

2

REGISTRATION
OPTIONS

FACE TO FACE
OR ONLINE

7TH ANNUAL LAW OF RELIGIOUS INSTITUTIONS CONFERENCE

Board Responsibilities in Faith-Based Organisations

Legal Duty and Institutional Risk After DP v Bird

Embedding Child Safety into Governance and Culture

Structuring to Protect Religious Assets from External Risks

Navigating Payments to Religious Practitioners

Managing Donations, Bequests and Deductibility

Changing Employment Relationships and the Fair Work Act Reforms

Legal Obligations in Managing Volunteers

Preventing and Resolving Conflict in Faith Based Organisations

Managing Online Expression in Religious Institutions

A 1½-Day Conference

Thursday 16 & Friday 17 October 2025

Marriott, Melbourne

Feedback from last year's conference:

- Important range of papers and speakers. Appreciated the outstanding quality of the speakers. Invaluable commentary on case law.
- The conference featured a useful mix of subject matter and was geared towards sharpening practice for religious institutions and their advisers.
- Material was well presented and relevant.
- Good format, good presenters, and interesting and relevant topics.



Your Trusted CPD Partner for 50 Years

DAY 1: THURSDAY 16 OCTOBER 2025

**CHAIR - AM: ADAM FOSTER, PARTNER,
COLIN BIGGERS & PAISLEY,
MELBOURNE, VIC.**

MORNING THEME: GOVERNANCE, INTEGRITY AND COMPLIANCE

9.00 - 9.15am

Introduction and welcome

9.15 - 10.00am

Session 1: Governing with Integrity: Board Responsibilities in Faith-Based Organisations

Religious organisations operate at the intersection of faith, governance, and regulation - and recent investigations have shown that mission alone is no defence against poor governance. This session examines how boards of religious institutions can uphold both spiritual integrity and legal compliance, highlighting lessons learned from recent ACNC investigations and international case studies. Topics include:

- Understanding the legal duties of board members in religious organisations
- Embedding integrity and accountability into board culture and decision-making
- Managing conflicts of interest and related party transactions in faith-based settings
- Succession planning and renewal in volunteer-led boards
- What enforceable undertakings are, and when the ACNC may use them
- Lessons from a recent investigation and implications for compliance across the sector
- The growing role of the ACNC and how religious boards can stay ahead of regulatory risk

Speaker: Rebecca Lambert-Smith, Practice Leader, Moores, Melbourne, Vic

10.00 - 10.10am Panel Comments and Questions

10.10 - 10.55am

Session 2: Redrawing the Lines: Legal Duty and Institutional Risk After DP v Bird

The High Court's landmark ruling in DP v Bird has shifted the landscape on institutional liability, clarifying the scope of non-delegable duties and the circumstances under which institutions may be held directly liable for abuse. This session explores the wider legal and operational consequences of the decision, including:

- The role of non-delegable duty in future abuse litigation
- How DP v Bird may influence the approach to institutional liability in civil claims
- Opportunities and risks for legislative reform across Australian jurisdictions
- Practical steps for religious institutions to review their legal exposure and safeguarding frameworks

Speaker: Luke Geary, Partner, Mills Oakley, Brisbane, Qld

10.55 - 11.05am Panel Comments and Questions

11.05 - 11.30am Networking Break and Morning Tea

11.30am - 12.15pm

Session 3: Safeguarding by Design: Embedding Child Safety into Governance and Culture

As religious institutions work to address the legacy of historical abuse, the priority must now shift to prevention. This session explores how governance, leadership and legal compliance must work together to create a culture of proactive safeguarding. It moves beyond reactive measures to focus on systems, structures and values that protect children and vulnerable people before harm occurs. Topics include:

- Key elements of a proactive and legally compliant safeguarding framework
- The evolving patchwork of child protection laws across jurisdictions
- Embedding safeguarding responsibilities into board and leadership structures
- Aligning policies and practices with both legal duties and moral obligations
- Building an organisational culture that prioritises prevention, accountability and trust

Speaker: Jessica Lipsett, Director, Vocare Law, Brisbane, Qld

12.15 - 12.25pm Panel Comments and Questions

12.25 - 1.25pm Luncheon

DAY 1: THURSDAY 16 OCTOBER 2025

CHAIR - PM: REBECCA LAMBERT-SMITH, PRACTICE LEADER, MOORES, MELBOURNE, VIC

AFTERNOON THEME: PROPERTY, FINANCES AND INSTITUTIONAL RISK

1.25 - 2.10pm

Session 4: Shielding the Sacred: Structuring to Protect Religious Assets from External Risks

As litigation risks, financial pressures, and regulatory scrutiny grow, religious institutions must take active steps to protect their core assets. Separating charitable activities from statutory corporations is one key strategy, but it must be done carefully to preserve mission alignment and legal integrity. This session explores how to design strong legal and governance structures to safeguard religious assets while enabling operational flexibility. Topics include:

- Understanding the powers and limitations of statutory religious corporations
- Unincorporated vs incorporated entities: benefits and drawbacks
- The relationship between the statutory corporation and related separate entities
- Best practices to ringfence risk while maintaining charitable purpose
- Lessons from recent case studies, including Presbyterian Church in Queensland; Allianz Australia Insurance Ltd v Uniting Church in Australia Property Trust (NSW) [2025] FCAFC 8.

Speaker: Vera Visevic, Partner, Mills Oakley, Sydney, NSW

2.10 - 2.20pm Panel Comments and Questions

2.20 - 3.05pm

Session 5: Salaries, Stipends and Honorariums: Navigating Payments to Religious Practitioners

The regulation of payments made to religious practitioners is complex and involves oversight by both the ACNC and the Australian Taxation Office. In this session, attendees will gain a better understanding of this complex area, including:

- Who can be considered a religious practitioner for tax purposes?
- Are religious practitioners common law employees for taxation purposes?
- Reportable and non-reportable fringe benefits: what are they and when can they be paid?
- Stipends and allowances: what are they and what are the implications when they are paid?
- Issues relevant to payment of superannuation to religious practitioners.
- Relevant considerations when paying honorariums to religious practitioners.

Speaker: Sam Burnett, Partner, Prolegis Lawyers, North Sydney, NSW

3.05 - 3.15pm Panel Comments and Questions

3.15 - 3.35pm Networking Break and Afternoon Tea

3.35 - 4.20pm

Session 6: Faith, Finances and Fundraising: Managing Donations, Bequests and Deductibility

Donations, offerings, and bequests are the lifeblood of many religious institutions, but managing them properly is essential to maintain public trust and legal compliance. Whether it's tithes, one-off donations, or bequests left in a will, how these gifts are received, managed and applied has serious implications for an institution's integrity, reputation and compliance. This session explores the key legal and tax issues surrounding fundraising in faith-based contexts, including:

- Honouring donor intent while ensuring proper governance and flexibility
- Understanding the tax treatment of tithes, offerings, and designated gifts
- When can your church issue tax-deductible receipts, and when can't it?
- Managing bequests left to churches or faith-based charities through wills
- Handling disputes or confusion over how donated funds are used

Speaker: Catherine Brooks, Principal, Equitable Philanthropy, Melbourne, Vic.

4.20 - 4.30pm Panel Comments and Questions

DAY 2: FRIDAY 17 OCTOBER 2025

**CHAIR - DAY 2: MURRAY BAIRD,
PRINCIPAL MURRAY BAIRD
ADVISORY AND CONSULTANT
PROLEGIS LAWYERS, MELBOURNE**

**THEME: MANAGING PEOPLE IN A CHANGING
LEGAL LANDSCAPE**

9.00 - 9.05am

Introduction and welcome

9.05 - 9.50am

Session 7: Not What They Used to Be: Changing Employment Relationships and the Fair Work Act Reforms

The 2024 reforms to the Fair Work Act have changed how employment relationships are legally defined, shifting the focus from contracts to the real-world nature of the arrangement. For churches and religious institutions, this has significant implications, especially when engaging people outside traditional employment models, such as ministry workers, musicians, or administrative staff. This session explores what's changed and what it means for your organisation. Topics include:

- How new section 15AA introduces a 'real substance' test - moving beyond written contracts to assess the actual nature of the working relationship
- How the new test broadens who may be considered an "employee"
- What this means for unfair dismissal, entitlements, and workplace claims
- Why informal or faith-based arrangements may no longer be enough
- Case study: *Hobbs v The Salvation Army* - would the outcome differ today?

Speaker: Adam Foster, Partner, Colin Biggers & Paisley, Melbourne, Vic.

9.50 - 10.00am Panel Comments and Questions

10.00 - 10.45am

Session 8: More Than a Helping Hand: Legal Obligations in Managing Volunteers

Volunteers are central to the mission of many religious organisations - yet their management carries legal, reputational, and ethical responsibilities. This session explores the evolving obligations when engaging volunteers, and how to create a safe and compliant volunteering culture. Topics include:

- Legal responsibilities owed to and by volunteers
- Volunteer vs worker: navigating the line under WHS and other laws
- Screening, onboarding, and record-keeping obligations
- Managing misconduct or grievances involving volunteers
- Minimising legal and reputational risks through clear policies and training

Speaker: Chris Mills, Director, Neumann & Turnour Lawyers, Brisbane, QLD

10.45 - 10.55am Panel Comments and Questions

10.55 - 11.15am Networking Break and Morning Tea

DAY 2: FRIDAY 17 OCTOBER 2025

11.15 - 12.00pm

Session 9: Peace in the Pews: Preventing and Resolving Conflict in Faith Based Organisations

Tensions within faith-based organisations can arise over theology, leadership, governance, or direction. If not addressed early, these disputes can fracture communities and lead to serious legal, financial and reputational fallout. This session provides practical and legal guidance on managing internal disputes before they escalate, including:

- Key causes of conflict in religious organisations and how they typically unfold
- Governance structures, constitutions and bylaws - legal foundations for effective conflict management
- Proactive tools for early intervention, including mediation and facilitation
- Legal implications of leadership challenges and congregational splits
- Strategies for building a culture of accountability, transparency and constructive disagreement

Speaker: Josephine Heesh, Partner, Carroll & O'Dea Lawyers, Sydney, NSW

12.00pm - 12.10pm Panel Comments and Questions

12.10 - 12.55pm

Session 10: Faith, Free Speech and the Digital Age: Managing Online Expression in Religious Institutions

The online world offers powerful tools for ministry - but also real risks for religious institutions. Whether it's a controversial post from a staff member or online backlash over beliefs, faith-based organisations must navigate the tension between free speech and legal responsibility. This session will explore:

- Defamation and vilification risks in social media use
- Managing personal expression by staff, clergy, and volunteers online
- When is online speech legally attributable to the institution?
- Social media policies and expectations in a religious context
- Responding to reputational harm and digital crises

Speaker: John Steenhof, Director, Human Rights Law Alliance, Deakin, ACT

12.55 - 1.05pm Panel Comments and Questions

1.05pm Conference Close

GENERAL INFORMATION

Conference Registration Fee

The conference registration fee includes attendance at the conference and conference papers. Refreshment breaks on both conference days and lunch on day 1 are included for delegates attending the face to face event.

Conference Papers

TEN will not provide printed copies of the conference papers or Powerpoints. Access to the papers & Powerpoints will be available online to all delegates in the lead-up to the conference (as they become available).

CPD

Lawyers: 9 CPD units (substantive law) for the conference

CPD Certificate

All delegates will receive a CPD Certificate/s confirming attendance.

The Conference Venue

Melbourne Marriott Hotel

Corner Lonsdale & Exhibition Streets, Melbourne

Phone: (03) 9662 3900

Web: Luxurious hotel in Melbourne's CBD (marriott.com)

Delegate Accommodation Rate at the Melbourne Marriott

Contact Jenna Pickrell for accommodation details.

Travelling to the Conference Venue

Delegates are advised to make their own travel arrangements.

Conference Dress

Smart casual attire is suitable (note: the temperature in the conference rooms can vary depending on where you are sitting. Short sleeves/summer tops are generally OK, but it is advisable that you bring a jacket/long sleeved top just in case you need it).

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 - a. "TEN" means Television Education Network Pty Ltd
 - b. "you" means the person who has registered to attend or the person or persons who attend(s) the conference (if different from the person registered)
 - c. "conference" means the live face to face or live or recorded online educational event or which you have registered (by whatever name called and includes conferences, masterclasses, webinars and webinar series).
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 - e. "recorded conference" means a recording of a presentation or a series of presentations which you can view at a time of your choosing
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Cancellation by You – all conferences

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Governing Law – all conferences

15. The agreement between TEN and you is governed by the laws in force in the State of Victoria and the courts and tribunals of that State have sole jurisdiction to determine disputes arising in relation to it.

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Registration is simple; complete the form below and fax or post your registration to us or register online.
Television Education Network Pty Ltd (ABN 19 052 319 365) trading as TEN The Education Network.
GPO Box 61, Melbourne, Victoria 3001 Phone (03) 8601 7700 Enquiries Jenna Pickrell (03) 8601 7729
Register online: <http://www.tved.net.au> – go to CONFERENCES

Please register me for the **Seventh Annual Law of Religious Institutions Conference** – a 1.5-day conference to be held in Melbourne on Thursday 15 & Friday 16 October 2025

Delegates have 2 options for attending – both cost the same.

- ☐ **Registration type 1:** Attend in person [code: MLROCT25]
☐ **Registration type 2:** Attend online [code: MLROCT25L0]
☐ **Early Bird Registration** – for registrations made on or before 5 September 2025 – **\$1661** (\$1510 + \$151 GST)
☐ **Discount Registration** – for registrations made on or before 3 October 2025 – **\$1782** (\$1620 + \$162 GST)
☐ **Full Price Registration** – **\$1925** (\$1750 + \$175 GST)

Multiple registration discount? Discounts are available for multiple registrations: The more you send, the greater the discount. You can access the discount by registering using the “multiple registrations” option online, or contact our Conference Manager, Jenna Pickrell, to organise your registrations, jenna@tved.net.au or phone (03) 8601 7729.

- 3 registrations – **5% discount** for each delegate
- If you register 4 people at the same time you are entitled to a **10% discount** for each delegate
- If you register 5 people or more people at the same time you are entitled to a **15% discount** for each delegate.

One-day only? We do accept bookings for attending one day only (either day 1 or day 2). To organise a one-day booking, please contact Jenna (details above).

Conference Papers

The papers from this conference will be available in electronic format approximately 1 week after the conference has been held. You can pre-order the papers now online via our website at www.tved.net.au.
The papers are **\$198** (\$180 + \$18 GST) [code: E/PMLROCT25].

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