

The Presbyterian Church of Queensland

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Commentary on our current situation

Special Commission of Assembly

The following resolution was made at a recent Special Commission of Assembly regarding our current situation under receivership - “Request each church to set aside a dedicated time within the next month to bring before the Lord in earnest, humble and dependent prayer the significant and serious matter of further and imminent legal proceedings involving the church and to call all their members to fervent and constant prayer for the Presbyterian Church of Queensland’s leaders and legal representatives as they prepare for and engage in these legal proceedings.”

The PresCare Crisis

Since the financial crisis involving PresCare led the Presbyterian Church of Queensland into receivership in 2021, the church has lived under the weight of ongoing legal proceedings. The court-appointed receivers by their appointment order have been directed to preserve and maintain the church’s assets and, as far as possible, they have kept operations functioning as close to “business as usual” as they can. Even so, the cost and constraints of receivership have taken a significant toll. With reduced financial capacity and limited freedom to act, many ordinary tasks have become harder to manage, and the church’s ability to pursue worthwhile gospel-driven initiatives—both in local congregations and across the denomination—has been significantly hindered.

Structure of the Church and the Letters Patent Entity

The Presbyterian Church of Queensland has operated under a Letters Patent Entity (LPE) since 1876, when it was incorporated under Queensland’s Religious, Educational and Charitable Institutions Act 1861 (RECI Act). This legal framework provides the church with an incorporated structure through which it can own property and conduct business in Queensland. The Church itself is, however, an unincorporated body. Many of its legal dealings are directed through the LPE, but the connection that we all have and maintain as a Church through its Assembly, Presbyteries, Charges and other committees is not.

The LPE therefore exists to serve the church in its legal and administrative capacity. The Letters Patent Officers can only do as the Church directs. The LPE does not act independently, but only at the direction of the Assembly of the unincorporated church.

Justice Bradley's Findings

In his judgment of 3 October 2025, Justice Bradley made several findings that help explain the church's present circumstances. In summary, the Court found that:

- PCQ had acted in good faith, responsibly and reasonably, and had exercised the degree of caution expected of a trustee holding property for charitable purposes;
- PresCare was not a separate trust and its property was held for the general charitable purposes of the church; and
- PCQ therefore remained liable for the debt incurred by PresCare.

Justice Bradley also examined the structure of the Presbyterian Church of Queensland, its history, and the operation of its Code. In doing so, he observed that the Code distinguishes between "congregational property" and "denominational property."

Although the Court found that PresCare's property was not held on a specific trust, it did not make any findings in respect of other property of PCQ (including congregational property and Fairholme properties), which could be held on more specific trusts.

The Appeals

The Receivers have filed appeals against Justice Bradley's decision and obtained directions from the Court that they are justified in progressing those appeals. Several grounds of appeal have been identified contesting findings of Justice Bradley, including that there is no separate PresCare trust. If that finding were to be overturned on appeal, the usual consequence would be that debts of PresCare would only be paid from the assets of PresCare. The Church considers that would mean denominational and congregational assets cannot be used to pay debts arising from PresCare.

The Court of Appeal has set the hearing of the Appeals over four days from 10 – 13 November 2026.

Proposed Additional Receiver

On 15 July 2026 the Supreme Court of Queensland made an order that the remaining dates for the hearing of the application by the Catalyst parties of the appointment of an additional receiver have been vacated and the hearing will not go ahead in August. The matter has been adjourned to a date to be fixed, and will be reviewed by the Court in December, after the hearing date of the Appeals. While the parties initially agreed that the matter should be adjourned indefinitely, the Court required the review to ensure that there will be progress made to ensure that the application is either progressed or dismissed in the future. Other than the review, no further steps will be taken prior to the delivery of judgment in the Receivers' Appeals.

The Future of the Church

The Assembly continues to consider appropriate arrangements to support the ongoing ministry and operations of the Church should changes become necessary in the future. If any action is required from congregations, we will communicate with you at the appropriate time.

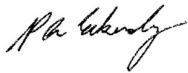
We appreciate your continued support and prayers as the Assembly works through these matters with the aim of securing the long-term future of the Church. We understand that the Catalyst parties' application has caused considerable concerns about the future of the Church,

and constraints placed upon us have made it difficult to communicate about those concerns. We wish to reassure you that considerable work has been put into preparedness for the future. A Special Commission of the Assembly has been convened on 30 July 2026, following which we expect further information to be made available to congregations.

Prayer Points

- Pray for the Assembly, that God will give us wisdom as we continue to make decisions concerning this matter
- Pray for the Court Appointed Receivers, that they will continue to act fairly and carry out the request of the courts
- Pray that God will be merciful to the PCQ, and bring the litigation and receivership to a prompt ending
- Pray For the LORD to give wisdom, skill, and unwavering determination to the legal representatives of the PCQ and its churches
- Pray for the LORD to protect the properties and, more importantly, the ministries of the PCQ's congregations
- Pray for all of us in the PCQ to humble ourselves under God's mighty hand, trusting in His providence and absolute faithfulness to His people

Yours in the service of Christ,



(Mr) Peter Eckersley
Moderator-Elect