

**EPISCOPAL STANDARDS (CHILD PROTECTION) (AMENDMENT) CANON 2022  
ADOPTING ORDINANCE 2022  
Ordinance No. 12 of 2022**

The Episcopal Standards (Child Protection) (Amendment) Canon 2022 was passed by the Eighteenth Session of General Synod to amend the Episcopal Standards (Child Protection) Canon 2017 to implement certain recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

**PREAMBLE**

**Whereas** the Episcopal Standards (Child Protection) (Amendment) Canon 2022 as set out in the Schedule hereto was passed by the Eighteenth Session of the General Synod; and

**Whereas** the Eighteenth Session of the General Synod resolved by sufficient majority in each house that the Bill for the Episcopal Standards (Child Protection) (Amendment) Canon 2022 not be subject to the Special Bill provisions of section 28 of the Constitution of the Anglican Church of Australia; and

**Whereas** the Episcopal Standards (Child Protection) Canon 2017 has effect in the Diocese of Grafton; and

**Whereas** it is desirable that the Episcopal Standards (Child Protection) (Amendment) Canon 2022 of the General Synod of Anglican Church of Australia should be adopted by the Diocese of Grafton;

**Therefore** the Bishop, Clergy and Laity of the Diocese of Grafton, assembled in Synod, decree and enact as follows:

**ADOPTION BY THE SYNOD OF GRAFTON**

The Diocese of Grafton adopts the Episcopal Standards (Child Protection) (Amendment) Canon 2022 which was Canon 9, 2022 of the Eighteenth Session of the General Synod of the Anglican Church of Australia and set out in the Schedule hereto and consequently the amended Episcopal Standards (Child Protection) Canon 2017 becomes an Ordinance of the Diocese of Grafton.

**COMMENCEMENT**

This Ordinance shall come into effect upon receiving the assent of the Bishop.

**SHORT TITLE**

This Ordinance may be cited as Episcopal Standards (Child Protection) (Amendment) Canon 2022 Adopting Ordinance 2022.

**ASSENT**

We hereby certify that this Ordinance was passed by Synod on the 18<sup>th</sup> day of June, 2022 and that the Ordinance as printed is in accordance with the Ordinance as passed.



Chair of Committees



Registrar

I assent to this Ordinance.



Bishop



Date

## **SCHEDULE**

### **EPISCOPAL STANDARDS (CHILD PROTECTION) (AMENDMENT) CANON 2022 Canon 9, 2022**

The General Synod prescribes as follows:

#### **Title**

1. This Canon may be cited as the Episcopal Standards (Child Protection) (Amendment) Canon 2022.

#### **Purpose**

2. The purpose of this Canon is to amend the Episcopal Standards (Child Protection) Canon 2017 in order to implement certain recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

#### **Action following risk assessment**

3. The Episcopal Standards (Child Protection) Canon 2017 is amended as follows:
  - (a) in section 13(1), for “At any time after the ESC has commenced or caused to be commenced an investigation of information under this Part in circumstances where it considers” substitute “Subject to section 14A, where at any time after the ESC has commenced or caused to be commenced an investigation of information under this Part it considers”;
  - (b) after section 14 insert:
    - “14A. This section applies if, at any time after it has commenced or caused to be commenced under this or any other Canon an investigation of a complaint, the ESC forms the opinion that—
      - (a) the complaint involves a sexual offence relating to a child by a person who is a Bishop; and
      - (b) the complaint is plausible.
    - 14B. (1) If section 14A applies, the ESC must recommend to the President of the Board that the person be suspended from the duties of office.
    - (2) Where the ESC makes a recommendation under sub-section (1), the President of the Tribunal must suspend the person from the duties of office.
    - (3) A person suspended under sub-section (2) from the duties of a paid office, or a person to whom section 14A applies who voluntarily stands aside from performing the duties of office, is deemed to be on paid

leave and to be absent from the State or Territory in which the duties of office would otherwise be performed.

14C. (1) A person suspended from the duties of office under section 14B(2) remains suspended until—

(a) the ESC decides to refrain from further investigation under one or both of—

(i) paragraphs (a), (b) or (c) of section 19 of the Special Tribunal Canon 2007; or

(ii) paragraphs (a), (b) or (c) of section 10 of this Canon—

and there are no other investigations in relation to that person to which section 14A applies; or

(b) the conclusion of an investigation or legal proceedings referred to in section 19(b) of the Special Tribunal Canon 2007 or section 10(b) of this Canon when there are no other investigations to which 14A applies; or

(c) the person has been deposed from Holy Orders, prohibited from functioning in an order of ministry, or relinquished the exercise of some or all Holy Orders under the Constitution or a canon of the General Synod; or

(d) the ESC brings a charge of a sexual offence relating to a child against the person—  
whichever occurs first.”

(c) in section 15(1), for “section 13” substitute “sections 13 or 14A”.

#### 4. Coming into force by adoption

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

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

I appoint the 9th May 2022 as the date on which this canon shall come into force.

**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 9<sup>th</sup> day of May 2022.

Dated: 13 May 2022

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The Very Rev'd Katherine Bowyer  
Clerical Secretary

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Mr Timothy Reid  
Lay Secretary