

## OFFENCES AMENDMENT CANON 2017

### Canon 7, 2017

The General Synod prescribes as follows:

#### **Title**

1. This canon is the Offences Amendment Canon 2017.

#### **Interpretation**

2. In this canon principal canon means the Offences Canon 1962.

#### **Additional offences**

3. (1) Insert at the conclusion of section 1 of the principal canon:
  - “7. Child abuse.
  8. Failure without reasonable excuse to comply with the laws of the Commonwealth or a State or Territory requiring the reporting of child abuse to the police or other authority.”
- (2) Insert at the conclusion of section 2 of the principal canon:
  - “7. Child abuse.
  8. Failure without reasonable excuse to comply with the laws of the Commonwealth or a State or Territory requiring the reporting of child abuse to the police or other authority.
  9. Failure to comply with a direction of the Episcopal Standards Board established under the Episcopal Standards Canon 2007 or the Episcopal Standards (Child Protection) Canon 2017 or any other Board established under an ordinance of a provincial synod or diocesan synod for dealing with the fitness of a bishop to hold office or to be or remain in Holy Orders.”

#### **Special Tribunal’s jurisdiction in respect of current bishops**

4. Insert “paragraphs (a) and (b) of” before “section 56(6)” where it occurs second in section 2 of the principal canon.

### **Special Tribunal's jurisdiction in respect of former bishops**

5. Insert after section 2 of the principal canon:
- “2A. The Special Tribunal may hear and determine charges against any person referred to in paragraph (c) of section 56(6) of the Constitution made in respect of the following offences committed while a member of the House of Bishops or assistant to the Primate:
1. Wilful violation of the constitution or of the canons made thereunder or of the ordinances of provincial synod or of the bishop's diocesan synod relating to child abuse.
  2. Child abuse.
  3. Failure without reasonable excuse to comply with the laws of the Commonwealth or a State or Territory requiring the reporting of child abuse to the police or other authority.
  4. Conduct relating to child abuse (whenever the child abuse occurred),
    - (a) which would be disgraceful if committed by a member of the clergy, and
    - (b) which at the time the charge is preferred is productive, or if known publicly would be productive, of scandal or evil report.
- 2B. In this canon, unless the context otherwise requires, **child abuse** has the same meaning as in the National Register Canon 2007.”

### **Application of offences inserted by the Offences Amendment Canon 2017**

6. Insert after section 3 of the principal canon:
- “4. The offences added to this canon by the Offences Amendment Canon 2017 apply to conduct committed after the date the Offences Amendment Canon 2017 was passed by the General Synod.”

### **Order and good government**

7. The provisions of this canon affect the order and good government of the church within a diocese and do not come into force in a diocese unless and until the diocese by ordinance adopts the canon.

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**Secretaries' Certification of copy of Canon as passed [SO63(20)]**

We certify that the Canon above is a copy of the Canon as passed on the 5<sup>th</sup> day of September 2017.

Dated: 8 September 2017

(sgd) Katherine Bowyer

Clerical Secretary

(sgd) Timothy Reid

Lay Secretary

**Primate's appointment when the canon shall come into force [SO63(19)]**

I appoint the 5<sup>th</sup> day of September 2017 as the date on which this canon shall come into force.