House of Bishops’ Declaration on the Ministry of Bishops and Priests

All Saints, Cheltenham: Report of the Independent Reviewer

Introduction

1. On 10 April 2015 the Director of Forward in Faith, Dr Colin Podmore, wrote to me enclosing an expression of concern about the operation of the House of Bishops’ Declaration in respect of the Parish of All Saints, Cheltenham in the Diocese of Gloucester. The nub of the concern he expressed on behalf of Forward in Faith was the licensing of the Revd Angela Smith as an “Associate Priest in the North Cheltenham Team” despite the fact that the Team Benefice included the Parish of All Saints where, by virtue of paragraph 43 of the House of Bishops’ Declaration, the PCC was to be treated as having passed a Resolution under paragraph 20 of the Declaration¹. A copy of Dr Podmore’s letter and of the paper which accompanied it is at Appendix A.

Jurisdiction

2. Regulation 27 of the Declaration on the Ministry of Bishops and Priests (Resolution of Disputes Procedure) Regulations 2014 (the Regulations) provides:

“Any person may raise a concern, in writing, with the Independent Reviewer in relation to any aspect of the operation of the House of Bishops’ Declaration. Any such concern may relate to more than one act or omission under the House of Bishops’ Declaration and to more than one parish or diocese”.

3. It is, I believe, the intention of the Regulations that a grievance relating to an individual parish will normally be raised with the Independent Reviewer following the passing of an appropriate resolution by the PCC of the parish concerned. In this instance, no such resolution had been passed by the PCC of All Saints. Nor, in my view, can it be the intention that Regulation 27 should provide a means by which this expectation may be readily by-passed. I therefore considered, before addressing the substance of Dr Podmore’s letter, whether it was appropriate for me to accept his letter as constituting an expression of concern under Regulation 27 of the Regulations.

4. Having done so, including having taken legal advice on the matter, I concluded that Dr Podmore’s letter did raise an issue which I might properly consider under Regulation 27. The provision is widely expressed, extending to any concern “in relation to any aspect of the operation of the House of Bishops’ Declaration”. The concern Forward in Faith had expressed fell squarely within the scope of the provision, relating as it does to the operation of paragraph 23 of the Declaration in the context of the authorisation of assistant clergy in multi-parish benefices. Although it arose in the particular circumstances of All Saints, Cheltenham, it was clear that the issue Dr Podmore had raised was one of general application, raising not only legal issues about the authorisation of assistant clergy in multi-parish benefices but potentially also an important question of principle concerning the need for clarity in relation to how such authorisations are granted.

¹ The text of the Declaration can be accessed at:
https://www.churchofengland.org/media/2011184/gs%20misc%201076%20women%20in%20the%20episcopate%20house%20of%20bishops%20declaration.pdf
5. I therefore informed Dr Podmore that I would consider the concern Forward in Faith had raised (letter at Appendix B) and at the same time wrote to the Bishop of Tewkesbury who, during the vacancy in the diocesan see, had issued the licence in question. In so doing, I copied my letter to the Bishop, to the Secretary of the PCC of All Saints, to the Team Rector, to the Revd Angela Smith, to the Archdeacon of Cheltenham and to the Diocesan Registrar, informing them of Dr Podmore’s letter and giving them the opportunity to write to me should they so wish (letter at Appendix C). None of them have in fact done so.

Forward in Faith’s Concern

6. In the paper accompanying his letter of 10 April, Dr Podmore advanced several arguments on behalf of Forward in Faith in contending that the Bishop of Tewkesbury had been in breach of the Declaration in issuing a licence to the Revd Angela Smith which would allow her to minister as a priest in the parish of All Saints, Cheltenham as in other parts of the benefice of which it forms part:

   a) Issuing such an unqualified licence contravened paragraph 23 of the Declaration, which provides that those making appointments to ordained parochial roles “should do everything possible to achieve an outcome that does not conflict with the nature of the conviction on this issue [of the ordination of women as priests and bishops] underlying the PCC’s resolution”. He argued that paragraph 25 of the Declaration – which provides that “In the case of multi-parish benefices the needs of parishes in the benefice that have not passed a resolution should be weighed alongside those of any parish that has when decisions are taken about appointments to the benefice” – was not relevant because Mrs Smith’s appointment was an appointment of an assistant curate and was therefore not covered by the provision.

   b) It had been pointed out to the Bishop of Tewkesbury before the day on which the licence was issued that it would conflict with the resolutions deemed to be in force in respect of All Saints parish and that he could instead licence Mrs Smith to minister in certain named parishes rather than in the benefice of North Cheltenham as a whole. The bishop had however continued, simply offering an oral assurance that Mrs Smith would not minister as a priest in the Parish of All Saints.

   c) A similar assurance had previously been given to lay representatives in the parish. In Forward in Faith’s contention:

   “... to issue a licence that permits a cleric to minister in a way that conflicts with the Declaration but say that the cleric will not in fact do so is bad practice”.

   d) In issuing the unqualified licence, the bishop had not only breached paragraph 23 of the Declaration but also paragraph 10, which states in part:

   “There will need to be sensitivity to the feelings of vulnerability that some will have that their position within the Church of England will gradually be eroded ...”

7. Dr Podmore concluded with a request that I recommend that

   a) “... licences to assistant clergy to minister in multi-parish benefices in which one or more parishes has passed a resolution under the Declaration should specify by name the parishes in which the cleric is licensed to minister, and that these should not include any parish in which a resolution is in force.”; and that
b) The Bishop of Tewkesbury issue a fresh licence to Mrs Smith in terms which comply with the Declaration.

Wider Issues in the Gloucester Diocese

8. In the remainder of his paper, Dr Podmore went on to make a number of allegations concerning a perceived negative attitude on the part of the former Bishop of Gloucester and the continuing diocesan leadership team towards traditional anglo-catholics in the diocese. I have thought it right to publish these allegations because they form part of Dr Podmore’s submission and because, whether true or not, they are apparently believed to be true by members of Forward in Faith.

9. I have not inquired into the veracity of these allegations but I have invited the comments on them of the former Bishop of Gloucester as well as of the Bishop of Tewkesbury. The response I received from Bishop Michael Perham and Bishop Martyn Snow on these points is reproduced at Appendices D and E respectively. As I have not inquired into the truth of the assertions in Dr Podmore’s submission, I do not intend to comment on this aspect of Forward in Faith’s expression of concern other than to note that the allegations made in the submission are strongly rejected by both bishops.

The Bishop of Tewkesbury’s Response to Forward in Faith’s Expression of Concern

10. Having determined that it was appropriate for me to consider Dr Podmore’s expression of concern, I wrote to the Bishop of Tewkesbury on 24 April inviting his comments on the issues raised in Dr Podmore’s paper. In particular I asked:

a) What consultations, if any, and with whom had been held prior to the issue of the licence to Mrs Smith?

b) What concerns, if any, had been raised on behalf of the Parish of All Saints?

c) Whether any verbal assurances about the extent of Mrs Smith’s ministry had been given, as Dr Podmore had claimed, and what was the nature of those assurances?

d) What were the precise terms of the licence issued to Mrs Smith and why had it been issued in that form? I was anxious also to know if, in issuing the licence, it had been the bishop’s intention that Mrs Smith be authorised to serve in the area of the benefice as a member of the team or otherwise than as a member of the team. (The significance of this distinction will become apparent later).

11. I concluded by saying that I was conscious that a situation of some pastoral delicacy underlay the concern which had been expressed to me and inviting the bishop to consider whether there was any other action he wished to take to address what, on the evidence of Dr Podmore’s letter, appeared to be a level of unease among at least some members of the congregation of the Parish of All Saints.

12. Bishop Martyn Snow replied on 13 May. In doing so, he confirmed that he had recently issued a licence to the Revd Liz Palin to serve in the same benefice, in identical form to the one which he had given to Mrs Smith. Bishop Martyn began by addressing what he called “a number of factual errors in Dr Podmore’s submission”:

a) Both of the licences he had issued licensed the clergy to the benefice of the North Cheltenham Team Ministry rather than to the Team itself.
b) In the bishop’s submission, Dr Podmore was wrong in describing as “a legal nonsense” his decision to license the two women concerned as an Associate Priest rather than describing them as an Assistant Curate. His practice in this regard was both lawful and a well-established one in the Gloucester diocese.

c) He also disagreed with Dr Podmore’s submission that paragraph 25 of the House of Bishops’ Declaration was not relevant as it only concerns appointments to the benefice and not as an Assistant Curate. Since he had licensed the Revd Angela Smith and the Revd Liz Palin to the benefice (even though not as Team Rector or Team Vicar), weighing the needs of all four parishes within the benefice had been uppermost in his mind.

d) It was only on the day of the Revd Angela Smith’s licensing that, through a telephone call from the Bishop of Ebbsfleet, he had become aware of any concerns about the wording of the licence. Explaining his reaction, Bishop Martyn continued:

“Given that the service was only a few hours away, I only had time to consult with the Registrar, the Archdeacon of Cheltenham and the Team Rector designate. Whilst the Registrar suggested that it might be possible to use an alternative form of words in the licence which would carve out the parish of All Saints, I felt that this would be undesirable because it would simply serve to highlight her [Mrs Smith’s] exclusion from presiding at Holy Communion or pronouncing the Absolution at All Saints. Given that all of those involved were fully aware of the limitations on her ministry in respect of All Saints, the fact that all four parishes had supported the appointment and also everything we were (and are) trying to do to ensure the flourishing of All Saints and its particular tradition, I was firmly of the view that an express exclusion in these licences would not be helpful.”

13. Responding to the specific questions I had put to him, the Bishop of Tewkesbury said:

a) Consultations about the appointments of both women priests had begun at the time of the appointment of Mrs Smith’s husband as Team Rector. However, Bishop Martyn conceded that:

“... the particular wording of the licences was not discussed and, with the benefit of hindsight, we should have spoken with the Churchwardens and PCC well before the date of the licensing.”

b) No concerns were raised before the day of the licensing of the Revd Angela Smith, nor were any raised about the licensing of the Revd Liz Palin.

c) In conversation with the Bishop of Ebbsfleet, Bishop Martyn:

“... did give a verbal assurance, both to my sincere desire to work for the flourishing of All Saints and its particular tradition, and to the fact that, in issuing a licence to the Revd Angela Smith, it was clearly understood by everyone involved that she would not exercise priestly ministry at All Saints. However these verbal assurances should not be viewed in isolation but against the backdrop of All Saints having previously passed Resolutions A
Additionally the Roles and Responsibilities document for the Team Rector and the Associate Priests in the North Cheltenham benefice made clear that a woman priest “may not in any circumstances preside at the Eucharist or pronounce the Absolution in All Saints”. Bishop Martyn continued:

“To seek further written assurances (whether by way of amendment of the licences or otherwise) does nothing to build trust. Indeed it could be argued that to do so, calls into question the integrity of the bishop, the archdeacon and team rector in their compliance with these existing provisions.”

d) Both the Revd Angela Smith and the Revd Liz Palin had been licensed to the benefice otherwise than as a member of the Team. In issuing a licence in this form, it had not been the Bishop’s intention to give either priest any special responsibility but to allow all clergy in the benefice to continue to work flexibly across the benefice.

14. Bishop Martyn concluded by expressing his sadness at the statement in Dr Podmore’s submission on behalf of Forward in Faith that the Diocese of Gloucester “was widely perceived as hostile to traditional catholics”. He suggested that the assertions in the letter reflected the views of one or two individuals rather than of the majority of the congregation of All Saints. It was his intention that, when the Team Vicar at All Saints retires, another traditional catholic will be appointed in his place.

15. On 25 June the PCC of All Saints voted by 11 votes to 7 to confirm the resolution in the form set out in paragraph 20 of the House of Bishops’ Declaration and therefore to request that arrangements be made for it in accordance with the Declaration.

Analysis

Legal Considerations

16. The nub of the issue raised by Dr Podmore on behalf of Forward in Faith is the terms of the licence issued to the Revd Angela Smith. Since an identical licence was subsequently issued to the Revd Liz Palin, similar considerations apply to that licence too. In order to address this matter, it is important to clarify some legal considerations which set the context within which the different arguments advanced by Dr Podmore and the Bishop of Tewkesbury must be considered.

17. I begin with those which touch on the status under the House of Bishops’ Declaration of Resolutions A and B passed under the provisions of the Priests (Ordination of Women) Measure 1993. Following the repeal of the 1993 Measure, any resolutions previously passed under it have ceased to have effect. Their only continuing significance is that, by virtue of paragraph 43 of the Declaration, the fact that a PCC had previously passed either or both of the resolutions under the 1993 Measure (or submitted a petition under

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2 Under the Priests (Ordination of Women) Measure 1993, Resolution A was ‘That this PCC would not accept a woman as the minister who presides at or celebrates the Holy Communion or pronounces the Absolution on the parish’; Resolution B stated ‘That this PCC would not accept a woman as the incumbent or priest-in-charge of the benefice or as a team vicar for the benefice.’
the Episcopal Ministry Act of Synod) means that it is to be treated as having passed a resolution under paragraph 20 of the Declaration.

18. This has two important consequences for this case. First, Forward in Faith is incorrect in suggesting in paragraph 2 of its paper that resolutions A and B “are in force [in the parish of All Saints] by virtue of the House of Bishops’ Declaration.” Secondly, the Bishop of Tewkesbury also appears to be under a misunderstanding as to the legal position in suggesting that he did not need expressly to qualify the terms of the licence issued to Mrs Smith because “these resolutions constitute a clear written direction that a woman may not preside at the Eucharist or pronounce the Absolution at All Saints”.

19. Responding to the third of the questions I put to him, Bishop Martyn appears to suggest that the resolutions passed under the 1993 Measure continue to have binding legal effect, so as to limit the exercise of any licensed ministry in the parish that would be inconsistent with them and thus make such ministry, or its facilitation, an ecclesiastical offence. However, as I have explained, the resolutions have ceased to have legal effect, so that they do not provide the clear legal protection the bishop suggests. Nor is the Roles and Responsibilities document to which the bishop refers a document itself having legal effect. Thus insofar as the bishop was proceeding on the basis that he did not need to qualify the authority given by the licence to prevent Mrs Smith from exercising a priestly ministry in the parish of All Saints because her ministry was already limited by law (which is what his letter appears to be saying), he was mistaken.

20. A second relevant legal question which I should address is Dr Podmore’s assertion that the Bishop of Tewkesbury erred in licensing Mrs Smith as an Associate Priest in the North Cheltenham Team and not as an Assistant Curate in the North Cheltenham Benefice. Here it is necessary for me to give some background.

21. Assistant clergy in a team ministry can fall into one of two classes:

   (i) Those who are authorised by the bishop, by licence or permission, to serve in the area of the benefice as members of the team (see section 34(1)(b) of the Mission and Pastoral Measure 2011); and

   (ii) Those who are authorised to serve in the area of the benefice otherwise than as members of the team. (For that distinction, see paragraph 6.7 of the Church Commissioners’ Code of Recommended Practice under the 2011 Measure.)

22. Assistant clergy who are members of the team are authorised to minister throughout the area of the team. Those who are not members of the team may be authorised to minister in some more limited area. (See paragraph 6.8 of the Commissioners’ Code of Recommended Practice.)

23. By virtue of Section 34(3) of the 2011 Measure, a person cannot be authorised by licence or permission to serve in a team ministry as a member of the team without the consent of the PCC of each parish in the area of the benefice. Such consent is not needed, however, for the granting of authority to serve in the area of the benefice otherwise than as a member of the team.

24. It is clear from the Bishop of Tewkesbury’s letter that he intended Mrs Smith to serve in the North Cheltenham Benefice otherwise than as a member of the team. The licence he issued authorised Mrs Smith “to serve as an Associate Priest in the Benefice of the North Cheltenham Team Ministry within the Diocese of Gloucester”. The name of the benefice
according to Crockford is “the North Cheltenham Benefice”, so the wording used to describe it in the licence might also have given the impression that Mrs Smith was intended to be licensed as a member of the team, rather than otherwise than as a member of the team.

25. Dr Podmore suggests that the bishop erred in describing Mrs Smith as Associate Priest rather than as an Assistant Curate. However, section 99 of the 2011 Measure permits a bishop to issue an instrument under his hand to direct “that any office of assistant curate...may be described in such terms as may be specified in the instrument”, thus potentially enabling the use of the expression “Associate Priest” in relation to the office of assistant curate. And where such an instrument is in force, any licence issued to a person to exercise the office must refer to the assistant curate by that description. On the assumption that the bishop followed the procedure set out in section 99, I do not accept Dr Podmore’s suggestion that the bishop erred in the way he described Mrs Smith’s role in her licence.

26. There are two other arguments advanced in the Forward in Faith paper which, for the sake of comprehensiveness, I briefly address before setting out my conclusion on Forward in Faith’s expression of concern. The first is the statement in paragraph 3 of the paper that “the only members of a Team are the Team Rector and Team Vicar(s)”. Under what is now section 34 of the Mission and Pastoral Measure 2011 the Team Rector and Team Vicar(s) constitute the only members of the Team Chapter; but “the team” comprises both the team chapter and “all other persons who are from time to time authorised by a licence or permission of the bishop to serve in that area as members of the team”.

27. The second is Dr Podmore’s suggestion that paragraph 25 of the House of Bishops’ Declaration was not relevant to Mrs Smith’s appointment. Paragraph 25 says that:

“In the case of multi-parish benefices the needs of parishes in the benefice that have not passed a resolution should be weighed alongside those of any parish that has when decisions are taken about appointments to the benefice.”

It is possible to construe the effect of this paragraph in two ways. Dr Podmore sees it as being limited to the appointment of an incumbent or (in the case of a team ministry) a team rector or team vicar. Insofar as the paragraph follows immediately on from paragraphs 23 and 24, which concern such appointments, it is a perfectly reasonable construction of paragraph 25 to see it as a statement of how these paragraphs work out in the context of multi-parish benefices. The Bishop of Tewkesbury, however, sees the paragraph as standing in its own right, extending in effect to any appointment “in relation to” a benefice, including, as in this case, the licensing of clergy to the benefice.

28. At a practical and pastoral level, it is not difficult to see why the bishop should be concerned that when appointments of any nature are to be made to a multi-parish benefice, the needs of all the parishes in the benefice should be taken into account. Fortunately it is not necessary for me to say which reading of the provision is correct in order to reach a finding in this case. I simply record that this is an issue on which a difference of approach exists between the bishop and Dr Podmore, one which, in the circumstances, is understandable.
Conclusion

The Application of the Declaration

29. Against this background of my understanding of the legal issues relevant to this case, I turn now to consider the nub of the concern expressed by Dr Podmore, that is whether the Bishop of Tewkesbury breached paragraph 23 of the House of Bishops’ Declaration in issuing a licence to the Revd Angela Smith in the form he did.

30. Paragraph 23 of the Declaration says:

“Anyone involved in making appointments to ordained parochial roles, whether of incumbents, priests in charge or assistant curates, or in exercising the power conferred by Canon C 8.2(a) to allow occasional ministry in a parish, should do everything possible to achieve an outcome that does not conflict with the nature of the conviction on this issue underlying the PCC’s resolution.”

31. The whole tenor of the Declaration is that appointments to parishes which on grounds of theological conviction cannot accept the ministry of women should take account, in ways appropriate to their particular circumstances, of that conviction. And indeed Bishop Martyn argues that in issuing the licence, his intention was precisely to try to take both the needs of All Saints and those of the other parishes in the benefice into account.

32. The bishop indicates that when, very late in the day, concerns were raised with him about the wording of the licence, he considered whether to recast it so as to exclude Mrs Smith from exercising priestly ministry in the parish of All Saints, but felt that this would be undesirable because it would simply highlight Mrs Smith’s exclusion from presiding at Holy Communion or pronouncing the Absolution at All Saints and because “all of those involved were fully aware of the limitations on her ministry in respect of All Saints”. He also seems to have believed, as I have set out in paragraph 19 above, that the effect of Resolutions A and B was to limit the scope of Mrs Smith’s ministry by law.

33. In fact, as we have seen, there was no such legal limitation. The only way one could have been introduced was for the bishop to have expressly restricted the scope of Mrs Smith’s priestly ministry in the terms of the licence he issued. I do not doubt that, in deciding not to take that course, the bishop was acting from the best of motives and in what he perceived to be the best interests both of Mrs Smith and of the whole benefice. But in failing to spell out the precise scope of Mrs Smith’s intended ministry as an Associate Priest in the Benefice of North Cheltenham, Bishop Martyn failed to make the appropriate pastoral and sacramental provision for the Parish of All Saints, which it was entitled to expect under the House of Bishops’ Declaration (principle 5 and paragraphs 20 and 43 of the Declaration).

34. In reaching this conclusion, I have in mind a very important general principle. This is that both an assistant curate serving (otherwise than as a member of the team) in a multi-parish benefice where one of the parishes has or is deemed to have passed the resolution under paragraph 20 of the Declaration and everyone else in that benefice is entitled to clarity about precisely what the assistant curate is being authorised to do and where within the benefice. It does not help the priest or anyone else concerned for there to be a lack of clarity on this matter. And unless the scope of their permitted ministry is spelt out
in a legally binding instrument – their licence – there is room for doubt to emerge (if not at the time of their appointment, then later) about what was intended.

35. In this respect, and this respect only, I accept the argument of Dr Podmore on behalf of Forward in Faith that the licence issued to the Revd Angela Smith (and by extension, that issued to the Revd Liz Palin) was deficient and I invite the Bishop of Tewkesbury to reconsider the form in which the two licences were issued and, following discussion with Mrs Smith and Ms Palin, to issue fresh licences making clear that the authorisation they give does not extend to undertaking priestly ministry in the parish of All Saints. Given that Bishop Martyn has conceded that the particular wording of the licences previously issued was not discussed with the churchwardens and PCC of All Saints and that, with the benefit of hindsight, this matter should have been discussed with them well before the date of Mrs Smith’s licensing, it would also seem wise for the question of the scope of the ministry of Mrs Smith and Ms Palin in the Parish of All Saints to be discussed now, before fresh licences are issued.³

36. Dr Podmore has asked that in reaching a view on this case, I should:

“..... publish a recommendation that licences to assistant clergy to minister in multi-parish benefices in which one or more parishes has passed a resolution under the Declaration should specify by name the parishes in which the cleric is licensed to minister, and that these should not include any parish in which a resolution is in force.”

I do not think it would be appropriate for me to publish a recommendation in the terms Dr Podmore seeks for the following reasons:

(a) As we have seen (paragraph 22 above), assistant clergy who are members of the team in a team ministry are authorised to minister throughout the area of the benefice. Their ministry cannot therefore be restricted as Dr Podmore would like. (However, the PCCs of all the parishes within the benefice must give their consent before such an authorisation can be issued.)

(b) As Dr Podmore himself notes, provided this was done by agreement with the parish concerned, it would be open to a woman to minister as a deacon in a parish which had passed a resolution under paragraph 20 of the House of Bishops’ Declaration.

37. The recommendation I do feel able to make is this. Where it is the intention to appoint a woman to minister otherwise than as a member of the team in a multi-parish benefice in which one or more parishes has, or is deemed to have, passed the resolution set out in paragraph 20 of the House of Bishops’ Declaration:

(a) the PCCs of the parishes in the benefice should be consulted, before a licence is issued, about the nature and extent of the ministry she is to be licensed to exercise; and

³ This would be in accordance with paragraph 22 of the Declaration (GS Misc 1076). Related guidance is provided in paragraphs 13 et seq of the Guidance Note issued by the House of Bishops on the Declaration (GS Misc 1077).
(b) the licence which is then issued to her should specify the nature and extent of the ministry she is authorised to undertake in the parish or parishes which have passed the resolution (as well as in the other parishes of the benefice).

38. In conclusion, I mentioned in paragraphs 8 and 9 of this report the allegations made in Forward in Faith’s submission concerning a perceived negative attitude towards traditional anglo-catholics among the then leadership team in the Diocese of Gloucester. As I made clear, I have not inquired into the truth or otherwise of the assertions in the submission, which, as I have noted, are strongly rejected by those who are the subject of them. I simply note that the arrival of a new, female diocesan bishop in the diocese provides an opportunity for all concerned, whatever their hopes and whatever their fears, to make a fresh start. I can only hope that they will take the opportunity to do so.

Sir Philip Mawer

10 August 2015
Dr Colin Podmore  
Director

10 April 2015

Sir Philip Mawer  
c/o Jonathan Neil-Smith  
The Office of the Independent Reviewer  
Central Secretariat  
Church House  
Great Smith Street  
London SW1P 3AZ

Dear Philip

The Parish of All Saints, Cheltenham

I enclose, on behalf of Forward in Faith, an expression of concern regarding the operation of the House of Bishops’ Declaration in respect of the above parish, submitted under para. 27 of the Declaration on the Ministry of Bishops and Priests (Resolution of Disputes Procedure) Regulations 2014.

Yours sincerely

[Signature]

colin.podmore@forwardinfaith.com

Tel: 020 7388 3588  
FiF.UK@forwardinfaith.com  
www.forwardinfaith.com  
Forward in Faith, 2A The Cloisters, Gordon Square, London WC1H 0AG  
REGISTERED CHARITY NUMBER 10572476
FORWARD IN FAITH

THE PARISH OF ALL SAINTS, CHELTENHAM:
CONCERN IN RELATION TO THE OPERATION OF
THE HOUSE OF BISHOPS’ DECLARATION

The Concern

1. Para. 27 of the Declaration on the Ministry of Bishops and Priests (Resolution of Disputes Procedure) Regulations 2014 states:

'Any person may raise a concern, in writing, with the Independent Reviewer in relation to any aspect of the operation of the House of Bishops’ Declaration. Any such concern may relate to more than one act or omission under the House of Bishops’ Declaration and to more than one parish or diocese.'

Para. 28 states:

'Following the raising of one or more concerns under Regulation 27, the Independent Reviewer may undertake an inquiry into the subject matter of such concern or concerns.'

2. The purpose of this paper is to raise a concern, on behalf of Forward in Faith, that on 22 January 2015 the Bishop of Tewkesbury licensed the Revd Angela Smith as ‘Associate Priest in the North Cheltenham Team’ despite the fact that the Benefice includes the parish of All Saints, Cheltenham, in which Resolutions A and B under the Priests (Ordination of Women) Measure 1993 are in force by virtue of the House of Bishops’ Declaration.

3. The expression ‘Associate Priest in the North Cheltenham Team’ contained in the Licence is, of course, a legal nonsense in that

(a) there is no such legal office as ‘Associate Priest’, and

(b) the only members of a Team are the Team Rector and Team Vicar(s).

What was meant was ‘Assistant Curate in the North Cheltenham Benefice’.

4. Our first contention is that for a bishop to issue an unqualified licence to a female priest to minister as an assistant curate or ‘associate priest’ throughout a benefice which includes a parish in which a resolution is in force under the Declaration is contrary to para. 23 of the Declaration, which states:

'Anyone involved in making appointments to ordained parochial roles, whether of incumbents, priests in charge or assistant curates, or in exercising the power conferred by Canon C 8.2(a) to allow occasional ministry in a parish, should do everything possible to achieve an outcome that does not conflict with the nature of the conviction on this issue underlying the PCC’s resolution.'

Paragraph 25 (which concerns ‘appointments to the benefice’ – i.e. the appointment of an incumbent or, as in this case, of a Team Rector of Team Vicar) is not relevant to the appointment of an assistant curate.
5. We have been informed that it was pointed out to the Bishop of Tewkesbury before the day on which the licence was issued

(a) that the licence would conflict with the resolutions in force under the House of Bishops' Declaration, and

(b) that it would be perfectly possible for him to issue a licence to Mrs Smith to minister in certain named parishes (i.e. those parishes in which no resolution is in force) rather than in the benefice as a whole, which would have involved no conflict with the resolutions.

With the PCC's goodwill, it might also have been possible for Mrs Smith to have been licensed to minister as a deacon in the parish of All Saints. Despite this having been pointed out to him, the Bishop chose to proceed to issue a licence that conflicted with the Declaration, offering merely an oral assurance that Mrs Smith would not minister as a priest in the Parish of All Saints.

6. Such an oral assurance had been given when representatives of the laity of the parish were informed that Mrs Smith would be licensed. Our submission is that to issue a licence that permits a cleric to minister in a way that conflicts with the Declaration but say that the cleric will not in fact do so is bad practice. It would have been possible, indeed easy, to issue a licence that did not conflict with the Declaration, and it would have been good practice to do so. In not doing so, the Bishop failed to 'do everything possible to achieve an outcome that does not conflict with the nature of the conviction on this issue underlying the PCC's resolution' (Declaration, para. 23).

7. We further submit that, in the particular context of the Diocese of Gloucester in general and the Parish of All Saints, Cheltenham, in particular, the Bishop of Tewkesbury's action in proceeding to issue a licence to minister in the whole benefice, despite the request to issue a licence to minister in those parishes, by name, in which Mrs Smith's ministry would not conflict with the resolutions, the Bishop failed to comply with para. 10 of the Declaration, which states: 'There will need to be sensitivity to the feelings of vulnerability that some will have that their position within the Church of England will gradually be eroded'.

8. It is important to make clear that in raising this concern no criticism of Mrs Smith, the recipient of the licence, or her husband is intended. Forward in Faith has no reason to believe that either of them requested that the licence be issued in a form that is inconsistent with the Declaration, that either sought to persuade the Bishop not to comply with the request to the Bishop to issue it in a different form, or indeed that they were even aware of that request.

9. The reason for submitting the request is that it raises an issue of relevance to all multi-parish benefices. The remedy sought is that the Independent Reviewer should publish a recommendation that licences to assistant clergy to minister in multi-parish benefices in which one or more parishes has passed a resolution under the Declaration should specify by name the parishes in which the cleric is licensed to minister, and that these should not include any parish in which a resolution is in force. Such a resolution could simply be included in the Independent Reviewer's annual report, but we believe that it would be helpful, in order to avoid similar issues arising in other dioceses, if such a recommendation could be published on the Reviewer's web page at an earlier stage.
10. We further request that the Independent Reviewer recommend that the bishop issue a fresh licence in terms that comply with the Declaration.

Background

11. Under the leadership of the former Bishop of Gloucester, the Rt Revd Michael Perham, the Diocese of Gloucester was widely perceived as hostile to traditional catholics. The fact that there are now only two parishes in the whole diocese in which resolutions under the 1993 Measure are in force is viewed as being a consequence of this. It would be difficult to find any evidence that in the Diocese of Gloucester the bishops have in recent years done anything in relation to traditional catholics to fulfil their ‘duty to ensure that the welfare of the whole Church of England is sustained in all its theological depth and breadth’ (Declaration, para. 4) or anything that was directed towards enabling traditional catholics to flourish within the Church of England’s life and structures (Declaration, para. 5).

12. Against this background, the appointment, as Team Rector of the benefice that contains one of only two remaining resolution parishes in the diocese, of a priest who not only strongly supports the ordination of women to the priesthood but is also married to a female priest might be regarded as lacking ‘sensitivity to the feelings of vulnerability that some will have that their position within the Church of England will gradually be eroded’ (Declaration, para. 10). As the appointment was made before the Declaration was in force, this is not being raised as a concern, but it is part of the background to the second limb of the concern that has been raised.

13. It seems that when the Team Rector was appointed there was an indication that his wife would not be licensed to minister in the benefice. The fact that she was licensed on the day of his institution as Team Rector tends to undermine confidence in assurances that have been given more recently. This too is not being raised as a concern, but it is part of the background.

14. The institution took place in All Saints’ church on 22 January 2015. It was only one week before that date that representatives of the laity of the parish were informed that Mrs Smith was to be licensed as ‘Associate Priest’ and that this would occur in All Saints (the church of a parish in which Resolutions A and B are in force) – albeit in the sacristy before the service. This was accepted with good grace, and it is not being raised as a concern, but again it forms part of the background to our concern that in issuing a licence to Mrs Smith in the form in which it was issued the Bishop failed to comply with para. 10 of the Declaration.

Conclusion

15. I am submitting this concern in my capacity as Director of Forward in Faith. I am not doing so at the request of anyone in the parish of All Saints’, Cheltenham, which is not a Forward in Faith registered parish. It will be noted that the PCC has not at this point submitted a formal grievance in respect of these matters, but this should not be taken as indicating a lack of unhappiness in the parish. Rather, I believe that the laity of the parish have shown commendable restraint, desiring not to do anything that might have an adverse effect on the PCC’s relations with the Team Rector.
16. The reason why I am submitting this concern on behalf of Forward in Faith is that it raises an issue that is of general relevance. Published guidance from the Independent Reviewer to the effect that a licence should not be issued in terms which conflict with the House of Bishops’ Declaration (where it would be possible to issue a licence in terms that do not conflict with the Declaration) would tend to avoid this unhappy situation being repeated in other dioceses. The issuing of a fresh, compliant, licence would draw a line under the matter as far as the particular situation is concerned.

Colin Podmore  
Director of Forward in Faith  

10 April 2015
Dr Colin Podmore  
Director  
Forward in Faith  
2A The Cloisters  
Gordon Square  
London WC1H 0AG

Independent Reviewer  
Sir Philip Mawer

24 April 2015

Dear Dr Podmore,

Parish of All Saints, Cheltenham

Thank you for your letter of 10 April expressing a concern arising from the operation of the House of Bishops’ Declaration on the Ministry of Bishops and Priests in relation to this parish.

As you know, the Regulations on the Resolution of Disputes Procedure which accompany the House of Bishops’ Declaration envisage that a grievance relating to an individual parish may be raised with the Independent Reviewer only following the passing of an appropriate resolution by the PCC of the parish concerned. In this instance, no such resolution has apparently been passed by the PCC of All Saints. However, I appreciate that you have raised this matter with me under the terms of paragraph 27 of the Declaration, as a matter which in your view raises an issue of wider concern to multi-parish benefices about the operation of the Declaration.

I have therefore considered whether it would be appropriate for me to consider the matter you have raised under paragraph 27. Having done so, I am satisfied that your letter does raise an issue which I may properly consider under Regulation 27. That provision is widely expressed, extending to any concern “in relation to any aspect of the operation of the House of Bishops’ Declaration”. The concern you express falls squarely within the scope of that provision, relating as it does to the operation of paragraph 23 of the Declaration in the context of the authorisation of assistant clergy in multi-parish benefices. I am therefore in touch with the Bishop of Tewkesbury about the circumstances which have given rise to the concern you express and to get his response to the arguments advanced in your letter. I have also drawn your letter to the attention of the PCC of All Saints, the Team Rector of the Benefice of North Cheltenham and the Revd Angela Smith, as interested parties, and given them the opportunity to write to me on the matter if they so wish.

C/o Jonathan Neil-Smith  
Central Secretariat  
Church House, Great Smith Street,  
London SW1P 3AZ  
Direct line: 020 7898 1373  
Jonathan.neil-smith@churchofengland.org
As you will appreciate, it may take me some time to gather their comments and to evaluate the points in your letter in the light of what they tell me. However, as soon as I have been able to do so, I will write to you and the other interested parties I have named to let you know the outcome.

Yours sincerely,

Sir Philip Mawer
The Rt Revd the Bishop of Tewkesbury
2 College Green
Gloucester GL1 2LR

Independent Reviewer
Sir Philip Mawer

24 April 2015

Dear Bishop Martin,

Parish of All Saints, Cheltenham

In my capacity as Independent Reviewer I have received a letter from the Director of Forward in Faith, Dr Colin Podmore, expressing concern about the form of the licence issued earlier this year to the Revd Angela Smith to minister as “an Associate Priest in the North Cheltenham Team”. I enclose a copy of the letter in question.

You will see that the nub of the concern expressed is that the licence issued allows Mrs Smith to minister throughout the benefice, including in the parish of All Saints which has previously passed Resolutions A and B under the Priests (Ordination of Women) Measure 1993. Dr Podmore contends that giving Mrs Smith an unrestricted licence of this sort is contrary to paragraph 23 of the House of Bishops’ Declaration on the Ministry of Priests and Bishops.

Dr Podmore states that the parish’s concerns on this matter were drawn to your attention before the licence to Mrs Smith was issued. Whilst verbal assurances were given that Mrs Smith would not minister as a priest in the parish of All Saints, the licence was nevertheless issued un-amended. Dr Podmore argues that in proceeding in this way, you failed to comply with the terms of paragraph 10 of the House of Bishops Declaration and, more generally, that it is unsatisfactory to rely on verbal assurances in circumstances of this sort.

The Regulations on the Resolution of Disputes Procedure which accompany the House of Bishops’ Declaration envisage that a grievance relating to an individual parish may be raised with the Independent Reviewer only following the passing of an appropriate resolution by the PCC of the parish concerned. In this instance, no such resolution has apparently been passed by the PCC of All Saints. However, Dr Podmore has raised this matter with me under the terms of paragraph 27 of the Declaration, as a matter which in his view raises a concern of wider application to multi-parish benefices about the operation of the Declaration. He asks that I recommend that licences to assistant clergy to minister in such benefices should specify by name the parishes in which the cleric is licensed to minister and that these should not include any parish in which a resolution is in force.

I am satisfied that Dr Podmore’s letter does raise an issue which I may properly consider under Regulation 27. That provision is widely expressed, extending to any concern “in
relation to any aspect of the operation of the House of Bishops’ Declaration”. The concern expressed by Dr Podmore falls squarely within the scope of that provision, relating as it does to the operation of paragraph 23 of the Declaration in the context of the authorisation of assistant clergy in multi-parish benefices.

In order for me to begin to evaluate the various issues raised by Dr Podmore, I should find it helpful if, as an initial step, you would let me have your comments on his letter and any other information you think relevant to my consideration of it. In particular it would be helpful to me to know:

1) What consultations, if any, and with whom were held prior to the issue of the licence to Mrs Smith?
2) What concerns if any were raised on behalf of the Parish of All Saints?
3) Whether any verbal assurances about the extent of Mrs Smith’s ministry were given, as Dr Podmore claims, and what was the nature of those assurances?
4) The precise terms of the licence issued to Mrs Smith and why it was issued in that form. It would in particular be helpful to know if it was your intention in issuing the licence that Mrs Smith be authorised to serve in the area of the benefice as a member of the team (see paragraph 34(1)(b) of the Mission and Pastoral Measure 2011) or as someone authorised to serve in the area of the benefice otherwise than as a member of the team. (For this distinction, please see paragraph 6.7 of the Church Commissioners’ Code of Recommended Practice under the 2011 Measure.) In this connection, it would be helpful if I could see a copy of the licence as it was issued.

I should add that it will be my intention to publish the reply you may send me on these matters as part of any report I may issue about it, unless I am clear that it would not be in the public interest to do so.

Turning to the situation in the parish of All Saints, whilst one course of action open to me would be to ask the PCC of All Saints if it wishes formally to lodge a grievance under the terms of the Regulations – and I do not rule out doing this if necessary - I do not wish to take this step if it would formalise matters unhelpfully. I am conscious that a pastoral situation of some delicacy is at stake here and also have in mind that paragraph 9 of the Regulations provides that an office-holder should be afforded reasonable opportunity to address a grievance (by extension, in this case, a potential grievance) before it is formalised.

I am therefore inviting you to consider not only the points raised by Dr Podmore (on which, as I have said, I shall be grateful for your comments) but whether there is any other action you wish to take to address what, on the evidence of Dr Podmore’s letter, is a level of unease among at least some members of the congregation of the parish of All Saints. You may first wish to let me have your response to the factual questions I have posed above, along with any other comments you may wish to make on the statements made in Dr Podmore’s letter, and later to tell me of any action you decide to take in relation to the parish.

I am copying this letter and enclosure to the Secretary of the PCC of All Saints (on behalf of the PCC), the Team Rector and the Rev Angela Smith. I am doing so as they are interested parties and so that they are aware of the concern Dr Podmore has raised. Should they wish to write to me about any aspect of that concern or any other matter touched on in this letter, they should feel able to do so. I am also copying this letter to the Archdeacon...
of Cheltenham and to your Diocesan Registrar.

If you should wish to discuss the matters covered by my letter, please contact Jonathan Neil-Smith at Church House, Westminster on 020 7898 1373 in the first instance.

Yours sincerely,

Sir Philip Mawer
The Bishop of Tewkesbury

The Right Reverend Martyn Snow

Sir Philip Mawer
Independent Reviewer
c/o Jonathan Neil-Smith
Central Secretariat
Church House
Great Smith Street
London SW1P 3AZ

13th May 2015

Dear Sir Philip,

Parish of All Saints Cheltenham

Thank you for your letter of 24th April 2015. I am grateful for the opportunity to respond to the concerns raised by Dr Colin Podmore.

Dr Podmore’s letter concerns the licence given by me to Rev’d Angela Smith. However, as I indicated in my email to you on 26th April, I have also recently given an identical licence to Rev’d Liz Palin and it therefore makes sense to address the reasons behind the giving of both licences in my response.

I would like first to address a number of factual errors in Dr Podmore’s submission. The licences that I have given to Rev’d Angela Smith and Rev’d Liz Palin are “to serve as an Associate Priest in the benefice of the North Cheltenham Team Ministry” (copy attached). As I will make clear later, the fact that they are licensed to the benefice rather than the team is highly significant.

Secondly, Dr Podmore states that it is a “legal nonsense” to license someone as Associate Priest. The custom and practice in this diocese (as in many others) has for many years been to license men and women who have completed their formal training as ‘Associate Priests’. This is in order to distinguish them from those who are newly ordained Assistant Curates in formally designated training posts who are licensed as ‘Assistant Curates’. Their legal standing is the same, but the title makes a real difference in the practicalities of parish life. The distinction between the titles ‘Assistant Curate’ and ‘Associate Priest’ is readily understood throughout this diocese and in practice there is no confusion.

The Church of England’s publication "Guidance on parochial appointments - appointment of clergy office holders - a guide to good practice" and approved by the House of Bishops states at paragraph 21:
"An assistant curate (who may be referred to as 'assistant priest' or by some other description) will be admitted to office by the bishop's licence, on the nomination of the incumbent."

I would therefore respectfully submit that the term "associate priest" is not a nonsense in that there is considerable flexibility regarding the description that can be applied to an Assistant Curate. This is supported by the fact that, under section 99(1) of the Mission and Pastoral Measure 2011, a bishop of a diocese may by an instrument under his hand direct that any office of Assistant Curate in his or her diocese "may be described in such terms as may be specified in the instrument and, where an instrument is in force...any licence issued to a person to exercise the office shall refer to the assistant curate by that description and any reference in any enactment, Canon or other instrument to an assistant curate shall be construed accordingly".

Thirdly, Dr Podmore states that paragraph 25 of the Declaration on the Ministry of Bishops and Priests (GS Misc 1076) (the Declaration) is not relevant as it only concerns appointments to the benefice and not appointments as Assistant Curate. However, given that both members of clergy have been licensed to the benefice (even though not as Team Rector or Team Vicars), paragraph 25 clearly is relevant and indeed it has been uppermost in my mind during this whole process since this matter concerns a multi-parish benefice with three parishes without Resolutions (under the Priests (Ordination of Women) Measure 1993) and one parish with Resolutions A and B. Weighing the needs of all four parishes within the benefice is far from easy, but is essential for the flourishing of all.

Finally, paragraph 5 of Dr Podmore's submission states that concerns were raised with me before the day of Rev'd Smith's licensing. In fact it was the very day of the licensing that I received a telephone call from the Bishop of Ebbsfleet and this was the first time I was made aware of any concerns about the wording of the licence. Given that the service was only a few hours away, I only had time to consult with the Registrar, the Archdeacon of Cheltenham and the Team Rector designate. Whilst the Registrar suggested that it might be possible to use an alternative form of words in the licence which would carve out the parish of All Saints, I felt that this would be undesirable because it would simply serve to highlight her exclusion from presiding at Holy Communion or pronouncing the Absolution at All Saints. Given that all of those involved were fully aware of the limitations on her ministry in respect of All Saints, the fact that all four parishes had supported the appointment and also everything we were (and are) trying to do to ensure the flourishing of All Saints and its particular tradition, I was firmly of the view that an express exclusion in these licences would not be helpful.
In relation to your particular questions:

1) Consultations about the appointment of Rev'd Angela Smith (and indeed Rev'd Liz Palin) began at the time of the appointment of Rev'd David Smith as Team Rector. One of the Churchwardens of All Saints was on the appointment panel and fully supported the patrons' decision to recommend his appointment. It was of course known that his wife was ordained and there were discussions as part of the process, about the expectation that his wife would be licensed (in some form) to the benefice. Similarly there were wider discussions about staffing in the team, which included mention of Rev'd Liz Palin who at that time was serving as Assistant Curate. All those involved in the appointment process (including the Churchwarden of All Saints) spoke highly of Rev'd Palin's ministry (including her pastoral and diaconal ministry in the parish of All Saints). However, I concede that the particular wording of the licences was not discussed and, with the benefit of hindsight, we should have spoken with the Churchwardens and PCC well before the date of the licensing.

2) As stated above, no concerns were raised before the day of the licensing. Since that time, discussions in the parish and benefice have rather moved on (with lengthy discussions about the possible passing of a new Resolution (under paragraph 20 of the Declaration) and questions of episcopal oversight). There has been no other correspondence on this matter and when it came to the licensing of Rev'd Palin, there was no further comment on the wording.

3) In conversation with the Bishop of Ebbsfleet, I did give a verbal assurance, both to my sincere desire to work for the flourishing of All Saints and its particular tradition, and to the fact, that, in issuing a licence to Rev'd Angela Smith, it was clearly understood by everyone involved that she would not exercise priestly ministry at All Saints. However, these verbal assurances should not be viewed in isolation but against the backdrop of All Saints having previously passed Resolutions A and B (which now, by virtue of paragraph 43 of the Declaration, are deemed to take the form of the resolution set out in paragraph 20). Given that these resolutions constitute a clear written direction that a woman may not preside at the Eucharist or pronounce the absolution at All Saints, the terms of the licences that have been granted will be qualified accordingly without any need to make any express exclusion in the licence or for me to provide any further assurances whether verbally or in writing. There is further existing legal protection in that any bishop, archdeacon, or team rector who caused or allowed such ministry to take place, or any woman who conducted such ministry on her own initiative, in contravention of the terms of that resolution would be potentially liable to sanction under the Clergy Discipline Measure, by which all those involved are already bound.
In addition to this, we have also written the following statement into the Roles and Responsibilities document for the Team Rector:

The Parish of All Saints has passed resolutions on the ministry of women priests. A woman priest, whether licensed to the benefice or otherwise holding permission to officiate in the diocese, may not in any circumstances preside at the Eucharist or pronounce the absolution in All Saints.

The Team Rector will need to ensure that this resolution is upheld and honoured for the flourishing of All Saints in its tradition. The Team Rector will also need to ensure that all clergy, male and female licensed to the benefice are able to flourish in ministry.

The Diocese is committed to the mutual flourishing of all its parishes and clergy.

A similar statement is also in the Roles and Responsibilities documents for the Associate Priests.

To seek further written assurances (whether by way of an amendment of the licence or otherwise) does nothing to build trust. Indeed it could be argued that to do so, calls into question the integrity of the bishop, archdeacon, and team rector in their compliance with these existing provisions.

4) Rev’d Angela Smith and Rev’d Palin are licensed to the benefice, but they are neither Team Rector nor Team Vicars. They are not authorised to serve in the area of the benefice as members of the team (paragraph 34(1)(b) of the Mission and Pastoral Measure 2011) but rather they are authorised to serve in the area of the benefice otherwise than as a member of the team (paragraph 6.7 of the Church Commissioners’ Code of Recommended Practice under the 2011 Measure). As stated above this is a significant distinction and should go a long way to answering Dr Podmore’s concerns. It is my understanding that where an individual is to be licensed as a member of the team, their licence should expressly confirm this. By implication, therefore, if I were to issue a licence to an individual who was not intended to be a member of the team, the licence would not refer to the team, simply to the name of the benefice in which that individual was licensed to exercise their ministry. It was not my intention to give either priest “special responsibility” either territorial or functional. Rather, the Team Rector had made clear to me that the Team had functioned very well with all clergy working across the benefice (including Rev’d Palin exercising pastoral and diaconal ministry in the parish of All Saints) and it was his intention that the Team should continue to function in this way (indeed given the numbers of pastoral offices and the general workload of the clergy, any other arrangement could severely disadvantage one or more parishes).
Dr Podmore includes what he calls 'background' information in his submission. His statement that the Diocese of Gloucester “was widely perceived as hostile to traditional catholics” saddens me greatly. The former Bishop of Gloucester, the Rt Rev’d Michael Perham, has, written his own response which I believe he has sent to you separately. I fear that some of Dr Podmore’s assertions are based on the comments of one or two individuals within the parish of All Saints. In reality, the vast majority of the congregation are more than satisfied with recent appointments.

It is also worth mentioning that the current staffing within the North Cheltenham Team consists of a full-time Team Rector, a Full-time Team Vicar and two Associate Priests. As I have mentioned above, the two Associate Priests are not members of the Team. The Team Vicar is, as far as I understand, a member of Forward of Faith and I have indicated that when he retires (potentially within the next year), it is our intention to appoint another traditional catholic who, if not a member of Forward of Faith, would be acceptable to them. I hope you will agree that this displays a sincere desire to ensure the mutual flourishing of the different traditions within the team. In addition to this, we are in discussion with the parish about future episcopal oversight but you will appreciate the very delicate nature of these continuing discussions.

I hope this answers all the questions raised in your letter. Please do not hesitate to contact me if require further information.

Yours sincerely,

+ Matt Terblanche
MARTYN JAMES by Divine Permission BISHOP OF TEWKESBURY
acting in pursuance of an authority delegated under the Dioceses, Pastoral and
Mission Measure 2007 To my beloved in Christ ANGELA ELISABETH
SMITH Clerk in Holy Orders Greeting:

I do hereby grant you my Licence and Authority to serve as an ASSOCIATE
PRIEST in the Benefice of the NORTH CHELTENHAM TEAM
MINISTRY within the Diocese of Gloucester under the direction of the
Incumbent or Priest-in-Charge thereof and to perform all ecclesiastical duties
belonging to that Office

IN TESTIMONY whereof I have hereunto set my hand and the Episcopal
Seal of the Bishop of Gloucester is hereunto affixed this Twenty second day of
January in the Year of Our Lord Two thousand and fifteen

+ Martyn Tenchey
Sir Philip Mawer  
c/o Jonathan Neil-Smith  
Central Secretariat  
Church House  
Great Smith Street  
London SW1P 3AZ  

17 May 2015  

Dear Philip  

Parish of All Saints, Cheltenham  

Thank you for your letter of 30 April and my apologies for a slow reply. The last couple of weeks have been rather extraordinary ones, including the death of my sister-in-law, and I am afraid correspondence, even important correspondence like this, has suffered.

Obviously I should not, and do not want to, comment on the particular issue of the form of licence about which Forward in Faith have complained. By the time of its issue I was not functioning as Bishop of Gloucester and had no knowledge of what was done. But I do want to comment on paragraph 11 of Forward in Faith’s document and particularly on the assertion that under my leadership the Diocese of Gloucester was widely perceived as hostile to traditional catholics.

It is true, of course, that I have been consistently supportive of the ordination of women to all three orders of ministry and that that view is widely held in the diocese and was widely held before I became bishop. But I do not believe there has been any hostility to traditional catholics. I do believe there has been a respect for them and space for them to flourish. I would be interested to know what Forward in Faith believed I should have done beyond what I have done in this regard.

When I became Bishop in 2004 there were two parishes where all three resolutions were in place, Up Hatherley and Bussage. In both cases I welcomed the ministry of the provincial episcopal visitor. In both cases I visited the parishes and took part in non-eucharistic worship and maintained a courteous and pastoral relationship with their clergy. In the case of Bussage I did so despite the fact that the parish, which could not raise anything like its parish share, was a drain on the resources of the diocese. At no stage did I ask the parishes to rescind the resolutions. In fact both did rescind Resolution C and Bussage rescinded all the resolutions. In both cases they did this of their own freewill and without any pressure from me or the archdeacons.
Since the rescinding of resolutions, I visited both parishes, presided at the Eucharist, in the case of Up Hatherley confirmed, entirely respected their liturgical traditions, was warmly welcomed as their father in God and enjoyed a mutually encouraging and affirmative relationship with them. I know their churchwardens would affirm that.

In relation to All Saints' Cheltenham, I have presided at worship there on many occasions and indeed celebrated a wonderful Easter Liturgy there two or three years ago. I had a warm relationship with the clergy who served there and with the churchwardens. I do not believe that any of them would say that I was anything but encouraging and supportive of the life and mission of All Saints. I believe the same would be said of my colleagues.

I also took action to prevent the closure of St Stephen's Cheltenham, another parish, where I think Resolutions A and B were in place or, if they were not formally in place, the priest and congregation were unhappy with the ministry of ordained women. A deanery report had recommended closure, but I supported the continuance of St Stephen's and, though we did draw it into the South Cheltenham Team, where there were and are women priests, we respected entirely the tradition of St Stephen's.

I believe I maintained a good relationship with the few licensed clergy in the diocese who had difficulties with women's ordination. I visited their chapter and tried to encourage them. On no occasion did any of them complain to me that I or the diocese were unsupportive of them. I valued their place and presence in the college of priests and I think they knew that. During my episcopate two members of that Forward in Faith chapter, Fr Brian Torode and Canon George Smith, died. In both cases I was invited to preside at their Funeral Mass.

I take exception to the suggestion that I have ever been hostile to traditional catholics or that the Diocese of Gloucester during my episcopate was so. Hostile is a strong word and I know I nursed no hostility to any parish or priest within my care. If, as Forward in Faith asserts, the Diocese is "widely perceived as hostile", the perception is simply wrong. I would like to see the Forward in Faith assertion withdrawn.

With Every Good Wish

Yours sincerely

+Michael