

## SYNOD NEWS

### THE GOVERNING BODY OF THE CHURCH IN WALES

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The September 1998 meeting of the Governing Body of the Church in Wales was held at the University of Wales, Lampeter. As an experiment, the meeting took place over a week-end instead of as usual on a Wednesday and Thursday. A substantial amount of important legal business was transacted.

The Drafting Sub-Committee of the Standing Committee had prepared formal amendments to the Constitution to implement decisions taken at the April 1998 meeting. Section 32 of Chapter III of the Constitution was amended to clarify the powers of the Representative Body with regard to the delegation of its powers to committees and sub-committees of its members. This ended the uncertainty which had attended the issue of whether decisions taken by sub-committees of the Finance and Resources Committee took effect immediately or required ratification by the F & RC or by the Representative Body itself before they became operative. Section 64 of Chapter II was amended to implement the decision taken in April to the effect that it was no longer necessary for two chairmen of divisions of the Board of Mission to be members of the Governing Body Standing Committee.

This second amendment is an example of a somewhat tedious proceeding which had become common in recent years. A motion in clear terms is placed before the Governing Body at one meeting and adopted. As it requires an amendment to the Constitution, it passes to the Drafting Sub-Committee to produce the appropriate amendment. At the next meeting, the matter returns in almost identical terms for the formal amendment to be made. Mindful of the unnecessary repetitiveness of this process, the Governing Body resolved on the recommendation of the Drafting Sub-Committee that in future it should be open to the Standing Committee to approve the necessary formal amendments to the Constitution in such situations without the matter having to return to the Governing Body itself, this being subject to two important checks, namely that the Governing Body must approve such a course of action in relation to the amendment in advance when it considered the substance of the change and that neither the Drafting Sub-Committee nor the Standing Committee had subsequently recommended that the matter be considered again by the Governing Body. A new section 35(3) will be added to Chapter II to implement this policy.

The Governing Body also resolved, on the recommendation of the Drafting Sub-Committee, to amend the definition of *cleric* contained in section 3 of Chapter I of the Constitution to read 'a clerk in Holy Orders'; previously it read 'a clergyman or female deacon'. The Church in Wales had chosen to replace the term *clergyman* with *cleric* when women were first ordained to the diaconate in 1979, preferring that term to *clergyperson*. It is a shame that other provinces have not followed Wales's choice in this regard.

The Governing Body agreed in principle to the following amendments being made to the Constitution on the recommendation of the Representative Body. The Drafting Sub-Committee will produce the formal amendments in due course. Firstly, the *Churchyard Regulations* are to be amended yet again, this time to enable archdeacons to give written approval for ledger stones to be introduced onto plots for the deposit of cremated remains. Secondly, the *Church Sales Regulations* are to be amended so

as to provide that where the income from leases or licences of church sites in a parish exceed a certain amount, which amount shall be determined from time to time by the Representative Body, it shall be available for purposes such as the repair and maintenance of churches, church halls and churchyards in the parish rather than the more limited purposes presently allowed, in the absence of which the income accrues to the diocese and the province. Finally, the Governing Body agreed to abolish the system of family allowances currently paid to clergy as of right and to substitute therefor a system whereby the Representative Body will pay a fixed amount to each diocese per full-time stipendiary cleric with the expectation that the diocese will contribute an equal sum, from which fund each diocese will be able to pay allowances to clergy on a discretionary basis. The contributions are to be increased in line with clergy stipends.

The Governing Body also approved rules relating to the care of the fabric of cathedrals and for the provision of advice for the care of other churches, which rules are to be placed in volume II of the Constitution as the *Cathedrals and Churches Commission Rules*. The need for such rules follows from the decision of the Governing Body in September 1997 to extend faculty jurisdiction to the Welsh cathedrals. The Rules establish a body to be called 'The Church in Wales Cathedrals and Churches Commission', which is to operate as a sub-committee of the Representative Body's Finance and Resources Committee but is not subject to the direction or control of that committee or of the Representative Body so as to ensure its impartiality in the exercise of its functions. The Commission is to consist of twenty-one members, together with a Chairman and Vice-Chairman, the former to be appointed by the Archbishop of Wales following consultation with the Secretary of State and the latter after consultation with the Representative Body. Among the members must be a cathedral dean, a cathedral architect, qualified architects, chartered surveyors or engineers, artists or sculptors, and persons whom the amenity societies regard as having special knowledge of relevant topics such as architecture, archaeology, art, history and liturgy. The rules make provision for co-opting members and for retirement, re-election and the filling of casual vacancies.

The primary function of the Commission is to advise diocesan chancellors on petitions for faculties relating to cathedrals, but the Commission can also be required to give such advice in relation to other churches and to give advice on matters within its expertise to other members or bodies of members within the Church of Wales. As well as these obligations, it is empowered to promote the care and conservation of church buildings by collaborating with amenity societies and engaging in educational and other promotional activities. Although the rules also provide for cathedral chapters establishing their own individual Fabric Advisory Committees, these will no longer be compulsory, and the Commission will be available to assist cathedral chapters in the place of such committees if it is decided to forgo their appointment. It is obligatory for cathedral chapters to take the advice of the Commission if they propose to apply for listed building, conservation area or scheduled monument consent under the relevant secular legislation.

Cathedrals are now within the faculty jurisdiction of the Welsh church courts, amended rules for which are to be produced in due course for inclusion in volume II of the Constitution.

The Governing Body also dealt with three Bills at its September meeting, each at a different stage of its progress through the legislative process. A Bill to Amend Chapter XI of the Constitution received its first reading, which is nothing more than a formal introduction without debate, the title only being read. The Bill provides that Diocesan Registrars and Deputy Registrars are to retire at seventy, rather than seventy-five as at present, and also allows for their removal from office by order of the bishop subject to a right of appeal to the Provincial Court, whereas currently the order of the bishop must be confirmed in all cases by the Court. The Bill reflects res-

olutions passed by the Governing Body in April 1997 (see 4 Ecc LJ 761), but the Standing Committee has given notice that it will move amendments to the Bill at its second reading in April 1999.

The Bill to Amend Bill Procedure had its second reading, which is a debate upon its principles, and the motion that the Bill be read a second time was passed. A Select Committee has been appointed to consider amendments of detail and will report at the Committee Stage of the Bill in September 1999 when a final vote will be taken by orders. The Bill proposes to amend Bill procedure in a number of ways. Firstly, formal first reading will be abolished. Instead, proposers of Bills will forward them to the Standing Committee. If the Standing Committee finds the Bill to be in order, the Bill will be forwarded to all members of the Governing Body and a Select Committee established. Governing Body members will have three months to submit amendments of either principle or detail to the Select Committee. Consideration by the Select Committee amalgamates the current second reading and the current work of the Select Committee. The Select Committee is to report within six months. It may report that the Bill is non-controversial, in which case, unless one diocesan bishop or any ten members of the Governing Body require a full debate, the Governing Body will proceed immediately to vote by orders on the Bill. If the Bill is not deemed non-controversial, the report of the Select Committee will be debated by the Governing Body at Committee Stage and the whole Bill debated for the first and last time prior to the final vote by orders. It will however be possible to postpone the final debate if amendments of principle have been agreed at the committee stage requiring further consideration of the detail of the Bill. No change is proposed to the current requirement of a two-thirds majority in each of the three orders of bishops, clergy and laity for a Bill to be passed.

The new system will, however, permit diocesan conferences to introduce Bills in their own names, and will allow the Standing Committee to consult the dioceses on a Bill during the Select Committee process. If approved, the new procedure will apply to Bills subsequently forwarded for consideration by the Governing Body: the existing procedure will apply to Bills whose passage has already begun.

Two amendments of principle were approved by the Governing Body at the second reading, both proposed by Miss Dilys E Glynn. Firstly, an explanatory memorandum explaining the Bill, its purposes and details, must be sent to all members when they receive their copies of a Bill from the Standing Committee. Secondly, notice that a Bill has been deemed non-controversial by a Select Committee must be given to the Governing Body before the commencement of the meeting at which the Committee Stage is to take place.

Finally, the Bill for the Removal of Doubt concerning Marriage after Divorce as an Impediment to Admission to Holy Orders received its Committee Stage, Report and Vote. The Bill had been introduced in April 1995 and had been approved at its second reading in September of that year. If it were not proceeded with at the September Governing Body in 1998 it would therefore lapse through the passage of time, three years having passed since its second reading. The Bill originally sought to remove doubt as to whether remarriage after divorce or marriage to a divorcee, in either case during the lifetime of the former spouse, was or was not an impediment to ordination by stating in terms that it was not, leaving the bishops free to decide for themselves whether or not to ordain a person so affected. An amendment proposed by the Ven Martin Williams, Archdeacon of Margam, was deemed one of detail and approved at the Committee Stage. This amendment sought to remove the doubt by stating categorically that such second marriages were canonical impediments to ordination, but at the same time granting the Bench of Bishops collectively the power to dispense from the impediments in individual cases following consultation with a provincial panel of advisors containing representatives from each diocese. The Bishops, as promoters of the Bill, indicated their contentment with the amendment and

it was passed by 170 votes to 66. The Bill as amended was then reported to the Governing Body and passed by a substantial majority in each of the three orders. The voting figures were as follows:

	<i>For</i>	<i>Against</i>
<b>Bishops</b>	6	0
<b>Clergy</b>	95	3
<b>Laity</b>	129	7

The Bill was then duly promulgated as a canon of the Church in Wales.

The meeting of the Governing Body over a week-end was an experiment. It may not be repeated. However, a great deal of significant business was transacted, and the meeting may have had a significance surpassing any item of business on its agenda. Recent years have seen a series of defeats for Bills introduced by the Bench of Bishops, defeats which have led to an uneasy relationship between the Bench and the Governing Body. As reported in the last issue of this Journal, that uneasy relationship manifested itself in stark terms at the April 1998 meeting of the Governing Body (see 5 Ecc LJ 126). The September meeting has witnessed a distinct change in attitudes. Many believed that the Bench's readiness to accept the amendment to the Removal of Doubt Bill enabled that Bill to pass without serious opposition. The new atmosphere of 'give and take' on both sides of what threatened to become a traditional divide appears to have restored the consensus decision-making which was the hallmark of Governing Body business until very recently. If consensus has indeed been restored as a result of the September meeting, after only a short period of unease during which decisions which would have been difficult under any circumstances have been taken, then a new era of collegial progress may be about to be inaugurated. This would be a fitting end to the Church in Wales's first eighty years and a good start to the new millennium for it.

## THE GENERAL SYNOD OF THE SCOTTISH EPISCOPAL CHURCH

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The General Synod of the Scottish Episcopal Church opened in Edinburgh with Eucharist on 11th June 1998 and, as usual, lasted for three days. Liturgy and canons formed the greater part of the discussion, but among other topics it was resolved to hold a Provincial Conference in St Andrews in 1999 with the title 'New Millennium, New Parliament, Renewed Church'.

The Liturgy Committee prepared a number of small changes to Funeral Rites and to the Scottish Liturgy 1982 to remove sexist language; questions were asked about what evidence there was to show that such language depressed or offended women; and after considerable discussion the motion for the changes to be approved for the first time was put to the Synod. It was not passed, but might have had a better chance of success if the changes had been put singly.

### SEXUALITY

A private motion on sexuality was passed in which the College of Bishops was asked to appoint a working party to consider Christian perspectives on human sexuality and relationships, including the issues of homosexuality and same-sex rela-