

**ROYAL COMMISSION OF INQUIRY
KŌMIHANA A TE KARAUNA**

**In the matter of the Royal Commission of Inquiry into Historical Abuse in
State Care and in the Care of Faith-based Institutions Order 2018**

**PRESBYTERIAN CHURCH OF AOTEAROA NEW ZEALAND
RESPONSE TO NOTICES TO PRODUCE 523 AND 530
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Introduction

- a) The Presbyterian Church of Aotearoa New Zealand (“the Church”) has a policy of zero tolerance of abuse of people in the case of the Church. We know this policy has not been consistently and thoroughly applied. For this we are deeply sorry.
- b) We are extremely troubled that trust placed in the Church has been broken by the abuse of people in our care. We have worked to reach out to those affected to offer our sincere apology, pastoral care, and support.
- c) Our theology leads us to affirm that the Church is a public institution with public accountability. We seek to learn and reform the Church, taking into account, among other things, societal understandings and professional advice. We have sought to change policies and procedures when our approaches were thought to be, or were shown to be, unfair and unsafe. We welcome the work of the Royal Commission in this ongoing process.
- d) As far as we have been able, we have apologised directly to those we have failed and we continue to offer support.
- e) We affirm the rights of those who have been abused to determine how they wish to engage with us and to decide what they need from us; we do not wish to cause further harm or distress.
- f) As you read the following you will find that some responses are similar where a response is relevant to more than one question. In these instances, we have duplicated this part of our response to assist the reader.

NOTICE TO PRODUCE 530

Briefing paper: Presbyterian Church of Aotearoa New Zealand

- 1) Please provide an overview of the history and development of Presbyterian Church of Aotearoa New Zealand, including reference to the care services that Presbyterian Church of Aotearoa New Zealand provides.**
 - a) Since its formation in New Zealand in 1840, the Presbyterian Church of Aotearoa New Zealand has offered care to its members and the wider community mainly through its congregations and presbyteries. Its care has taken many forms. In Dunedin, for example, where the Church had a central role, Church leaders were instrumental in the formation of the Seamstresses Union to protect the rights of women. It helped establish educational institutions such as the University of Otago, Otago Boys and Otago Girls' schools.
 - b) Until the 1960s, the Church had a Deaconess Order that was especially active in offering care. In Dunedin, for example, deaconesses had 14 children living with them in a George Street flat. This led to Presbyterian Social Service Association (PSSA) Otago opening a children's home in 1906.
 - c) In 1918, Presbyterian Support opened its first home for elderly people. Today, individual congregations provide care in a variety

of ways. One congregation hosts a funeral director service, another offers a counselling service, several provide childcare, many run children and youth programmes.

- d) Most of the Church's professional care work was taken up by Presbyterian Support established by presbyteries in the early 1900s.

2) The Presbyterian Church of Aotearoa New Zealand's understanding of the history, establishment and development of Presbyterian Support New Zealand and the Presbyterian support organisations, including the provision of care services and any changes to the services provided. Please include in your answer any role that the Presbyterian Church of Aotearoa New Zealand had in the establishment of Presbyterian Support New Zealand and the Presbyterian support organisations.

- a) Presbyterian Support was established as a standalone entity in the regions by groups that were part of or affiliated with the Presbyterian Church.
- b) The earliest, Presbyterian Support Otago, was established in 1906 by ministers and elders in Otago.
- c) Eventually a more formal structural relationship developed between the regional bodies, the presbyteries, whereby the presbyteries appointed or nominated a certain number of representatives to Presbyterian Support boards.

3) The structure and governance of the Presbyterian Church of Aotearoa New Zealand, and changes over time. In your answer include details of the leadership structure, including the roles and responsibilities of different positions and the process of selection for those in leadership positions.

- a) The Presbyterian Church is part of the world-wide universal church and lives out its identity in Aotearoa. It has fundamental beliefs which it shares with churches around the world. More distinctly, it is part of the Reformed family of churches that arose from the 16th century European Reformation that spread to Scotland.
- b) The Church has set aside ministers and elders to guide and govern the Church's life. Government of the Church is vested in local church councils, regional presbyteries, synods, Te Aka Puaho, the Pacific Presbytery and the General Assembly of the Church.

A hierarchy of councils

- c) Within the Presbyterian Church there is an ascending hierarchy of three councils, locally, regionally and nationally.

Church Council - local

- d) The Church locally is organised into congregations. A congregation is governed by a church council whose members are elected by the congregation and ordained as elders to serve on the council. The

church council oversees and leads the congregation and is accountable to the presbytery

Presbytery - regional

- e) A presbytery is made up of all serving ministers in a region and elders. Each church council appoints one elder, or more where a congregation is larger, to serve on the presbytery. The presbytery has responsibility for all congregations and other ministries in its area. Its role is to coordinate mission, look after personnel matters and make sure congregations are functioning well.

General Assembly – national

- f) Presbyteries are accountable to the General Assembly, the highest council. The General Assembly sets the policy and the direction of the Church as a whole and is the Church's legislative body. It is comprised of ministers and elders appointed by presbyteries. The General Assembly normally meets once every two years.

Other Entities

- g) The Presbyterian Church of Aotearoa New Zealand was formed from a union between northern and southern churches in 1901. In the area south of the Waitaki River, the Synod of Otago and Southland still exists and plays a special role in supporting churches in that area.
- h) The Church has five regional presbyteries – Northern, Kaimai, Central, Alpine, Southern – and two national presbyteries – Te Aka Puaho and the Pacific Presbytery.
- i) A national network, the Council of Asian Congregations was established to provide opportunities for combined worship and fellowship, witness, and a place in which Asians members can speak to, and interact with, the wider Church.

The Moderator

- j) Each of the Church's councils – church councils, presbyteries, and the General Assembly - is presided over by a Moderator who:
 - i. in church councils is the minister of the congregation or their appointee;
 - ii. in presbyteries and the General Assembly is elected by the members of those bodies;
 - iii. normally chairs its meetings;
 - iv. serves for a limited term as first among equals;
 - v. makes sure other members of the council are supported in their life and work;
 - vi. speaks on behalf of the council to others in the Church and the wider community.
- k) The General Assembly of the Presbyterian Church of Aotearoa New Zealand elects a new Moderator every two years.

Council of Assembly

- l) The Council of Assembly is a committee of the General Assembly appointed by it for advancing the policy of the Assembly and setting the Church's strategic direction.

Sub-committees

- m) These are committees of the Council of Assembly, appointed by the General Assembly to help Council provide what Assembly seeks.
 - i. The Resource Sub-committee has responsibility for financial management, reporting and stewardship of the Church's resources including risk management.
 - ii. The Leadership Sub-committee has responsibility for the formation, education and continuing education of ordained and lay leaders.

Assembly Office service team

- n) The Church employs national staff, who are mostly based in Wellington, Dunedin and Auckland.

4) The relationship between the Presbyterian Church Aotearoa New Zealand, Presbyterian Support New Zealand and the Presbyterian support organisations, including how that relationship was formed and has changed from 1950 to the present day, if at all.

- a) The regional Presbyterian Support bodies were formed by ministers, elders and others in their region, the first being Presbyterian Support Otago in 1906.
- b) In 1983, the regional Presbyterian Support groups formed a network called Presbyterian Support National. The purpose of the Presbyterian Support organisations is to provide social and health services. There is an emphasis, differing region by region, on family support and care of the elderly.
- c) Each Presbyterian Support organisation is autonomous of each other and of the Church.
- d) There are some shared characteristics. To varying degrees, the Presbyterian Support organisations affirm their Christian heritage and values. Again, with considerable variation region by region, Presbyterian Support and congregations may collaborate on certain projects
- e) The governing boards of some Presbyterian Support organisations provide for a proportion of members to be nominated by the related presbytery. For example, in Presbyterian Support Otago, five of the twelve members are nominated by the Southern Presbytery. However, these members do not formally represent the presbytery and act independently
- f) Although it is not formally obliged to, Presbyterian Support National provides a report to the General Assembly but is not accountable or responsible to it. The General Assembly does not provide direction to

Presbyterian Support. The General Assembly has a similar relationship with Presbyterian schools and other entities that are independent, but have shared interests.

- g) Since 2011, the national Presbyterian Church and Presbyterian Support National have had a partnership called PresCare. PresCare looks for ways our shared faith and commitment can respond to the needs and nurture the wellbeing of children and families in Aotearoa.

5) Policies, practices and guidelines that underpin decision-making for those in governing or leadership positions, including how these have changed over time.

- a) The key constitutional instruments that underpin decision making for those in governing or leadership positions are
 - i. The Book of Order
 - ii. The Code of Ethics
 - iii. The Guidelines for Conflicts of Interest and Bias
 - iv. The Child Protection Policy
 - v. The Conditions of Service Manual
 - vi. Other Supplementary Provisions
- b) There are doctrinal statements that are fundamental or important to the ethos and practice of the Church. In chapter one of the Book of Order, the Church states:
 - i. The Church is part of the one holy, catholic and apostolic church recognising Jesus Christ as its Lord and Head.
 - ii. The supreme rule of faith and life and the supreme standard of the Church is the Word of God contained in the Scriptures of the Old and New Testaments.
 - iii. The Kupu Whakapono and Commentary are subordinate standards of the Church, together with its historic reformed standards, the Westminster Confession of Faith (as interpreted by the Declaratory Act) and the Larger and Shorter Catechisms.
 - iv. The Declaratory Act 1892-3 of the General Assembly of the Church sets out, in regard to certain doctrines what is required from those entering upon office.
 - v. The Directory of Worship (1995) and The Westminster Form of Church Government set out generally the order of worship, discipline and government in the Church.
 - vi. The Church itself has the right, in dependence on the promised guidance of the Holy Spirit, to formulate, interpret or modify its subordinate standards, always in agreement with its supreme standard and the fundamental doctrines of the Reformed Faith contained in its subordinate standards. The Church itself will be the sole judge whether this formulation, interpretation or modification is in agreement with its supreme standard.

- vii. The Church also recognises as authoritative statements of our Reformed heritage the Scots Confession, the Heidelberg Catechism and the Second Helvetic Confession. Through its allegiance to the supreme standard of Holy Scripture, and through its continuing confession of the Nicene and Apostles' Creeds, the Church belongs to the one, holy, catholic and apostolic Church, drawn together by the Spirit and made one in Christ.
- c) The Book of Order initially adopted in 1901 was based on the rules of the Church of Scotland. It was altered regularly in succeeding years and was substantially rewritten in 2006. Some of the earlier changes involved taking more account of things like the development of the principles of natural justice. The changes made in 2006 aimed to give more discretion to the councils of the church, to simplify the church's processes and language, to emphasise the bicultural identity of the Church and to more clearly reflect the Church's location in Aotearoa. Some of the provisions dating back to the 1700s in Scotland were repealed. The Book of Order, as a living document, continues to be updated with amendments coming to most meetings of the General Assembly.

6) Any internal accountability mechanisms, including policies, processes and/or practices implemented which relate to the review and monitoring of decisions made by those in leadership positions that affect members of the Presbyterian Church of Aotearoa New Zealand.

- a) Arising from its theology of how it believes God engages humankind, the Presbyterian Church is a conciliar church. It seeks to discern the will of God in councils and determinedly avoids investing any single person with independent or exalted authority. When people take up leadership roles in the Church, they fulfil a function for a term as first among equals and when they conclude their role, relinquish authority. There is a system of checks and balances aimed at ensuring no single person acts oppressively.
- b) Each level of governance in the Presbyterian Church is accountable to the next higher level. The congregation is accountable to the church council, the minister and church council are accountable to the presbytery, and the presbytery is accountable to the General Assembly. There are even limits on the power of the General Assembly such that major legislative changes require approval by a majority of presbyteries and church councils if they are to be enacted.
- c) The Church has an emphasis on an educated ministry. Part of the training of ministers and elders relates to how to facilitate the governance of the Church.
- d) Individuals are held accountable through the processes set out in the Book of Order. Anyone may make a complaint against an individual, which is received and investigated in accordance with the process set out in Chapter 15, the disciplinary chapter, of the Book of Order.

- e) A person affected by a decision made by a church council has the right to make a representation to that church council. There is a right of appeal from decisions made by church councils and presbyteries. The Church has also, occasionally, been the subject of judicial review by secular courts.

7) How the Presbyterian Church of Aotearoa New Zealand has formally acknowledged the Te Tiriti o Waitangi | Treaty of Waitangi. Please include in your answer any commitments made to Te Tiriti o Waitangi | Treaty of Waitangi, and how have they developed over time.

- a) As previously outlined, the Church has, over the years, made several commitments to Te Tiriti o Waitangi. This is included in the Book of Order itself, in the formation of Te Aka Puaho, and in commitments made by the General Assembly in 1987, 1990 and 2000.

8) The role and approach of the Presbyterian Church of Aotearoa New Zealand to the provision of care and support for deaf and disabled people and any relevant policies, procedures and practices.

- a) Jesus was active in enabling people who were deaf or disabled to experience the riches of community life. Week by week, the Bible is read and reflected on in our congregations. Many of its stories inspire congregations to be thoughtful about care and support for people who are deaf or disabled.
- b) People within the Church are exposed to the rich theological reflection coming from the world church regarding disability. The Church has in recent years hosted speakers and courses that focus on these themes. There has been collaboration with other churches.
- c) We sense that nearly every minister and many elders and leaders would be engaged with the theological reflection and practical consequences of the rich exploration of this area of life. This leads congregations to develop approaches that are more fully inclusive so those with hearing and sight loss, with mobility and other disabilities can participate in service.

9) Please provide a summary and outline of any policies, practices, and guidelines in place to ensure the monitoring of and mitigation of the risks of abuse in the care of the Presbyterian Church of Aotearoa New Zealand and Presbyterian support organisations, including:

- A. Any safeguarding policies in the period 1950 to the present day;**
- B. Any vetting policies in the period 1950 to the present day;**
- C. Past and present approaches to handling known abusers;**
- D. How any policies, practices and guidelines relevant to the above have changed over time.**

- a) The Book of Order is the primary document that contains the policies, practices and guidelines in place to ensure the monitoring of and mitigation of the risks of abuse. This has been in place before 1950 and has been regularly updated.
- b) In 1993, the Personnel Workgroup issued a policy document called "Supervision". This policy document focused primarily on the relationship between the supervisor and person being supervised, but referenced the Code of Ethics in Pastoral Care as set out in the Book of Order (1996 edition). This policy document was revised in 1996 and 1999, and has been previously provided to the Royal Commission.
- c) In 1996, the Church issued a document titled "Dealing with Complaints of Sexual Harassment/Abuse in the PCANZ". This document described what sexual harassment and abuse was in the Church context, setting out the processes to be followed if abuse is reported. This document has been previously provided to the Royal Commission.
- d) In 1998, the Minister with Children Workgroup issued guidelines titled "Guidelines and a Code of Conduct for Keeping Children and Young People Safe During Church Activities". These guidelines contained content relating to protecting children and young people, and what to do if something 'goes wrong'. These guidelines have been previously provided to the Royal Commission.
- e) In 2002, the Church issued a document titled "Guidelines: Police Check Process for Lay Appointments". These guidelines required police checks for all lay (non-ordained) workers with pastoral responsibilities from 1 March 2003 onwards. A reference check was also required with the national Assembly Office. These guidelines have been previously provided to the Royal Commission.
- f) In 2002, the Church issued a booklet titled "The Parish Handbook". This booklet contained material related to complaints and supervision. This booklet has been previously provided to the Royal Commission.
- g) In 2011, the Church issued a handbook titled "Leadership Handbook". This handbook contained material relating to managing crises, including the need to ensure a vulnerable person is removed from a dangerous environment, and reporting abuse to police. This handbook has been previously provided to the Royal Commission.
- h) In 2018, the Child Protection Policy was issued. This is a supplementary provision to the Book of Order, meaning that it has formal status and is binding on members of the Church. This policy has been previously provided to the Royal Commission.
- i) These documents, which have all been provided to the Royal Commission, describe safeguarding and vetting policies, and the past and present approaches to handling known abusers.
- j) The way that these policies and approaches have changed over time reflect generally the changing and usually improved approaches to preventing and responding to abuse in New Zealand society.

Requirements have become more explicit, especially concerning vetting individuals in pastoral positions, and reporting abuse.