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IN THE APPELLATE TRIBUNAL

ANGLICAN CHURCH OF AUSTRALIA

IN THE MATTER OF questions referred by the Primate under Section 63(1) of the Constitution

AND IN THE MATTER OF the Blessing of persons married according to the Marriage Act 1961
Regulations 2019 of the Synod of Wangaratta

**SUBMISSIONS BY DR KHIM HARRIS, FOR AND ON BEHALF OF
THE DIOCESE OF NORTH WEST AUSTRALIA (DNWA)**

In response to the **PRIMARY SUBMISSIONS BY SYNOD OF DIOCESE OF WANGARATTA, DNWA**
makes the following submissions:

1. As to paragraphs 1–3, noted;
2. As to paragraphs 4–6, not conceded;
3. As to sub-paragraph 6.2 DNWA submits that the Church’s teaching on marriage constitutes Doctrine of the Anglican Church of Australia under Section 74(1) of its Constitution as evidenced by *Marriage, Same-Sex Marriage and the Anglican Church of Australia, Essays from the Doctrine Commission* being a suitable subject for public deliberation by the Doctrine Commission.¹

Furthermore, Section 3 of the Constitution refers to the Church’s requirement to “follow and uphold His [Jesus’] discipline”. The regulation of human sexual relationships is clearly within Jesus’ discipline and teaching (Matthew 5:27-32; Mark 10-12; Luke 16:18, *passim*).

Accordingly, DNWA submits that the Church’s teaching on marriage constitutes “a question arising under this Constitution” pursuant to Section 63 (1) of the Constitution.

4. As to paragraph 7, not conceded;
5. As to paragraphs 9–10, noted;
6. As to paragraphs 11–20, not conceded;
7. As to paragraphs 21–27, not conceded;
8. As to paragraphs 28–52, not conceded;

¹ Specifically, Rhys Bezzant’s essay “To what end? The blessing of same-sex marriage”, pp 227–240 addresses same sex blessing. Bezzant argues that Lambeth Resolution 1.10.5 (1998) equates blessing of with legitimizing same sex unions.

9. As to paragraphs 53 and 56, the DNWA notes that Article XXXII *Of the Marriage of Priests* has as the objective “to serve to better Godliness” in any decision of a priest to marry;
10. As to paragraphs 54, 55, 57–63, not conceded;
11. As to paragraphs 64–67, DNWA notes allusion to unspecified “certain Biblical verses”. Otherwise, not conceded;
12. As to paragraphs 68–70, not conceded; and
13. As to paragraphs 71–73, not conceded.

Dated 13 December 2019



Dr Khim Harris
Registrar, DNWA