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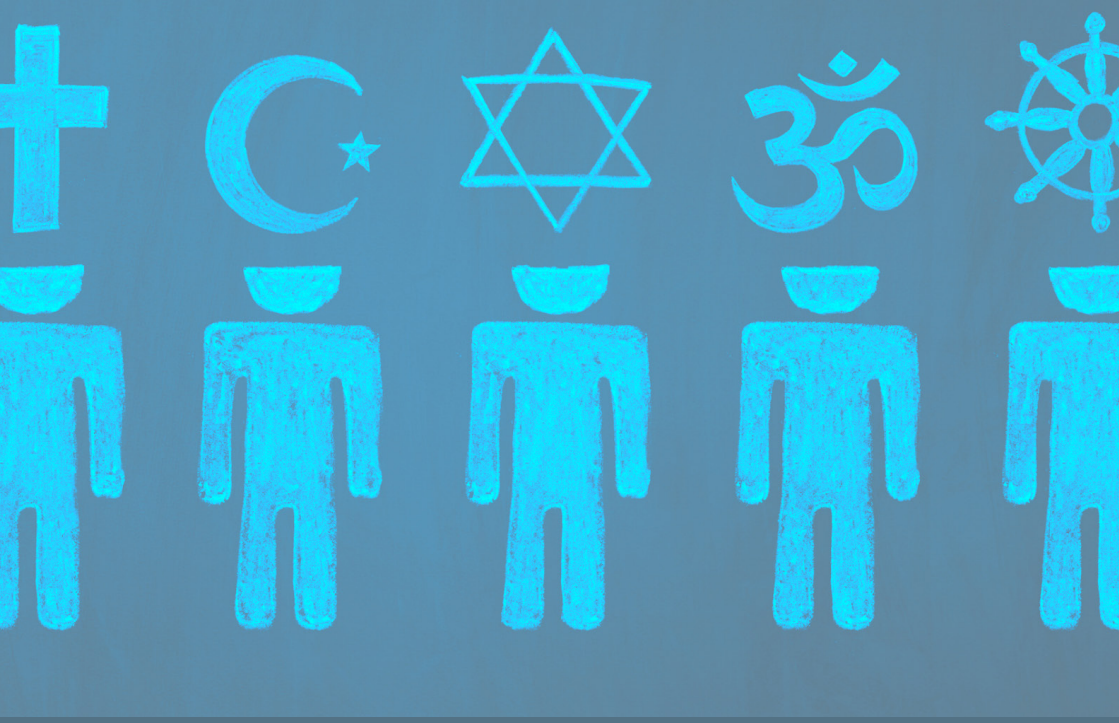

Without Fear or Favour: Practising your Faith and your Profession

The Centre for Independent Studies
Acton Lecture 2018

The Hon Justice Debra Mullins

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FOREWORD
2018 Acton Lecture

Each year the Acton Lecture at The Centre for Independent Studies (CIS) offers a platform for a prominent individual to offer their own reflections on issues that arise from the place of faith in the modern world and on the ways in which faith interacts with a free society. The Acton Lecture is a cornerstone of the CIS's Religion and Civil Society program which, since its initiation in 1998, has reflected upon questions of religious freedom in Australia and overseas.

The program has now been incorporated into the new and broader Culture, Prosperity & Civil Society program. However, the scope of the new program still embraces the examination of broader questions of religious value as they are confronted by the demands of cultural and religious diversity in contemporary Australian society. Thus the CIS – a secular organisation with no religious affiliation – remains committed to defending the role of voluntary institutions in a free and open society and the important contribution that religious groups make to civil society.

How best to protect the fundamental human right to religious liberty is a key area of enquiry for the CIS, and it has become an increasingly contentious matter in Australian politics. Concerns about such issues as the legal change to the status of marriage, the scope of faith-based organisations to hire staff sympathetic to the organisation's objectives, and the freedom for health care practitioners to object to the provision of certain services provide just three examples of such contention.

The adequacy of religious freedom protections in Australia has been now reviewed by the Ruddock Inquiry established by Prime Minister Malcolm Turnbull after the same-sex postal survey in later 2017. At

the time of writing (late June 2018), however, the government has yet to release Ruddock's findings.

Nonetheless, advocates acknowledge that many Australians have only a very low level of concern about religious freedom – especially since the 2016 Census found that thirty per cent of Australians indicated they have no religious affiliation whatsoever. Religion, it would appear, is viewed by many as something that should be consigned to the private realm of the mind and have no bearing on wider aspects of social life or public policy.

The result is that religious believers — whether they are teachers, sports superstars, or judges — are increasingly met with vilification, derision, confected outrage, and bullying mockery … what the distinguished jurist, Dyson Heydon, has called a "howling down." Of course, practising a faith is not a separate or completely private part of a person's life. Yet in the event that such hostility to religion should prevail, religious believers are likely to find it harder to manifest their faith once they cross the threshold of their own front doors.

In her 2018 Acton Lecture at The Centre for Independent Studies, the Honourable Justice Debra Mullins, a distinguished judge of the Supreme Court of Queensland, engaged with the increasing hostility confronting religious believers — particularly Christians — when they leave the privacy of their homes and venture into the public square. In particular, she examined the challenges facing the religious believer in the workplace, and beyond.

Justice Mullins is no stranger to such challenges. She has, herself, faced allegations of conflict of interest because of her role as both judge and Chancellor (senior legal officer) of the Anglican Diocese of Brisbane. How to take one's faith into the professional work place is a key for her. She holds to the important idea that religious belief is a crucial component of a person's identity, and that trying to keep areas of one's life separate from religious belief is like trying to unscramble an omelette.

The Reverend Peter Kurti
Senior Research Fellow
Culture, Prosperity & Civil Society program

Without Fear or Favour: Practising your Faith and your Profession

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Acton Lecture 2018

The Hon Justice Debra Mullins

I am often asked to speak about being a Christian and my role as a Judge. When I do speak, I speak for myself. I am not speaking on behalf of the Anglican Diocese of Brisbane, the General Synod of the Anglican Church of Australia, or the Supreme Court of Queensland.

Being a Christian is not something that is separate from the rest of my life. For any person who has faith, their faith is an integral part of who they are and affects all aspects of their life. As Archbishop Rowan Williams describes it "Discipleship is about how we live".[1]

I will use the observation made about the former High Court Judge Sir Ronald Wilson to illustrate the point. Sir Ronald Wilson, who as the Solicitor-General of Western Australia was elected the first Moderator of the Western Australian Synod of the Uniting Church of Australia in 1977 and then while still a serving Judge of the High Court assumed the presidency of the Uniting Church in 1988 before he retired as a Judge the following year, was described in these terms:

> "His faith was expressed through the Uniting Church in Australia and one of its predecessors, the Presbyterian Church. It was not something separate from his civil engagements. Rather it permeated his entire outlook and activities. If there is one single element which explains and knits together his views, involvements and achievements, it was his Christian view of what should be justice in the world. Within the church, he spoke in Christian terms. Outside the church, he spoke in terms of justice and human rights. But in reality, for him, they were indivisible."[2]

The following statement from a recently published essay by Frank Brennan and Michael Casey expresses a similar sentiment:

> "Love of God and love of neighbour are inseparable for Christians, and these two commandments call individual believers to reflect constantly on their own life, the impact they have on those around them, and how they can help others. A similar link between faithfulness to God and helping those around you is a feature of most religious traditions. The way in which faith and action run together shows that religious belief is never simply a private matter. This reflects a larger reality about human experience. Beliefs and ideas about meaning and truth, right and wrong – religious and non-religious alike – are conclusions about what is real and important in life. Whether they concern how we should live or how things should be in a good society, for all of us they serve as a basis for action in the world."[3]

That statement allows me to introduce a theme of my speech that one way of living your faith is to undertake roles within the Church for which you are qualified. The assumption implicit in that theme is that it is worthwhile to do so. Needless to say, as I propose to develop this theme as a result of my experience in

various roles I have undertaken in the Anglican Church, including as the Deputy Chancellor in the Anglican Diocese of Brisbane between 2004 and 2014 and as Chancellor since 2014, I do consider it worthwhile to do so.

In reflecting on the content of my speech, I contemplated that there is scope for discussion about how practising your faith affects practising your profession, but that would be too self-focused. In any case, people with faith do not have a monopoly on the good qualities that are expected to be found in a Judge. The current oath or affirmation of office that applies to all Judges in Queensland underpins the expectations that apply to how Judges conduct themselves:

> "… I will at all times and in all things do equal justice to all persons and discharge the duties and responsibilities of the office according to law to the best of my knowledge and ability without fear favour or affection."[4]

Just as so many of our institutions have been shaped by Christian beliefs and associated values brought with European settlement, the oath or affirmation of office of a Judge reflects such basic values. I will return to a personal reflection at the end of this speech.

My focus is therefore on how one's profession can create a path to follow in practising your faith.

For centuries, people practised their faith as a worshipping community, but consistent with the tenets of their religion, did good works. To do good works in providing education, care of the sick and impoverished, aged care and other community services, they needed organisation and infrastructure, eg personnel other than clergy and buildings other than churches. Churches went from being the gathering of the people of God to complex organisations which require appropriate governance to promote the mission of Church and achieve the good works, but without harming the community intended to be served.

The Royal Commission into Institutional Responses to Child Sexual Abuse has highlighted graphically the past failures

of governance and training, screening and supervision of clergy and Church workers that had disastrous consequences for the survivors of child sexual abuse.[5] The subject of volume 16 of the final report of the Royal Commission is religious institutions. Volume 16 comprises three books and builds on recommendations made in earlier reports of the Royal Commission and in the earlier volumes of the final report and sets out 58 recommendations directed at religious institutions for ensuring Churches have appropriate safeguards, policies, standards and governance mechanisms in place, so that history does not repeat itself. Without exception, Churches and their institutions must be a safe place for all children and vulnerable persons.

As a Chancellor and a lay member of the Anglican Church, I am concerned that the lessons learned from Royal Commission and all the recommendations of the Royal Commission that affect the governance of the Anglican Church in the Diocese of Brisbane are the subject of appropriate consideration and action. Recommendation 16.2 which was one of the specific recommendations made by the Royal Commission to the Anglican Church refers to Chancellors:

> "The Anglican Church of Australia should adopt a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child sexual abuse, which expressly covers:
>
> a. members of professional standards bodies
> b. members of diocesan councils (otherwise known as bishop-in-council or standing committee of synod)
> c. members of the Standing Committee of the General Synod
> d. chancellors and legal advisers for dioceses."[6]

The role of Chancellor in the Anglican Church of Australia is a traditional role.

As with much of the Anglican Church legislation in Australia, the Australian Church followed the arrangements made in England for the role of Chancellor. That was an available precedent,

but there is a significant distinction between the Anglican Church of Australia and the Church of England, as the latter is the established church in England.

William the Conqueror is attributed with granting the bishops in England the right to hold their own courts where ecclesiastical cases were tried.[7] The ecclesiastical courts originally had jurisdiction in cases of defamation, probate, adultery and divorce. As the legal profession developed, lawyers were trained who were not clergy. By the 15th century doctors of canon law and civil law gathered together in London at Doctors' Commons.[8]

From medieval times the Chancellor would stand in for the Bishop in the conduct of cases which fell within the Bishop's jurisdiction. The traditional role of Chancellor in England was therefore "an official appointed by the Bishop with authority to execute for him the office of ecclesiastical Judge".[9] The Chancellor became a Judge in the court in which ecclesiastical causes were tried within the Bishop's diocese which was known as the Consistory Court.[10] The closeness of the relationship between Bishop and Chancellor is illustrated by the decision in *Ex parte Medwin* (1853) 1 E&B 609.

Canon 127 of 1603 dealt with the qualifications to be a Chancellor:

> "No man shall hereafter be admitted a chancellor, commissary, or official, to exercise any ecclesiastical jurisdiction except he be of the full age of six and twenty years at the least, and one that is learned in the civil and ecclesiastical laws, and is at least a master of arts, or bachelor of laws, and is reasonably well practised in the course thereof, is likewise well affected and zealously bent to religion, touching whose life and manners no evil example is had; and except before he enter into or execute any such office, he shall take the oath of the king's supremacy in the presence of the bishop, or in the open court, and shall subscribe to the Thirty-nine Articles, and shall also swear that he will to the uttermost of his understanding deal uprightly and justly in his office,

> without respect of favour or reward; the said oaths and subscription to be recorded by a register then present."

Appeals lay from the Consistory Court to the Provincial Court. In the Province of Canterbury, the Archbishop's court was known as the Court of the Arches, presided over by the Dean of the Arches. The court took its name from the arches of the Church of St Mary-le-Bow where the cases were heard. For an example of the judgment of a Consistory Court that was successfully appealed to the Dean of the Arches, see *Bishop of Ely v Close* [1913] P 185. Over time much of the jurisdiction of these ecclesiastical courts was transferred to the courts of general jurisdiction, but the ecclesiastical courts retained their jurisdiction to deal with ecclesiastical offences against clergy until 2003. The ecclesiastical courts still exercise jurisdiction in matters such a grant of faculties for changes to Church furnishings and sale of treasures.

There is no reference to the role of Chancellor in *The Constitution of the Anglican Church of Australia* (*Constitution*). Section 53 of the *Constitution* provides for each diocese to have a diocesan tribunal, that there may be a provincial tribunal for any province, as well as the Special Tribunal and the Appellate Tribunal. The first paragraph of s 54(1) of the *Constitution* provides:

> "A diocesan tribunal shall be the court of the bishop and shall consist of a president, who shall be the bishop, or a deputy president appointed by him and not less than two other members as may be prescribed by ordinance of the synod of the diocese."

The jurisdiction of the diocesan tribunal is then set out in s 54(2) of the *Constitution*:

> "A diocesan tribunal shall in respect of a person licensed by the bishop of the diocese, or any other person in holy orders resident in the diocese, have jurisdiction to hear and determine charges of breaches of faith ritual ceremonial or discipline and of such offences as may be specified by any canon ordinance or rule."

The origins of the diocesan tribunal can therefore be traced to the Consistory Court in an English diocese.

The General Synod passed the *Chancellors Canon* 2001. Section 2 of that Canon provides:

> (1) The chancellor of a diocese is the principal confidential adviser to the bishop of the diocese in legal and related matters.
>
> (2) Subject to the chancellor's overriding duty to the bishop, the chancellor may provide advice to the synod and other agencies of the diocese.
>
> (3) The chancellor may preside in the diocesan tribunal as deputy president, if appointed so to do by the bishop pursuant to section 54(1) of the Constitution of the Anglican Church of Australia.
>
> (4) The chancellor has such other powers duties and responsibilities and holds such other positions as may be prescribed by the Constitution of the Anglican Church of Australia, the constitution of a diocese, canons or ordinances."

Section 10 of that Canon states expressly that the provisions of that Canon affect the order and good government of the Church within a diocese, so the *Chancellors Canon* 2001 does not come into force in a diocese unless and until the diocese adopts the Canon by ordinance of the Synod in the diocese. The qualifications for appointment as a Chancellor are to be a communicant member of the Anglican Church and that the person has been or is a Judge of a Federal Court or a specified Court of the State or Territory, or a barrister or a solicitor of at least seven years standing of the Supreme Court of a State or Territory, or a graduate in law and a teacher in law of at least seven years standing as such holding the position of senior lecturer or above in law at a university in Australia and, preferably, the person has a sound working knowledge of the law and polity of the Anglican Church. A Chancellor may be appointed by the Bishop of the diocese for a term but, consistent with the nature of the appointment as a personal appointment by the Bishop of the

diocese, more often than not the appointment as Chancellor will cease at the end of six months after the installation of the successor to the appointing Bishop, unless appointed to the position of Chancellor by that successor within that period.

Section 5 of the Canon provides for the Bishop to appoint a Deputy Chancellor either as a continuing office or to act in the absence of the Chancellor or during a vacancy in the Office of Chancellor and the qualifications for appointment and tenure as a Chancellor apply to a Deputy Chancellor.

Recommendation 16.2 arises particularly out of the Royal Commission's Case Study 42 into the responses of the Anglican Diocese of Newcastle to instances and allegations of child sexual abuse. I will briefly summarise some of the findings in respect of a Deputy Chancellor who continued in that role while acting respectively for a Church youth worker and a member of the clergy in criminal proceedings for child sexual abuse.

A complaint had been made to the police by the complainant who was then an adult that reported abuse by a Church youth worker when the complainant was a resident at a boys' home. The youth worker was represented at the committal proceedings by the then Deputy Chancellor of the diocese. The charges were dismissed at the committal proceedings. The Bishop at the time was unaware of the committal proceedings and unaware that the Deputy Chancellor had acted as the youth worker's counsel. The Royal Commission found that while there was not a conflict in the duties that the Deputy Chancellor owed to the youth worker as his client and the duties he owed the diocese as the Deputy Chancellor, but it should have been obvious to the Deputy Chancellor that "it could readily appear to outsiders that the Diocese, through one of its senior officers, was defending a person accused of sexually assaulting a child in the Diocese".[11]

Ultimately another victim of the same youth worker reported the abuse to the police and the youth worker was arrested and charged and in 2011 pleaded guilty to 27 charges of child sex abuse relating to 20 male victims, including one charge relating to the complainant who had been distressed when cross-examined

by the Deputy Chancellor at the original committal proceeding where the charge was dismissed.

Another two complainants in the Diocese of Newcastle reported a member of the clergy to police after one of these complainants had been frustrated by the Diocese's inaction in response to his complaint. The priest was charged with child sex abuse offences in relation to both complainants. Although the Deputy Chancellor had settled the Diocese's letter of offer to assist one of the complainants, he acted as counsel for the priest and challenged the complainant's account of the abuse in cross-examination. The Royal Commission found there was a clear conflict of interest between the Deputy Chancellor's duty to the Diocese and his duty to his client priest as, in his capacity as Deputy Chancellor, he was involved in sending a message to the complainant that the Diocese would help him, but in his capacity as the priest's legal representative, he was involved in undermining the complainant's allegations.[12] The criminal proceedings against the priest were ultimately withdrawn by the Prosecution. This was a matter the Royal Commission found that the anguish of the complainants was compounded by the approach taken by the diocese in the criminal proceedings against the priest.[13]

It is apparent that this lawyer completely misconceived and lacked understanding of the harm caused by him in acting for the perpetrators of child sex abuse in the diocese whilst holding the position of Deputy Chancellor in the diocese. This highlights the pitfall of using professional skills in undertaking roles within the Church. May I suggest this lawyer was blinded by either loyalty to the institution or loyalty to or friendship with the perpetrator rather than undertaking an objective evaluation of the conduct in acting for the persons against whom the claims for child sexual abuse were made at the same time as continuing with the role of Deputy Chancellor in the diocese. Any sense of loyalty as a Church member cannot displace the application of the same professional skills any lawyer or other professional person brings to bear in making decisions in the course of their profession. Quite frankly, apart from the lasting harm inflicted on

the complainants in these examples I have used from Case Study 42 by the conduct of a lawyer in a diocesan role criticised in the Case Study, failure to exercise appropriate professional judgment in undertaking a Church role does neither the Church nor the community a service.

The process for bringing a charge against a member of the clergy for an offence within the jurisdiction of a diocesan tribunal is cumbersome. From 2004 the Anglican Church moved towards a professional standards regime which applies to both clergy and lay church workers where fitness for office is the issue, when any complaint is made about conduct that is covered by the professional standards regime. The types of conduct that are usually covered by such regime are sexual harassment or assault, sexually inappropriate behaviour, grooming and the possession, making or distribution of child exploitation material. The diocesan tribunal remains the forum for dealing with conduct of clergy that can be the subject of a charge and might not otherwise easily be dealt with in a diocese under the professional standards regime.

Recommendation 16.2 is an important reminder to the Anglican Church to re-visit the operation of the diocesan tribunals. The fact that s 2(3) of the *Chancellors Canon* 2001 expressly contemplates that the Chancellor may preside in the diocesan tribunal as Deputy President, if appointed so to do pursuant to s 54(1) of the *Constitution*, which reflects the model of the Consistory Court, should be reviewed. This is the model that was adopted in the Diocese of Brisbane. Under s 20 of the *Tribunal Canon* the diocesan tribunal consists of either the President (who is the Archbishop) and a Deputy President, in addition to not less than two of the clerical members of the Panel of Triers and not less than two of the lay members of the Panel of Triers. Section 20(3) of the Canon provides:

> "The Deputy President shall be appointed by the Archbishop but the Archbishop may appoint as Deputy President only the Chancellor or the Deputy Chancellor or some other barrister or solicitor of the Supreme Court of Queensland who is a communicant Member of the

> Church and who is not a member of the Panel of Triers or of the Board."

By the 16th General Synod held in 2014, the General Synod had commenced to appreciate the inappropriateness of continuing the tradition of the diocesan tribunal being the Bishop's court. The *Constitution Amendment (Membership of the Diocesan Tribunal) Canon* 2014 was passed that amends s 54(1) of the *Constitution*, so that it provides for a president only to be appointed by a bishop. An additional paragraph is inserted after s 54(1):

> "The bishop is ineligible to be a member of the diocesan tribunal. A person who is a member of the diocesan tribunal shall cease to hold that office on becoming the bishop."[14]

Some recognition that the Bishop's Chancellor or Deputy Chancellor is no longer the appropriate person to preside over the diocesan tribunal is given by their omission in the following sentence which the 2014 amendment to the *Constitution* inserts at the beginning of the second paragraph of s 54(1):

> "The president shall be a person qualified to be a lay member of the Appellate Tribunal in accordance with the provisions of section 57(1) of this Constitution and will cease to hold office as prescribed by ordinance of the synod of the diocese."

This 2014 amendment to the *Constitution* awaits only one more Metropolitan diocese to assent to it by ordinance and this amendment that removes the option of the Bishop to preside over the diocesan tribunal and can be used to move away from the model of the Chancellor or Deputy Chancellor being appointed to preside over the diocesan tribunal will come into effect.

From the various roles that I have undertaken in the Diocese of Brisbane in the last 20 years or so, I have been privileged to serve on various committees with members of the Church who use their talent and skills in furthering the good works undertaken

by the Church. For lawyers, it is natural that they are interested in contributing in roles such as Chancellor or as a member of a legal committee where their legal training assists in navigating the jungle of Church legislation. Accountants are in demand for every committee and audit committees. There are many committees that are suited to health professionals, educators, builders, architects, engineers, and people with common sense and life skills. It is a way to help others consistent with Christian beliefs. That a person of faith undertakes roles within the Church for which the person is qualified is, in my view, endeavouring to live a Christian life.

Let me return to my daily work. Curiously in the daily work of courts, God is referenced frequently. The deponent of an affidavit may swear an oath on the Bible to make the affidavit or affirms the affidavit. In my experience, most affidavits are still sworn rather than being affirmed. Before any witness gives evidence in court, the witness is sworn or affirmed. It is confronting for a witness who is nervous about the prospect of giving oral evidence before a court to make a decision as to whether to swear an oath on the Bible (or other holy book) or to be affirmed. The oath in Queensland is still in traditional terms.[15] The Bible is given to the witness to hold and in a civil case the bailiff recites "the evidence which you shall give to the court touching the matters in question between the parties shall be the truth the whole truth and nothing but the truth so help you God". The witness is then told to respond "So help me God". For most witnesses, it does not put them at ease to go through this process. Sometimes the witness asks the bailiff, what is the difference between an oath and an affirmation? I usually interpose and say "you swear an oath on the Bible if you believe in God, but if you do not then the affirmation is appropriate". That is a simplification of the position set out in s 17 of the *Oaths Act* 1867 (Qld), but that advice usually suffices.

Under s 23 of the *Evidence Act* 1995 (Cth), a person who is to be a witness (or act as an interpreter) in a proceeding may choose whether to take an oath or make an affirmation and the court is bound to inform the person that he or she has that choice. The oath of a witness under the Commonwealth Act tends on its face to embrace religions other than Christianity.

It is common practice in modern courts to have holy books other than the Christian Bible available for the swearing of an oath, as the oath can be given in a form to the same effect as that set out in the relevant provision. The party calling the witness who may wish to use another holy book is wise to make these arrangements with the court officer before the hearing commences, so that the witness is not made uncomfortable about their religion. Where it is found impracticable to administer to a person an oath in the form and manner required by the person's religion to make it binding on the person's conscience, there is provision made in s 39 of the *Oaths Act* 1867 (Qld) for the presiding Judge, if satisfied of the impracticability, to require such a person to make a solemn affirmation and it is deemed upon the person making such solemn affirmation that the person's evidence shall be taken as valid, as if an oath had been administered in the ordinary manner.

The fact that the Legislatures and the courts have been cognisant in more recent years of addressing religious beliefs more broadly in a society where there are many faiths apart from Christianity will contribute to the maintenance of the oath as a means of allowing the witness to show to the court that by virtue of their religious beliefs, they are binding their conscience to tell the truth.

I will finish with a personal reflection. Presiding in court can be stressful. I suspect I am no different to many colleagues and exhibit impatience and other similar less than worthy traits, when I feel that a matter could be proceeding more efficiently or the subject of the dispute is relatively trivial.

Antonio Buti in his biography of Sir Ronald Wilson recorded Sir Ronald Wilson's usual response to questions about his faith and his work as a Judge at p 218:

> "However, time and time again when Wilson was asked about whether his Christian faith influenced him as a justice of the High Court, he answered no. He believed that his integrity as a judge depended on him reaching a decision based on the law and precedent, even if that went against his personal views, which were significantly influenced by his Christian beliefs."[16]

As a Judge, I endeavour to be true to my oath of office and find the facts and apply the law and precedent to the best of my knowledge and ability. The training as a lawyer is intended to enable personal views to be set aside and for fact finding to be undertaken in an unbiased and objective manner and for the law and precedent to be discerned and applied. But I am hopeful that, in doing that, my faith does influence the way I relate to people and enables me to express compassion where appropriate. Love of God and love of neighbour remain for me the guiding principles for trying to live a Christian life.

Endnotes

1 Rowan Williams, *Being Disciples of the Christian Life* (Society for Promoting Christian Knowledge, 2016) 2.
2 Robert Nicholson, 'Sir Ronald Wilson: An Appreciation' (2007) 31(2) *Melbourne University Law Review* 499, 501.
3 Frank Brennan and Michael Casey, 'Nine Questions about Religious Freedom' in Damien Freeman (ed), *Chalice of Liberty: Protecting Religious Freedom in Australia* (Kapunda Press, 2018) 19.
4 *Constitution of Queensland Act 2001* (Qld) Schedule 1.
5 Commonwealth, Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report* (2017).
6 Commonwealth, Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report* (2017) Vol 16, 72.
7 Frederick Pollock, The King's Justice in the Early Middle Ages (1898) 12(4), *Harvard Law Review* 227, 227.
8 See George Drewry Squibb, *Doctors' Commons – A History of the College of Advocates and Doctors of Law* (Oxford University Press, 1977) 4-7; R G Hamilton, *All Jangle and Riot – A Barrister's History of the Bar* (Professional Books Limited, 1988) 97.
9 *Ex parte Medwin* (1853) 1 E&B 609, 616.
10 LexisNexis, *Halsbury's Laws of England*, vol 34 (5th Edition, 2011), '8 Ecclesiastical Law' [1035].
11 Commonwealth, Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report - Case Study 42: Anglican Diocese of Newcastle* (2017) 187.
12 Commonwealth, Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report - Case Study 42: Anglican Diocese of Newcastle* (2017) 210.
13 Commonwealth, Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report - Case Study 42: Anglican Diocese of Newcastle* (2017) 224.
14 A similar amendment dealing with the membership of the provincial tribunal made by the *Constitution Amendment (Membership of the Diocesan Tribunal) Canon* 2014 has also yet to come into force.
15 *Oaths Act 1867* (Qld) s 22, s 23.
16 Antonio Buti, *Sir Ronald Wilson: A Matter of Conscience* (University of Western Australia Publishing, 2007) 218.

The Centre for Independent Studies is a non-profit, public policy research institute. Its major concern is with the principles and conditions underlying a free and open society. The Centre's activities cover a wide variety of areas dealing broadly with social, economic and foreign policy.

The Centre meets the need for informed debate on issues of importance to a free and democratic society in which individuals and business flourish, unhindered by government intervention. In encouraging competition in ideas, The Centre for Independent Studies carries out an activities programme which includes:

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The result is that religious believers – whether they are teachers, sports superstars, or judges – are increasingly met with vilification, derision, confected outrage, and bullying mockery. Practising a faith is not a separate or completely private part of a person's life. Yet in the event that such hostility to religion should prevail, religious believers are likely to find it harder to manifest their faith once they cross the threshold of their own front doors.

In her 2018 Acton Lecture at The Centre for Independent Studies, the Honourable Justice Debra Mullins engaged with the increasing hostility confronting religious believers – particularly Christians – when they venture into the public square, and examined the challenges facing the religious believer in the workplace, and beyond.

The Hon Justice Debra Mullins is a judge of the Supreme Court of Queensland and Chancellor of the Anglican Diocese of Brisbane.

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