

**THE ANGLICAN CHURCH OF AUSTRALIA
THE DIOCESE OF BUNBURY, WESTERN AUSTRALIA**

**SECOND SESSION OF THE FORTIETH SYNOD
2018-2020**

HELD AT THE FREDERICK IRWIN ANGLICAN SCHOOL, MANDURAH

PROCEEDINGS

THE FIRST DAY

The Second Session of the 40th Synod commenced at 1.05 pm at the Frederick Irwin Anglican School, Mandurah with Eucharist in the Rush Chapel, presided over by Bishop Ian Coutts at his inaugural Synod in the Diocese. The Ven. Julie Baker preached the sermon. Ms Kerry Robertson welcomed Synod Members to the School and the Chapel and added her prayers for a productive and prayerful Synod.

Registration for all days of Synod is required. The Registration lists are kept for the record.

Bishop Ian Coutts welcomed all to Synod.

Rev'd John Jones, Chaplain to the Synod opened the First Day with Prayer.

Bishop Ian went through the administration matters for the Synod. The Business Papers were made available on the website on the 9th and 10th September. Hard copies had been made available at the door for all who requested them. In addition, copies of the legislation being considered were provided to all Synod Members. The Proceedings of the First Session of the 40th Synod were made available in November 2018.

A number of elections were made unopposed:

Secretaries: Rev'd Cn Geoff Chadwick
Rev'd Marion Prowse
Mrs Robin Depiazzi
Mrs Rosemary Cussons

The Roll was called by the Diocesan Secretary, Rev'd Dr Lucy Morris

The Attendance Record was called by the Diocesan Secretary.

Apologies were provided by the Diocesan Secretary.

The Motion of Hours as printed in Book 1 was provided by the Archdeacon, The Ven. Julie Baker. Carried.

Further Synod position elections were held:

- Rev'd Karen Cave was elected as Chair of Committees to replace The Hon. Murray Montgomery who was an apology.

The List of Synod positions for election are included in Book 7. The voting processes were outlined. The Nomination Forms are available in the Election Room. Nominations close at 1.15pm on Saturday lunchtime.

The President confirmed all had received their Business Papers in the 8 Books.

The process of asking Questions, tabling Petitions and making Motions was outlined. Rev'd Cn Linley Matthews-Want asked leave to present a Motion without Notice. She was asked to delay it until after The President's Address as this would give her opportunity to speak to the Address and the subject matter of her Motion.

Bishop Ian asked to give a Motion without Notice on the appointment of a Board Member by Synod to the Board of the Bunbury Cathedral Grammar School. "This Synod approve the appointment of Dr Sarah Youngson to the Board of Bunbury Cathedral Grammar School."

Synod approved the Motion to be presented by the Diocesan Secretary.

There were 9 abstentions. The Motion was **CARRIED**

Tea Break from 3 – 3.20 pm.

The President requested the Diocesan Secretary to provide the Report from **Book 2** of the Business Papers on the Resolutions of Bishop-in-Council (BIC) and Trustees, and the Report of the Stipends Committee.

Questions:

David Swain: The rental of the Rectory and Manjimup and the Handover Status of St Mark's, Upper Warren were not mentioned specifically in the Trustees and BIC reports.

Diocesan Secretary: The Resolutions by Trustees will be noted and included in the Proceedings of the Synod. The decisions are included in the number of Faculties and asset management reports to Trustees.

Rev'd Noel Oakey: Do we need the reports read, given these are discussed at the Pre-Synod meetings?

Diocesan Secretary: The final reports are not completed until after the Pre-Synods are done. There is another meeting of both BIC and Trustees at the end of August and so not all the information is available at the Pre-Synods.

The President read out the Diocesan Reports in **Books 3 and 3 A** in order of presenting, assuming these to have been read.

Dean Darryl Cotton: Requested 'Not Formal' to enable the Mover of the Motion on Kapsabet to speak to the Report at the same time. **CARRIED.**

The President read out the Community Reports. Assumed these had been read.

The President MOVED for both sets of Reports to be received and Accepted. CARRIED

David Greef from CMS was welcomed to Synod.

The President advised Members of Synod to look at Book 4 of the Business Papers. Last Year's Motions have been worked on and each Motion has a report attached to advise Synod what has been achieved in the last 12 months. This was Noted.

The President asked For Questions, Petitions and Motions.

Rev'd Cn Karon Austin asked for leave to advise Synod about the raising of awareness of Anti-Poverty Week in mid October. Leave was given. Three members of the Boniface Care Council, Cn Karon, Rev'd Sue Kemp and Rev'd Dr Lucy Morris had dyed their hair to raise funds for Boniface Care to increase its resources to deal with poverty. Synod Members were asked to make a donation to Boniface Care. '

Business Papers Book 4. MOTIONS WITH NOTICE

p.11 Voluntary Assisted Dying – Mr Adrian Price – **NOT FORMAL**

p.12 Sustainable Living Motion – Mr Bruce Sherborne **CARRIED**

p. 13 Sustainable Development Goals – Rev'd Cn Bill Byleveld **CARRIED**

p. 15 Kapsabet – Rev'd Cn Geoff Chadwick – **NOT FORMAL**

Reports were received as above.

Mr Adrian Price spoke to his Motion M2019/1 re Voluntary Assisted Dying Guidelines. He suggested clergy and laity will need guidelines regarding this matter in the light of recent proposed government legislation.

Archdeacon Julie Baker spoke about the timing allowed to implement the Government's procedures which might allow more time for our own deliberations and preparations. She agreed with the need for guidelines.

Ms Lorraine Kennedy, Williams spoke of how the Voluntary Assisted Dying legislation is distressing. She pointed to the contradiction with the 6th commandment, not to kill.

Bishop Ian spoke about his conversation with the Premier regarding this matter. He acknowledged there is a variety of opinions across the Diocese. He urged people to write to their MPs.

Mrs Anne Ritson seconded the Motion. She pointed to some gaps in the legislation and the issue of people injured in car crashes unable to access the legislation. She urged more resources be put into palliative care.

MOTION:

This Synod ask the Bishop to draw up guidelines for clergy and lay member usage in the Diocese of Bunbury in response to the Voluntary Assisted Dying legislation should the Bill come into effect.

CARRIED.

A short break was held before the Bishop's Address.

The Bishop gave his Address as printed, with photographs. It was received with applause.

People new to Synod were welcomed as part of the Address.

Synod broke for Evening Prayer in the Rush Chapel at 5.17 pm.

DAY TWO OF THE SECOND SESSION OF THE 40TH SYNOD ON SATURDAY, 5TH OCTOBER 2019 AT FREDERICK IRWIN ANGLICAN GRAMMAR SCHOOL, MANDURAH.

The day began with Morning Prayer in the Rush Chapel at 9 am.

Morning Tea

Synod reconvened with Prayer by Rev'd John Jones.

The President reminded Members to complete their Nomination Forms by 1.15 pm today. Voting would take place afterwards. Vacancies are listed **in Book 7**. The President's Address will be provided to all Synod Members as a hard copy and handed out by the Diocesan Secretary.

The President asked for any Questions, Petitions, Motions.

Rev'd Shane Marques: Question concerning the Parish Assessment sheet re the totals on the bottom row. This was taken on Notice.

The Photo of the 1967 Synod is on display.

The President invited members to commence consideration of **Book 6**, Legislation in the Business Papers.

Tracked changes and the whole of the Statutes were provided yesterday in separate books and these are:

- The Parochial Statute 2017-2018
- The Administration Statute 1989
- The Constitution 1904-2005
- The Licensing Statute 2017

- In addition, Faithfulness in Service and the BIC approved Code of Conduct are provided.

Dr Renae Barker, Diocesan Advocate explained how the business of discussing and asking questions of the proposed changes are dealt with by Members of Synod.

MOVER: Dr Renae Barker: **Book 6, page 6, Bill 1.**

I move for leave to repeal "The Bunbury Diocesan Community Care Statute 2013-2014.

Dr Renae Barker spoke to the Explanatory Memorandum for the reasons for the repeal of this Statute. She concluded by advising the current Statute is no longer fit for purpose.

MOTION CARRIED.

MOVER: Rev'd Cn Karon Austin spoke to **Book 6, Bill 2**

I move for leave to bring in a Bill for a Statute to be known as "The Bunbury Diocesan Anglicare Council Statute 1991-2019.

Cn Karon spoke to the Explanatory memorandum for the reasons to amend the Statute.

Seconder: Rev'd Lindy Rookyard.

MOTION CARRIED.

MOVER: Dr Renae Barker spoke to **Book 6, Bill 3.** The Parochial Statute 2017-2018

I move for leave to bring a Bill to update The Parochial Statute 2017-2018 to be known as "The Parochial Statute 2017-2019.

Dr Renae Barker spoke to the Explanatory Memorandum. The proposed changes are practical, provide clarity and update the practice. The amendments are to the Schedules and not the Statute itself. Members were able to see the amendments against the tracked changes in the copy of the Legislation provided.

Questions:

Rev'd Paul Bartley: page 33 of The Parochial Statute, section 3d), Is 'Lay Minister' a technical term?

Dr Barker: Yes

Dr Neville Peterkin: page 19 of The Parochial Statute, section 15 n) re 50% of the vote.

Dr Barker: Minimum of 50% is definitely required, if not achieved the first time, the election must be held again.

The Ven. Joe Hopkins: If a person abstains from voting is their decision included in the overall, final number?

Dr Barker: Yes

Rev'd Shane Marques: page 42 The Parochial Statute Schedule 9. Being a member of another church, what does that mean and being Anglican?

Dr Barker: People may identify as not Anglicans, but worship with the Anglican church. There are technical definitions of Anglican. These provisions allow people to be involved. Being a 'member of this parish and no other' implies very clearly a person can only be a Voting Member in one parish.

Rev'd Paul Bartley: page 42, the use of the word 'or' and its placement between the sub-clauses. Does it refer only to the last 2 dot points?

Dr Barker: Yes, and it will be indented and corrected.

Seconder: The Ven. Julie Baker supported the Motion. She advised the debate in the Pre-Synods about conflict of interest between family members on councils was being clarified in the Parish Handbook and the issue was not included in the amendments being proposed.

MOTION: CARRIED

MOVER: Dr Renae Barker spoke to **Book 6, Bill 4**, The Professional Standards Statute page 26.

Dr Barker explained the Statute clarifies the Code of Conduct is Faithfulness in Service, sections 3 and 5 in regards to safe ministry for children. She spoke to the Explanatory memorandum seeking **to insert a Statement at the start of the Statute concerning the referencing to the Faithfulness in Service in the Statute.**

Questions:

Rev'd Shane Marques: Are only sections 3 and 5 referenced in this Statute to child safety?
Dr Renae Barker: Yes, only Faithfulness in Service sections 3 and 5 applies to the term 'The Code'.

The Ven. Julie Baker explained the Statute refers to how things are done now in relation to Child Sexual Abuse and Misconduct. There is a Tribunal Statute for other serious matters. This Statute creates a standardised process across the country.

MOTION: CARRIED

MOVER: Dr Renae Barker spoke to Book 6, The Licensing Statute 2017 Bill 5, page 27.

Dr Barker outlined the Explanatory Memorandum.

I move for leave to bring in a Bill for a Statute to be known as 'The Licensing Statute 2017-2019'.

The proposed amendments for The Licensing Statute 2017 are in Schedules 4, 5 and 6 on pages 28 ff in Book 6 and those matters being amended are shown here.

Dr Renae Barker explained the Statute made no changes to Faithfulness in Service.

A simplified version of Faithfulness in Service had been requested by Synod two years ago. Currently:

- Clergy only are currently held to Faithfulness in Service as their standard.
- LLMs held to a Code of Conduct
- Authorised Church Workers who are not licenced as LLMs, held to a Code of Conduct
- All other church members, parishioners have no Code of Conduct currently.

Clarity is needed for everyone.

Faithfulness in Service exists and has done since it was created and accepted by a Motion by General Synod in 2004. Bunbury Diocese discussed this in 2008 as an aspirational Code.

The BIC Code of Conduct has been created in response to the request from Synod in 2017 as a simpler Code for everyone, but there is clear agreement Faithfulness in Service applies to clergy. Clergy sign to commit to abide by this when they work in the Diocese. This is in spite of the fact it has never been formally adopted as a Statute obligation by Synod. All clergy know this is their Code of Conduct. It is a higher standard.

Dr Barker noted in The Licensing Statute, Book 6, page 30, para 4, it already asks clergy to be held accountable to Bunbury's Code of Conduct. There is no change.

The Parochial Statute Schedule 8 says the Code of Conduct and not Faithfulness in Service will apply to Church Workers and LLMs.

Questions:

Mr Mark Gilpin: Further clarification was sought and provided.

Rev'd Jamie Murray: Is there an opportunity to discuss the Code further in Synod.

Dr Barker: Yes

Rev'd Paul Bartley: When did church workers become subject to the Code?

Dr Barker: In 2017. BIC has been working on this for 2 years. The Code was approved by BIC in April 2019.

Rev'd Cathie Broome: If an LLM received a Licence prior to 2017, is it still valid?

Dr Barker: Licences are issued every 3 years and expire at the end of each triennium of Synod or when a new Bishop commences. The licences are not provided in perpetuity.

Ms Kerry Robertson: How are the terms 'Licence' and 'Licences' used in the Diocese?

Dr Barker: A licence implies and means and provides for a form of special role which can only be provided by the Bishop.

Mrs Louise Sutherland: Does the Code only apply to Clergy? Are we making a distinction that is not needed?

Dr Barker: No, Faithfulness in Service applies to clergy and will continue to do so. The Code of Conduct applies to Laity.

SECONDER: Rev'd James Tabor. Church legislation does not apply to laity. We passed the National Safe Ministry for Children Canon 2017 which states Faithfulness in Service is the Clergy Code of Conduct. The Lay Code of Conduct is broader than just Safe Church. We need to be careful about our language. Let us not legislate ourselves out of problems. Let us behave as people who love one another.

The President moved the matters into debate.

Mrs Louise Sutherland: Expressed concern that if there are two different Codes we are creating a division between clergy and laity.

Rev'd Shane Marques: A procedural questions, clarified by Dr Barker re how Synod Members debate the 'principle'.

Rev'd Esther Leach: Asked for a reminder of the exact Bill being proposed.

Dr Barker: explained the Bill removes the requirement for clergy to follow the Code of Conduct as Faithfulness in Service applies to them.

MOVED: CARRIED

Synod took a break for 20 minutes.

MOVED: Rev'd Cn Linley Matthews-Want moved a **Motion Without Notice**, initially presented on Friday.

SECONDER: Mrs Louise Sutherland.

Synod agreed the Motion be put. ‘

That:

A) This Synod adopts as a Code of Conduct for Clergy and Church Workers “Faithfulness in Service: A National Code for Personal Behaviour and The Practice of Pastoral Ministry by Clergy and Church Workers (“FIS”) as tabled at the 17th Ordinary Session of the General Synod held in 2017.

B) Authorises the Bishop-in-Council to modify this Code from time to time in accordance with any amendments made to ‘FIS’ by General Synod or by the Standing Committee of General Synod.

Rev'd Linley Matthews-Want outlined her concern that Faithfulness in Service (FIS) has not been adopted by the Diocese as it is the recognised national standard.

Mrs Louise Sutherland stated FIS is given out to all in her Op Shop. In other words, let's have one code for all who are workers in the Church.

Dr Renae Barker forshadowed the words ‘Licensed Lay Ministry’ be added after the comma, between clergy and church workers.

Dr Neville Peterkin: Sought clarification of the definition of Church Worker.

Rev'd Cn Karon Austin: 2nd para B) in the Motion: Can we actually amend FIS if it is a General Synod Canon?

The Hon. Kevin Prince, Chancellor: Adopting FIS as a form, rather than a Canon allows us to change it. We can adopt it and change it. This Motion allows for changes to be made.

Rev'd Shane Marques: Spoke in favour of the Motion. Question: Can legislation be applied to Laity? Nevertheless, FIS seems to be the best way forward also for Laity. This will be a national standard.

Bishop Ian: Our Synod has adopted the Safe Church aspects of FIS.

Rev'd Ian Mabey: He wished to remind Synod the Church had FIS before the Royal Commission into Institutional responses into Child Sex abuse. He reminded us to follow FIS as a starting standard, but we must also have something easier to understand. FIS is not the end of the story.

Archdeacon Julie Baker: There are no issues with us as clergy signing up to FIS and a Code as well. There is an issue with getting Church Workers to sign up to FIS as it is a complex and long document. It would be better to have people sign up to something they understand.

Rev'd James Tabor: Child protection must apply for Church Workers.

Bishop Ian: Reminded Members FIS is more than simply about Child Protection.

Rev'd Paul Bartley: Spoke in favour of the Motion.

Mr Chris Prickett: Question: What does 'adopt' mean?

Dr Renae Barker: Signing up means you will abide by the document. Adopt can also be aspirational for those who are not Church Workers.

Mrs Daphne Cross: Those who have done Safe Church training have already 'signed' up to FIS.

Mrs Alisoun Devlin: Where do Op shop workers stand in all of this?

MOVED: The words: "Licensed Lay Ministers" be inserted after the word 'Clergy' in the first line of the Motion.

Amendment: PASSED.

- A) This Synod adopts as a Code of Conduct for Clergy, *Licensed Lay Ministers* and Church Workers "Faithfulness in Service: A National Code for Personal Behaviour and The Practice of Pastoral Ministry by Clergy and Church Workers ("FIS") as tabled at the 17th Ordinary Session of the General Synod held in 2017.**
- B) Authorises the Bishop-in-Council to modify this Code from time to time in accordance with any amendments made to 'FIS' by General Synod or by the Standing Committee of General Synod.**

Dean Darryl Cotton: He spoke about the difficulty of expecting non church going Op shop helpers and other similar workers to hold to FIS. There seems to be a need for a simpler document. Therefore FIS should be the standard for Clergy and LLMs but not 'Church workers'.

MOVED: Amendment: Remove the words 'and Church Workers' in lines 1 and 2 of A).

Bishop Ian read the definition of 'Church Workers' from FIS, page 7.

Rev'd Jamie Murray: He was concerned about some ambivalent language in the Diocesan BIC approved Code of Conduct back in July 2018.

Rev'd Ian Mabey: What clauses gave Op shop people concerns with FIS?

Dean Darryl Cotton: Examples such as the Clause 7.4 page 37 concerning 'being chaste'.

Dr Barker: Advised Synod Members Perth Synod next week will be seeking to change the FIS Code in particular this clause among others.

The Hon. Kevin Prince, Chancellor: Suggested 'Church Workers' be removed from the Motion.

Mr Chris Prickett: Asked whether Church Workers have to sign the documents

Dr Renae Barker: Yes.

Bishop Ian suggested the issue is to do with what we mean by 'Church Worker' and what standard.

Ms Elisabeth Pellicaan: Asked if Op Shop workers be excluded?

Bishop Ian: No.

Rev'd Helen Barnard: How do we consider emergency relief workers and others, who want to do the work but do not want to be called Church Workers.

Dean Darryl Cotton: Reminded Members FIS is demanding certain standards of personal behaviour. The meaning of Church Worker could be defined later.

MOTION: TO PUT THE AMENDMENT WITHOUT NOTICE by Rev'd Cn Linley Matthews-Want

- A) This Synod adopts as a Code of Conduct for Clergy and Licensed Lay Ministers and Church Workers "Faithfulness in Service: A National Code for Personal Behaviour and The Practice of Pastoral Ministry by Clergy and Church Workers ("FIS") as tabled at the 17th Ordinary Session of the General Synod held in 2017.**
- B) Authorises the Bishop-in-Council to modify this Code from time to time in accordance with any amendments made to 'FIS' by General Synod or by the Standing Committee of General Synod.**

Vote: For 46
Against 37
Abstentions 5

MOTION: TO AMEND: CARRIED

Questions

Rev'd O'Neill: Question: What status do Wardens have?
The Hon. Kevin Prince. We may need to make them all LLMs.

Rev'd Linley Matthews-Want: I speak against the Amendment.

Rev'd Terry O'Neill: Question: Would it be possible to just have this Diocese adopts, and remove the words 'Clergy, LLMs and Church Workers'?

The Hon. Kevin Prince, Chancellor: No. Our Synod would be able to modify FIS as we have not adopted it as a Canon.

Archdeacon Julie Baker: She advised Synod Members she attended a Conference about rural ministries a couple of weeks ago. The FIS was discussed. It was realised every single Diocese that has adopted it has made changes. It is not a consistent single standard across the Anglican Church of Australia.

Rev'd Esther Leach: A further amendment: Who can make amendments to FIS in the future?
The Hon. Kevin Prince, Chancellor: BIC would be the conduit for changes. Motion B) says BIC cannot make changes other than those in line with General Synod. Synod can change it, not BIC.

Dean Darryl Cotton: Foreshadowed an amendment to Section B) to remove all the words following "Code". This would allow BIC to amend FIS.

1 pm. Synod was adjourned for Lunch following the saying of Grace by Bishop Ian.

Synod was resumed at 1.45 pm.

Dr Neville Peterkin: In the parish Op Shop, there are 'workers'. What level of 'Safe Church is need for them?

Mrs Robin Depiazzi: Formerly, she was a Diocesan Safe Church Council member. She advised that 'Church Worker' meant we must not put too large a barrier in front of 'associates' who work in our ministries, including those in our Op Shops. We need a balance between being gracious and being safe.

Revd Jamie Murray: Asked which Code applies to 'Church workers'?

Rev'd Dr Lucy Morris: Advised:

- Team leader positions, Roster leaders, Group leaders have to have:
- Safe Church training
- Police clearance
- Volunteer forms
- If working with children, need Safe Church Ministry forms for Children and WWCC. The BIC Code would apply to them.

Dean Darryl Cotton: Spoke in favour of the Amendment.

Rev'd Cn Bill Byleveld: Spoke against the Motion suggesting it removed General Synod's input.

Rev'd Noel Oakey: Spoke concerned the thrust of the initial Motion has been lost.

Rev'd Shane Marques: Suggest Synod and BIC has to consider General Synod's decision.
The Hon. Kevin Prince, Chancellor: Yes.

Mrs Marie Woodward: Suggested a different form of words, "together with" rather than "in accordance with"

MOTION TO AMEND: LOST

33 votes in favour.

Dr Renae Barker, Advocate advised: If this Motion passes, FIS will apply to Clergy; FIS will apply to LLMs. Church Workers the BIC Code will apply to them, not FIS. We could make other Church Workers LLMs such as Wardens.

Questions:

Dr Barker defined a Church Worker?

FIS has a definition. As does the Parochial Statute 2017-2019, Schedule 5, Clause 3, page 33.

How people see themselves as being Church Workers or not, is not relevant. As the public walk into an Op Shop, they will be perceived to be and have actual or apparent authority as Church Workers.

MOTION TO AMEND: By Mrs Marie Woodward:

- A) **This Synod adopts as a Code of Conduct for Clergy and Licensed Lay Ministers ~~and Church Workers~~ “Faithfulness in Service: A National Code for Personal Behaviour and The Practice of Pastoral Ministry by Clergy and Church Workers (“FIS”) as tabled at the 17th Ordinary Session of the General Synod held in 2017.**
- B) **Authorises the Bishop-in-Council to modify this Code from time to time in accordance with ~~together with~~ any amendments made to ‘FIS’ by General Synod or by the Standing Committee of General Synod.**

MOTION: CARRIED.

Rev'd Linley Matthews-Want: Summed up her thoughts about the original Motion and the subsequent amendments. She was concerned with there being two sets of rules for Clergy LLMs and Church Workers. She was worried the amendments have affected her original intention.

MOVED: IN FAVOUR OF AMENDED MOTION: LOST

MOVED: ORIGINAL MOTION: LOST

MOTION WITHOUT NOTICE by Rev'd Cn Linley Matthews-Want SECONDER: Rev'd Shane Marques

That:

This Synod adopts ‘Being Together’ as a statement of expectations as to our behaviour to one another in our church communities, acknowledging resolution 45/14 of General Synod.

Rev'd Linley Matthews-Want spoke in favour of adopting this document as ‘expectations of behaviour’.

Rev'd Shane Marques suggested ‘expectations of behaviour’ is a better title than ‘code of conduct. The document is aspirational and compact. He commended the document to Synod.

Rev'd Jamie Murray: Goldsmith deanery received the document favourably earlier in the year.

Mr Chris Prickett: We have too many documents, already. We also have the 10 commandments, FIS, the prayer book and so on.

Bishop Ian advised the document is meant to be used and posted on walls in churches and halls.

Mrs Jackie Rowland: It is a sensible piece of paper with clear guidelines to be put on our noticeboards.

Rev'd Ian Mabey: Commended the Motion as it says who we are. So let's stop arguing. The document is positive.

Mrs Lorraine Kennedy: Commended the document for Op Shop Workers.

Mrs Jean Beard: Commend the modern look of the document.

MOTION WITHOUT NOTICE: CARRIED

MOTION WITHOUT NOTICE: Rev'd Shane Marques SECONDER: Rev'd Cn Linley Matthews-Want

That:

This Synod does not ratify the Bunbury Diocesan Code of Conduct but refers it back to Bishop-in-Council and clergy and parishes.

Rev'd Shane Marques: Spoke in favour of the Motion saying the Bunbury Diocesan BIC Code of Conduct is too complex and ambiguous.

Rev'd Jamie Murray: Spoke in favour of the Motion saying it requires more clarification. He is concerned the terms 'inclusion and diversity' do not allow distinctions to be made. It implies we will accept other faiths and that cannot be allowed.

Rev'd James Tabor: We are now 3 years on since this Synod began the process of simplifying the FIS. At Clergy Conference there were concerns over this Code passed by BIC. Perhaps 'Being Together' which we have passed is what we need after all. Proposed an amendment that this Synod does not ratify the Code of Conduct.

MOTION TO AMEND:

That:

This Synod does not ratify the Bunbury Diocesan Code of Conduct. ~~but refers it back to Bishop-in-Council and clergy and parishes.~~

Mrs Caroline Ball: Spoke in favour of the Motion.

Dr Renae Barker: Explained the word 'discriminate' means to make a choice. Technical meaning, discriminate occurs on the basis of an irrelevant characteristic. We can discriminate according to relevant characteristics.

Dr Renae Barker summarised:

- FIS is for clergy
- Authorised Church Workers and parishioners have nothing, if the Code of Conduct is removed. There is a hole.

Bishop Ian: Question: Is Being Together sufficient for our needs at present.

Dr Barker: No, and not for LLMs.

Rev'd Ian Mabey: Spoke against the amendment suggesting we don't need to explain everything. Our baptism promises are our basic code. There will be and is a problem with saying we didn't ratify a code of conduct.

Rev'd Lindy Rookyard: Confirmed FIS is for Clergy.

Dr Barker: Yes

Rev'd Noel Oakey: In favour of the Motion as amended.

Rev'd Paul Bartley: Suggested the Amendment include acceptance of 'Being Together'.

Rev'd Esther Leach: Asked those who wrote the Code of Conduct what we would lose if we did not ratify it?

Rev'd Cn Karon Austin: Spoke against the Motion saying we are 'throwing the baby out with the bathwater'.

3.20 pm Debate suspended for Afternoon Tea, photos and voting.

3.50 pm: Synod resumed.

Rev'd Dr Lucy Morris: **Initial Election Results reported:**

Bishop-in-Council: Mrs Susan Davies _ elected unopposed.

General Synod: Mrs Marilyn Royer – elected unopposed.

The remaining results to be advised tomorrow.

Rev'd Linley Matthews-Want: Spoke about concerns with the Code of Conduct. We need to listen for what hasn't been heard. The present Code is too complex and wordy. 'Being Together' however, may be simple but is it too limited.

Bishop Ian: The BIC approved Code had gone to Clergy Retreat and Pre-Synods among other events.

Rev'd Jamie Murray: The current version arrived late.

Rev'd Dr Lucy Morris: The latest version was approved by BIC this week, following feedback from BIC, Clergy Conference and Pre-Synods. BIC approved the amendments with only one vote against; if they hadn't approved, the approved version from the April BIC meeting would

have been circulated as Synod Members needed both FIS and the BIC Code to assist in decision-making for the proposed amendments to the Licensing Statute.

Rev'd Terry O'Neil: Question, do we have to put the Motion.

The Hon. Kevin Prince, Chancellor: Explained the Motion would have to come back at some point.

Bishop Ian: Summarised the state of debate and said we need a way forward.

Rev'd Paul Bartley: Questions: What form does 'ratify' take if the Motion is passed?

The Hon. Kevin Prince, Chancellor: If it is not ratified, the Code has no effect.

Rev'd Ian Mabey: Suggested if the Code is not passed, BIC must do more work on it. This will occur in any event.

MOTION WITH AMENDMENT: LOST

Abstentions 5

For 41

Against 43

MOVED: Dr Renae Barker Book 6, page 30 Bill 6 The Bunbury Diocesan Administration Statute 1989

SECONDER: The Ven. Julie Baker

I move for leave to amend The Bunbury Diocesan Administration Statute 1989 and for it to be known as "the Bunbury Diocesan Administration Statute 1989-2019.

Dr Barker spoke to the Explanatory Memorandum advising this is updating gendered language.

MOTION: CARRIED

MOVED: Dr Renae Barker, Book 6, page 31, Bill 7 'The Constitution Act 1904-2005'

SECONDER: The Hon. Kevin Prince.

I move for leave to bring in a Bill for a Statute to be known as "The Constitution Act 1904-2019."

The Synod was given notice at the Synod of 2018 concerning the updating of gendered language and the changes to bring the Constitution in line with the amendments made to legislation in 2017 and 2018 concerning Voting Parishioners.

Rev'd Noel Oakey: Clarifying 'communicant' does not mean 'confirmed'?

The Hon. Kevin Prince, Chancellor: Yes.

MOTION: CARRIED

The President asked for further Questions, Petitions and Motions without Notice.

Rev'd Jamie Murray: What do we now say to parishioners about the Code of Conduct? Can Authorised Church Workers opt in to FIS instead of the Code of Conduct?

Bishop Ian: FIS is for Clergy.

Rev'd James Tabor: Motion Without Notice to be debated tomorrow.

The President invited the Diocesan Secretary to present the Financial Report and the Budget. These are Books 5 and 5A in the Business Papers. Rev'd Dr Lucy Morris also had a set of slides to aid in the presentation.

The Reports were given.

The Reports were commended for acceptance by Synod. CARRIED.

Question arising earlier about the parish Assessments.

Archdeacon Julie Baker: Explained the difference in the financial years, the diocese operates from July to June, the parishes operate on a calendar year.

Rev'd Shane Marques: Confirmed that some parish assessments have dropped due to drop in income.

Mr Chris Prickett: Sought clarification on the Parish Assessments sheet.

Mr Ian Leverington, CEO from the Anglican Community Fund was welcomed and presented a cheque to Bishop Ian Coutts. Mr Leverington made a brief presentation to Synod Members about the work of the ACF and its relationship with the Diocese and Parishes. He was welcomed and thanked for his support for the Diocese.

Bishop Ian: advised Synod members he wished to relaunch the Foundation for Ministry Fund.

Rev'd Cn Geoff Chadwick spoke to Motion on Kapsabet and his previous Report in **Book 3**. He and Rev'd Cathie Broome gave a small presentation on the recent Diocesan visit to the sister Diocese of Kapsabet in Kenya.

Synod finished at 5.45 pm for Evening Prayer.

The Synod Dinner was held at the RAAFA Retirement Village, Portrush Parade, Meadow Springs, Mandurah.

Guest Speaker: Ms Franca Pellegrini, Lead Engager with Faith Communities for Minderoo, Walk Free, Global Freedom Network and the Global Slavery Index.

Guests were entertained by Ms Charlotte Baker before and during the meal with singing.

Bishop Ian presented the Bishop's Award to Eric and Samantha Van Der Wacht, who manage the Busselton Campsite; and to The Hon. Kevin Prince for long, faithful and consistent service to the Diocese. There is a fourth Award but it will be presented on another occasion, given the person was unable to attend.

DAY THREE OF THE SECOND SESSION OF THE 40TH SYNOD ON SUNDAY 6TH OCTOBER 2019 AT BOWRA & O'DEA BUILDING, MANDURAH FOLLOWING EUCHARIST.

Synod reconvened for Eucharist on Sunday, 6th October at Christ's Church, Mandurah.

Bishop Ian Coutts presided and preached at the service. **After the service at 8.15 am, the Synod members reconvened at the new community centre, provided by Bowra & O'Dea.** Bishop Ian blessed the new centre.

Bishop Ian read a letter of greeting from Archbishop Kay Goldsworthy for the Synod.

Synod celebrated Rev'd Helen Barnard's birthday and Phyl Winchcombe's birthday and leadership as Warden during the interregnum in the parish of Dunsborough.

Rev'd John Jones opened in prayer.

The President invited Questions, Petitions and Motions.

Rev'd Cn Linley Matthews-Want asked a question:

Could Bishop-in-Council and the Bishop seek the clarification of our legal position in 'not' adopting Faithfulness in Service' as a national code of conduct; particularly seeking clarity on the effect of the removal of church workers from being subject to FIS and how that affects all our current legislation and statutes and reports back to Synod in 2020?

Bishop Ian affirmed this would be followed up.

Ms Elisabeth Pellicaan: Question: Can we devise a secular code of conduct for Op shop helpers and other similar workers who don't wish to sign with Christian principles?

Bishop Ian: We can look at this.

Synod received the Election Results from the Diocesan Secretary which will be publicised on the website and distributed later in the week.

Bishop-in-Council:	Mrs Susan Davies
Bishopric Nomination Committee:	
Clergy Members:	Rev'd Esther Leach Rev'd Karen Cave
Reserves:	Rev'd James Tabor Rev'd Linda Myres Rev'd John Jones
Lay Members	The Hon. Kevin Prince Mrs Susan Davies Mrs Anne Ritson
Reserves:	Mr Malcolm Bromhead
Provincial Council:	The Hon. Kevin Prince
General Synod:	Mrs Marilyn Royer
Parochial Nominations Board:	No Nominations.

MOVER: Rev'd Cn Geoff Chadwick

Rev'd Cn Geoff Chadwick spoke to his Motion with Notice: M2019/4 on Kapsabet.

The Report was received.

Mr Alan Mycock: Question. What is the language in Kenya?

Cn Geoff Chadwick: Swahili, Nandi and English.

Rev'd Cn Bill Byleveld: Spoke to the Motion. It is an opportunity to broaden our outlook and spend time with Christians from another country.

MOTION: CARRIED

MOTION WITHOUT NOTICE:

MOVER: Rev'd James Tabor

That:

'Being Together' be adopted as our Code of Conduct for Church Workers, Laity, for the Anglican Diocese of Bunbury.

Rev'd James Tabor: I want to see a church safe for all, and not just for children. Therefore we need to persist in creating a code for everyone.

Dr Renae Barker summarised where we are up to:

- 1) Licensing Statute: FIS applies to all clergy; the BIC Code does not apply to clergy
- 2) 'Being Together' is adopted as a 'statement of expectation' for all people
- 3) BIC Code of Conduct applies to LLMs, see The Licensing Statute 2017-2019
Applies to Church Workers – see The Parochial Statute 2017-2019.
- 4) The Motion before us will create 3 Codes.

Rev'd Esther Leach: Question: Please explain why Church workers and LLMs are different categories.

Dr Renae Barker: A Licence is for those with formal roles specifically and intentionally authorised by the Bishop.

Rev'd Jamie Murray: Question: Why is the Code of Conduct still included?

Dr Renae Barker: BIC understands there are some concerns and will work to amend and update it, but it stands at the present time as we need one under our Statutes and in the General Synod Canons.

Rev'd Marion Prowse: Would 'Being Together' legally cover all we need. What does it lack?

Dr Renae Barker: The Diocese will be audited for its appropriate safe church policies, procedures and code. 'Being Together' is not appropriate as a code, and is not drafted as a Code and may not fit the requirements of the Audit.

Mr Chris Prickett: Will the requirement be for everyone to sign up to FIS or the Code. Is it a legal matter that can be prosecuted?

Dr Renae Barker: An internal breach of our own church code or failure to comply can be dealt with in our own systems and by the church. The Code of Conduct implies standards of behaviour; and codes includes performance management. Prosecute, the word used is too

strong a term. It is unusual to attempt civil prosecution. We would rather reconcile than prosecute. If someone refuses to sign any code then the person cannot perform the tasks set for them.

Rev'd Paul Bartley: Question: Would it be possible to hear from one of the code's drafters? Does the code comply with a potential audit?

Bishop Ian: Yes.

Rev'd Dr Lucy Morris: The code was two years in development. It was checked against FIS and existing standards and codes. It was checked, reviewed, subject to feedback and should be acceptable in any audit.

Mrs Daphne Cross: Spoke against 'Being Together' as a replacement code of conduct as it does not have high enough standards. 'Being Together' is not strong enough for church workers such as shop workers. Perhaps we could also look at protective behaviours being included.

Mr Peter Potter: If there is one God why do we need three codes?

Dr Neville Peterkin: Spoke for the Motion because policies and procedures are already in place.

Rev'd Cathie Broome: Does the Code of Conduct include a broader group of people that Being Together does not?

Dr Renae Barker: Yes.

Mrs Jean Beard: Asked for clarification on the policy vs procedures.

Bishop Ian explained the difference.

Rev'd Shane Marques: Spoke in favour of the Motion as it would allow BIC to do a redraft of the Code using 'Being Together' as a guide.

Archdeacon Julie: The code was sent into the General Synod office with overwhelming positive response and said it was a reasonable code and did not breach FIS and would stand. Rev'd Lucy was being too reticent and we can be sure of our position on the code. General Synod advised 'Being Together' is only a guide and not a code.

Rev'd Sally Buckley proposed an Amendment to the Motion:

MOVED: Rev'd Sally Buckley:

'Being Together' be adopted as our Code of Conduct for Church Workers, Laity, for the Anglican Diocese of Bunbury *until an acceptable code of conduct be ratified by Synod.*

Mr Chris Prickett: Spoke in support of the Motion.

Rev'd Jamie Murray: Spoke in support of the Motion.

Dr Renae Barker: The motion only relates to Church Workers, not LLMs.

AMENDMENT - Passed

MOTION WITH AMENDMENT: CARRIED

For 43
Against 32

Bishop Ian thanked Synod.

MOVED: MOTION WITHOUT NOTICE

The Ven. Julie Baker

A Vote of Thanks.

MOTION CARRIED.

11.45 am. Synod Closed by saying the Grace.