

The draft Act of Synod represents Article 8 business on the basis that it involves ‘a scheme for . . . a permanent and substantial change of relationship between the Church of England and another Christian body being a body a substantial number of whose members reside in Great Britain’. Under Article 8(1B) of the Synod’s Constitution the Synod may resolve that Final Approval of any such scheme is to require the assent of such special majorities of the members present and voting as may be specified in the resolution (whether a special majority of each House or of the whole Synod or of both). Relying on that provision, at the February group of sessions a member proposed that Final Approval of the Act of Synod should require a two-thirds majority of each House present and voting; however, the motion was lost on the Division by Houses – a majority of those present and voting in each House opposing the proposal.

doi:10.1017/S0956618X11000792

General Assembly of the Church of Scotland

May 2011

FRANK CRANMER

INTRODUCTION¹

As usual, the General Assembly’s debates ranged very widely: from a call by the Church’s social care organisation, CrossReach, for visitors’ centres to be established in all Scottish prisons to a plea for more ministers to consider a career in military chaplaincy.² Several specific items may be of interest to readers of this *Journal*.

CLERGY IN SAME-SEX RELATIONSHIPS

Probably the most difficult issue facing the Assembly was and is the issue of clergy in same-sex relationships. In 2009 the Assembly had placed a moratorium on the ordination of openly gay candidates and had appointed a Special

1 Janette Wilson, Solicitor of the Church of Scotland, very kindly read this note in draft.

2 *The Church of Scotland General Assembly 2011* (the ‘Blue Book’) includes all the reports of the various boards and committees and is available at <http://www.churchofscotland.org.uk/__data/assets/pdf_file/0016/5812/gaa1_bluebook.pdf>. A full list of the Assembly’s decisions, instructions and recommendations can be found in the 2011 *Remits Booklet*, available at <http://www.churchofscotland.org.uk/__data/assets/pdf_file/0018/7317/Remits_2011_Final.pdf>, both accessed 17 September 2011.

Commission on Same-sex Relationships and the Ministry, chaired by Lord Hodge, to consider the matter and to report by 2011.³

Unsurprisingly, the issue of gay clergy is deeply divisive. The results of a survey of 22,000 members published to coincide with the meeting of the Assembly had revealed that one-fifth of those surveyed would leave the Kirk if the General Assembly were to allow people in committed same-sex relationships to be ordained as ministers. However, after a long debate on the Special Commission's report⁴ the General Assembly voted by 351 to 294 'to consider further the lifting of the moratorium on the acceptance for training and ordination of persons in a same-sex relationship' and to set up a Theological Commission to bring recommendations on the matter to the 2013 General Assembly. In addition, the new Commission will consider whether ministers should have freedom of conscience to bless civil partnerships and a possible liturgy for such occasions.

Courts, councils and committees of the Church have been instructed not to make decisions in relation to contentious matters of same-sex relationships. They are not to accept for training, ordain, induct or allow to transfer from another denomination any person in a same-sex relationship until the General Assembly of 2013 has heard the report of the Theological Commission. However, the Assembly voted by 393 to 252 to allow ministers and deacons in same-sex relationships ordained before 31 May 2009 to be inducted into pastoral charges – a decision against which 120 Commissioners to the Assembly subsequently recorded their dissent.

Since nothing was formally enacted it was not necessary to send down the proposals to presbyteries under the Barrier Act procedure; however, any changes made by the Assembly of 2013 will almost certainly engage the Barrier Act, which means that a final decision is likely to be made in 2014.

SAFEGUARDING

In 2010 it had been agreed to create a comprehensive Safeguarding Service including all safeguarding work done by CrossReach and the Church's councils and committees, as well as by congregations. Act VII 2011, anent Scheme Membership for Ministers, Deacons and Readers in terms of the Protection of Vulnerable Groups (Scotland) Act 2007, sets out the conditions under which ministers, deacons and readers are required to provide information to Disclosure Scotland for Scheme membership for the purposes of regulated

3 See F Cranmer: 'Human sexuality and the Church of Scotland: *Aitken et al v Presbytery of Aberdeen*', (2009) 11 Ecc LJ 334–339.

4 The report is available at <http://www.churchofscotland.org.uk/__data/assets/pdf_file/0006/5757/gaii_specssrm.pdf>, accessed 17 September 2011.

work with children and young people and protected adults – and what will happen subsequently if Scheme membership is refused for any reason. A new Safeguarding Handbook was to be available by the end of June.

STRUCTURAL REVIEW

The recommendations of the Panel on Review and Reform on alternative presbytery structures – a smaller number of presbyteries with more powers than at present, which would be better resourced and meet only twice a year – were rejected. After a lengthy debate, a counter-motion was carried by 31 votes that effectively dismissed two-thirds of the Panel's report and retained the status quo.

LOCAL CHURCH REVIEWS

Legislation on reviews of the operations of local congregations by their presbyteries came back to the 2011 General Assembly after approval by a majority of presbyteries under the terms of the Barrier Act. Act I 2011, anent Local Church Review, requires each presbytery to review every congregation within the bounds normally once every five years. Reviews will look at a wide range of issues, such as infant baptism, the congregation's current form of constitution, the employment status and work of members of staff, safeguarding and property. The local church review replaces what used to be called the quinquennial visitation, which tended to be seen by congregations as in the nature of a critical examination rather than a pastoral appraisal.

ORDAINED LOCAL MINISTRY

Act IX 2011, anent The Ordained Local Ministry,⁵ establishes something not unlike Ordained Local Ministers (OLMs) in the Church of England – with the additional provision of a mechanism for ordaining suitable readers as OLMs.⁶ The Act states on the one hand that 'an Ordained Local Minister is hereby declared to be a Minister of the Church of Scotland. An appointment to a designated appointment is to an office of the Church of Scotland' but, on the other, that 'No person by virtue of his or her status as an Ordained Local Minister shall be eligible for induction to a Charge'.⁷

The issue was not entirely uncontroversial and the Act passed by a very narrow majority: 200 votes to 190. As Marjory MacLean has previously

5 Available at <http://www.churchofscotland.org.uk/__data/assets/pdf_file/0003/6681/2011_Act_9.pdf>, accessed 17 September 2011.

6 Act IX 2011, s 18.

7 Ibid, s 2.

pointed out,⁸ the problem is that in some parts of the Church there is little for an OLM to do that cannot already be done by an elder, a deacon or a reader; though some parish churches have very regular celebrations of Holy Communion, many still hold to the traditional Scots pattern of celebrations two or three times a year.

doi:10.1017/S0956618X11000809

Governing Body of the Church in Wales

April and September 2011

PHILIP MORRIS

Archdeacon of Margam

INTRODUCTION

As always, the Governing Body was engaged not only with the institutional life of the Church but also with the more general concerns of Welsh society. In his September Presidential Address, for example, the Archbishop concentrated on the Welsh Government's intention to legislate for opting out of organ donation rather than, as at present, opting in – a prospect that gave him some unease. He also announced that the Bench of Bishops, in partnership with the Standing Committee, had established a Working Party on the Welsh language to consider what good practice in bilingual provision of services and other ministry might mean.

HARRIES REVIEW GROUP

The Membership and Finances Report had revealed that, though total income to parishes had risen impressively, there had been a 5 per cent drop both in Easter communicants and in average attendance throughout the year, as well as further significant falls in attendance by young people and in baptisms and confirmations.

In his April Presidential Address the Archbishop announced the establishment of a Review Group consisting of Bishop Richard Harries, Professor

8 'Synod reports', (2009) 11 Ecc LJ 93.