

**Witness Name:** The Rt Rev'd Ross Graham Bay

**Statement No.:** [WITN0259001]

**Dated:** 12 February 2021

**ROYAL COMMISSION OF INQUIRY INTO ABUSE IN CARE**

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**WITNESS STATEMENT OF THE RT REV'D ROSS GRAHAM BAY  
(DIOCESE OF AUCKLAND)**

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I, **The Rt Rev'd Ross Graham Bay**, of Auckland, Bishop, say –

**INTRODUCTION**

- 1 I am the current Bishop of the Anglican Diocese of Auckland in the Anglican Church in Aotearoa, New Zealand and Polynesia (*Diocese of Auckland*). I have served in this role since 17 April 2010.
- 2 I was ordained as a priest in 1989, having studied theology at the Bible College of New Zealand - which is now called Laidlaw College – and then at St John's College in Auckland. I began ministry as an assistant in a number of Auckland parishes and was appointed Vicar of Ellerslie in 1994. I went on to serve as the Vicar of St Mark's in Remuera from 2001 until 2007, during part of this time I

was also Archdeacon of Auckland. Between 2007 and 2010 I served as the Dean of Holy Trinity Cathedral before I became Bishop.

- 3 I am providing this evidence to the Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions (*Commission or Inquiry*) on behalf of the Diocese of Auckland. I understand that the Inquiry is concerned with instances of abuse and neglect within the Diocese of Auckland from 1950 until the present day.
- 4 I have direct knowledge of matters that relate to the Diocese of Auckland during my last 10 years as Bishop. I have limited knowledge of matters during my time in previous appointments within the Diocese of Auckland. I have some knowledge of matters from my time as a member of the Sexual Harassment Monitoring Group between 1996 and 2001. In relation to matters that occurred prior to my time as Bishop, I have to rely on documentary evidence for those matters of which I have no direct knowledge.

#### **BRIEF HISTORY OF THE DIOCESE OF AUCKLAND**

- 5 The missionary Samuel Marsden's Christmas Day service in the Bay of Islands, in 1814, marks the formal beginnings of Christianity and Anglicanism in New Zealand.
- 6 The Anglican Church grew as a largely Maori entity under the leadership of the Church Missionary Society personnel, which included brothers Henry and William Williams. Te Reo Maori was the primary language at this time.
- 7 In 1842, George Augustus Selwyn arrived as the first Bishop of New Zealand. His period of leadership coincided with an increasing flow of settlers, who were mostly British with many of them being from the Church of England. This shifted the emphasis, numerically, to an English-speaking outpost of English Anglicanism.



and children. As a result, several orphanages and places of refuge were established as independent entities but remained under the auspices of the Diocese of Auckland.

- 11 These orphanages and places of refuge were the precursors, directly or indirectly, of the present-day range of social services and institutions. For example:
  - (a) The Anglican Trust for Women and Children (*ATWC*) traces its origins back to an orphanage established as early as 1858.
  - (b) The Auckland City Mission was formed in 1920, in response to huge social needs in the post-war years.
  - (c) The Selwyn Foundation, with its focus on meeting the needs of older people, looks back to the opening of Selwyn Village, Point Chevalier, in 1954, as a concept ahead of its time.
- 12 In 1984 the national Anglican Church's General Synod established a Bicultural Commission to consider the implications of the Treaty of Waitangi for the life and structure of the Church. This resulted in a revision of its Constitution to provide for three parallel jurisdictions known as: Tikanga Maori; Tikanga Pakeha; and Tikanga Pasifika. The Diocese of Auckland is part of Tikanga Pakeha, but works in close partnership with the its regional equivalents in the other tikanga.
- 13 From 1984 on, then, there were entities within the Diocese that then came under the jurisdiction of Tikanga Maori rather than the Diocese.
- 14 Today the Diocese of Auckland comprises 93 ministry units that are geographically spread across the Auckland region. Each ministry unit has clergy and ministers appointed to attend to the worship life and pastoral care of the local people. In addition, clergy offer chaplaincy services in schools, hospitals, and other institutions that seek Anglican ministry to support their work.

15 There have been 10 Bishops of Auckland in total. The other Bishops that served through the period the Commission is concerned with have been:

- (a) John Simkin (1940-1960);
- (b) Eric Gowing (1960-1978)
- (c) Sir Paul Reeves (1979-1984);
- (d) Bruce Gilberd (1985 -1995); and
- (e) John Paterson (1994 – 2010), who is my direct predecessor.

#### **VARIOUS ENTITIES WITHIN THE DIOCESE OF AUCKLAND**

16 There are various entities affiliated with the Diocese of Auckland that provide care to child, young people, and/or vulnerable adults. These entities consist of schools and social service providers and each have a different relationship with the Diocese of Auckland.

17 I have provided a list of these relevant entities in *Appendix One* and have also described the relationship with the Diocese of Auckland and the level of involvement I have within those entities.

18 It is important to know that while I may hold governance positions with a number of the affiliated entities, some of those entities are autonomous, and instances of abuse or neglect do not usually fall within the remit of the Diocese of Auckland.

19 I say usually because occasionally there may be an individual involved that I have licenced to minister or granted a Permission to Officiate (*PTO*). I discuss the concept of licensing and PTOs in more detail further on.

#### **COMPLAINTS OF ABUSE AND CLAIMS IN RELATION TO ABUSE**

20 At the outset it is important to distinguish between complaints of abuse and claims in relation to abuse.

- 21 A complaint of abuse involving ministry standards could arise in many ways but would usually have a disciplinary focus. A claim in relation to abuse is usually when an individual or their representative approaches the Diocese of Auckland seeking compensation or some other form of restitution.
- 22 I have to accept that at times this can be a distinction without a difference as an individual may wish to complain about an instance of abuse and also seek some form of restitution at the same time.
- 23 The reason I raise the distinction is not to be unduly technical but to highlight that there are often quite different processes that are followed depending on whether it is a complaint or claim.
- 24 If there is a complaint of abuse involving clergy holding a Licence or PTO or a layperson authorised to act on behalf of the Anglican Church, it will be dealt with through the Church's disciplinary Canon, known as Title D.
- 25 If there is a claim in relation to abuse, this will usually be dealt with in close consultation with the Diocesan Chancellor, the chief legal adviser to the Diocese of Auckland. It may also involve external legal professionals, depending on the scope, severity, or complexity of the claim.
- 26 What does not change, however, is that irrespective of whether it is a complaint of abuse or claim in relation to abuse I do not deal with matters alone. I always ensure that I seek out and appoint appropriately qualified professional people to investigate allegations and advise me on the appropriate way forward.
- 27 The use of professionals is important when dealing with serious and often sensitive matters that can often involve limited or contradictory evidence from some time ago. It is especially important when those same matters involve children, young people, or vulnerable adults.

**LICENCES & PTOs**

- 28 In order for any clergyperson to offer ministry in an Anglican Diocese, they must be authorised by the Bishop of that Diocese. There are two types of documents that grant that authority. The underlying document is a PTO and all authorised clergy will hold this. This grants permission to a clergyperson to provide ministry in any ministry unit in the Diocese on invitation from the person in charge of that ministry unit.
- 29 In addition, some clergy are also licensed to a particular place with a ministry responsibility. The issuing of a licence for a particular ministry grants a clergyperson the obligation to provide related ministry and the right to exercise it.
- 30 I understand that some Dioceses do this differently and have either a license or a PTO, instead of every clergy person holding a PTO and then only some of those individuals holding a license. The Canon leaves this option for interpretation and authorises each Diocese to adopt a form of document for their purposes.

**Licences**

- 31 As the chief pastor within the Diocese of Auckland, it is my responsibility to ensure each person within my jurisdiction receives appropriate care and nurture and can gather for worship. In order to do this, part of my role is to administer licences and PTOs.
- 32 A licence to minister provides clergyperson with the authority to minister in a particular setting or geographical area. It is usually associated with holding an office or position such as being the Vicar of a parish or the chaplain of a school.
- 33 I take my role administering licences very seriously. This is because the individuals that I issue with a licence:
- (a) are entrusted with a high degree of responsibility and influence within the Anglican Church; and

(b) act on my behalf.

- 34 Decisions about people who are appointed to particular licensed roles in the Diocese of Auckland are a collaborative effort between lay people representing the place where the ministry will be undertaken, representatives of the Diocese of Auckland, and myself. As Bishop, I have limited authority to unilaterally grant someone a licence to minister.
- 35 The appointment process is provided for in the Licensed Ministry Statute 1999, which is a Diocesan statute.
- 36 Vacancies for licensed roles are advertised on the Diocesan website and e-mailed to all clergy of the Diocese of Auckland and other dioceses within New Zealand. This is because any clergyperson associated with the Anglican Church is permitted to submit an application for a licensed ministry role.
- 37 If a clergyperson is to submit an application, they must send their curriculum vitae to an appointments group, which consists of representatives of both the local ministry unit and the wider Diocese of Auckland. Once applications have been received the appointments group meets with me to agree on a short list of candidates who will be interviewed for the position.
- 38 I have the right to disallow any candidate proceeding further at this stage. I may exercise that right if I have information that suggests a candidate would be unsuitable in a particular role or unsuitable for ministry in general. Among other things, such information could relate to previous complaints of performance or behaviour.
- 39 The appointments group then undertakes interviews with those candidates that have been shortlisted. I am not involved in this interview process. Based on the agreed short list the appointments group return with a recommendation as to who should be offered the licenced role.



- 40 All applicants must complete a form that grants the Diocese of Auckland permission to undertake a vetting process with the Police.
- 41 This vetting process used to only occur when a person first came to the Diocese of Auckland and was not renewed during their time in ministry here. All people who hold either a licence or a PTO are now subject to a three-yearly renewal of that vetting process.
- 42 In the more than 10 years since I have been Bishop, I have only disallowed people from proceeding to a short list on very few occasions. In no cases was this related to a history of complaints against or related to them. It was more about my concern at their capacity to undertake the particular role under consideration.
- 43 There are five ways a clergy person may have their licence removed.
- (a) The first is if a clergy person resigns or retires from the position to which they are licensed.
  - (b) The second is if there is no longer funding to support the clergy person's role. This is akin to a redundancy.
  - (c) The third is when for some other reason the clergy person's role ceases to exist. This is often akin to a restructure.
  - (d) The fourth is if the clergy person is deprived of a licence following a Title D process. It is important to note that deprivation does not prevent a clergy person from seeking a licence again.
  - (e) The fifth is deposition, which permanently bars a clergy person from ministry. This is the most severe punishment under a Title D process.
- 44 I should also mention that I occasionally issue what I call "lay licences", which mean that an individual who is not ordained is able to preach and undertake leadership roles in a very limited capacity and always with direct supervision. For example, the leaders of the Anglican social service providers: Mr Chris Farrelly from the

Auckland City Mission; Ms Judy Matai'a from the ATWC; and Mr Garry Smith from the Selwyn Foundation have all been granted lay licences to recognise the ministry they lead on behalf of the Anglican Church.

### **PTOs**

- 45 A PTO is an authority that permits a clergy to minister by invitation of the person in charge of a ministry unit. A PTO held without a licence to minister in a particular role is often referred to as a "general" PTO. A general PTO does not carry a right or an obligation to exercise ministry. It is usually granted to clergy who have retired from active ongoing ministry, but who wish to be available to assist on request.
- 46 I can provide one example in my term as Bishop where I have granted a priest a PTO but refused to grant them a licence. This related to the particular priest's health and wellbeing to the extent I was aware that the stress of the obligations of holding a licence would be detrimental to them and therefore potentially to those to whom they would minister.
- 47 An example of my refusing to allow a priest to hold even a general PTO relates to the erratic behaviour of that priest and their disrespectful behaviour towards others. This behaviour has not been of a significance that would warrant a disciplinary process under Title D but has caused me to lack confidence in their ability to represent the Anglican Church in a professional way.
- 48 PTO's are held at the discretion of the Bishop and so I can remove them without necessarily going through a Title D process.

### **Safe to receive testimonials**

- 49 If an applicant is coming from another episcopal jurisdiction, I cannot licence that person until I have received confirmation from their current or last licencing bishop stating that the person is in good standing. This is called a "safe to receive testimonial".

50 An anonymised example of a testimonial is as follows:

I write to commend to you The Reverend [*Name*] who has expressed a willingness to serve as [*role description*].

I hereby certify that [*Name*] is a priest in good standing in the Diocese of Auckland.

S/he has not been subject to any processes of discipline within our jurisdiction.

There are no outstanding matters of ministerial review or continuing education.

*[Insert any relevant details about current licence and experience]*

I warmly commend [*Name*] to you.

Witness my hand this *[insert date]*.

*[insert signature]*

Bishop

51 The process for providing and receiving testimonials is governed by Canon V of Title D. It requires a bishop to examine the file of the clergy person to:

- (a) check whether there is any record of a disciplinary matter against them;
- (b) check whether there are any outstanding issues of professional development; and
- (c) ascertain that, in the opinion of the bishop, the clergy person is in good standing within that diocese.

#### **Disciplinary issues**

52 Once an individual has either given up their licence and PTO or had it removed, the Diocese of Auckland loses any structural

relationship with that individual. In other words, I no longer hold any institutional jurisdiction over that person.

- 53 This is problematic because the individual may still hold themselves out as being a priest of the Church, even though they are not authorised to act or represent the Church in any capacity. They still hold the Orders granted to them at ordination but have no authority to minister in the name of the Anglican Church.
- 54 A Title D matter could still be considered by the Anglican Church in relation to those who formerly held licences whether or not the individual chooses to respond to it. The Church could still make a finding against the person and impose an outcome. This could include deposition, which is the permanent removal of any right to exercise ministry. It is not defined in the Canon as the removal of Holy Orders but has the same consequence.
- 55 The question of what instructions are given to individuals who either choose to no longer hold a licence or PTO or who have had them removed is one which the Anglican Church is yet to answer. For example, should those individuals be instructed not to wear a clerical collar, use the honorific "The Reverend", or claim to be a priest?
- 56 I am not aware of any cases where this has been an issue. However, some care would need to be taken in relation to those who – because of health or age – no longer want the responsibility of holding a licence or PTO but towards whom the Anglican Church would still want to offer the dignity of being a priest.

#### **APPROACHES TO COMPLAINTS OF ABUSE & CLAIMS FOR ABUSE**

- 57 It is useful to first distinguish between complaints of abuse and claims for abuse. Complaints of abuse usually involve a disciplinary element and claims for abuse usually involve a compensation element. I accept that the distinction can be without a difference if

complaint and claim are raised at the same time. But this often is not the case. The claims for abuse typically come at a later stage.

58 The Diocese of Auckland's approach to both complaints of abuse and claims for abuse has evolved over time, especially over the 10 years that I have been Bishop. This culminated with the passing of the new Title D Canon in 2020, which importantly removes the Bishop from the previously difficult decision of determining whether a Title D process should commence.

59 I now detail the Diocese of Auckland's past and present approaches to claims that I am aware of, starting with the Sexual Harassment Monitoring Group (*Monitoring Group*).

#### **The Sexual Harassment Monitoring Group**

60 The Monitoring Group was established in 1989 as an "informal" process to deal with complaints of sexual harassment. And by informal I mean that the only formal mechanism by which clergy can be held to account was the Title D Canons. As the pre-2000 Canon was very cumbersome, the Monitoring Group was established to assist the Bishop to work through a process of investigation and mediation where complaints of harassment or abuse had been made.

61 During the 1980s there was a growing awareness of issues of sexual harassment and abuse within the Church and society more generally. I understand bishops often felt under-resourced to manage what are often complex issues and could become isolated in their role trying to do so on their own. As such, the Monitoring Group was made available to the Bishop for advice and assistance with complaints processes. The Monitoring Group consisted of a mix of clergy and lay people who brought a range of experience and expertise in this field.

62 An important part of the Monitoring Group's role was also educative. It would establish training opportunities so that clergy were able to,

for example, better understand matters such as sexual harassment and how to minister in a safe and nurturing environment. To this end, the Monitoring Group was a precursor to the Professional Boundaries Training all clergy are now requirement to complete.

- 63 It is my understanding that the vast majority of claims the Monitoring Group dealt with were related to these types of issues. For example, dealing with a situation where an individual felt uncomfortable following a meeting with a clergy person because of comments that had been made. Another example is an individual forming a view that the clergy person was not respecting their personal space.
- 64 The Monitoring Group would appoint a consultant with skills in investigation and/or mediation. The consultant would listen to the complainant's story and understand what outcome they were seeking. Then, with the complainant's permission, the consultant would take the substance of the complaint to the respondent and seek a response from them. Often through a process of shuttle mediation a resolution could be reached. This could involve an apology and in some cases some type of financial redress was offered.
- 65 The Bishop would be kept advised of the progress of each complaint and a final report would be provided to the Bishop at the conclusion of the complaints process.
- 66 I am unaware of the exact number of complaints managed by the Monitoring Group during the approximately 10 years it was active but estimate that it would be anywhere between 15 to 20 complaints.
- 67 The Monitoring Group was disestablished once amendments to the Title D Canon were enacted in 2000. Those amendments made it clear that all future complaints should be managed through the Anglican Church's agreed formal processes, which provided for a

process of mediation. To this end, the Monitoring Group offered a mediation process prior to the Title D amendments.

- 68 As far as I am aware Monitoring Group matters never become subject to a Title D process, mostly because they dealt with relatively low level offending. However, I suspect that the Monitoring Group was also used because Bishops tried to avoid the complexities of Title D at the time. Especially because there was a concern among bishops that the Title D tribunal process would become legalistic and drawn out. In any event, when using the Monitoring Group the Bishop was unable to affect a Title D outcome. The outcomes would instead have to be agreed and negotiated, not imposed.

#### **Approach of my predecessors**

- 69 It was during Bruce Gilbert's tenure as Bishop that the Monitoring Group was established. Aside from that, I understand he would often get an assistant bishop or an Archdeacon to investigate and make recommendations about resolutions.
- 70 Archbishop John Paterson is my direct predecessor. He was Bishop of the Diocese of Auckland between 1994 and 2010. The reason I am able to provide limited comment on Archbishop Paterson's approach to claims is because I worked with him on the Monitoring Group between approximately 1996 and 2001.
- 71 In my experience Archbishop Paterson would refer complaints of abuse to the chair of the Monitoring Group. The chair would then consult members of the Monitoring Group about process and would then appoint a consultant to manage the complaint. I do not know how Archbishop Paterson managed other types of complaints or claims.

#### **My approach**

- 72 It is important to preface my comments by discussing an inherent tension in the way the current Title D process works. In order to

appreciate this tension, you must first understand that an important aspect of the Bishop's role is to be a pastor to the pastors. It is my job to offer care, support, and spiritual guidance to the clergy people within the Diocese of Auckland. This is especially important when you consider that clergy are offering ministry to their congregation on my behalf.

- 73 In light of this, there is a strong motivation for a Bishop to maintain positive and collegial relationships with clergy. There is also a strong motivation to ensure those offering ministry on my behalf are doing so in an appropriate manner. These two motivations create a degree of tension.
- 74 I often feel conflicted when clergy get themselves into trouble because of the strong relationship I have with them. I feel let down but also do not want it to ruin our relationship.
- 75 It is my view that the relationship between bishops and clergy can make it difficult for bishops to make objective and good decisions. To this end, the new Title D Canon goes a long way to removing this tension. It will shift critical decisions about the process of a complaint to a more objective forum, with processes that will be applied more consistently across the whole Anglican Church. It will provide a resource of more skilled and experienced people to undertake the work of investigating, mediating, or determining complaints. These skills are not now always easily available in some regions.
- 76 I also want to be clear that the tension I have described only applies if there has been some low-level transgression. It does not apply to complaints and claims of a serious nature such as abuse and neglect. I accept that there can be no tolerance or latitude in responding to such complaints.
- 77 If I receive a complaint of abuse, I will have a qualified person meet with the complainant to ascertain what has happened and determine what they are seeking. With permission from the



complainant, their complaint would then be presented to the alleged perpetrator and their version of events sought.

78 If I am satisfied that there is a matter to pursue, I would decide whether it is appropriate to do so by mediation or by determination through a Tribunal. If the matter is of sufficient seriousness, the respondent would be suspended from their duties while the complaint is processed.

79 Where there is a complaint about something that may be a criminal matter, I will refer it to the Police or encourage the complainant to take it to the Police.

80 An example of this was in relation to an instance of alleged family violence. The Vicar of a parish advised me that the family of a retired clergy person had disclosed that the priest was sometimes physically violent towards his wife. I met with the family but they did not want to do anything about the abuse. They just wanted someone to know but would not agree to me confronting the priest about it.

81 In that instance I felt obliged to inform the Police, but I was told by the Police that as there was no complainant, evidence, or statement of abuse so there was nothing that the Police could do about it.

82 I note that the Title D canon allows me to commence an investigation process on the basis of information that comes to me without the existence of a formal complaint. In some cases, I feel conflicted where the person simply wants to make me aware of something but does not want me to act and will not agree to me confronting the person with their complaint.

### **ATWC**

83 I have been involved in some of the ATWC claims. The Diocese of Auckland's general approach is to allow the ATWC to follow their own processes and undertake an investigation, and I will only

sometimes become involved at the point of settlement on behalf of the Anglican Church.

- 84 In order to be able to agree to any settlement I am required to gain authority from the Diocesan Council, which is the governing body of the Diocese of Auckland. A confidential paper is first presented to the Diocesan Council that sets out that the ATWC have investigated a complaint and have negotiated a financial settlement with the complainant.
- 85 The paper will give brief summary details of the facts but will not reveal personal details to protect the privacy of the complainant. Further details will have been provided to me and to the Diocesan Manager which will be held on file to support the authorisation of expenditure. The Diocesan Council would then typically accept a protocol of authorising such payments based on this advice.
- 86 The reason why the Diocese of Auckland meets a share of these costs is because the ATWC is the current provider of social services that have evolved out of a number of previous entities and services that existed historically. Some of these were under more direct governance control of the Diocese and so we have agreed that the Diocese and the ATWC will work together on these resolutions. Settlements have sometimes also involved the Bishop offering an apology on behalf of the Church.
- 87 The settlement arrangement with the ATWC is informal in the sense that there is not a legal agreement. The Diocese of Auckland simply believes it is a mechanism for recognising its own responsibility in relation to these historical events.

#### **Legal strategies**

- 88 I seek legal advice on nearly every complaint that comes to my attention. I see this as both a process of natural justice and a way to think through the issues involved in a complaint with someone who has a trained legal mind.

- 89 I have always tried to avoid using legal processes as a mechanism for avoiding a complaint, but must also consider legal principles in relation to fairness to all parties as to how a complaint is managed and ultimately resolved.
- 90 I am not aware of the Diocese of Auckland ever having formal strategies for dealing with complaints of abuse. For example, I am not aware that the Diocese ever had a policy of defending claims on technical legal grounds.

### **Insurance**

- 91 There was some discussion in the 1990s about advising insurers, but the Diocese of Auckland has not drawn on any insurance cover in recent years.

### **HOW TO MAKE A COMPLAINT**

- 92 Title D requires that complaints in relation to ministry standards must come to the Bishop. In my experience, there are three ways that an individual would typically make a complaint of abuse:
- (a) The first way is by calling a number that is advertised on posters in each of the different ministry units within the Diocese of Auckland. I have included a copy of one of the posters we use at *Appendix Two*. The posters are placed in prominent positions on notice boards and provide information to those that wish to make a complaint. Such a call would typically go to the Diocesan Manager, who would take some details and then discuss the matter with me to initiate an appropriate response.
  - (b) The second – and less formal – way is through an individual speaking with someone they trust and confide in within the Church structure. This would normally be a layperson with a volunteer leadership role who would help the complainant to be referred to a representative of the Bishop, such as the Archdeacon. If a complaint did go to the Archdeacon, they

would make an initial pastoral response and offer advice on how to formally lodge a complaint. The Archdeacon would also inform me of the complaint.

- (c) The third way is an individual writing a letter or e-mail to me wishing to raise a matter of concern with me. Even when a complaint has initially come in verbally, I prefer to have allegations put in writing from the complainant to minimise the risk of information being transmitted in an inconsistent way.

93 In an age where people often now rely on the internet to find information, I recognise the importance of information being easily accessed there to better facilitate a complaint being made.

94 I think it is worthwhile briefly explaining the role of an Archdeacon. As I have explained, they are often some of the first people to receive or deal with the complaint.

95 There are three Archdeacons in the Diocese of Auckland. They look after a specific geographical region within the Diocese as the Bishop's representative. Their role is to provide advice and support to clergy and local leaders in ministry units. As such, Archdeacons have a closer relationship with those people and places as they have more regular contact. It is my hope that this makes them more accessible for people to raise what are often extremely sensitive and traumatic matters.

#### **BARRIERS TO MAORI & PASIFIKA**

96 As I have previously alluded to, the Constitution of the Anglican Church established a three tikanga community of partners to govern our people in ministry and worship: Tikanga Maori; Tikanga Pakeha; and Tikanga Pasifika.

97 The Title D Canons have been developed within that Three Tikanga governance framework. As result, the Canon has had significant input by Maori and Pasifika partners in the Anglican Church.

- 98 It is my understanding that the Title D processes allow for the appropriate application of Maori and Pasifika customs and protocols where complainants or those subject to complaints are Maori or Pasifika.

### **CONCLUDING REMARKS**

- 99 The Diocese of Auckland has a long history of providing social and spiritual care to the people of Auckland and Northland for almost 180 years since the arrival of the first Bishop. It seeks to provide this care based on principles of love and compassion. Nevertheless we recognise that we do not always fulfil our aspirations and can fail people.
- 100 We acknowledge that there have been instances of abuse that have been perpetrated by Church leaders and those working on behalf of the Church. We seek to face those matters with honesty and understand how we must continue to develop to ensure that we can provide the safest possible environment to allow people to participate in our life and activities.

### **Statement of Truth**

This statement is true to the best of my knowledge and belief and was made by me knowing that it may be used as evidence by the Royal Commission of Inquiry into Abuse in Care.

**GRO-C**

The Rt Rev'd Ross Graham Bay

Dated: 12 February 2021

## APPENDIX ONE

## Schools

Name	Description of school	My Position	Description of my position
Dilworth School	Independent full boarding school for boys	Episcopal Visitor	<p>The Bishop makes an annual visit to the School in accordance with the wishes of the Will of James Dilworth to assist in maintaining the Anglican character of the School.</p> <p>I license one chaplain and have provided a lay license to another individual who assists the chaplain. I am consulted on the appointment of the chaplain as I am the one who must license them. I do not license the principal. I am not otherwise involved in appointments at or the governance of the School.</p>
Diocesan School for Girls	Independent full boarding and day school for girls	Member of the Board of Governors	<p>In accordance with Constitution of the School the board of governors must include the Bishop of the Diocese of Auckland. The Bishop cannot be removed from the board. As a governor, I help set the direction of the School in its charter and policy framework along with the other members of the board of governors.</p> <p>I license two chaplains at the School. I am consulted on the appointments of the chaplains as I am one that must license them. I do</p>

			not license the principal. I am not otherwise involved in appointments at or the governance of the School.
King's College	Independent secondary boarding and day school for boys and girls	Member of the Board of Governors and Chair of the Trustees	<p>In accordance with Title E Canon III of King's College the Bishop of the Diocese of Auckland is the chairperson of the board of trustees. The dean of Auckland must also be a trustee. There are six other trustees that are appointed by The Diocesan Trusts Board.</p> <p>The Bishop and the Dean are also to on the board of governors, but we are entitled to appoint an alternate from time to time. There are 11 governors in total.</p> <p>As the chairman of the trust I help hold and manage all endowments for the benefit of the School and place the net revenues at the disposal of the board of governors.</p> <p>As a governor, I help set the direction of the School in its charter and policy framework along with the other members of the board of governors.</p> <p>I license two chaplains at the School. I am consulted on the appointments of the chaplains as I am one that must license them. I do not license the principal.</p>

King's School	Independent preparatory school for boys	Member of the Board of Governor.	<p>In accordance with the School's trust deed, the board of governors must include the Bishop of the Diocese of Auckland.</p> <p>I license one chaplain. I am consulted on the appointment of the chaplain as I am the one who must license them. I do not license the principal.</p>
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**Care Institutions/Entities**

Name	Description of institution/entity	Position	Description of position
Anglican Trust for Women and Children (ATWC)	A major Auckland family charity with the primary purpose of helping mothers, children and families since 1858.	Chairs AGM	<p>By invitation I chair the Annual General Meeting but am otherwise not involved in the governance of the ATWC.</p> <p>The Standing Committee of the Diocese of Auckland appoints 12 of the 18 trustees for the ATWC in accordance with the Anglican Trust for Woman and Children Act 1962.</p>
Auckland City Mission	A charitable trust in Auckland that offers social services and advocacy to those in need.	Trustee (ex officio)	In accordance with the Mission's trust deed, the trustees must include the Bishop of the Diocese of Auckland, but I am entitled to appoint an alternate from time to time. I used to be a trustee but have appointed an appointee in more recent times. There can be up to a further 11 trustees, 4 of whom are appointed by the Diocesan Council.

## APPENDIX TWO

# HARASSMENT IS NEVER OK

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**THE ANGLICAN CHURCH HAS A CONFIDENTIAL  
PROCEDURE TO HANDLE CONCERNS AND  
COMPLAINTS ABOUT PEOPLE IN MINISTRY.**

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The Anglican Bishops of New Zealand have stated clearly that all such complaints will be taken seriously. Further they state that any form of harassment or abuse is unacceptable to the Church.

If you have questions about this, please telephone the Diocese on ph 302 7209 and a local contact person will be in touch with you.