions

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The Director of Professional Standards liaises with relevant personnel from other faith-based institutions to share information relating to allegations of child sexual abuse, movement of known or suspected perpetrators of abuse or to share other intelligence information. This only occurs where an issue or a need to do so is identified. The provisions of Section 16A of the Child Care and Protection Act provide the basis for this information sharing although the process may be informal, but documented.

e. Government and non-government institutions or statutory authorities

As above for point d) with the additional consideration of any relevant legislation such as the Ombudsman Act 1974 (NSW).

45. Information-sharing about or related to instances and allegations of child sexual abuse, directly between parishes, schools and Church institutions within your Diocese and:
   a. each other
   b. any of the institutions or bodies listed in sub-paragraphs 44 (a) to (e).

All allegations of child sexual abuse in parishes must be reported to the Director of Professional Standards who then shares information as appropriate (see response to Q44 above). Any direct sharing of information is entirely informal. Any current allegations of child sexual abuse in schools are handled using the school’s procedures with the mandatory notifications to government authorities. The Bishop is also notified.

46. Details of any past inquiries into instances and allegations of child sexual abuse in the Diocese, including the:
   a. reasons the inquiry was established
   b. determination of the scope of the inquiry
   c. process by which those presiding over the inquiry were selected
   d. report and recommendations of the inquiry
   e. extent to which the inquiry’s recommendations were implemented

There have been no such inquiries.

47. Details of any independent reviews of, or legal challenges to, your Diocese’s professional [standards] framework or processes.

There has not been any independent review of the professional standards framework or processes of the Anglican Diocese of Grafton, except that a legal challenge arose in 2015 when the former Bishop of the Diocese, Keith Slater, approached the Appellate Tribunal seeking a review of his deposition from holy orders, effected under the Professional Standards Ordinance 2004. This has, inter alia, raised legal questions of jurisdiction and is currently being considered by the Appellate Tribunal. A hearing is scheduled for 20 November, 2016.

The Anglican Diocese of Grafton has indicated its willingness to participate in any audit of Diocesan professional standards policies and procedures proposed by the General Synod Professional Standards Commission.

48. Your processes and procedures, if any, in relation to recording statistical data on child sexual abuse in your Diocese.

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The Anglican Diocese of Grafton participated in the Royal Commission’s Anglican Data Project in 2016. Other than this, the Anglican Diocese of Grafton has not collated any statistics on child sexual abuse in the Diocese.

49. Your involvement in any research or study on sexual offending against children in your Diocese and the results of any such research.

The Anglican Diocese of Grafton has not initiated any research or study on sexual offending against children and to the best of my knowledge there has not been such a study in which the Anglican Diocese of Grafton, or a sub-set thereof, has been involved. There is no record of the Diocese participating in the research leading to Professor Patrick Parkinson’s 2009 Study of Reported Child Sexual Abuse in the Anglican Church.

50. Any dialogue you have sought or engaged in with government for changes to civil or criminal law affecting professional standards matters.

The Anglican Diocese of Grafton supports the development of professional standards policy and the advocacy of any legislative change at the level of the General Synod of the Anglican Church of Australia and where possible provides comments, information and opinion as part of a process to collate an Anglican Church of Australia submission. The Anglican Diocese of Grafton has not directly advocated to government in relation to professional standards.

51. Your understanding of any historical or current challenges facing your diocese in relation to such matters.

There is a growing understanding in society generally of the effect of abuse on children, both at the time of the abuse (which may be a single instance or multiple instances) and in their later lives. There is also a much greater awareness of the patterns of behaviour of perpetrators of such abuse. Historically, support mechanisms for the victims of abuse were less developed and there was little understanding of the prevalence of abuse. We are currently living with the challenges that this evolution in understanding brings, both in terms of addressing past failings and looking to the future.

These can be seen through two lenses: response and prevention.

The Challenges of Response:

1) A significant challenge before us is to respond in a timely, compassionate and fair way to past victims as they come forward, often decades after the abuse occurred. However good we think our processes are, they need constant review in particular to reflect changes in understanding and in response to feedback from those who use the processes.

2) A challenge we share with all institutions is that of responding in a way that is both fair and perceived to be fair. The current situation in Australia is that levels of compensation generally, not just for child sexual abuse, vary significantly depending on the context in which the abuse occurred and the jurisdiction. How can survivors feel they have been fairly treated when the amount a claimant receives depends on where they were abused and by whom? Compensation varies from state to state, from institution to institution, from the non-government

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sector to the government sector. Moreover, as a society we have not even begun to address the question of redress for those who have been abused in a familial setting.

3) The capacity of the Diocese of Grafton to continue to meet the costs associated with redress is already a significant challenge. The costs cannot be met from the usual operating budget of the Diocese and loans have been entered into to provide the funds needed. The Diocese has identified the need to realise assets in order to repay these loans and to provide for future claims. As noted in the response to Q7, the Corporate Trustees of the Diocese hold all property assets. Almost all of these are held on behalf of parishes. The Diocese is currently in discussion with parishes concerning the assets which might be surplus to parish requirements.

If insufficient assets cannot be identified in this way it may be necessary for the Diocese to move unilaterally to sell property. The judgment of Justice David Hammerschlag in the NSW Supreme Court case concerning the Anglican Diocese of Bathurst and the Commonwealth Bank clarified the power of the Corporate Trustees to act in this way.

The Challenges of Prevention:
It is highly unlikely that all abuse can be prevented but there are a number of steps that can be taken to significantly reduce the opportunities for abuse within church communities.

4) Creating a safer environment: We can ensure that screening processes (eg Safe Ministry checks, National Register checks, Police checks) are carried out without exception and that Safe Ministry Training is up to date throughout the Diocese. As well as identifying potential risks, this alerts all church workers to some of the typical behaviours of perpetrators, creating a safer environment.

5) The dispersed nature of the church: Maintaining standards and continuously improving policies and processes requires a level of commitment and resourcing. The dispersed nature of church life presents a challenge to us in maintaining standards. While screening occurs centrally, most activities do not happen centrally but in parishes. Ensuring that policies are followed in every instance in every place is simply not achievable. This challenge is deepened by the porous nature of the church where anyone can turn up to worship and to many of the fellowship activities. It is only when people start to seek leadership positions that training and screening come into play.

6) What we teach: Taking a wider perspective, the Anglican Church shares with other Christian churches the challenge of ensuring that our preaching and teaching constantly reinforce the Gospel message of love and compassion, highlighting that abuse in any form, particularly of the vulnerable, runs counter to the central tenets of Christianity.

Note: Where an individual to whom reference is made in this response has had a change of title, this responses records only the current title and makes no reference to other titles the individual may have held during their service or tenure.

Note: Periods of service expressed in rounded years (e.g. 1990 to 1992) indicate that the record of service has been extracted from sources such as Year Books and note the first and last Year Book where that name appeared. Such records should be considered approximate.