

AMENDMENTS TO THE MODEL PROFESSIONAL STANDARDS ORDINANCE (6)

as approved by the Standing Committee of General Synod, February 2008

1. In section 2 insert the following definitions:
 - (a) after the definition of “**Board**”:

“**child**” means anyone under the age of 18;

“**child abuse**” means the following conduct in relation to a child:
 - (a) emotional abuse; or
 - (b) neglect; or
 - (c) physical abuse; or
 - (d) sexual abuse; or
 - (e) spiritual abuse;
 - (b) after the definition of “**Director**”:

“**emotional abuse**” means acts or omissions in relation to a child where the child has suffered, or is likely to suffer, significant harm to his or her wellbeing or development;
 - (c) after the definition of “**national register**”:

“**neglect**” means the neglect of a child where the child has suffered, or is likely to suffer, significant harm to his or her wellbeing or development;

“**physical abuse**” means the physical assault of a child other than lawful discipline by a parent or guardian;
 - (d) after the definition of “**respondent**”:

“**sexual abuse**” means sexual misconduct in relation to a child;

“**sexual misconduct**” means sexual assault, sexual harassment or sexually inappropriate behaviour in relation to an adult;

“**spiritual abuse**” means the mistreatment of a child by actions or threats when justified by appeal to God, faith or religion where the child has suffered, or is likely to suffer, significant harm to his or her wellbeing or development;
2. In paragraphs (a) and (b) of the definition of “**information**” in section 2 substitute the words “misconduct or child abuse” for the words “harassment or assault, or sexually inappropriate behaviour”
3. Insert section 54A after section 54:

“54A. Where, after investigation in accordance with section 25 or under a corresponding provision of a [*Canon*] of another diocese, the PSC or an equivalent body forms the opinion that the allegations the subject of the information are false, vexatious or misconceived, then the PSC or equivalent body shall cause a copy of the opinion to be provided:

- (a) to the relevant Church authority; and
- (b) to the respondent; and
- (c) to the Director.”

4. Insert section 69A after section 69:

“69A. If, after investigating the question or questions referred to it about a Church worker arising out alleged conduct within paragraph (a) of the definition of “information”, the Board:

- (a) determines that the allegations the subject of the information are false, vexatious or misconceived; or
- (b) finds that it is more likely than not that the subject matter of the information did not occur;

then the Board shall cause a copy of the determination or finding to be provided:

- (c) to the relevant Church authority; and
- (d) to the respondent; and
- (e) to the Director.”

5. Insert after the word “forwarded” in section 70, the words “to the Director”.

6. Insert after the word “forwarded” in section 73(2)(d), the words “to the Director”.

7. Insert after the word “forwarded” in section 74, the words “to the Director”.

8. Insert after the word “forwarded” in section 74H, the words “to the Director”.

9. Substitute a semi-colon for the full stop at the end of section 74N, and insert on a new line the words “and shall cause a copy of the determination or finding to be provided to the Director.”