

# The Synod of Eastern Australia

PRO RE NATA SYNOD, 31ST JANUARY – 1ST FEBRUARY, 2023  
HELD AT THE RAYMOND TERRACE CHURCH BUILDING, HUNTER CONGREGATION  
AND BY VIDEO CONFERENCE

## Minutes of *Pro re nata* Synod 31<sup>st</sup> January – 1<sup>st</sup> February 2023

### 23.1 Constitute

Within the Raymond Terrace Church building of the Hunter Congregation and by video link (Google Meet), on Tuesday 31<sup>st</sup> January 2023 at 10:00am, the Synod of Eastern Australia met for a *pro re nata* meeting at the call of the Moderator, Rev. Trevor Leggott.

The Moderator opened the meeting with prayer, the singing of Psalm 119:33-40 and readings from 1 Corinthians 3:10, 16-23; Ephesians 1:1-14; Romans 12 and 2 Peter 1:1-10.

### 23.2 Rolls of Presbyteries

The Certified Rolls of Presbyteries were received. Apologies for non-attendance were received from those marked ~ below. Those online are marked \*

#### Northern Presbytery

Brisbane	JD Klazinga	S Carswell~
Northern Rivers	DJ Kerridge	J Greensill
Hastings	J Forbes	G Hamilton

#### Central Presbytery

Manning	GD Ball	TI Leggott
Hunter	R Tso	AH Steel
St George's	JA McCallum~	D McIntosh
Sydney West	DK Muldoon	T Reeve

#### Southern Presbytery

Knox	Vacant	
Geelong	Vacant	D Ramsay
Narre Warren	A Miranda~	T Buck*
All Nations	TW Yoa	I John~
Ulverstone	Vacant	I Hamilton

Presbytery appointments

I Hall

The Court expresses its disappointment in Mr Andres Miranda's absence with limited explanation.

[It was noted that Mr Terry Buck had not been in attendance online]

### 23.3 Action of the Moderator

The action of the Moderator, as advised to all delegates by email circular on 10<sup>th</sup> December, 2022, in calling the meeting to [1] attend to a complaint by Rev.

Tut Yoa regarding All Nations accounts; [2] to attend to a reference from Southern

Presbytery regarding a libel against Rev Dr Rowland S Ward and [3] to attend to any competent, relevant business, was moved, seconded and carried.

#### **23.4 Recording**

Members were notified, and they acknowledged their understanding, that the meeting would be recorded.

#### **23.5 Voting Procedure**

Delegates present via video link (Google Meet) were to be notified that voting would be via SMS to the Clerk's mobile phone.

The Moderator drew the court's attention to past proceedings of the Synod.

#### **23.6 Correspondence**

##### **1. Complaint by Rev. Tut Yoa regarding All Nations Accounts (with supporting documents).**

It was moved, seconded and carried to receive the correspondence.

The complainant and the respondents were called to the bar. Mr Yoa presented his complaint. Dr Ramsay spoke with some introductory remarks on behalf of the respondents (Southern Presbytery). Mr Forbes continued to present the response from the Presbytery. Mr Yoa gave his reply. Questions were asked of Mr Yoa. The parties were dismissed from the bar.

Upon being put to the vote, it was resolved that the complaint of Mr Yoa be dismissed. The Synod ordered that the documents requested be provided in advance of the next Southern Presbytery meeting.

The Meeting adjourned for refreshments at 11:37am

The Court resumed at 12:00 noon

##### **2. Complaint by Rev. Tut Yoa regarding relevancy of Southern Presbytery libel.**

Questions were asked about the formulation of the complaint.

The Synod moved into closed court.

It was moved and seconded that the complaint be not received. It was further moved and seconded that the complaint be received only in respect of items 1,2,3,4 and 7 of the libel. The second motion was preferred and became the finding of the court.

The Synod moved into open court.

The complainant and respondents were called to the bar. Mr Yoa presented his complaint. Dr Ramsay presented opening statements on behalf of the respondents. Mr Forbes presented further statements for the respondents. Mr Yoa spoke in reply. Upon being put to the vote, the Complaint as to the relevancy of the libel (in regard to items 1,2,3,4 and 7) was not sustained.

The Synod adjourned for lunch at 1:35pm.

The court resumed at 2:30pm.

**3. Appeal by Rev. Dr Rowland S. Ward against Southern Presbytery libel (with supporting documents).**

It was moved and seconded that the Appeal be received. It was further moved and seconded that the Appeal be received and confined to item 1. The Libel Generally.

Discussion arose about a support person. The Moderator ruled that Dr Ward be allowed Mr John Audet be a support person to assist him in proceedings. Mr Forbes moved and it was seconded that Mr Audet be present to assist Dr Ward but not allowed to represent him. Mr Forbes' motion was carried.

Returning to the reception of the Appeal itself, upon being put to the vote, it was resolved to receive the Appeal confined to item 1. titled "The Libel Generally".

The Appellant and Respondents were called to the bar.

Mr Ward presented his Appeal. Mr Forbes responded to the Appeal. Dr Ward spoke in reply.

Upon being put to the vote, it was resolved to dismiss the Appeal.

**4. Reference of libel from Southern Presbytery.**

It was moved, seconded and carried that the Reference be received.

Dr Ramsay spoke to the reference. Upon being put to the vote, the Reference was sustained.

**23.7 Trial of Libel**

The Moderator stated the case in terms of the document circulated. The Clerk read the libel as follows:

**LIBEL AGAINST ROWLAND S WARD**

(Revised by the Law & Advisory Committee 18/11/22)

Rowland Skipsey Ward, minister of the Gospel under the oversight of the Southern Presbytery of the Presbyterian Church of Eastern Australia, you are indicted and accused at the instance of the said Presbytery THAT ALBEIT by the Word of God and the law and discipline of the Presbyterian Church of Eastern Australia, all ministers of this Church solemnly promise to submit themselves “humbly, in the spirit of meekness, unto the admonitions of the brethren of Presbytery, and to be subject to them, and all other Presbyteries and superior judicatories of this Church” and that they will follow “no divisive courses from the doctrine, worship, discipline and government of this Church...”, and, WHEREAS all ministers of this Church also sign a Formula solemnly promising, “I shall, in my practice, conform myself to the said worship, and submit to the said discipline and government, and exclusive jurisdiction, and not endeavour directly or indirectly the prejudice or subversion of the same; and I promise, that I shall follow no divisive course from the doctrine, worship, discipline, government and exclusive jurisdiction of this Church...”, and, WHEREAS an ongoing pattern of proud and haughty behaviour by a minister against his Presbytery and the brethren of Presbytery, and of wilful disregard of the decisions and findings of Presbytery, and of actions that prejudice and subvert the good order of this Church by wilful disregard of the laws, procedures and standards of this Church, is behaviour that is unbecoming the sacred profession of a minister of the Gospel, and punishable by the laws of the Church:

YET TRUE IT IS AND OF VERITY that you, the said Rowland Skipsey Ward, are guilty of the said unruly and contumacious behaviour in that:

1. You have written inflammatory things that sought to undermine brethren of this Presbytery and cast aspersions on their character and motives, this you did in your Complaint dated 27th August 2020, which was not received by Presbytery on 6th March 2021 due to a paragraph in it which was found to be “disrespectful, as it speculates about the private motives of members of presbytery and casts aspersions on them”, and this you also did in your Petitions dated 26th March 2021, which were not received by Synod because, amongst other things, Synod found that “The language is not respectful” (Presbytery minutes 6/3/2021 Item 8 and Synod minutes 21.10.5), and further,
2. As Presbytery Clerk you approved the holding of an unlawful meeting of Presbytery on 16<sup>th</sup> November 2021 for which due notice had not been given, and the consent of members of Presbytery had not been granted, and you participated in that meeting, for which actions you were subsequently rebuked by the pro re nata Synod of January 2022 (Synod minutes 22.8), and further,
3. As Presbytery Clerk you endorsed and participated in a meeting of Presbytery on 27th November 2021 which was not a free and lawful meeting of Presbytery because the moderator unlawfully excluded five members of Presbytery, who would have been the voting majority, for which actions you were also subsequently rebuked by the pro re nata Synod of January 2022 (Synod minutes 22.8), and further,

4. You acted proudly and haughtily and did not “submit yourself willingly and humbly, in the spirit of meekness, unto the admonitions of the brethren of this Presbytery” when you disregarded the pleas of the majority of members of Southern Presbytery that you should not proceed with the said unlawful meetings of Presbytery in November 2021 and, similarly when, as clerk, you advised the moderator of Presbytery to disregard the pleas of the same brethren when they requested a lawful ordinary meeting to be held, for which actions you were subsequently rebuked at the pro re nata meeting of Synod of January 2022 (e-mails D Ramsay 9<sup>th</sup> November 2021, Tut Yoa 11<sup>th</sup> November 2021, RSW 27<sup>th</sup> November 2021, and Synod minutes 22.8), and further,

5. You made a report to the Knox Session about the pro re nata Synod of January 2022, and had that report entered in the Knox Session minutes, which report was not fair or accurate but rather calculated to reflect badly on Presbytery and Synod, and to give the impression that you were not found to have been at fault and solemnly rebuked by Synod, and that the issues in Presbytery were ongoing and had not, in fact, been conclusively settled by Synod (Knox Session Minutes 16/1/2022), and further,

6. You showed no meekness, humility or regret when Presbytery reviewed the Knox records and found your report of the pro re nata Synod to be not fair or accurate, but you rather justified your actions by arguing to Presbytery that you have a right to have your personal opinions entered in the permanent records of the Church, thus you disregard the admonitions of the brethren of this Presbytery and insist on exalting your own personal opinions in the permanent records of the Church, (Presbytery Minutes 12/3/2022, Item 17), and further,

7. You refused to stand down as Presbytery Clerk or allow a meeting to be held to replace you as Clerk despite Presbytery having agreed that this was to happen “immediately following the rising of Synod 2021”. Instead, you continued in this position until Synod intervened and removed you from the position of Presbytery Clerk at the pro re nata Synod in January 2022 which was called to address the dysfunction in the Southern Presbytery. (Presbytery minutes 6/3/2021, Item 3 and Synod minutes 22.3 and 22.8), and further,

8. As Treasurer of the All Nations congregation you failed to provide to Presbytery the full details of the congregation's income and expenditure for 2021 though required to do so by decision of Presbytery at its meeting of 18th July 2022, (Presbytery minutes 18/7/2022, Item 10, and Presbytery minutes 17/9/2022, Item 9), and further,

9. As Interim moderator and, from 26th September 2022, as Treasurer of the Knox congregation you failed to submit full details of the Knox congregation's income and expenditure for 2021 though required to do so by Presbytery at its meetings of 18th July 2022 and again on 17th September 2022 (Presbytery minutes 18/7/2022, Item 10; 17/9/2022, Item 10; 29/10/2022, Item 8), and further,

10. As Interim moderator of Knox you presided over your own nomination and election as an elder of that congregation in clear contravention of Synod's legislation regarding Conflict of Interest (PCEA Handbook 6.1, Knox Session Minutes 22/11/2021 and 12/12/2021), and

further,

11. As Interim moderator of the Knox congregation you failed to take appropriate action to remedy your own unlawful election as an elder of Knox despite Presbytery clearly stating at its meeting on 12th March 2022 that your election was not in accord with the laws of the Church, and you attempted for a second time to serve as representative elder for Knox despite Presbytery having already refused, on valid grounds, to sustain such a commission, yet you persisted in presenting the commission at Presbytery. (Presbytery minutes 12/3/2022 Item 6 & 17, and 29/10/2022 Item 2), and further,

12. As Interim moderator of Knox you did not seek the required consent of Presbytery before allowing the Knox congregation to enter into a contract to engage a non-ordained man as long-term supply preacher within the congregation (PCEA Handbook 4.53, Presbytery Minutes 12/3/2022 Item 21, Knox Session Minutes 17/4/2021), and further,

13. As Interim moderator of Knox you presided over the induction of a man as an elder without conducting a free election, and you issued an Edict without the Session having first met to authorise it, and you proceeded to the induction without having a quorum of Session present to constitute a meeting to ensure that Edicts had been duly served and that there had been no objections to the life and doctrine of the nominee, all in direct opposition to the clear rules of this Church for the election and installation of elders (PCEA Handbook 2.7, Knox Session Minutes 26/9/2022 and 9/10/2022), and further,

14. As Session Clerk and Treasurer of All Nations you sought and received, in the name of the All Nations congregation, a grant from the Victorian government to carry out significant alterations and extension to the All Nations church building, and you proceeded with these major construction works without first making application to Presbytery for permission for the works as required by the rules of this Church (PCEA Handbook 3.20, Presbytery minutes 12/3/2022 Item 22), and further,

15. As Presbytery Clerk you did not request and require that the All Nations congregation apply to Presbytery for permission to alter significantly and extend their building, though the rules of this Church clearly require that Presbytery's permission must be obtained for such works (PCEA Handbook 3.20, Presbytery Minutes 12/3/2022, Item 22), and further,

16. As Presbytery Clerk you raised Carrum Downs to the status of a sanctioned charge without a petition or application to that effect from the relevant Session and without making the brethren of Presbytery aware of Synod's rules for the sanctioning of a charge. In particular, you did not advise Presbytery that the consent of Synod was required "in cases where the proposed sanctioned charge is not fully self-supporting both as to revenue and capital needs" (Synod 1989, Act 1, Class 1; PCEA Handbook 4.29d, 4.37; Presbytery Minutes 14/3/2020, Item 9), and further,

17. Your actions in neglecting and disregarding the rules, procedures and standards of this Church are the more inexcusable because you are well aware of the laws, procedures and standards of this Church, having served for many years as the convener of Synod's Law and

Advisory committee and having been the most involved in the development and revision of the PCEA's Handbook of Practice and Procedure, and further,

18. Your ongoing pattern of behaviour has been, and continues to be, disruptive to the peace and harmony and proper functioning of this Presbytery and congregations of this Presbytery,

All of which, or part thereof, being found proven against you, the said Rowland Skipsey Ward, by the said Southern Presbytery, before which you are to be tried, in terms of the evidence referred to in each item above and listed in the accompanying Schedule of Documents, or after competent proof, you the said Rowland Skipsey Ward ought to be deposed or otherwise punished according to the rules and discipline of the Church and the usage in such cases, for the glory of God, the edification of the Church, and to the terror of others holding the same sacred office, not to commit the like offence in all time coming.

Signed in the name of the Southern Presbytery by the authority of the said Presbytery this 21<sup>st</sup> day of November by [signature] DK Muldoon Moderator.

In response, Dr Ward did not admit the validity of the charges.

The parties were brought to the bar.

Dr Ramsay and Mr Forbes prosecuted the case. Dr Ramsay gave opening remarks. Mr Forbes spoke to proposition 1.

The Synod moved into closed court to deliberate.

The court voted on the first proposition. It was resolved that proposition 1 was proved.

The court adjourned for dinner at 6:00pm.

The court resumed in open court at 7:05pm with the singing of Ps 46:1-5 and prayer led by Mr Klazinga.

It was resolved by agreement with the Moderator's ruling that items 2 and 3 be taken as proved.

The parties were again called to the bar. Mr Forbes spoke to proposition 4. Dr Ward made his reply.

The Moderator ruled proposition 5 be presented. Mr Forbes spoke to the proposition. Dr Ward made his reply.

The Synod moved into closed court to deliberate.

Upon being put a vote, Propositions 4 and 5 were proved.

The Synod moved into open court.

The parties were called to the bar. Mr Forbes spoke to proposition 6. Dr Ward made his reply.

The Synod moved into closed court to deliberate.

Upon being put to the vote, proposition 6 was proved.

The Synod moved into open court.

The parties were called to the bar. Mr Forbes spoke to propositions 7, 8 and 9. Dr Ward made his reply. Mr Audet spoke to the matter. Questions were put to Dr Ward and Mr Audet.

The Synod moved to closed court to deliberate.

Upon being put to the vote, propositions 7, 8 and 9 were proved.

The Synod moved into open court. Dr Ward was advised that Synod had proved propositions 1 to 9.

The meeting adjourned with prayer at 9:22pm. It was intimated that Synod resume at 9am, Wednesday 1<sup>st</sup> February.

Synod resumed their meeting at 9:00am, Wednesday 1<sup>st</sup> February with the singing of Psalm 67 and prayer, led by Messrs George Ball and John Greensill.

The parties were called to the bar. Mr Forbes spoke to propositions 10 and 11. Dr Ward made his reply.

The Synod moved into closed court to deliberate.

Upon being put to the vote, propositions 10 and 11 were proved.

The Synod moved into open court.

Synod adjourned for refreshments at 10:45 and resumed at 11:00am.

The parties were called to the bar. Mr Forbes spoke to proposition 12. Dr Ward made his reply.

The Synod moved into closed court to deliberate.

Upon being put to the vote, proposition 12 was proved.

The Synod moved into open court.

The parties were called to the bar. Mr Forbes spoke to proposition 13. Dr Ward made his reply.

The Synod moved into closed court to deliberate.

Upon being put to the vote, proposition 13 was proved.

The Synod moved into open court.

The parties were called to the bar. Mr Forbes spoke to propositions 14 and 15. Dr Ward made his reply.

The Synod moved into closed court to deliberate.

Upon being put to the vote, propositions 14 and 15 were proved.

The Synod moved into open court.

The parties were called to the bar. Mr Forbes spoke to propositions 16, 17 and 18. Dr Ward made his reply.

The Synod moved into closed court to deliberate.

Upon being put to the vote, proposition 16 was not proved. Propositions 17 and 18 were proved.

The Synod moved into open court. Dr Ward was advised of the decisions of the court.

The Court adjourned for lunch at 1:30pm. Dr Ramsay led in prayer.

### **23.8 Judgement**

The Synod resumed at 2:17pm and moved into closed court to deliberate.

Mr Tso moved that Rowland Skipsey Ward be deposed as a minister of the Gospel and to be barred from holding any office in the Presbyterian Church of Eastern Australia. The motion was seconded. After considerable discussion of appropriate discipline, it was agreed that deposition be the finding of the court and the above wording appended to the draft statement of judgement.

It was moved, seconded and carried that the following statement be read by the Moderator to Dr Ward as the judgement of the court:

“In the libel drawn against you referred to this court by Southern Presbytery, it has been found proved by the Synod of Eastern Australia, before which you have been tried in terms

of the evidence laid out, that you, the said Rowland Skipsey Ward are hereby guilty of unruly and contumacious behaviour in wilful disregard of the decisions and findings of Southern Presbytery, and of actions that prejudice and subvert the good order of this Church by wilful disregard of the laws, procedures and standards of this Church, which is behaviour that is unbecoming the sacred profession of a minister of the Gospel and punishable by the laws of the Church. Therefore, by the judgement of the Synod, you are hereby deposed as a minister of the Gospel and barred from holding any office in the Presbyterian Church of Eastern Australia.”

Dr Ward was recalled to the court. The Synod moved into open court.

The Moderator read the statement of judgement to Dr Ward and directed his attention to Handbook section 7.16 regarding confession. Dr Ward was given time to consider the verdict. Upon returning to the court, Dr Ward spoke to the judgement and then read a statement in response, as follows:

“Of course, I do acknowledge that I have not always acted wisely, that some matters of procedure have been missed from time to time but have had no detrimental effect on anyone.

However, in my view, the decision of Southern Presbytery in 2022 and of this *pro re nata* Synod involve a lack of procedural fairness and an approach that violates the Word of God and the Constitution of the Presbyterian Church of Eastern Australia that seriously troubles my conscience.

Accordingly, I am constrained in terms of Handbook 6.30 to Protest against the decision to depose me from the ministry and bar me from holding any office in the Presbyterian Church of Eastern Australia and I reserve all my rights ecclesiastical and civil that may belong to me as an office-bearer and member of the said church. [Signed Rowland S Ward]

Mr Tso moved that Rowland Skipsey Ward be removed from being a signatory to all the bank accounts of Knox, All Nations and Carrum Downs Congregations. The motion was seconded. Upon being put to the vote, the motion was carried.

Mr Tso moved that Synod instructs Southern Presbytery to conduct special visitations to the Knox and All Nations Congregation at the earliest opportunity. The motion was seconded. Upon being put to the vote, the motion was carried.

Mr Tso moved that the Clerk prepare a public announcement listing the charges and judgement of the Synod regarding the libel. The motion was seconded. Upon being put to the vote, the motion was carried.

### **23.9 Thanks to Moderator and Clerk**

Mr Ball proposed a vote of thanks to the Moderator and Clerk for their labours.

**23.10 Moderator's Expression of Thanks**

The Moderator expressed his thanks to the Hunter Congregation and all involved in hosting the *pro re nata* meeting.

**23.11 Minutes read and confirmed.**

The Minutes were read. It was moved, seconded and carried that the Minutes be confirmed.

**23.12 Moderator's Closing Statements**

The Moderator made a closing statement about the difficulty and distress of the matter that had been dealt with, particularly the pronouncement of judgement. His prayer was that the Lord would uphold His Church and, in all things, Christ Jesus would be glorified.

**23.13 Close**

The meeting closed with the singing of Ps 100 and prayer at 5:00pm.

DJ Kerridge  
Clerk

T I Leggott  
Moderator