

Minutes of the Presbytery of London

Westmount Presbyterian Church, London, Ontario, Thursday, August 13, 2009, 7:00 p.m.

In London, and within Westmount Presbyterian Church, the Presbytery of London met in Special Session on Thursday, the thirteenth day of August, two thousand and nine, at the hour of seven o'clock in the evening.

- Constitution** The Moderator, the Reverend Keith McKee constituted the Court with Prayer.
- Thanks** The Reverend Keith McKee, before entering into the business of the meeting, took a moment to thank everyone for their notes and condolences following the sudden death of his father, Mr. Archie McKee, in Elmira.
- Attendance** Kathy Fraser, Tom Godfrey, Keith McKee, Nynn Nichol, Johan Olivier, Andrew Reid, Robert Shaw, Kevin Steeper, Michael Stol, Don McInnis, Ministers; Bob Baron, Ruth Ann Drozd, Chris Evans, Theresa Glithero, Mildred Greig, Tom Jeffery, Patrick Laurin, Jacqueline Leitch, Matt Marshall, Sharon Marshall, Margaret McCullough, Gail McHardy-Leitch, John McNeil, Joe Ruitenbeek, Don Speir, Nancy Springer, Gerald Stocking, Donna Jean Van Bilsen, Elders.
- Regrets** John Bannerman, Amanda Birchall, Charlotte Brown, Mavis Currie, Deb Dolbear-Van Bilsen, Terry Ingram, Ian Johnston, Douglas Miles, Ministers; Marg Chester, Ross MacKay, Bill McMurchy, Barbara Nyitray, Peter VanderKooy, Elders.
- Absent** Sabrina Caldwell, Mark Turner, Ministers; Larry Gibbings, Sheila McMurray, Elders.
- Homologation** **MOTION** (Evans / Fraser) THAT the actions of the Moderator in calling this meeting be homologated. **CARRIED**.
- Motion to Move
“In Camera”** **MOTION** (Evans / Fraser) THAT the meeting move “In Camera” and that this would also include the Rev. Don McInnis. **CARRIED**.
- Motions from
“In Camera”
Meeting** Following the “In Camera” meeting the following notes and motions are to be included in the Public Record:
- On November 29, 2008, a complaint was received by the Leading with Care Committee pursuant to the Policy of the Presbyterian Church in Canada for Dealing with Sexual Abuse and/or Harassment, against the Reverend Donald McInnis. Following receipt of the complaint the Leading with Care Committee conducted an in-depth investigation in compliance with the aforementioned Policy, and as a result of this investigation brings the following recommendations:
- RECOMMENDATION #1** (Fraser / Stol) THAT the complaint be substantiated. **CARRIED**. (vote conducted by secret ballot).
- RECOMMENDATION #2** (Fraser / Stol) THAT the Reverend Don McInnis be rebuked pursuant to the Policy of the Presbyterian Church in Canada for Dealing with Sexual Abuse and/or Harassment, Section IV: Definitions: *Consent, and*

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Acceptable Social Relationships. CARRIED.

RECOMMENDATION #3 (Fraser / Stol) THAT this rebuke be administered to the Reverend Don McInnis, in the presence of his Advisor, privately by the Moderator of Presbytery together with the Leading with Care Committee. CARRIED.

RECOMMENDATION #4 (Fraser / Stol) THAT before the Reverend Don McInnis be permitted to pursue any pastoral or preaching responsibilities, (including funerals, weddings, preaching and sacraments), we require a written acknowledgment to the Presbytery through the Leading with Care Committee that entering into this relationship with the complainant was ethically wrong and a breach of his ordination vows, and an assurance, also in writing, that this breach of ethics will not occur again. CARRIED.

RECOMMENDATION #5 (Fraser / Stol) THAT pastoral care continue to be made available to both the complainant and the complaine in the persons of the Reverend Wilhemina Szwart and the Reverend Douglas Miles, respectively. CARRIED.

RECOMMENDATION #6 (Fraser / Stol) THAT the numbered reports which were circulated at the start of the “in camera” meeting, as well as the ballots be returned to the Clerk for shredding. CARRIED.

RECOMMENDATION #7 (Fraser / Stol) THAT Mr. John McNair, Legal Counsel to the Presbytery of London be invited to join the “in camera” meeting and to sit and correspond with relation to the request from the complainant’s lawyer to settle an amount of \$17,250 “all inclusive.” CARRIED.

ADDITIONAL MOTION (Nichol / Reid) THAT the Moderator appoint a Commission of the Presbytery to provide further instructions to our lawyer in the event that the settlement cannot be reached. CARRIED.

The Moderator announced that this Commission would consist of the Moderator, the Clerk, and the Convenor of the Leading with Care Committee.

Adjournment

On a motion by Kathy Fraser, the Court stood adjourned at ten-thirty o’clock in the evening, to meet in Regular Session on Tuesday, the eighth day of September, two thousand and nine, at the hour of seven o’clock in the evening in North Caradoc, and within North Caradoc-St. Andrew’s Presbyterian Church.

The Moderator thanked everyone for their participation and for their attendance at this special meeting, and closed the meeting with Prayer.

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Moderator

Clerk