

## LEGAL RESPONSIBILITIES OF AN ARCHDEACON

The office of archdeacon has its origins in the early history of the Church. An archdeaconry is a legal division of a diocese for administrative purposes within which the archdeacon exercises an ordinary jurisdiction. The essential nature of the role has been described as 'being a good steward so that others are freed to be the worshipping, witnessing and ministering Church'<sup>1</sup>. The legal responsibilities of an archdeacon are summarised below.

### Diocesan governance

1. The archdeacon is a member, *ex officio*, of
  - the Diocesan Synod (Church Representation Rules 2011, Rule 30(4));
  - the Diocesan Advisory Committee (DAC) (Care of Churches and Ecclesiastical Jurisdiction Measure 1991, Schedule 1);
  - the Diocesan Parsonages Board (Repair of Benefice Buildings Measure 1972, s.1(4)); and
  - the Diocesan Mission and Pastoral Committee (Mission and Pastoral Measure 2011, Schedule 1).

### Parochial governance

2. An archdeacon has a duty to hold visitations in his or her archdeaconry as provided in Canon C 22, paragraph 5.
3. On receiving a valid request to convene an extraordinary meeting of a PCC, the archdeacon must do so if he or she deems there is sufficient cause. The archdeacon must also chair the meeting or appoint a deputy to do so (Church Representation Rules 2011, Rule 23(1)).
4. At the direction of the bishop, the archdeacon inducts a priest who has been instituted to a benefice into the possession of its temporalities (Canon C22, paragraph 5). Although the archdeacon has no statutory role under the Patronage (Benefices) Measure 1986, in practice he or she is usually actively involved in guiding parishes through the appointments procedure.

### Buildings and property

5. In his or her own archdeaconry, the archdeacon is a key player in the operation of the faculty jurisdiction under the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 and the Faculty Jurisdiction Rules 2013. He or she is *ex officio* a member of the DAC and has statutory powers:
  - to grant faculties without reference to the Chancellor in certain types of case listed in Part 7 and Schedule 2 of the Faculty Jurisdiction Rules 2013;
  - to grant a licence for temporary minor re-ordering on an experimental basis for a non-renewable period of 15 months, after which the experiment must be ended – in which case the archdeacon has a duty to

---

<sup>1</sup> Ravenscroft, the Ven. R.L. *The Role of the Archdeacon Today*, (1995) 3 Ecc LJ 387

ensure that the previous position is restored -or a faculty obtained for permanent changes; and

- to order the removal to a place of safety of an item of architectural, artistic, historic or archaeological value which appears to be at risk.

The archdeacon may initiate or intervene in faculty proceedings and may be asked by the Chancellor to seek local resolution of a particular case. The archdeacon is normally present at any Consistory Court hearing in his or her archdeaconry.

6. Canon C22, paragraph 5, requires the archdeacon to survey, in person or by deputy, all churches and churchyards and give direction for the amendment of all defects in the fabric, ornaments and furniture. He or she also has power under the Inspection of Churches Measure 1955, s.2 to enforce the requirement for a quinquennial inspection of a church by a qualified person.

#### Pastoral reorganisation

7. The archdeacon is an 'interested party' under s6 of the Mission and Pastoral Measure 2011 in relation to pastoral proposals affecting any benefice or parish in his or her archdeaconry. In practice, the archdeacon is usually actively involved in identifying the need for pastoral reorganisation and initiating discussions with other interested parties.

#### Clergy: pastoral care and discipline

8. Canon C22, paragraph 4 provides that an archdeacon '*shall within his archdeaconry carry out his duties under the bishop and shall assist the bishop in his pastoral care and office, and particularly he shall see that all such as hold any ecclesiastical office within the same perform their duties with diligence, and shall bring to the bishop's attention what calls for correction or merits praise.*'
9. Canon C7 provides for the archdeacon to assist the bishop in the examination of candidates for ordination.
10. Under Part 1 of the Incumbents (Vacation of Benefices) Measure 1977, a request for an enquiry on the grounds of serious pastoral breakdown must in the first instance be referred by the bishop to the archdeacon, who is required to report to the bishop whether such an enquiry should, in his or her opinion, be instituted.
11. The archdeacon has no statutory role in proceedings under the Clergy Discipline Measure 2003, but the Code of Practice (paragraphs 10-12) describes circumstances in which it may be appropriate for the archdeacon to act as the complainant, or (paragraph 100) to provide pastoral support.
12. The archdeacon will normally be the person appointed by the bishop to oversee an enquiry into the capability of an office holder under Common Tenure (paragraph 4.1 of the Code of Practice issued under Regulation 31(3) of the Ecclesiastical Offices (Terms of Service) Regulations 2009).

13. The archdeacon is also usually responsible for overseeing the formal stages of the grievance procedure established under Regulation 32 of the Ecclesiastical Offices (Terms of Service) Regulations 2009.