



Anglican Diocese of Melbourne

POWER AND TRUST IN THE CHURCH
THE REGULATIONS UNDER THE EPISCOPAL STANDARDS ACT
2015
FOR RESPONDING TO COMPLAINTS OF
ABUSE HARASSMENT AND OTHER MISCONDUCT AGAINST
THE ARCHBISHOP OF MELBOURNE

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Office of Episcopal Standards Anglican Diocese of Melbourne

17 December 2015

Episcopal Standards Regulations 2015

The Archbishop-in-Council of the Diocese of Melbourne makes the following Regulations pursuant to section 108 of the Episcopal Standards Act 2015:

Short title

1. These Regulations may be cited as the **Episcopal Standards Regulations 2015**.

Commencement

2. These regulations come into operation on the date on which the Act comes into operation.

Definition

3. In these Regulations —
the Act means the Episcopal Standards Act 2015.
Other expressions have the same meaning as in the Act.

Form of consent to formal process

4. The written consent of a complainant under section 25(3) of the Act must be in Form 1 of the Schedule, with any necessary modifications.

Form of constitution of the Council of Bishops

5. The constitution of the Council of Bishops by the Registrar under s20(2) of the Act must be by instrument in Form 2 of the Schedule, with any necessary modifications.

Form of reference to the Episcopal Standards Board

6. A reference by the Episcopal Standards Committee to the Episcopal Standards Board under section 52 of the Act must include a notice in Form 3 of the Schedule, with any necessary modifications.

Form of application for review of a decision of the Episcopal Standards Board

7. An application for review of a decision of the Episcopal Standards Board under section 70 of the Act must be in Form 4 of the Schedule, with any necessary modifications.

SCHEDULE

Episcopal Standards Regulations 2015

FORM 1

Reg. 4

CONSENT OF COMPLAINANT TO FORMAL PROCESS

under s 25(3) of the Episcopal Standards Act (the Act)

TO: The Director of Episcopal Standards

Name of complainant—

Address—

Description of complaint:

I the above named complainant CONSENT to the Director giving notice of the complaint to the person about whom I have made the complaint.

I also CONSENT to -

- a) the investigation of the complaint by the Episcopal Standards Committee (ESC) or its delegate;
- b) the ESC otherwise dealing with it under the Act;
- c) the hearing and determination of the complaint by the Board and on any review, the Review Board, either by hearing or otherwise in accordance under the Act; and
- d) the making of recommendations to the Council of Bishops in accordance with the Act.

Signature of complainant —

Date—

NOTE: Section 25(3) of the Act provides:

- 3) *The Director must prior to any investigation seek from the complainant his or her written consent to –*
 - a) *the giving by the Director of notice of the complaint to the respondent;*
 - b) *the investigation of the complaint by the ESC or its delegate;*
 - c) *the ESC otherwise dealing with it under this Act;*
 - d) *the hearing and determination of the complaint by the Board and on any review, the Review Board, either by hearing or otherwise in accordance under this Act; and*
 - e) *the making of recommendations to the Council of Bishops in accordance with this Act.*

Episcopal Standards Regulations 2015

FORM 2

Reg. 5

INSTRUMENT OF CONSTITUTION OF THE CHURCH AUTHORITY

under s20(2) of the Episcopal Standards Act 2015

As Registrar of the Diocese of Melbourne, I hereby constitute –

[names of members of the Council of Bishops]

as members of the Council of Bishops in relation to the complaint referred to in the Schedule, those persons having consented to act as a member of the Council of Bishops in relation to the complaint and to abide by the provisions of Part 17 of the Episcopal Standards Act 2015.

The Schedule

Complaint by [complainant] dated [.....]

Signature of Registrar —

Date —

TO: [The members of the Council of Bishops]

AND TO: The Director of Episcopal Standards

AND TO: The complainant
The respondent

Episcopal Standards Regulations 2015
FORM 3

Reg. 6

REFERENCE TO THE EPISCOPAL STANDARDS BOARD

under s 52 of the Episcopal Standards Act 2015

TO: The Secretary
Episcopal Standards Board

The Episcopal Standards Committee refers the following matter to the Episcopal Standards Board pursuant to section 52 of the Episcopal Standards Act 2015:

Description of complaint:

Attached is a written report of its investigation and opinion signed by a member of the Episcopal Standards Committee.

Signature of member of the Episcopal Standards Committee —

Date—

Reg. 7

APPLICATION FOR REVIEW OF A DECISION

under s 70 of the Episcopal Standards Act 2015

TO: The Secretary
 Episcopal Standards Review Board

Name of applicant— Address—

I APPLY to the Episcopal Standards Review Board for a review of the following decision of the Episcopal Standards Board—

1. The decision is—
2. Date of decision—

My reasons for making the application are—

Signature of applicant—

Date—