

DOCUMENTS

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A. THE CHURCH

The Church

The Presbyterian Church of Queensland is a part of the Church Catholic, is a constituent part of The Presbyterian Church of Australia, and is in historic continuity with the Church of Scotland, reformed in 1560.

It was founded in 1863 with the formation of a Synod, in which congregations deriving from the Church of Scotland directly and others deriving from the Free Church of Scotland and from the United Presbyterian Church, were represented.

The Presbyterian Church of Australia was constituted in Sydney on the 24th day of July, 1901, by the Union of The Presbyterian Churches of New South Wales, Queensland, South Australia, Tasmania, Victoria and Western Australia. At that date The Presbyterian Church of Queensland, under the "Deed of Union", surrendered to The Presbyterian Church of Australia the power to determine finally in matters of doctrine, worship, and discipline.

Standards

- (a) The Supreme Standard of the Church is the Word of God contained in the Scriptures of the Old and New Testaments, and which this Church regards as the only rule of faith and practice. This definition of the Supreme Standard is derived from the Westminster Shorter Catechism, and is understood by this Church in the light of the doctrine taught in Chapter One of the Westminster Confession of Faith.
- (b) The Subordinate Standard of the Church is the Westminster Confession of Faith, as amended by the General Assembly of Australia and read in the light of the Declaratory Statement contained in the Basis of Union.

Westminster Confession of Faith and the Declaratory Statement

The General Assembly of the Presbyterian Church of Australia in 1991, (GAA 1991 Blue Book Min.29) resolved,

That the Assembly:-

- (1) Affirm that, with respect to the Basis of Union 1901
 - a. the subordinate standard is the Westminster Confession of Faith (II:i-iv, vi) and as such is the Church's Confession of Faith (II:ii, iv);
 - b. the Church is bound to the essential doctrine within the Confession of Faith (II:v);
 - c. no doctrine within the Confession of Faith has been declared by the Declaratory Statement to be not essential to the doctrine of the Confession (II:i-iv; vi);
 - d. the Declaratory Statement has not altered any doctrine within the Confession of Faith but has added alongside statements concerning certain doctrines within the Confession of Faith (II:i-iv, vi);
 - e. the Church has power to alter what is not essential to the doctrine of the Confession, whether by revision or abridgment of the Confession or restatement of its doctrine (III-V).
- (2) Rule that the doctrines of any part of the Confession of Faith remain essential to the doctrine therein taught unless
 - a. this can be established otherwise from the text of the Confession itself; or
 - b. the church itself determines otherwise through revision or abridgment of the Confession or restatement of its doctrine, accordingly, the doctrines of Total Inability, Unconditional Election, Definite Atonement, Efficacious Grace and Perseverance of the Saints as taught in chapters 3 to 18 of the Confession are essential to the doctrine therein taught and thereby binding on the church. (BB 1993 Min.205.4)

Powers, Duties, Rights, Privileges, and Jurisdiction

As a constituent part of The Presbyterian Church of Australia, The Presbyterian Church of Queensland has and exercises such powers, discharges such duties, and enjoys such rights and privileges as are provided for in the Basis of Union and the Articles of Agreement of the Deed of Union of the 24th July, 1901, and in subsequent competent amendments thereto.

The Presbyterian Church of Queensland has full autonomy in all matters except insofar as power relative to any particular matter has been assigned to the General Assembly of The Presbyterian Church of Australia under the Basis of Union and the Articles of Agreement of the Deed of Union. Matters in respect to which the powers of The Presbyterian Church of Queensland are modified in more or less degree by those of The Presbyterian Church of Australia are:-

- the Doctrine, Worship and Discipline of the Church,
- the Mission to the Heathen,
- the Training of Students for the Ministry,
- the Reception of Ministers from other Churches,
- Welfare of Youth, and
- Home Missions.

Power in respect of other matters may by amendment of the Articles of Agreement be assigned by the State churches to The Presbyterian Church of Australia.

The only King and Head of the Church is the Lord Jesus Christ, from whom its powers and prerogatives are derived, so that all its functions are to be exercised in His Name, under the guidance of His Word and Spirit, and in subjection to His authority alone.

The spiritual oversight of the Church is vested in duly ordained Presbyters, chosen by the communicants, and sitting in representative courts, designated sessions, presbyteries and general assemblies, in gradation of authority in the order named.

The temporal affairs of the Church are administered by office-bearers, chosen by the members.

Law of the Church

The law of the Church finds expression in the Supreme Standard of the Church supremely [see **Standards** (a) preceding] and partially in the following:-

- a. the Subordinate Standard;
- b. legislative enactments;
- c. declarations, directions and enactments of Church courts;
- d. unprescribed customary arrangements, practices and procedures.

Upon The Presbyterian Church of Queensland the following explicit formulations of Church Law are binding:-

- e. the Constitution of The Presbyterian Church of Australia, and the rules, regulations, declarations and directions lawfully made or given by the General Assembly thereof insofar as they are applicable to The Presbyterian Church of Queensland;
- f. the Constitution of The Presbyterian Church of Queensland as modified by the "Basis of Union" of the 24th July, 1901, and the rules, regulations, declarations and directions lawfully made or given by the General Assembly of the said Church.

Rules of the Church and Procedure for Amending etc.

This paragraph and the preceding paragraphs of this chapter, and the numbered paragraphs of chapters 1-14 following, are hereby declared to be, and may be referred to as "rules" of the Church, and may only be amended, repealed, or added to under the "Barrier Act" procedure as provided in the relevant rules following.

Church Crest

During its first session, 1901, the General Assembly of Australia adopted as its "emblematic device" the one in use in the Churches of New South Wales and Queensland, substituting the word "Australia" for the names of these states. The crest was approved by the New South Wales Assembly in 1883, and was first used in 1884. The Queensland church adopted it in 1895.

Besides the words "Presbyterian Church of Australia" and "Nec tamen consumebatur", the crest consists of the Burning Bush, St Andrew's Cross, the Southern Cross, a Latin Cross, the Rose, the Thistle and the Shamrock.

(BB 1986 Min 52.4)

B. L E T T E R S P A T E N T
THE CORPORATION OF THE PRESBYTERIAN

CHURCH OF QUEENSLAND

V. – LETTERS PATENT

VICTORIA by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the faith.

To The Rev. William Lambie Nelson of Toowoomba, Doctor of Laws, The Rev. Charles Ogg of Brisbane and James Bryden of Brisbane, all in the Colony of Queensland
Greeting -

WHEREAS by "The Religious Educational and Charitable Institutions Act of 1861" it is enacted, that it shall be lawful for the Governor, with the advice of the Executive Council from time to time, to issue **LETTERS PATENT** under the seal of the Colony, and therein to declare that any person or persons and their successors for ever, holding any religious or secular office or preferment, or exercising any religious or secular functions, to which he or they should have been called or appointed, in accordance with the rites, laws, rules, and usages of the Community or institution to which such person or persons shall belong, should be a Body Corporate, by such name and style as might in and by the said **LETTERS PATENT** be given to such Corporation. And **WHEREAS** it has been represented to us that you the said Reverend William Lambie Nelson, Reverend Charles Ogg and James Bryden respectively hold and exercise the offices of Moderator, Clerk, and Treasurer of the Presbyterian Church of Queensland, and that you have been appointed to such offices respectively in accordance with the rites, laws, rules, and usages of the said General Assembly of the Presbyterian Church of Queensland. And **WHEREAS** it has been further represented to us that you are desirous of being incorporated and designated by the style of **THE PRESBYTERIAN CHURCH OF QUEENSLAND** under the provisions of the said Act, and have complied with the provisions thereof, entitling you in that behalf. **NOW KNOW YOU**, that We, in pursuance of the power and authority vested in us by the said Act, and by and with the advice of the Executive Council of the said Colony **DO BY THESE LETTERS PATENT**, declare that you the said Reverend William Lambie Nelson, Reverend Charles Ogg, and James Bryden and your successors for ever shall be a Body Corporate by the name and style of **THE PRESBYTERIAN CHURCH OF QUEENSLAND**.

In Testimony whereof We have caused these **OUR LETTERS PATENT** to be sealed with the seal of the said Colony.

Witness our Trusty and Well-beloved William Wellington Cairns, Esquire, Companion of our Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief of the Colony of Queensland and its Dependencies, at Government House, Brisbane, this Thirteenth day of June in the year of Our Lord one thousand eight hundred and seventy six, and in the thirty-ninth year of our Reign.

By Command
R.M. STEWART,

W.W. CAIRNS.

Entered in Record by me, in the Register of Patents, No. 5, page 38, this thirteenth day of June, A.D., 1876.

H.H. MASSIE,
For the Colonial Secretary and Registrar.

C. QUEENSLAND THEOLOGICAL COLLEGE HEADS OF AGREEMENT

1. INTRODUCTION:

With a view to maximising resources and in a spirit of cooperation, it has been agreed that the Queensland Presbyterian Theological College and the Westminster Theological College of Queensland enter into a Consortium (known as the Reformed College of Ministries) through which there can be formal cooperation in the delivery of courses and in the interchange of teaching staff. The terms and basis of the Consortium are set out in these Heads of Agreement. Whilst the two Colleges will cooperate in the Consortium, both will continue to be autonomous and maintain their own distinctive ethos and theological positions and acknowledge that their commitment to the Consortium commenced for a period of five years commencing January 1st 2000, and this further agreement embodies modifications and shall be for a further period of five years commencing January 1st 2005.

2. PARTICIPATING COLLEGES IN THE CONSORTIUM:

The Colleges participating in the Consortium shall be the Reformed College of Ministries and the Westminster Theological College.

3. COOPERATING CHURCHES IN THE CONSORTIUM:

- 3.1 The cooperating churches shall be the Presbyterian Church of Australia in Queensland and the Presbytery of Queensland of the Westminster Presbyterian Church.
- 3.2 Subject to approval from the respective faculties involved, other confessionally Reformed denominations, and in particular the Presbyterian Church of Eastern Australia and the Reformed Church of Australia may be invited to discussions with the Joint Faculty Committee.

4. CONFSSIONAL BASIS FOR THE CONSORTIUM:

4.1 Preamble: As a Consortium and as Members of Reformed Churches:

- (1) We confess that our supreme standard is the Word of God, namely, the Scriptures of the Old and New Testaments.
- (2) We adhere to the system of doctrine taught in the infallible Word of God, the Bible, as that system clarified in the Reformation of the sixteenth Century.
- (3) We recognise our common Reformational heritage as that set forth in the great Calvinistic Creed known as the Westminster Confession of faith.
- (4) We undertake in our teaching in the Consortium to be sensitive to, and respectful of, the views of others teaching there, and of the doctrinal emphasis of each of the denominations involved in the Consortium, and to treat their viewpoints fairly and with consideration.
- (5)

4.2 Confessional Basis:

- (1) That the Westminster Confession of Faith as adopted by the cooperating churches be the confessional basis for the Consortium.

- (2) That all lecturing staff be required to subscribe annually to the Westminster Confession of Faith and to teach in accordance with the Westminster Confession of Faith as adopted by their respective Churches.

5. THEOLOGICAL PURPOSES OF THE CONSORTIUM:

That the Consortium seeks to give communal expression to the following theological purposes for its corporate existence. That the Consortium shall be:

- (1) *Biblical in Foundation*, by standing under the authority of the written Word of God alone as the only source of truth and knowledge about the Triune God and of his will for His creation and church.
- (2) *Reformed in Confessional Conviction*, by being based on the Westminster Confession of Faith as adopted by the cooperating Churches.
- (3) *Unified in Spirit*, [seeking to give manifest obedience to the prayer of our Lord in John 17 and the teaching of the Apostle Paul in Ephesians 4], by incorporating into its organisational structure and its teaching staff members of the affiliated denominations.
- (4) *Evangelical in Stance*, by seeking to engage the wider culture in society with the claims of Christ as Lord not only of His Church but also of His Creation.
- (5) *Reformational in World View*, by seeking to be a community of Christian learning and discipleship in which we deliberately decline to be conformed to the prevailing ideological patterns and idolatries of our present world culture, but instead eagerly seek to be transformed by the renewing of our minds under the Lordship of Jesus Christ, not only with respect to personal salvation but also with respect to the whole of life.

6. ACADEMIC PURPOSES OF THE CONSORTIUM:

6.1 Courses and Modules:

That the Consortium seeks to fulfil the following academic purposes in the delivery of its Courses and Modules:

- (1) To offer jointly as a Consortium the degrees, diplomas and certificates that are presently awarded by the contributing Colleges, or any such awards as would replace any of these.
- (2) To offer, by mutual agreement of the participating Colleges, any other accredited courses and modules that may be developed by the Colleges, together or independently, in the future.
- (3) To grant to the ministerial candidates of Churches represented in the Consortium mutual credit for all modules jointly offered by the Joint Faculty Committee of the Consortium.

- (4) To require candidates to fulfill all the academic requirements of their respective Churches to the satisfaction of their respective controlling bodies.

6.2 Cross-crediting of Courses and Modules:

- (1) Candidates for Pastoral Ministry from the contributing Churches may cross-credit courses and modules towards any of the relevant degrees or diplomas offered by either College. However, responsibility for (1) negotiating academic standing, (2) granting credit for individual modules and (3) fulfilling fee requirements, shall be negotiated by the student concerned as a private arrangement with the appropriate College in the Consortium that offers the degree or diploma.
- (2) In all cases Candidates for Pastoral Ministry shall inform their appropriate supervising body of their intentions with respect to such cross-credited studies.

6.3 Lecturing Staff for Courses and Modules:

- (1) For Jointly Approved Courses and Modules: All Faculty, Adjunct Faculty and part-time lecturers for jointly approved courses and modules must be approved by both the Joint Faculty Committee and the respective Faculties of the contributing Colleges in the Consortium.
- (2) For all Other Courses and Modules: All Faculty, Adjunct Faculty and part-time lecturers for other courses and modules shall be the responsibility of their respective College in the Consortium.

7. TRAINING GOALS OF THE CONSORTIUM:

That under the grace of the Triune God who alone can enable the attainment of such outcomes, the Consortium seeks to foster students under its care as disciples of Jesus Christ so that they develop:

- (1) *A Discerning Reformational World and Life View*, that will enhance their ability to contribute to the transformation of the culture and society, thereby enabling them consciously to seek to fulfil the Cultural Mandate to steward the creation to the glory of the Triune God.
- (2) *A Sharpened Usefulness for a Range of Ministries*, including but not only formal Pastoral Ministry, that will enhance their ability to the well-being and the extension of the witness of the Christian church and its associated institutions and agencies, thereby consciously seeking to fulfil the Great Commission to make disciples of all nations to the glory of the Triune God.
- (3) *A Balanced Personal Maturity* in godliness, personal relationships, wisdom, discernment and doctrinal insight that will enhance their ability to communicate the fullness of the Christian faith in both word and deed, thereby consciously seeking to live and to minister in both the world and the church, to the glory of the Triune God.

8. ADMINISTRATIVE BASIS FOR THE CONSORTIUM:

- 8.1 The Joint Faculty Committee and the respective Faculties shall operate under the following structure:

- (1) A Joint Faculty Committee, consisting of three (3) members from each College, to meet as required each year to oversee and administer all matters pertaining to the Consortium relationship and to the Courses and Modules jointly taught.
 - (2) The Executive Offices of the Joint Faculty Committee, namely the Convener and the Secretary, shall be appointed, one from each of the participating Colleges for a two year term and those appointments shall alternate on a two yearly basis between the participating Colleges.
 - (3) The Faculty of each participating College shall be engaged separately, each accountable to the existing denominational structures and controls applicable to each participating College.
 - (4) Separate Faculty meetings shall be held as desired by each participating College at which staff are free to discuss any matters that relate to the Consortium relationship as well as those matters that pertain only to one or the other of the Colleges as appropriate.
 - (5) Any decisions that impinge on the Consortium relationship or on the Courses and Modules taught by the Consortium are to be decided upon only in meetings of the Joint Faculty Committee of the Consortium and to be approved by subsequent full meetings of the respective Faculties.
 - (6) All other matters relating to the participating Colleges, where necessary, to be referred to their appropriate Church committees, Boards and other authorities, both State and Federal.
 - (7) It is not the responsibility of the Joint Faculty Committee to handle grievances. All grievances will be handled in accord with procedures of the College in which the student is enrolled.
- 8.2 Renewal and Removal of Faculty Members and Lecturing Staff:
- (1) The appointment of Faculty members and part-time lecturers shall be at the discretion of the appropriate body or bodies that oversee the respective Colleges.
 - (2) The appointment of members of the Joint faculty Committee shall be for a term of three years, ordinarily renewable, and shall be by the respective Faculties of the participating Colleges, subject to the approval of the full Faculty of the other participating College.
 - (3) The removal of Faculty members and of members of the Joint Faculty Committee shall be in accordance with the rules and procedures of the relevant cooperating Church. Any representations by others involved in the Consortium must be through the appropriate channel(s) under whose jurisdiction the Faculty member comes.

9. JOINT COMMITTEE ON THEOLOGICAL TRAINING (JCTT)

The Committee on Ministries Training of the Presbyterian Church of Queensland and the Board of Governors of the Westminster Theological College (or representatives appointed by each) shall meet together on a regular basis (at least twice a year) and shall be known as the Joint Committee on Theological Training. The JCTT shall –

1. Appoint such office bearers as is deemed necessary from time to time for the efficient operation of the JCTT;
2. Facilitate the administration of the Consortium and take any such action (allowed by the Committees of the two churches and this Heads of Agreement) to further the work of the Consortium;
3. Facilitate the relationship of the Joint Faculty Committee with the Co-operating churches;
4. Not be able to hold funds in its own name, but shall be responsible for overseeing funds of the Consortium of Reformed Colleges held in the accounts of the Presbyterian Church of Queensland; these accounts shall deal with fees, Joint Faculty Committee expenses and other matters deemed appropriate to be dealt with by the JCTT in terms of guidelines in operation from time to time as approved by the bodies in the preamble to clause 9. It shall be the responsibility of the JCTT to ensure that cost sharing for the Consortium is both fair and equitable to each of the member churches.

10. FEE SCHEDULES FOR THE CONSORTIUM:

10.1 Fees for all students from the cooperating Churches shall be at the following agreed schedule:

- (1) For Jointly Approved Courses and Modules: At the rate that is agreed by the Joint Faculty Committee and approved by the respective supervising bodies for the Colleges.
- (2) For the Courses and Modules taught by one or other of the Participating Colleges: At the rate that applies for students who are members of the College teaching the Course or Module.
- (3) For Candidates for the Ministry: Payment of fees for Candidates for the Ministry of each of the participating churches shall be at the discretion of the individual church's committees, provided that any imbalance in the Consortium funding caused by such a decision shall be dealt with in terms of clause 9 (4).

10.2 Fees for students from other denominations:

- (1) For Jointly Approved Courses and Modules: At that rate that is agreed by the Joint Faculty Committee and approved by the respective supervising bodies for the participating Colleges.

- (2) For Courses and Modules taught by the Colleges contributing to the Consortium: At the rate that applies for students from other denominations at the College teaching the Course or Module.

11. CHANGES TO THIS AGREEMENT:

This agreement may be changed by the normal procedures of the co-operating churches detailed in Clause 3.1.

Signed on behalf of the Presbyterian Church of Queensland ____/____/2004

(Moderator of Assembly)

(Clerk of Assembly)

(Treasurer of Assembly)

(Convener, Committee on Ministries Training)

Signed on behalf of Westminster Theological College ____/____/2004

(Moderator of Queensland Presbytery)

(Chairman of the Board of Governors)

(Secretary of the Board of Governors)

D. OWNERSHIP OF CHURCH PROPERTY

The Presbyterian Church of Queensland is established under Letters Patent and is governed by the Queensland Trust Act in relation to Funds and Property. The Presbyterian Church of Queensland is a Corporation of which the Moderator, Clerk and Treasurer are the trustees. Congregational property (with some exemptions, eg Ann Street) is vested in the Corporation. Hence, it is commonly stated that the Corporation holds property etc on behalf of Congregation x. Congregational property can only be sold, mortgaged, purchased or dealt with in any way whatsoever provided the action is carried out in terms of the Rules of the Presbyterian Church of Queensland (the Code).

However, the Corporation also owns denominational property or equipment and holds funds. For example, the offices of the Church are owned by the Corporation of the Presbyterian Church of Queensland, as are all Camp Properties, including their computers, furniture and equipment, and all other items purchased and used by the Presbyterian Church of Queensland, as well as funds of the denomination.

Under rules, regulations, constitutions etc contained in the Code, the use of such property, items and funds is given over to its various committees, boards etc. For example, the Constitution of the Christian Education Department clearly allocates the work of Campsite administration to that Department and its overseeing committee, Outreach and Nurture (Constitution Clause 10 (d), Regulation Clause 6). Likewise the Regulations governing the N. F. Nelson Fund (for the work of Camping and Camp Sites) declare the Committee on Outreach and Nurture as the body to administer the Fund. These committees do not own any property but simply administer such property as authorised by the Assembly.

If it is believed that particular resources owned by the Corporation could be more appropriately superintended by an alternative body within the Church, the Assembly has the power to change the body that administratively runs and/or uses the particular resource by changing the necessary sections of the Code, either Rules, Regulations or Constitutions.

(BB 2005 Min. 100.10)

E. STATEMENT ON COMMISSION OF PRESBYTERY

1. The Commission of Presbytery is the Presbytery and Presbytery cannot overturn a Commission's decisions unless it has acted outside its authority.
2. Presbytery has the power to set the terms of a Commission of Presbytery and can include, among other things, the proviso that reports and correspondence are to be provided to the Presbytery as part of the terms of the Commission.
3. Any member may ask to have any item of correspondence read at any time.
4. Presbytery has the right to ask for minutes and reports from a Commission of Presbytery.

(BB 2006 Min. 40.10)

F. CHILD PROTECTION POLICY

PRESBYTERIAN CHURCH OF QUEENSLAND CHILD PROTECTION POLICY

The Presbyterian Church of Queensland is aware of its duty of care and responsibility for the welfare and well-being of children within the Church, and recognises the need to protect children from Abuse by members of the Church and wider community.

This Policy applies to all persons holding a position of authority within the Church, whether paid or unpaid, who are involved in a child-related activity, whether permanently or temporarily. Such persons will consider themselves to be mandatory reporters of Reportable Conduct, because all reportable conduct is unacceptable.

The purpose of this Policy is:

- to provide written processes about the appropriate conduct of staff, volunteers, and children within the church that accord with legislation in Queensland about the care and protection of children;
- to promote and strive to provide a safe, supportive and ethical environment within the Church;
- to provide a mandatory process for reporting to and managing allegations within the Church, which is clear and consistent;
- to respond to allegations of Abuse made under this Protocol in a manner which is sensitive to the dignity, respect and confidentiality of all involved, including the alleged perpetrator;
- to manage allegations in a fair and timely manner;
- to provide a document which proclaims through a clear and complete explanation the attitudes and accepted accountabilities and responses of the Church in relation to Abuse.

PRINCIPLES

The Presbyterian Church of Queensland ("the Church") will be guided in respect of issues of Abuse by the example of the love and compassion of Jesus Christ and will uphold the following principles under this Policy.

1. Staff and volunteers within the Church must ensure that their behaviour towards, and relationships with, children reflects proper standards of care for children, and is not unlawful.
2. Members of the Church communities must not, under any circumstances, Abuse a child.
3. Abusive acts by a person in authority of a person under that authority are a breach of trust and are professional misconduct.
4. Because of the authority that exists between a staff member or volunteer within the Church and a child, that child cannot "consent" to Abuse.
5. Abuse may result in criminal proceedings as well as disciplinary action, including dismissal in the case of staff members, whilst in the case of children, abuse may result, where appropriate, in relocation to another centre or programme.

6. Sexual Acts by an adult employee or volunteer, with a child, will always be Sexual Abuse.
7. The Church recognises that people who are subjected to Abuse are harmed by it.
8. In every preventative or protective action relating to harm to a child the welfare and best interests of the child will always be a primary consideration.
9. The Church expects children within the Church to show respect to staff and volunteers within the Church and to comply with safe practices.
10. The Church will respond diligently to a report of suspected or actual harm, or risk of harm to a child.
11. The Church will not tolerate reprisals against children or others making a complaint.
12. Within the Church, practices relating to the management of children will be administered with respect and in a manner which maintains the dignity of the children.
13. The Church will act fairly and reasonably towards an employee or volunteer within the Church who is the subject of allegations of improper conduct.
14. The Church will support an employee or volunteer within the Church who is the subject of a proven false allegation of causing harm to a child.
15. The Church will take disciplinary action against employees within the Church who harm others, and appropriate action against volunteers within the Church who harm others.
16. The Church will not permit people to work in a position within the Church if the Church believes on the basis of all information available that, if the allegations against them were wholly or partly true, there would be an unacceptable risk that others might be harmed.
17. The Church may accept a moral obligation to help people who have been Abused where there is no legal obligation to do so. This obligation may extend to others affected by the Abuse such as family, close friends, other members of the Church, and Church Workers.
18. The Church will co-operate with state authorities in resolving allegations of harm.
19. The Church will publish this Protocol widely and require people to use it.
20. Persons receiving information about Abuse or suspected Abuse should explain to the informant that the information supplied will be:
 - confidential, to the extent that this is possible given the need to investigate allegations and requirements of the law; and
 - victimisation of the informant will not be tolerated.

21. The Church will ensure that the following are undertaken in order to reduce the chance of Abuse occurring:

- ensure that within the Church, sexual abuse is discussed openly;
- ensure that each staff member and volunteer within the Church understands and fulfils their obligations under this Policy;
- ensure that there is an acceptable reference from their previous employer for each staff member within the Church and an acceptable reference from someone of good standing and known Christian commitment who has been a communicant member of a congregation for at least six months for each volunteer engaged since the commencement of this protocol (See Definitions) at 22nd March 2006;
- ensure that each staff member and volunteer within the Church who has contact with children has a current positive prescribed notice issued by the Commissioner for Children and Young People and Child Guardian under the *Commission for Children and Young People and Child Guardian Act 2000*. It may be a requirement of any staff member that the Church shall be authorised to confirm the validity of the positive suitability notice (ie Blue Card).

GUIDELINES

In complying with these principles, the Church will be guided by the following:

Natural Justice

The principles of Natural Justice will apply to decisions to be made under this Policy. The two fundamental principles of Natural Justice are:

- that those making a decision are not biased;
- that nobody should be condemned unless they are given prior notice of the allegations against them and they have a fair opportunity to be heard.

Confidentiality

Each person who has access to information regarding suspected or disclosed harm has an obligation to observe appropriate confidentiality. The Church is unable to promise absolute confidentiality since its policies will require disclosing, internally and externally, certain details involved in responding to any complaint. State authorities can compel people to give evidence about actions under the Policy and to produce documents.

Defamation

A person providing information about harm in good faith to a person who needs to know that information is generally excused from liability for defamation.

Promptness

All steps under this Policy should be carried out promptly. The Church will keep the alleged victim and the alleged perpetrator informed of progress.

Public Relations

The Church will ensure that it is able to react quickly to allegations of harm so that accurate and relevant information is available for staff members, children and their families within the Church and/or the media.

Police Action

It will usually be necessary to wait until the police have decided whether to charge the respondent before taking any internal disciplinary proceedings. If the police do charge the respondent, it will be necessary to wait until the charges have been dealt with in the courts before commencing internal enquiries or disciplinary proceedings. This does not preclude the Church from seeking advice from police regarding the duty of care to other children which may involve the standing down of a staff member during an investigation. The police are not required to inform the Church about their investigation. Some of their material may be acquired under a Freedom of Information request when their work on the case is finished.

Insurer

The Church will keep its insurer informed about developments.

Review

The Church will ensure that this Policy is reviewed at least once every year.

PROCEDURES FOR REPORTING ABUSE/HARM

1. Anyone who witnesses Abuse must report it immediately to a Person in Authority within the Church.
2. Anyone who becomes aware or reasonably suspects that harm has been caused by anyone to a child should report it immediately to a Person in Authority and keep a written record of the actions taken. If the subject of the allegations falls into one of the categories of people designated in the definition "Person in Authority", the report should be made to someone in one of the other categories, or alternatively, to the Clerk of Assembly or the Moderator of the State Assembly.

Note: Under s 76KC of the Health Act 1937 and s 191 of the Public Health Act 2005, doctors and registered nurses, have an obligation to give notice of harm or likely harm immediately to the Chief Executive, Department of Child Safety, if:

- (a) they become aware, or reasonably suspect, during the practice of their profession, that a child has been, is being, or is likely to be, harmed; and
- (b) as far as they are aware, no other doctor or nurse has notified the Chief Executive under the section about the harm or likely harm.

This notice can be given orally, by fax, by e-mail or by similar means and must then be followed up with written notice within seven days. The notice must include:

- the child's name
- the child's date of birth
- the place or places where the child lives;
- the names of the child's parents
- the place or places where the parents live or may be contacted;
- details of the harm or likely harm of which the professional is aware or that the doctor or nurse suspects; and

- the doctor or nurse's name, address and telephone number.

The doctor or nurse may seek further information about harm or likely harm to a child before forming a reasonable suspicion about the matter, for example, by consulting with a colleague.

The church may require a doctor or nurse employed by the church to provide to the church information about abuse obtained in the course of their work as an employee.

A person who becomes aware of the identity of a person who has notified authorities about harm must not disclose the identity of that person except in the circumstances set out in s 186(2) of the Child Protection Act 1999.

3. On receipt of a report of Abuse other than the suspected Sexual Abuse of a child as set out in paragraph 8, the Person in Authority will carry out a preliminary assessment to determine whether that Person in Authority reasonably suspects that the Abuse has occurred.
4. There will be two Persons in Authority present at interviews, where practical. In cases of allegations of serious harm, it is best not to interview a child unless a properly qualified person conducts the interview.
5. If as a result of the preliminary assessment in paragraph 3, the Person in Authority reasonably suspects harm to have been caused, that Person in Authority should report it to the police or the Department of Child Safety, and keep a written record of the actions taken.
6. A child who wishes to report behaviour by a staff member or volunteer considered by that child to be inappropriate should report the behaviour to a Person in Authority.
7. That Person in Authority, or the Clerk of Assembly, upon receiving a report by a child of inappropriate behaviour of a staff member or volunteer, should interview the child, the staff member or volunteer named in the report and any other person who may be able to provide useful information. That Person in Authority should report the findings to a Minister with a recommendation for action to be taken.
A Minister should take action on the basis of the report, and provide a copy of that report to the Clerk of Assembly.
8. Any staff member or volunteer within the Church who becomes aware or who reasonably suspects that a child has been Sexually Abused should immediately give a written report about the Sexual Abuse or suspected Sexual Abuse to a Person in Authority within the Church, ultimately a Minister.
9. The Minister, upon receiving a report from a staff member or volunteer who is aware or reasonably suspects that a child has been Sexually Abused should immediately give a copy of the report to a police officer, and provide a copy of that report to the Clerk of Assembly.
10. The report must contain the following particulars:
 - the name of the person giving the report (the **"first person"**);
 - the child's name and sex;

- details of the basis for the first person becoming aware, or reasonably suspecting, that the child has been Sexually Abused by an employee or volunteer within the Church;
 - details of the Sexual Abuse or suspected Sexual Abuse;
 - any of the following information of which the first person is aware –
 - (i) the child's age;
 - (ii) the identity of the employee or volunteer within the Church who has Sexually Abused, or is suspected to have Sexually Abused, the child;
 - (iii) the identity of anyone else who may have information about the Sexual Abuse or suspected Sexual Abuse.
11. The Minister will ensure that the child is supported by:
- offering pastoral support;
 - offering to arrange professional counselling, if circumstances warrant it, even if any allegation is not yet proved or disproved;
 - treating the child with respect and dignity;
 - being sensitive to the child's needs, feelings and concerns; and
 - maintaining confidentiality, to the degree possible in the circumstances.
12. The Minister will:
- if the respondent is from within the Church, ensure that pastoral support is offered;
 - ensure that the respondent is treated with respect and dignity;
 - ensure that professional counselling is arranged if it is requested, until the matter has been resolved.
13. The Minister will report the matter to the Clerk of Presbytery and Presbytery, after a properly convened meeting, will stand down any member of staff if there is unacceptable risk in leaving the member of staff in their position.
14. The Minister will, in respect of volunteers, report the matter to the Session for appropriate action if there is unacceptable risk of leaving the volunteer in their position.
15. When a police prosecution relating to the information is completed or if there is no police prosecution, the Minister will investigate the information to determine whether:
- redress should be offered to the child;
 - disciplinary action should be taken.
- The Minister may involve independent professionals in the investigation.
16. If the Minister believes disciplinary action should be taken against the respondent, the Minister will initiate that action and ensure that the principles of Natural Justice are observed (see under **GUIDELINES** in this Policy).
17. If the Minister believes redress should be offered, that Minister will determine which of the following forms the redress will take:
- (a) provision of minor costs e.g. transport to attend hearings and the like;
 - (b) provision of ongoing professional support and counselling;
 - (c) a simple apology;
 - (d) financial restitution, legal and other associated costs or compensation.
- Where redress involves (a), (b), or (c) the Session will determine how this is to be provided but where redress involves (d), the matter will be referred to the insurance underwriter, the Trustees and appropriate legal advisors for resolution.

18. The Minister must, upon becoming aware of all allegations of paedophilia, immediately refer them in writing to the police, including those from the past, except where the alleged perpetrator is deceased.

DEFINITIONS

"Abuse/Harm" means activity or deliberate or careless inactivity which causes significant harm, that is to say, any detrimental effect of a significant nature on a person's physical, psychological or emotional wellbeing. The harm can be caused by:

- physical, psychological or emotional Abuse;
- Sexual Abuse or exploitation.

"Child" means a person under 18 years of age.

"ChildSafe Risk Management Officer" means the person appointed by the General Assembly of the Presbyterian Church of Queensland.

"Minister" means a person officially ordained into the ministry by the Presbyterian Church of Australia.

"The Church" means The Presbyterian Church of Australia.

"Pastoral Care" or "Pastoral Support"

The provision of care, counsel and education to persons who seek the support of the Church including:

- guiding to make decisions concerning spiritual matters by means of Biblical readings;
- prayer;
- provision of practical support, such as medical care or counselling;
- reconciling someone to God and/or other people;
- spiritual guidance;
- sustaining through a period of hardship and/or crisis.

"Person in authority" means the ChildSafe Risk Management Officer, Ministers, Home Missionaries, Licentiates, Deaconesses, Private Appointments, Candidates for the Ministry or Pastoral Care Workers.

"Reportable Conduct" is anything which an individual, an institution or a process does or fails to do which directly or indirectly harms a child. All reportable conduct is unacceptable. It includes:

- **"Abuse"** as defined above
- pornography showing children;
- neglect i.e. chronic failure to provide the basic necessities of life such a love and affection, safety, food, clothing, hygiene, medical care and education.

"Sexual Abuse" means any actions with a child for the sexual gratification of the perpetrator.

"Staff" includes employees (for example "Persons in Authority" as defined, administration people and grounds staff) and volunteers (for example leaders and camp parents).

This Policy will be made available to children and parents of children within the church via a church website and will be on display on at least one noticeboard at

each church, always. The attention of children and parents of children within the church will be drawn to the Policy at least twice a year via church newsletters. The Minister of each church will ensure that a copy of this Policy is always available in the foyer of each church. The Policy will be directed to the attention of all new staff and volunteers within the church at the time of their appointment and to all within the church via church handbooks and newsletters. All staff and volunteers within the church will be provided with appropriate training on child protection issues on an annual basis, such training to be approved by the Assembly or its Commission.

(BB 2006 Min. 56.3, COA August 2006 Min. 06/98)

STATEMENT OF COMMITMENT

The Presbyterian Church of Queensland is committed to the safety and holistic wellbeing of all children and young people involved in our events. To ensure that children and young people are kept safe from harm, our staff and volunteers are required to possess a current blue card; agree to adhere to a code of conduct when working with children; and undergo training in child safety. The Presbyterian Church of Queensland takes child protection and safety seriously and consequently has policies and procedures in place to ensure that your child has the best possible experience with us.

(BB 2006 Min. 56.13)