

GENERAL SYNOD**STANDING ORDERS COMMITTEE****FORTY-SECOND REPORT OF THE COMMITTEE**

1. We present to the Synod our forty-second report.
2. This report makes proposals in relation to two matters, both concerned with voting.

Background

3. At the July group of sessions the Synod made a number of amendments to Standing Orders 36 and 37 to facilitate the introduction of electronic voting. (A copy of those Standing Orders as amended in July is attached in the **Annex**.) The Synod resolved that those amendments should take effect from such date as might be specified by the Business Committee.
4. As reported in the Report on the Agenda (GS 1676), the Business Committee has decided that electronic voting should be adopted from the February 2008 group of sessions onwards. At its meeting on 12th December it accordingly determined that the amendments to SOs 36 and 37 agreed by the Synod in July 2007 should come into effect immediately before the beginning of the February 2008 group of sessions.

Voting from the gallery

5. A sub-committee of the Business Committee has been considering some of the practical issues surrounding electronic voting. One of its recommendations, which has been accepted by the Business Committee, is that the current prohibition on voting from the gallery contained in what is now SO 37(a) should not apply to electronic voting (although it would continue to apply to voting by show of hands and, of course, to a division conducted otherwise than by electronic means).
6. It is not intended that members should vote electronically from the gallery. Indeed, the directions to be given by the Business Committee under Standing Order 37(f) (set out in 'Electronic Voting: Guidance and Instructions') will have the effect that members should not take their handsets into the gallery with them. However, the sub-committee recognised that it would in practice be possible for members to do so. If they did, since the PIN number required to enter a vote on the electronic voting handsets will be visible from the gallery, they could also cast a vote from the gallery electronically; and, lest that happened (or was alleged to have happened) and the validity of the relevant decision of the Synod was in consequence questioned (by reference to the voting having been otherwise than in accordance with Standing Orders), the Business Committee considered it better to remove the prohibition on voting from the gallery where – but only where – the vote is conducted by electronic means.
7. The Business Committee accordingly invited the Standing Orders Committee to propose amendments to Standing Order 37 at the February 2008 group of sessions to give effect to that

proposal. Having considered it, the Standing Orders Committee accepts the proposal and in consequence proposes the amendments referred to in paragraph 11(a) and (b) below.

Ringing a bell before a division

8. At the July group of sessions there was some debate about the effect of the changes proposed by the Standing Orders Committee in relation to the ringing of a bell before a division.
9. The consequence of the proposals was that a bell would only have to be rung before a division by Houses and not (as previously) also before a division of the whole Synod. Mr Gerry O'Brien (Rochester) opposed that, moving an amendment which would have had the effect of requiring a bell to be rung before any division, whether by Houses or of the whole Synod. That amendment was defeated. However, in the course of the debate upon it, the Bishop of Willesden said:

“A division by Houses is written into the Constitution of this Synod as something which is guaranteed as part of the Synodical government procedures and Measure. We have to have it, and it is a way in which we ensure that our voting can give voice to the three different Houses of Synod. It is quite right therefore that bells should be rung for that. A division of the whole Synod is either used because you or someone else on the Chair are not quite sure of the numbers and you need to check; that is just procedural. Occasionally, there may be a good case for counting the whole Synod without counting by Houses. It may be sensible to think about putting a Chair’s discretion in to say that the bell could be rung in instances where the numbers need to be counted, such as at the end of the last debate. That would be appropriate, but I think we would actually find ourselves in the ludicrous situation of slowing down the Synod’s business if we rang the bell each time we were going to count.”

The Reverend Hugh Lee (Oxford) also spoke in favour of the Chair having a discretion to direct that a bell be rung before a division of the whole Synod. After Mr O'Brien’s amendment had been defeated, the Chair of the Standing Orders Committee responded by indicating that the Committee had heard what the Bishop had said and would consider it.

10. The Standing Orders Committee has accordingly given the matter further consideration in the light of the Bishop of Willesden’s comments. It considers that there is a case for giving the Chair a discretion as to whether a bell is rung before a division of the whole Synod, with a view to enabling him or her to order a bell to be rung if the circumstances render that desirable – eg where the numbers voting on a motion are to be reported to Her Majesty’s Government. In consequence the Committee proposes the amendments referred to in paragraph 11(c) below.

Proposals

11. The Standing Orders Committee therefore proposes that:
 - (a) Standing Order 37(a) be amended by deleting the words “*or a division*” so that the ban on voting from the gallery will only apply to voting by show of hands (Item 18 on the First Notice Paper);
 - (b) Standing Order 37(b) be amended consequentially so that the references to members entering the hall and the closure of the doors only apply to a division conducted by physical separation of the members (Item 19 on the First Notice Paper); and

(c) Standing Order 37(b) also be amended by providing that a bell shall be rung before a division, but in the case of a division of the whole Synod only if the Chair so directs (Item 20 on the First Notice Paper).

12. One consequence of the consequential amendment referred to in paragraph 11(b) above will be that the doors of the hall will no longer be closed when a division, whether of the whole Synod or by Houses, takes place (as it normally will) by electronic means. However, the Standing Orders Committee does not regard that as giving rise to any difficulties of principle or practice.
13. If approved, the proposed changes will come into immediate effect and will therefore apply to all subsequent voting at the February 2008 group of sessions.

On behalf of the Committee

Geoffrey Tattersall

December 2007

ANNEX

Standing Orders 36 and 37 as amended by the General Synod in July 2007

Show of Hands

36. (a) Save as otherwise provided in this Standing Order, the Chairman on putting any question to the vote shall take a show of hands of those seated in the hall, the result of which as announced by him shall be conclusive.

Division of the Whole Synod

(b) On any question (except where a division by Houses is required) the Chairman may order a division of the whole Synod and shall do so if 25 members so request either before the question is put or immediately upon the announcement of the result of a show of hands.

Division by Houses

(c) In the following cases the vote shall be taken on a division by Houses:

- (i) on any question referred to in paragraph (d) (i) of SO 35;
- (ii) on any question referred to in paragraph (d) (ii) of SO 35 where a special majority of each House is required;
- (iii) on the question of Final Approval of any Measure or Canon unless by permission of the Chairman and the leave of the Synod this requirement is expressly dispensed with; and
- (iv) subject to paragraph (d) below, on any question where 25 members so request either before the question is put or immediately upon the announcement of the result of a show of hands or immediately upon the ordering of a division of the whole Synod.

(d) A division by Houses shall not be permitted:

- (i) following a division of the whole Synod;
- (ii) where a special majority of the whole Synod is required (except on any question referred to in paragraph (d) (ii) of SO 35 where a special majority of each House is required in addition to a special majority of the whole Synod); or
- (iii) where the matter is a question of procedure to which this paragraph applies.

(e) The questions of procedure to which paragraph (d) (iii) applies are:

- (i) a special procedural motion (SO 29);

- (ii) a motion to vary the order of business (SO 9);
- (iii) a motion to suspend a standing order (SO 38);
- (iv) a motion to adjourn debate on the Final Approval Stage of Article 7 or Article 8 business (SO 94); and
- (v) a motion for public and/or press to withdraw (SO 129).

Procedure on Voting

37. (a) On a show of hands or a division it shall not be in order to vote from the gallery of the hall, or, except by permission of the Chairman when there are no seats available in the hall, an aisle or gangway.

(b) For a division by Houses a bell shall be rung to warn members that such a division is about to take place, and that they must enter the hall if they wish to take part in the vote. Two minutes after the bell has stopped ringing all the doors of the hall shall be closed and the question put, whereupon the division shall begin.

(c) Divisions, whether of the whole Synod or by Houses, shall be conducted by electronic means unless the Chairman directs that a division be conducted by physical separation of the members voting.

(d) On a division, whether of the whole Synod or by Houses, the number of those who wish to record an abstention shall be counted.

(e) For a division, whether of the whole Synod or by Houses, conducted by physical separation of the members voting, the Ayes and Noes doors shall be reopened and members wishing to vote shall do so by passing through the appropriate door. Votes and abstentions shall be counted by such number of tellers (being members willing to serve) as may be appointed by the Chairman.

(f) Voting, whether by show of hands or division, shall be otherwise conducted in accordance with instructions to be issued from time to time by the Business Committee and, subject thereto, the administrative arrangements for the taking of any vote shall be made by the Registrar under the direction of the Chairman.

(g) The Business Committee shall also give instructions to ensure that, where the voting on a question is conducted by electronic means, the names of the members voting for and against that question, or wishing to record an abstention on that question, are made publicly available in such manner as may be determined by the Business Committee.