

REDRESS FOR SURVIVORS OF ABUSE CANON 2017

Canon 8, 2017

The General Synod prescribes as follows:

Title

1. This canon is the Redress for Survivors of Abuse Canon 2017.

Object

2. The object of this canon is to make provision for the co-ordination and management of redress:
 - (a) for survivors of child sexual abuse perpetrated by Offenders through participation in a Commonwealth redress scheme; and
 - (b) for survivors of abuse perpetrated by Offenders, including survivors of child sexual abuse who are unable or unwilling to participate in a Commonwealth redress scheme.

Interpretation

3. In this canon, unless the context otherwise requires:

Commonwealth redress scheme means a scheme established by the Commonwealth to implement the recommendations in the Redress and Civil Litigation Report of the Royal Commission into Institutional Responses to Child Sexual Abuse;

Offenders means clergy, lay workers and volunteers of Participants who commit abuse in the course of their official responsibilities;

Participants means:

- (a) dioceses and organisations of this Church, and other entities approved by Standing Committee, that voluntarily elect to become members of a company registered in accordance with section 4; or

- (b) the company or dioceses and organisations of this Church that voluntarily elect to participate, and other entities that participate, in an entity or scheme authorised in accordance with section 7.

Registration of a company

- 4. The Standing Committee is authorised to arrange for the registration of a company limited by guarantee under the Corporations Act 2001 (Cth) to co-ordinate and manage redress:
 - (a) for survivors of child sexual abuse perpetrated by Offenders through participation in a Commonwealth redress scheme; and/or
 - (b) for survivors of abuse perpetrated by Offenders, including survivors of child sexual abuse who are unable or unwilling to participate in a Commonwealth redress scheme;
 on behalf of Participants.

Constitution of the company

- 5. The constitution of the company must provide that:
 - (a) a member of the company is not liable for the payment of any amount in settlement of a claim for redress against another member; and
 - (b) amendments to the constitution of the company must be approved by the Standing Committee.

Powers of the Standing Committee in relation to the company

- 6. The Standing Committee is further authorised:
 - (a) to approve the constitution of the company;
 - (b) to approve the initial members of the company;
 - (c) to approve arrangements for entities other than dioceses and organisations of this Church to become members of the company;
 - (d) to do such things as the constitution of the company requires of it;
 - (e) to do such other things as are incidental or conducive to the registration, governance or management of the company; and
 - (f) to consent to any future amendment of the constitution of the company.

Participation in an entity or scheme

- 7. The Standing Committee is authorised to arrange for the participation of the company, or dioceses and organisations of this Church, in another entity or scheme which is established to co-ordinate and manage redress:
 - (a) for survivors of child sexual abuse perpetrated by Offenders through participation in a Commonwealth redress scheme; and/or

- (b) for survivors of abuse perpetrated by Offenders, including survivors of child sexual abuse who are unable or unwilling to participate in a Commonwealth redress scheme;
on behalf of Participants.

Powers of the Standing Committee in relation to the entity or scheme

8. (1) The Standing Committee is further authorised:
- (a) subject to subsection (2), to approve the terms for participation in the entity or scheme; and
 - (b) to do such other things as are incidental or conducive to the participation in the entity or scheme.
- (2) The Standing Committee must not approve a term for participation in an entity or scheme which provides that a Participant is liable for the payment of any amount in settlement of a claim for redress against another Participant.

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 6th 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 6th day of September 2017 as the date on which this canon shall come into force.