

Anglican Church of Australia Diocese of Bathurst



The Right Reverend Ian Palmer
The Bishop's Registry
3 Church Street (PO Box 23)
Bathurst NSW 2795

Saturday 26th April 2014

A Pastoral Letter to Clergy and Parishes

Dear Companions on the Way,

Greetings as we celebrate this Easter season and the glorious resurrection of Jesus Christ our Lord. Let us rejoice in the hope that we and the whole of creation have in him.

I have been reading the Encyclical of Pope Francis *Evangelii Gaudium* "The Joy of the Gospel" published last November. He writes with passion! Let me quote three of the many passages that I have found inspiring. (It can be accessed on-line or bought as a book or on Kindle.)

"The joy of the gospel fills the hearts and lives of all who encounter Jesus. Those who accept his offer of salvation are set free from sin, sorrow, inner emptiness and loneliness. With Christ joy is constantly born anew.

"I dream of a "missionary option", that is, a missionary impulse capable of transforming everything, so that the Church's customs, ways of doing things, times and schedules, language and structures can be suitably channelled for the evangelization of today's world rather than for her self-preservation.

"The bishop must always foster this missionary communion in his diocesan Church, following the ideal of the first Christian communities, in which the believers were of one heart and one soul (cf. Acts 4:32). To do so, he will sometimes go before his people, pointing the way and keeping their hope vibrant. At other times, he will simply be in their midst with his unassuming and merciful presence. At yet other times, he will have to walk after them, helping those who lag behind and - above all - allowing the flock to strike out on new paths."

This might seem far removed from the financial situation of our Diocese, but not so really. It is our calling to be faithful and to keep up a mission-orientated ministry through this testing time. It is my privilege, under God, to give leadership in the Diocese.

Here is something of what is happening.

The business of the debt to the CBA came before the Supreme Court of NSW for a Directions Hearing on Friday 11th April 2014. I attended along with our lawyers.

There are two summonses in which the present Bishop, the present members of the Bishop-in-Council (BiC) and the Anglican Property Trust (APT) are the Defendants and the

ADF Receivers/Managers are the Plaintiffs in the first summons and CBA in the second summons. The Plaintiffs are seeking orders from the Court that the Defendants promote an Ordinance that instructs the APT to apply trust monies and sell properties within the Diocese, including Parish property held on trust, to a value that will discharge the debt (the CBA says about \$25million). One of the issues to be determined in the proceedings is whether Charitable Trust Assets are capable of being sold to repay the CBA.

The main outcomes of the Hearing on 11th April 2014 are that at the end of May we will be applying to the court for Judicial Advice as to whether we can use Trust Assets to defend the Trusts and then we will be back in court in mid-June for another Directions Hearing.

Knowing that this first Hearing in court was pending, a meeting of the Bishop-in-Council and our lawyers was held on Wednesday 9th April. At that meeting BiC agreed that we would defend the proceedings taken against us and in order to do this BiC approved the use of funds in the Synod Management Fund Reserve and noted that the Judicial Advice (referred to above) will include seeking consent for these funds to be reimbursed from Trust Assets.

There is a third summons brought by the ADF Receivers/Managers and this relates to a damages claim against the Ninth Bishop of Bathurst and some former Board members of the ADF (again for some \$25million). Our Insurers are defending this action at the moment. It too will come before the Supreme Court in mid-June. All these matters are inter-related and we will continue to support each other practically and in our prayers.

On your behalf the BiC has given very careful consideration to all its options. On two occasions we have had full-day meetings with our lawyers, and we believe we have taken the wisest course of action to defend the Trust Assets of the Parishes and Diocese. We have done this in the full knowledge that it will be costly to us all if we receive Judicial Advice that we can use Trust assets to defend the Trusts. However, the alternative is not to defend and to accept the orders that the CBA and ADF Receivers/managers are seeking. That will mean the end of our Diocese as we know it and/or a personal liability for every member of the BiC.

Please continue to pray for the mission and ministry of our Church and for God's leading and guiding in all that we do.

May God's grace and peace be with you,

+ Tar.

The Rt Revd Ian Palmer
Bishop of Bathurst

...still on pilgrimage...