

GENERAL SYNOD
THE WORK OF THE ELECTIONS REVIEW GROUP:
FIRST REPORT BY THE BUSINESS COMMITTEE

Contents

- A: Introduction
- B: Uncontroversial and technical Issues
- C: The Composition of the General Synod:
- Allocation of seats between the two provinces
 - The Diocese of Sodor and Man
 - The Diocese in Europe
 - Constituencies for suffragan bishops
 - Universities constituencies
 - Co-option of minority ethnic individuals
- D: Summary of recommendations

Annex 1 - Proposals for reform of the universities constituencies

Annex 2 – Report of the Elections Review Group (September 2012)

A: Introduction

1. At its meeting in May 2011 the Business Committee agreed to establish an Elections Review Group, as a sub-committee of the Business Committee, to review the 2010 round of Synodical elections. The Group comprised three members of the Business Committee:

The Revd Canon Sue Booy (Oxford) (Chair)
Mr Gerald O'Brien (Rochester)
Mrs Christina Rees (St Albans)

and two members appointed by the Appointments Committee:

The Rt Revd Martyn Jarrett (then Bishop of Beverley)
The Revd Canon Tony Walker (Southwell and Nottingham).

The Hereford Diocesan Secretary, Mr John Clark, was in attendance as an assessor.

2. The Group met on four occasions to consider forty submissions received from presiding officers, Synod members and others. It also heard an oral submission from Mr Clive Scowen regarding the electorate for the House of Laity.
3. The Business Committee has considered the Group's report (attached) and now makes this first report to the Synod. The distinct (but related) issues of the electorate for the House of Laity and the possibility of an online facility for nominations and voting are the subject of a second report (GS 1906). This first report covers all the other issues addressed by the Elections Review Group.
4. At the July group of sessions, the Synod will be invited to give First Consideration to the following draft legal instruments, which implement the proposed changes:
 - draft Amending Canon No 32;
 - the draft Convocations (Election to Upper Houses) (Amendment) Resolution 201-;
 - the draft Clergy Representation Rules (Amendment) Resolution 201-; and
 - the draft Church Representation Rules (Amendment) Resolution 201-.
5. In the case of most of the issues addressed in this report, the Business Committee has made a clear recommendation to the Synod. If the Synod disagrees with the Committee's recommendation on a particular matter, it will be able to remove the corresponding provision from the relevant instrument during the normal revision process.
6. In the case of one issue (the allocation of seats between the two provinces) the Committee does not itself favour change, but took the view that the issue was of such importance that it should be decided by the Synod and not by the Committee. It has therefore included the necessary provisions in the draft Amending Canon and the Church Representation Rules (Amendment) Resolution, so as to enable the Synod to decide whether the change should be made in each case.

B: Uncontroversial and technical issues

7. Many of the submissions related to uncontroversial or technical issues. The Elections Review Group considered each of these in turn.

8. Several of the proposals accepted by the Group require changes to be made to the guidance materials issued to dioceses before the elections. These changes will be made by the staff in time for the next synodical elections.
9. Some of the proposals in relation to uncontroversial or technical issues require changes to the Church Representation Rules ('CRRs'), the Clergy Representation Rules ('ClergyRRs') or the Convocations (Election to Upper House) Rules, as follows:
 - Amend Rule 20(1) ClergyRRs and Rule 39(3) CRRs so that voting papers can also be sent to an alternative address previously notified to the Presiding Officer.
 - Amend Rule 20(2) ClergyRRs and Rule 39(4) CRRs in respect of the wording "seeking re-election".
 - Amend the Convocations (Election to Upper House) Rules 1989 to 2005 to allow suffragan bishops to submit forms by fax.
 - Amend the ClergyRRs and CRRs to provide that the Presiding Officer should be required to post all election addresses, received by a given deadline, online on a certain date (before the voting papers are sent out), together with a list of all candidates.
 - Amend Appendix I, Section 1 of the CRRs to make clear that the electoral roll is for lay persons only.
 - Amend Appendix I, Section 6 CRRs – change "Year for birth" to "Year **of** birth".
 - Amend Appendix I, Sections 5 and 6 to remove the midday cut-off points on the forms.
10. *Amending legislation will be introduced into the Synod in July in order that these uncontroversial or technical amendments to the Church Representation Rules, the Clergy Representation Rules and the Convocations (Elections to Upper House) Rules can be made in time for the 2015 elections.*

C. The Composition of the General Synod

11. The Elections Review Group received various substantive submissions concerning the composition of the Synod. Each of these is considered in detail below, as is the request that the allocation of the seats between the two provinces should be reconsidered in time for the Synod to debate the issue before the next quinquennial elections.
 - **Allocation of seats between the two provinces**
12. At the February 2010 group of sessions, the Synod debated the Business Committee's quinquennial report (GS 1760) setting out the allocation of seats for the House of Clergy and the House of Laity for the 2010 elections. As on previous occasions, the allocation was calculated on the basis of a 70:30 split between the Provinces of Canterbury and York, which results in a slight weighting in favour of York in both Houses. (The actual split between the Provinces of Canterbury and York, if no weighting were applied, would be around 72:28 in both Houses.) During the brief debate on the report, there were calls for the Business Committee to reconsider the 70:30 split and the York weighting.
13. The table following paragraph 17 compares the actual allocation of seats in 2010 with allocation under an unweighted system.

14. Both within the Group and within the Business Committee there was a divergence of views on the possibility of removing the weighting. Some believed that the number of seats allocated to each diocese should be directly proportionate to the number of clergy or electoral roll members, as the case may be, regardless of whether the diocese was in the Northern or Southern Province. However, others argued that, if the number of seats in the Northern Province were to fall below 30% of the total, there would be a danger that views and concerns of the Northern Province, which were often distinct from those of the South, could be overwhelmed by those of the much larger Southern Province. In their view, the current modest weighting in favour of the Northern Province properly ensures that the Northern voice is heard.
15. Some of the arguments in favour of a weighted representation arise from the perceived need for the Lower House of the Convocation of York to be of sufficient size to fulfil its functions as the Lower House of a provincial synod and to form a pool of adequate size from which elections and appointments can be made. These considerations do not apply to the House of Laity, and there is, therefore, an argument for removing the weighting in respect of elections to that House while retaining it in respect of elections to the Convocations.
16. The majority of members of the Business Committee do not support removing the weighting in respect of either the Convocations or the House of Laity. However, the Committee agreed with the Elections Review Group that the Synod should be given the opportunity to decide whether the 70-30 weighting should continue in respect of the Convocations and also in respect of the House of Laity.
17. *Draft Amending Canon No 32 and the draft Church Representation Rules (Amendment) Resolution therefore include removal of the 70-30 weighting of provincial representation in the Lower Houses of the Convocations and in the House of Laity, in order to allow the Synod to decide whether the change should be made in each case.*

Comparison of 2010 actual and unweighted allocation of seats

Diocese	Clergy			Laity		
	Numbers	Actual 2010	No weighting	Numbers	Actual 2010	No weighting
Canterbury	247	3	3	20,592	3	3
York	348	6	5	33,745	6	5
London	811	10	11	68,692	10	11
Durham	283	4	4	22,139	4	4
Winchester	320	4	4	34,411	5	6
Bath & Wells	312	4	4	35,128	5	6
Birmingham	237	3	3	17,174	3	3
Blackburn	244	4	3	33,364	6	5
Bradford	162	3	3	11,283	3	3
Bristol	210	3	3	14,966	3	3
Carlisle	224	4	3	19,857	4	3
Chelmsford	505	6	7	46,082	7	7
Chester	347	5	5	43,583	8	7
Chichester	481	6	6	53,045	8	8
Coventry	193	3	3	16,937	3	3
Derby	197	3	3	18,003	3	3
Ely	248	3	3	18,503	3	3
Europe	149	2	2	10,558	2	2
Exeter	306	4	4	30,912	5	5
Gloucester	280	4	4	22,954	3	4
Guildford	365	5	5	28,657	4	5
Hereford	161	3	3	17,321	3	3
Leicester	215	3	3	15,968	3	3
Lichfield	503	6	7	43,229	7	7
Lincoln	259	3	3	26,887	4	4
Liverpool	309	5	4	27,519	5	4
Manchester	392	6	5	32,191	6	5
Newcastle	202	3	3	16,114	3	3
Norwich	317	4	4	20,145	3	3
Oxford	731	9	10	53,238	8	9
Peterborough	204	3	3	18,795	3	3
Portsmouth	194	3	3	16,820	3	3
Ripon & Leeds	125	3	3	16,805	3	3
Rochester	288	4	4	29,521	5	5
St Albans	414	5	6	37,717	6	6
St Eds & Ips	245	3	3	22,830	3	4
Salisbury	386	5	5	40,029	6	6
Sheffield	202	3	3	17,437	3	3
Sodor & Man	19	1	1	2,611	1	1
Southwark	593	8	8	45,811	7	7
Southwell & Notts	215	3	3	18,646	3	3
Truro	181	3	3	15,591	3	3
Wakefield	314	5	4	19,456	4	3
Worcester	199	3	3	18,622	3	3
	13,137	183	182	1,173,888	193	193
Canterbury total		128	133		134	141
York total		55	49		59	52

- **The Diocese of Sodor and Man**

18. The Elections Review Group considered whether the allocation of seats to the Diocese of Sodor and Man is appropriate. (Sodor and Man elects one clergy proctor and one lay representative.) It concluded that the numbers of clergy and laity in that diocese would not justify an increase in this minimum representation, and the Business Committee accepted that recommendation.

- **The Diocese in Europe**

19. By contrast, the Diocese in Europe appears to be under-represented when the numbers on the rolls of its chaplaincies are compared with the numbers on the electoral rolls of the other dioceses. The current allocation of two proctors and two lay representatives reflects the fact that in the past the Diocese in Europe had fewer clergy and fewer laity than any English dioceses. In 1997 (the first year for which figures are available), it had 127 licensed clergy and 8,800 on its electoral rolls. In 2010, Europe had 149 clergy electors and 10,558 on its electoral rolls. Ripon and Leeds had only 125 clergy electors but was allocated the minimum 3 clergy places. Similarly, Bradford had 11,283 on its electoral rolls and was allocated the minimum 3 places in the House of Laity. In the light of these figures, the Elections Review Group recommended that the minimum allocation of three seats in each House should in future also apply to the Diocese in Europe, with the total size of both Houses increasing by two seats in consequence. The Business Committee has accepted this recommendation.
20. *Draft Amending Canon No 32 and the draft Church Representation Rules (Amendment) Resolution therefore provide that the minimum allocation of three seats in each House should in future apply to the Diocese in Europe. It is not proposed that the overall number of seats in either the House of Clergy or the House of Laity should be increased to accommodate the additional members from the Diocese in Europe.*

- **Constituencies for suffragan bishops**

21. The Group received a submission which argued that, considering the number of suffragan bishops and other persons in episcopal orders working in dioceses, those bishops had a disproportionately small representation on the General Synod. In considering that submission, the Group observed that the southern suffragan constituency had been reduced from six to four representatives in the last quinquennium and that the four seats had been hotly contested. It noted that where minority views exist in the episcopate, it tends to be among the suffragan constituency, but that representatives of minorities tend not to be elected for constituencies that are allocated only a small number of seats.
22. For those reasons, the Group took the view that there is a strong case for enlarging the size of the House of Bishops by one seat in order to increase the representation of the southern suffragan bishops. (In its discussions, the Group noted that, should the proposed reorganisation of the Yorkshire dioceses take place, there would be two fewer diocesan members of the House of Bishops and that it would therefore be possible to increase suffragan representation in the General Synod without increasing the overall size of the House.) The Business Committee accepted the Elections Review Group's recommendation.

23. *The draft Amending Canon therefore includes an amendment increasing the number of seats for southern suffragans from four to five, so that the overall number of members of the House of Bishops would increase by one*

- **Universities constituencies**

24. A number of the submissions received by the Group questioned the existence of the universities constituencies. It was argued that the number of seats is disproportionate to the size of the electorates, and that the rules governing the elections are unclear and difficult to put into practice. The concerns raised in the submissions about the difficulty of applying the rules were echoed by the staff of the Legal Office who run the elections to it.

25. Most of these constituencies are very small. In the 2010 elections there were fewer than ten electors in the London University constituency and fewer than twenty each in the Northern Universities, Southern Universities and Durham and Newcastle constituencies. Only in Cambridge (slightly under thirty electors) and Oxford (slightly under fifty electors) was the electorate of substantial size.

26. A number of practical difficulties arose in the running of the 2010 elections, as follows:

- Only 24 out of 77 universities in the Southern Province, and 17 out of 31 in the Northern Province, responded to the request for details of electors.
- A number of universities stated that they do not keep lists of ordained staff, and were therefore either unable to provide the information required to identify electors or unable to be confident that the information they provided was complete.
- Similarly, in London, only 7 of the 20 University colleges and institutions replied to the request for details of electors, despite being chased for the information. Only a very small number of electors were identified, most of whom were from the same institution.¹
- There are real risks that the information supplied by the universities is not only incomplete but also inaccurate. One university submitted the name of a Roman Catholic cleric, while a number of others included chaplains who were employed by the diocese and not the university. As a result, far from being able to rely on the information provided by the universities, staff had to undertake ‘investigative’ work, to determine whether a cleric should in fact be on the list of electors or not.
- Practical difficulties also arose in the elections to fill casual vacancies in two of the six constituencies when trying to determine the electorate (caused by the fact that no candidates stood in the original elections). Responses were received from a number of universities, giving details of clergy who were qualified electors, but whose details had not been provided by the universities at the time of the original election. Staff therefore had to check with the relevant diocese (which was not always obvious) whether the individuals had been qualified electors in their diocese for the diocesan proctorial election and, if they had, remove them from the new list of university electors. This was not only an administrative burden, but demonstrated that the original list of electors was incomplete. It follows that an

¹ It should also be noted that a process is in train whereby a number of constituent colleges of the University of London are withdrawing from it and becoming universities in their own right. This raises the possibility that the number of electors in the University of London constituency will reduce further in the future.

individual might have preferred to have participated in the university election had he or she been given the chance, but they were not because the university concerned did not originally reply to the request for information.

27. As a result of these practical difficulties, there is a real risk of legal challenge to the election results, due to the incompleteness and/or inaccuracy of the data available about the members of the electorate.
28. In addition to this problem, there is potentially a further, more fundamental flaw with the electoral system, if the view is taken that the purpose of the universities constituencies is to guarantee the Synod access to theological expertise. The election rules permit *any* ordained member of staff in a full-time position to stand for election, so making it possible for a candidate with no special theological expertise – and who might hold the bishop’s licence and therefore also be entitled to stand for election in his or her diocese – to gain a place on the Synod through a university constituency. Indeed, the electorate for the 2010 elections included members of administrative and IT staff. This raises a fundamental question as to the purpose served by the existence of the constituencies and whether that purpose is in fact achieved.
29. The Business Committee agrees with the Elections Review Group that the current electoral system for the universities constituencies thus contains a fundamental flaw. It also notes the danger of legal challenge to the election results. It notes that there are currently (and have been in the past) a number of eminent lay and clerical theologians elected to General Synod from outside the universities constituencies and agrees with the Group that the electorate can be trusted to vote for theologians in diocesan elections. In the light of this, and of the extremely small size of the electorates in most of the universities’ constituencies, the Committee can see little justification for their existence as separate constituencies. Accordingly, it strongly recommends to the Synod that the universities constituencies be abolished.
30. *Draft Amending Canon No 32 therefore abolishes the universities constituencies and gives the electors in them the opportunity to vote in the diocesan proctorial elections. It is proposed that the six places previously allocated to the universities constituencies would be transferred to the total number of places to be directly elected by the dioceses to the Convocations of Canterbury or York.*
31. The Committee notes the possibility that the Revision Committee might remove this provision from the draft Amending Canon. It believes that, if that were to occur, with the result that the universities’ constituencies were retained, it is essential that they should be the subject of substantial reform both in order to reduce the risk of legal challenge and to make their electorates and representatives more reflective of the theological expertise available in the universities. If the Revision Committee were to reject abolition, the Committee would therefore ask the Steering Committee to propose amendments to the draft Amending Canon to put into effect the reforms set out in the Annex to this report.
 - **Co-option of minority ethnic individuals**
32. The Group received the following proposal from the Committee on Minority Ethnic Anglican Concerns (CMEAC):

- (i) *That the Church Representation Rules should be amended to make possible special co-options of minority ethnic persons to membership of the General Synod with a view to ensuring that there are a minimum of 24 minority ethnic members on Synod.*
- (ii) *That the Church Representation Rules should be amended to ensure appropriate minority ethnic membership on all Diocesan and Deanery Synods.*

33. The Group first set out to determine whether or not people from minority ethnic backgrounds were under-represented in the General Synod. The table below sets out the details of the current representation of minority ethnic members (excluding the *ex officio* members, the appointed members of the Archbishops' Council, the representatives of Deaf Anglicans Together, the Youth Council and the ecumenical representatives).

	Total membership	Number of minority ethnic members	Proportion of minority ethnic members
House of Laity	211	7 (4 in Canterbury, 3 in York)	3.3%
House of Clergy	188	7 (5 in Canterbury, 2 in York)	3.7%

34. In 2010, 2.8% of the clergy of the Church of England (both stipendiary and non-stipendiary) were from minority ethnic backgrounds². The Group therefore concluded that the clergy did not appear to be under-represented in the House of Clergy in terms of proportionality.
35. According to the 2007 Report produced by the Research and Statistics Department, 'Celebrating Diversity in the Church of England',³ 4.7% of Church of England core adult parish congregations are from minority ethnic backgrounds. This compares with just 3.3% of lay Synod members, suggesting that lay minority ethnic members are under-represented. If membership were proportionate to the core adult parish congregations, there would be 10 members from ethnic minorities, rather than 7.
36. However, the figure of 4.7% needs to be understood in its context. As the results of the survey demonstrate, the proportion of lay minority ethnic members in Church of England congregations varies hugely according to geographical location and the average age of the congregation. In particular, minority ethnic members tend to be of a younger age and to be concentrated in urban parishes, especially those of the London conurbation.
37. The Group tried to establish why minority ethnic individuals are under-represented in the House of Laity. It noted that, while CMEAC had run a significant campaign to publicise the elections amongst minority ethnic candidates in 2010, its message did not appear to have reached the electorate. Thus, although many minority ethnic candidates received a large number of first preference votes, they did not receive many second or third preference votes.
38. The Group identified four major drawbacks to the proposal that minority ethnic members should be co-opted to the Synod:
- (1) the democratic nature of an election would be lost if members who did not secure enough votes to be elected were co-opted;

² Page 52, GS Misc 1000

³ GS Misc 938: <http://www.churchofengland.org/media/1032500/celebratingdiversitygsmisc938.pdf>

- (2) there is a risk that electors would not vote for minority ethnic candidates if they knew that they were likely to be co-opted to the Synod in any event;
- (3) if special provision were introduced for minority ethnic candidates, there might be calls for the co-option of individuals from other groups, for example related to the age of members; and
- (4) the House of Laity or the relevant Convocation could be empowered to co-opt additional members on the grounds of ethnicity but could hardly be required to do so, and if an individual were denied co-option this could have damaging consequences.

For these reasons, the Group did not believe that CMEAC's proposal should be accepted.

- 39. The Group noted that the reduction in the size of the Synod in 2005 militates against the inclusion of minorities. The more seats there are to be filled in an election, the more likely it is that minority candidates will be elected. However, the Group did not believe that it would be desirable to increase the size of the Synod in the hope that that would increase the representation of minority ethnic people.
- 40. The Group considered whether the issue of under-representation should be addressed by a mechanism similar to that set out in the draft Synodical Government (Amendment) Measure, which failed to receive general approval (the equivalent of rejection at first consideration stage) in 1989. That Measure would have enabled the number of minority ethnic members to be increased to up to 24, through a complex electoral process, if fewer than 24 persons from a minority ethnic background did not gain election. (It should be borne in mind that the figure of 24 was proposed within the context of a Synod consisting of some 575 members, and even then it was admitted that the figure was 'completely arbitrary'.⁴) An electoral approach was not favoured by the Synod in 1989 on the grounds that the electorate would not vote for minority ethnic candidates if they believed they would gain a place on Synod in any event. Furthermore, there were concerns that if special provision were introduced for minority ethnic candidates, there would be calls for special treatment of other groups.
- 41. The Elections Review Group was similarly unconvinced that an electoral mechanism would be the best way of increasing the representation of minority ethnic members, particularly in the House of Laity, not least because to devise such a mechanism would create an artificial election result.
- 42. Instead, the Group recommended that both CMEAC, the Church of England Youth Council, internal Synod groupings and other bodies, such as diocesan synods (particularly in the London conurbation) should be asked not only actively to encourage candidates to come forward from the minority ethnic communities for election but also to mentor them through the election process. (The Group believed that, because minority ethnic congregation members tend to have a younger age profile, the Youth Council could be an invaluable source of support in that connection.)
- 43. As to the nature of the encouragement to be given to possible candidates, the Group noted that it had been suggested that the electorate did not tend to vote for candidates because of their race or gender, for example, but for what they stood for. It therefore considered it important that minority ethnic candidates – and indeed all candidates – are encouraged to promote themselves for election on the basis of their views, experience and qualities.

⁴ *Report of Proceedings*, vol. 19, no. 3, p. 1103.

44. *The Business Committee endorses the conclusions and recommendations of the Elections Review Group regarding the proposal from CMEAC. It proposes to invite CMEAC, the Church of England Youth Council, internal Synod groupings and diocesan synods to encourage minority ethnic candidates to stand for election and to mentor them before and during the election process.*

D: Summary of recommendations

1. Amending legislation will be introduced into the Synod in order that uncontroversial or technical amendments to the Church Representation Rules, the Clergy Representation Rules and the Convocations (Elections to Upper House) Rules can be made in time for the 2015 elections (para. 7-10).
2. Draft Amending Canon No 32 and the draft Church Representation Rules (Amendment) Resolution include the removal of the 70-30 weighting of provincial representation in the Lower Houses of the Convocations and in the House of Laity, in order to allow the Synod to decide whether the change should be made in each case (para. 12-17).
3. The Business Committee accepted the Group's recommendation that the numbers of clergy and laity in the Diocese of Sodor and Man would not justify an increase in its representation (para. 18).
4. Draft Amending Canon No 32 and the Church Representation Rules (Amendment) Resolution include provision that the minimum allocation of three seats in each House should in future apply to the Diocese in Europe (para. 19-20).
5. Draft Amending Canon No 32 includes an amendment increasing the number of seats for southern suffragans from four to five (para. 21-23).
6. Draft Amending Canon No 32 abolishes the universities constituencies and gives the electors in them the opportunity to vote and stand in the diocesan proctorial elections (para. 24-31).
7. The Business Committee endorses the conclusions and recommendations of the Elections Review Group regarding the proposal from CMEAC. It proposes to invite CMEAC, the Church of England Youth Council, internal Synod groupings and diocesan synods to encourage minority ethnic candidates to stand for election and to mentor them before and during the election process.

On behalf of the Committee

JULIAN HENDERSON
Chairman

May 2013

PROPOSALS FOR REFORM OF THE UNIVERSITIES CONSTITUENCIES

1. The Committee believes that these constituencies should be abolished and the electors in them should be given the opportunity to participate in the diocesan proctorial elections.⁵
2. The Committee further believes that, if these constituencies are not abolished, substantial reform will be essential in order to reduce the risk of legal challenge. If the Revision Committee for the draft Amending Canon were to reject abolition, the Business Committee would therefore ask the Steering Committee to propose the addition to the draft Amending Canon of amendments to Canon H 2 to put into effect the reforms set out below.
3. In a nutshell, they would be reformed so that the electorates consist of the ordained members of theological faculties. The rules would apply equally to all universities, including Oxford and Cambridge. Furthermore, the number of constituencies would be reduced to four: a Northern seat (encompassing Durham and Newcastle), a Southern seat (encompassing the University of London), Oxford and Cambridge. (The proposal that Oxford and Cambridge continue to have separate seats reflects the fact that they have significantly more Anglican clergy teaching theology than the other universities.)
4. The Elections Review Group discussed whether the constituencies should be open to lay people as well as clerical (if the constituencies are retained to guarantee access to theological expertise, it is difficult to justify the exclusion of lay persons). However, there is no precedent for an elective constituency consisting of both lay and clerical members. If such an approach were favoured, it would arguably be better achieved by designating some of the seats for lay members and some for clerical, with separate elections for each.
5. The current rules (in Rule 12 CRRs) define the electors as follows:

12. The electors shall be priests or deacons of the Church of England who are qualified as follows:-

 - (a) *in the University of Oxford, are members of Congregation;*
 - (b) *in the University of Cambridge are members of the Regent House;*
 - (c) *in the University of London are –*
 - (i) *certified by the academic registrar to be appointed or recognised teachers of the university holding full-time posts or part-time posts declared by the holders to be their main employment;*
 - (ii) *certified by the principal of the university or the head of the school concerned to be members of the financial and administrative staffs employed full-time by the university or by one of its schools;*
 - (d) *in the other Universities comprised in an electoral area are certified by the vice-chancellors or the university official designated by him for the purposes to be –*

⁵ The historical need for the seats was that university clergy tended not to hold the bishop's licence, but the Group believes that this is much less true than it once was. In any case, provision could be made in the rules for those clergy who do not hold a licence.

(i) appointed or recognised teachers of the university holding full-time posts declared by the holders to be their main employment;

(ii) members of the financial and administrative staffs employed full-time by the university;

and who held the qualifying membership post or employment at 6.00 a.m. on the date of the dissolution of Convocation.

6. The suggestion is that the rules should be revised so that the electorate consists of the clerical members of theological faculties.
7. One way of identifying the electorate would be to define the qualifying departments by reference to an appropriate list. The most obvious possibility in that connection would appear to be the 'Handbook of Departments' published by the Association of University Departments of Theology and Religious Studies ('AUDTRS').
8. It would be necessary to identify which members of such a faculty could vote (should the electorate be restricted to full-time and/or paid members?).
9. Depending on the views taken on these questions, it might be possible to arrive at a definition of the electorate which is to the effect that the electors should be:
 - priests or deacons of the Church of England certified by an authorised official of the relevant university to be:
 - i. at least half-time staff
 - ii. of any department of [the relevant university] [any university in the electoral area] which was included in the most recent edition of the Handbook of Departments published by AUDTRS.
10. Were this is to be the requirement, the Presiding Officer could compile the list of the relevant electors by:
 - obtaining the most recent AUDTRS Handbook of Departments; and
 - writing to each department in the relevant university constituency which was listed in that Handbook asking for the details of the clergy who were at least half-time members of it.
11. The relevant new election Rule would need to include a substitutional provision which, for example, gave the Business Committee power to specify some other publication or body in the event that the AUDTRS Handbook was no longer available as a point of reference.

REPORT OF THE ELECTIONS REVIEW GROUP

Introduction

1. At its meeting in May 2012, the Business Committee agreed to establish an Elections Review Group as a sub-committee of the Business Committee, to review the 2010 round of Synodical elections. Membership of the Group is as follows:

Appointed by the Business Committee:

The Revd Canon Sue Booy (Oxford) (Chair)
Mr Gerald O'Brien (Rochester)
Mrs Christina Rees (St Albans)

Appointed by the Appointments Committee:

The Rt Revd Martyn Jarrett (Bishop of Beverley)
The Revd Canon Tony Walker (Southwell and Nottingham)

Assessor:

Mr John Clark (Hereford)

2. The Group has met on four occasions this year to consider submissions and proposals received from presiding officers, Synod members and others. The Group received 40 submissions, and also heard an oral submission from Mr Clive Scowen in respect of the electorate for the House of Laity.
3. Many of the submissions related to uncontroversial or technical issues. The Group considered each submission in turn, and a number of the proposals were accepted. These will be followed through by staff in time for the next Synodical elections: the majority of the proposals require changes to be made to the guidance materials issued to dioceses before the elections. However, some of the proposals will require legislative change, and, with the agreement of the Business Committee, arrangements will be made to introduce the necessary amending legislation to the Synod in due course. These legislative changes are identified for the information of the Committee in Annex 1.
4. Set out below in the main body of the report are the Group's findings and recommendations in respect of the more substantive proposals which it considered. A summary of the Group's conclusions is provided on page 32.

THE COMPOSITION OF GENERAL SYNOD

5. The Group received various substantive submissions concerning the composition of the Synod, including proposals for the abolition of the universities constituencies, and for the co-option of additional minority ethnic candidates. Each of these proposals is considered in detail below. In addition, the Group considered the request made during the debate on the Business Committee's Report (GS 1760) in February 2010 that the allocation of the seats between the two provinces should be reconsidered, in time for the Synod to debate the issue before the next quinquennial elections.

Allocation of seats between the two provinces

6. At the February 2010 group of sessions, the Business Committee tabled its quinquennial report setting out the allocation of seats for the House of Clergy and the House of Laity for the upcoming elections. As in previous years, the allocation was calculated on the basis of a 70:30 split between the Provinces of Canterbury and York, with a slight weighting in favour of York in both Houses (the actual split between the Provinces of Canterbury and York, if no weighting were applied, would be around 72:28 in both Houses). During the brief debate on the report, there were calls for the Business Committee to reconsider the 70:30 split and the York weighting. The Group was asked to consider the issue.
7. The table below compares the actual allocation of seats in 2010 with allocation under an unweighted system:

Comparison of 2010 actual and unweighted allocation of seats

Diocese	Clergy			Laity		
	Numbers	Actual 2010	No weighting	Numbers	Actual 2010	No weighting
Canterbury	247	3	3	20,592	3	3
York	348	6	5	33,745	6	5
London	811	10	11	68,692	10	11
Durham	283	4	4	22,139	4	4
Winchester	320	4	4	34,411	5	6
Bath & Wells	312	4	4	35,128	5	6
Birmingham	237	3	3	17,174	3	3
Blackburn	244	4	3	33,364	6	5
Bradford	162	3	3	11,283	3	3
Bristol	210	3	3	14,966	3	3
Carlisle	224	4	3	19,857	4	3
Chelmsford	505	6	7	46,082	7	7
Chester	347	5	5	43,583	8	7
Chichester	481	6	6	53,045	8	8
Coventry	193	3	3	16,937	3	3
Derby	197	3	3	18,003	3	3
Ely	248	3	3	18,503	3	3
Europe	149	2	2	10,558	2	2
Exeter	306	4	4	30,912	5	5
Gloucester	280	4	4	22,954	3	4
Guildford	365	5	5	28,657	4	5
Hereford	161	3	3	17,321	3	3
Leicester	215	3	3	15,968	3	3
Lichfield	503	6	7	43,229	7	7
Lincoln	259	3	3	26,887	4	4

Liverpool	309	5	4	27,519	5	4
Manchester	392	6	5	32,191	6	5
Newcastle	202	3	3	16,114	3	3
Norwich	317	4	4	20,145	3	3
Oxford	731	9	10	53,238	8	9
Peterborough	204	3	3	18,795	3	3
Portsmouth	194	3	3	16,820	3	3
Ripon & Leeds	125	3	3	16,805	3	3
Rochester	288	4	4	29,521	5	5
St Albans	414	5	6	37,717	6	6
St Eds & Ips	245	3	3	22,830	3	4
Salisbury	386	5	5	40,029	6	6
Sheffield	202	3	3	17,437	3	3
Sodor & Man	19	1	1	2,611	1	1
Southwark	593	8	8	45,811	7	7
Southwell & Notts	215	3	3	18,646	3	3
Truro	181	3	3	15,591	3	3
Wakefield	314	5	4	19,456	4	3
Worcester	199	3	3	18,622	3	3
	13,137	183	182	1,173,888	193	193
Canterbury total		128	133		134	141
York total		55	49		59	52

8. There was a divergence of views among the members of the Group on the possibility of removing the weighting: while some believed the seats allocated to each diocese should be directly proportionate to the number of people in the diocese, with no reference to whether the diocese was in the Northern or Southern Province, others were firmly against any change to the present method of allocation. In particular, it was argued that there would be a danger that, if the number of seats in the Northern Province were to fall below 30% of the total, the views and concerns of the Northern Province, which were often distinct from those of the South, could be overwhelmed by those of the much larger Southern Province, and that the current modest weighting in favour of the Northern Province properly ensured that the Northern voice would continue to be heard.
9. The Group noted that some of the arguments in favour of a weighted representation arise from the perceived need for the Lower House of the Convocation of York to be of sufficient size to fulfil its functions as the Lower House of a provincial synod and to form a pool of adequate size from which elections and appointments could be made. These considerations do not apply to the House of Laity, and there would therefore be an argument for removing the weighting in respect of elections to that House while retaining it in respect of elections to the Convocations.
10. However, in view of the importance of the issue and the divergence of views about it among the members of a Group of this size, the Group agreed that it would not be appropriate for it to make a recommendation to the Business Committee. We invite the Business Committee to decide whether a proposal to alter the present position should be made to the Synod, and in doing so draw its attention to the suggestion made in paragraph 9 above as a possible way forward.

11. The Group also considered whether the allocation of seats for the diocese of Sodor & Man and the Diocese in Europe are appropriate. Sodor and Man elects one clergy proctor and one lay representative. The Group concluded that the numbers of clergy and laity in the Diocese would not justify an increase in this minimum representation.
12. By contrast, the Diocese in Europe appears to be under-represented when the numbers on the rolls of its chaplaincies are compared with the number of those on the electoral rolls of mainland dioceses. The current allocation of two proctors and two lay representatives reflects the fact that in the past the Diocese in Europe had fewer clergy and fewer laity than any English dioceses. In 1997 (the first year for which figures are available), it had 127 licensed clergy and 8,800 on its electoral rolls. In 2010, Europe had 149 clergy electors and 10,558 on its electoral rolls. Ripon and Leeds had only 125 clergy electors but was allocated the minimum 3 places. Similarly, Bradford had 11,283 on its electoral rolls and was allocated the minimum 3 places. In light of these figures, the Group recommends to the Business Committee that the minimum allocation of three seats in each House should in future also apply to the Diocese in Europe, increasing the total size of both Houses by two seats accordingly.

Constituencies for suffragan bishops

13. The Group received a submission which argued that, considering the number of suffragan bishops and other persons in Episcopal Orders working in dioceses, those bishops had a disproportionately small representation on the General Synod. In considering that submission, the Group observed that the southern suffragan constituency had been reduced from six to four representatives in the last quinquennium and that the four seats had been hotly contested. It was noted that where minority views exist in the episcopate, it tends to be among the suffragan constituency, but that representatives of minorities tend not to be elected for constituencies that are allocated only a small number of seats.
14. For those reasons, the Group believes that there is a strong case for enlarging the size of the House of Bishops by one seat in order to increase the representation of the southern suffragan bishops, and recommends this proposal to the Business Committee. (In its discussions, the Group noted that, should the proposed reorganisation of the Yorkshire dioceses take place, there would be two fewer diocesan members of the House of Bishops and that it would therefore be possible to increase suffragan representation on General Synod without increasing the overall size of the House.)

Universities constituencies

15. A number of the submissions received by the Group questioned the existence of the universities constituencies: it was argued that the seats were disproportionate to the size of their respective electorates, and that the rules governing the elections were unclear and difficult to put into practice. The elections are run by the Legal Office, and the concerns raised in the submissions about the difficulty of applying the rules are echoed by staff.
16. There are six universities constituencies, four in the Southern province and two in the Northern. Details are given here of the number of electors and the number of candidates in each election in the 2010 election. **(This information is given in confidence and should not be disclosed to persons who are not members of the Business Committee.)**

Constituency	Number of Electors	Number of Candidates
Northern Universities	17 (20 in the re-run)	0 (2 in the re-run)
Southern Universities	16 (18 in the re-run)	0 (1 in the re-run)
London	6	1
Oxford	48	2
Cambridge	28	1
Durham & Newcastle	13	1
	This information was supplied extremely late due to university staff absences over the summer, and as a result nomination papers did not go out on time. It was also later discovered that the information was incomplete.	

Problems with the existing electoral system

17. A number of practical difficulties arose in the running of the elections, as follows:

- Only 24 out of 77 universities in the Southern Province, and 17 out of 31 in the Northern Province, responded to our request for details of electors.
- A number of universities informed us that they do not keep lists of ordained staff, and were therefore either unable to provide the information required to identify electors, or to be confident that the information they provided was complete.
- Similarly, in London, only 7 of the 20 University colleges and institutions replied to our request for details of electors, despite being chased for the information. A total of 6 electors were identified, 5 of whom were from the same college.⁶
- There are risks that the information supplied by the universities is not only incomplete, but inaccurate. One university gave us the name of a cleric who was a Roman Catholic, while a number of others included chaplains who were employed by the diocese and not the university. As a result, far from being able to rely on the information provided by the universities, staff had to do a great deal of ‘investigative’ work, to determine whether a cleric should in fact be on the list of electors or not.
- Practical difficulties also arose in the elections to fill the two casual vacancies when trying to determine the electorate. We had responses from a number of universities, giving details of clergy who were qualified electors, but whose details had not been provided by the universities at the time of the original election. We therefore had to check with the relevant diocese (which was not always obvious) whether the individual had been a qualified elector in their diocese for the diocesan proctorial election and, if they had, remove them from the new list of university electors. This was not only an administrative burden, but demonstrated that the original list of electors was incomplete. It follows that an individual might have preferred to have participated in the university election had they been given the chance, but they were not because the university concerned did not originally reply to our request for information.

⁶ It should also be noted that a process is in train whereby a number of constituent colleges of the University of London are withdrawing from it and becoming universities in their own right. This raises the possibility that the number of electors in the University of London constituency will reduce further in the future.

18. As a result of these practical difficulties, there is a real risk of legal challenge to the election results, due to the incompleteness of the data available about the members of the electorate.
19. In addition to this problem, there is potentially a further, more fundamental flaw with the electoral system, if the Committee is of the same mind as the Group in its understanding that the purpose of the universities seats is to guarantee the Synod access to theological expertise. The election rules permit *any* ordained member of staff in a full time position to stand for election, so making it possible for a candidate with no special theological expertise – and who might hold the bishop’s licence – to gain a place on the Synod through a university constituency. Indeed, the electorate for the 2010 elections included members of administrative and IT staff. This raises a fundamental question as to the purpose served by the existence of the constituencies and whether that purpose is in fact achieved.
20. It is the view of the Group that the current electoral system for the universities constituencies thus contains a fundamental flaw, and, in addition to the danger of legal challenge to the election results, believes reform is urgently required.

Proposals for reform

21. **The Group believes that, ideally, these constituencies should be abolished and the proctors in the constituencies given the opportunity to participate in the diocesan proctorial elections⁷.** The Group suggests that the electorate can be trusted to vote for theologians in such elections. There are currently (and have been in the past) a number of eminent lay and clerical theologians elected to General Synod from outside the universities constituencies. In light of this observation and the extremely small electorates there seems to be little justification for the existence of the separate constituencies.
22. However, in light of the debate on this topic in February 2004, the Group is unclear whether the Synod would favour such a radical proposal. It therefore suggests to the Business Committee an alternative method of reform, should the Committee consider that a proposal to abolish the universities constituencies would be unlikely to command majority support in the Synod. It is hoped that the proposed reforms would reduce the danger of legal challenge which exists in the current system.
23. In a nutshell, the Group believes that the constituencies could be reformed so that the electorates consist of the ordained members of theological faculties. The rules would apply equally to all universities, including Oxford and Cambridge. The details of this proposed new system are set out in Annex 2. The Group hopes that this proposal would command sufficient support in the Synod to secure its implementation, and believes that this would overcome the serious inadequacies which exist in the present system.
24. Furthermore, the Group is of the view that the number of constituencies should be reduced to four: a Northern seat (encompassing Durham and Newcastle), a Southern seat (encompassing the University of London), Oxford and Cambridge. (The proposal that Oxford and Cambridge continue to have separate seats reflects the fact that they have significantly more Anglican clergy teaching theology than the other universities.)

⁷ The historical need for the seats was that university clergy tended not to hold the bishop’s licence, but the Group believes that this is much less true than it once was. In any case, provision could be made in the rules for those clergy who do not hold a licence.

25. The Group discussed whether the constituencies should be open to lay people as well as clerical: if the constituencies are retained to guarantee access to theological expertise, it is difficult to justify the exclusion of lay persons. However, it was noted that there is no precedent for an elective constituency consisting of both lay and clerical members. If such an approach were favoured, it would arguably be better achieved by designating some of the seats for lay members and some for clerical, with separate elections for each.

Co-option of minority ethnic individuals

26. The Group received the following proposal from the Committee on Minority Ethnic Anglican Concerns (CMEAC):

(iii) That the Church Representation Rules should be amended to make possible special co-options of minority ethnic persons to membership of the General Synod with a view to ensuring that there are a minimum of 24 minority ethnic members on Synod.

(iv) That the Church Representation Rules should be amended to ensure appropriate minority ethnic membership on all Diocesan and Deanery Synods.

27. The Group first set out to determine whether or not people from minority ethnic backgrounds were under-represented in the General Synod. The table below sets out the details of the current representation of minority ethnic members (excluding the *ex officio* members, the appointed members of the Archbishops' Council, the representatives of Deaf Anglicans Together, the Youth Council and the ecumenical representatives).

	Total membership	Number of minority ethnic members	Proportion of minority ethnic members
House of Laity	211	7 (4 in Canterbury, 3 in York)	3.3%
House of Clergy	188	7 (5 in Canterbury, 2 in York)	3.7%

House of Clergy

28. In 2010, 2.8% of the clergy of the Church of England (both stipendiary and non-stipendiary) were from minority ethnic backgrounds⁸. The Group therefore concluded that the clergy did not appear to be under-represented in the House of Clergy in terms of proportionality.

House of Laity

29. According to the 2007 Report produced by the Research and Statistics Department, 'Celebrating Diversity in the Church of England'⁹, 4.7% of Church of England core adult parish congregations are from minority ethnic backgrounds. This compares with just 3.3% of lay Synod members, suggesting that lay minority ethnic members are under-represented. If membership were proportionate to the core adult parish congregations, there would be 10 members from ethnic minorities, rather than 7.

⁸ Page 52, GS Misc 1000

⁹ GS Misc 938: <http://www.churchofengland.org/media/1032500/celebratingdiversitygsmisc938.pdf>

30. However, the figure 4.7% needs to be understood in its context. As the results of the survey demonstrate, the proportion of lay minority ethnic members in Church of England congregations varies hugely according to geographical location and the average age of the congregation. In particular, minority ethnic members tend to be of a younger age and to be concentrated in urban parishes, especially those of the London conurbation.
31. The Group tried to establish why minority ethnic individuals were under-represented in the House of Laity. It noted that, while CMEAC had run a significant campaign to publicise the elections amongst minority ethnic candidates in 2010, its message did not appear to have reached the electorate. Thus, although many minority ethnic candidates received a large number of first preference votes, they did not receive many second or third preference votes.

Solutions and recommendations

32. The Group identified four major drawbacks to the proposal that minority ethnic members should be co-opted to the Synod:
 - (1) the democratic nature of an election would be lost if members who did not secure enough votes to be elected were co-opted;
 - (2) there was a risk that electors would not vote for minority ethnic candidates if they knew that they were likely to be co-opted to the Synod in any event;
 - (3) if special provision were introduced for minority ethnic candidates, there might be calls for the co-option of individuals from other groups, particularly related to the age of members; and
 - (4) the House of Laity or the relevant Convocation could be empowered to co-opt additional members on the grounds of ethnicity but could hardly be required to do so, and if an individual were denied co-option this could have damaging consequences. For those reasons, the Group does not believe that CMEAC's proposal should be accepted.
33. The Group noted that the reduction in the size of the Synod in 2005 militates against the inclusion of minorities. The more seats there are to be filled in an election, the more likely it is that minority candidates will be elected. However, the Group does not believe that it would be desirable to increase the size of the Synod in the hope that that would increase the representation of minority ethnic people.
34. The Group considered whether the issue of under-representation should be addressed by a mechanism similar to that set out in the draft Synodical Government (Amendment) Measure, which failed to receive general approval in 1989. That Measure would have enabled the number of minority ethnic members to be increased to up to 24, through a complex electoral process, if fewer than 24 persons from a minority ethnic background did not gain election. (However, it should be borne in mind that the figure of 24 was proposed within the context of a Synod consisting of some 575, and even then it was admitted that the figure was "completely arbitrary"¹⁰.) An electoral approach was not favoured by the Synod in 1989 on the grounds that the electorate would not vote for minority ethnic candidates if they believed they would gain a place on Synod in any event. Furthermore, there were concerns that if special provision were introduced for minority ethnic candidates, there would be calls for special treatment of other groups.

¹⁰ Report of Proceedings, Vol 19 No 3, p 1103

35. The Group is similarly unconvinced that an electoral mechanism would be the best way of increasing the representation of minority ethnic members, particularly in the House of Laity, not least because to devise such a mechanism would create an artificial election result.
36. Rather, the Group considers that both CMEAC and the Church of England Youth Council should be asked not only actively to encourage candidates to come forward from the minority ethnic communities for election but also to mentor them through the election process. (The Group believes that, because minority ethnic congregation members tend to have a younger age profile, the Youth Council could be an invaluable source of support.) In addition, the Group is of the view that other bodies, such as diocesan synods (particularly in the London conurbation) and internal Synod groupings, could be invited to offer similar encouragement and support.
37. As to the nature of the encouragement to be given to possible candidates, the Group noted that it had been suggested that the electorate did not tend to vote for candidates because of their race or gender, for example, but for what they stood for. It therefore considers it important that minority ethnic candidates – and indeed all candidates – are encouraged to promote themselves for election on the basis of their views, experience and qualities.

THE ELECTORATE FOR THE HOUSE OF LAITY

The present position

38. The position as regards the electorate in elections to both the House of Laity of the General Synod and the houses of laity of diocesan synods has remained substantially unchanged since 1970, when provision was first made in both respects by the Church Representation Rules (“the CRRs”) comprised in Schedule 3 to the Synodical Government Measure 1969.

House of Laity of the General Synod

39. The membership of, and elections to, the House of Laity of the General Synod are regulated by Part V of the CRRs. It provides for the membership to consist of members elected by the ‘diocesan electors’, representatives of the religious communities, *ex-officio* and co-opted members and members elected in such manner as the Forces Synodical Council determines.
40. The identity of the diocesan electors is prescribed by Rule 35(3)-(5) CRRs. They provide that the diocesan electors (save in the case of the Diocese in Europe) are to be the members of the houses of laity of all the deanery synods in the diocese, other than co-opted members and persons who are lay members of a religious community represented in the House of Laity. Eligibility is determined at 6 a.m. on the date of the dissolution of the General Synod.
41. In the case of the Diocese in Europe, under Rule 35(4) the diocesan electors are actual communicants of 18 or over whose names are entered on the electoral roll of a chaplaincy, elected by the annual meetings of the chaplaincies in such numbers as the bishop’s council and standing committee determines.
42. Each diocese is required, under Rules 29 and 35(6) CRRs, to maintain a register of lay electors and to keep it open for inspection at the diocesan office to enable errors and

omissions to be corrected. That facility must be available until the close of nominations; thereafter no names may be added or removed from the list of electors until the declaration of the result of the election. Thus only those persons whose names are on the register at the close of the nomination period are entitled to vote in the election.

Houses of laity of diocesan synods

43. The membership of, and elections to, houses of laity of diocesan synods are regulated by Part IV of the CRRs. Rule 39(5) provides for the membership of a house of laity to consist of *ex officio* members, elected members and co-opted members. The elected members are elected by those members of the houses of laity of the deanery synods in the diocese whose names and addresses are recorded in the register of lay electors, other than those co-opted to the deanery synod (Rule 31(3)).
44. Eligibility to vote is determined at 6.00 a.m. on the date on which nomination papers are issued (Rule 31(4)). Rule 31(5) makes provision for the public inspection and correction of the register of lay electors corresponding to that made in relation to registration of the electors to the House of Laity of the General Synod.

How robust and suitable is the current system?

45. In the 2010 elections, no appeals were made in any diocese in respect of the election results. *Prima facie*, it would therefore seem that the current system is robust. Very few submissions received by the Group called for reform of the electoral system, and it was evident in the General Synod debate in July 2011 on the London diocesan synod motion that there is no overwhelming desire for change.
46. However, the absence of appeals and the lack of desire for reform does not necessarily mean that the electoral system is free from the risk of legal challenge or that the deanery synod provides the most suitable electorate. The process of establishing the electorate is difficult, and many Presiding Officers acknowledge that it is almost impossible to guarantee that the list of electors is 100% accurate, with the consequent risk of appeals.
47. As to whether the deanery synod provides a suitable electorate, the problem was summarised by the Bridge Commission in its report as follows:

*Because deanery synods are thought to be irrelevant by many church members, attracting candidates to stand for election to them is sometimes difficult and elections are often uncontested. Moreover, deanery synods have a wide range of functions. Those offering themselves for election may have varied and valuable experience, but their primary interests may not lie in the exercise of the franchise at elections for the General Synod and diocesan synods. That may be a contributing factor to the further criticisms we have encountered to the effect that the views of the parishes are not adequately represented at the General Synod and that in many parishes little is known about those elected to represent them.*¹¹

48. Similar arguments were expressed in the course of the debate at the General Synod's July 2011 group of sessions on a diocesan synod motion from London diocese, which was passed in the following amended form:

¹¹ GS 1252 (1997), Paragraph 10.4

'That this Synod request the Business Committee to commission a thorough review of how the House of Laity of this Synod and the houses of laity of diocesan synods are elected, particular consideration being given to: (a) whether the electorate should be some body of persons other than the lay members of deanery synods; and (b) ensuring that the diverse membership of the Church of England is fully reflected and represented.'

49. The Group was asked to consider the issues arising from the London Diocesan Synod Motion and in that connection heard an oral submission from the mover, Mr Clive Scowen. It also considered the submissions received from two members calling for the introduction of 'universal' suffrage.
50. Whilst the Group agreed that, unless a demonstrably better electoral system could be identified, changes should not be made to the existing procedures, there was a divergence of views amongst the Group members as to whether there was a case for change. Accordingly, rather than making any recommendation, the Group agreed to set out for the Business Committee its views on the advantages and disadvantages of the different possible types of electorate, in respect of both matters of principle and practice, and including an evaluation of the robustness of the current system. In undertaking that review, the Group took account of the analysis of the available options undertaken by the Bridge Commission. (That Commission recommended that the present arrangements be replaced by a system of specially elected synodical electors, but that proposal was not accepted by the General Synod.)
51. The Group wishes to stress that the same weight should not be attached to each of the advantages and disadvantages detailed below. It will be for the members of the Business Committee to weigh the relative significance of each.
52. Whilst the cost and administrative complexity of each of the systems naturally varies according to the respective sizes of the electorate, the Group would urge the Committee not to be influenced too greatly by these factors. It is the overriding view of the Group that the most suitable electorate should be identified first, as a matter of principle, and the practical features of the system considered second: a price should not be put upon democracy.
53. The Group hopes that, with the help of its analysis, the Business Committee will be able to come to a view as to whether changes should be made to the current electoral system for the House of Laity.

Options analysed by the group

The current electoral system

Advantages

- Deanery synod members are likely to be involved with their parish and to be known within the parish.
- Deanery synod members may be more likely to meet with other Anglicans in the diocese than many PCC members.
- Participation in a deanery synod gives its members knowledge of the synodical system and demonstrates their commitment to it; they are therefore best placed to vote for General Synod members.

Disadvantages

- The number of members elected to deanery synods is not strictly proportionate to the number of members on the electoral roll. Some General Synod electors therefore represent more electoral roll members than others.
- Deanery synods are not a representative electorate – in particular, they have few young and minority ethnic members.
- There may be communicant members of the Church who for various reasons are unable to serve on deanery synods (e.g. because of work or family commitments), and to exclude them from the electorate is unfair.

A specially elected electoral college (elected at the APCM)

Advantages

- The membership of an electoral college could be more representative than deanery synods and more proportionate to the number of people on electoral rolls.
- As with the current electoral system, in which members of the deanery synod form the electorate, an independent electoral college would ensure that every parish had a direct interest in the electoral process, thus ensuring the gap between General Synod and parishes is kept to a minimum.

Disadvantages

- Whereas the electors' sole function would be to exercise the franchise on behalf of their parishes, deanery synod members participate in discussions about the life of the Church beyond the parish; they ought therefore to be better informed about the issues being considered by the Synod.
- A separate electoral college would add an additional layer to synodical government.
- It is difficult to understand why some individuals should be given the privilege of the electoral function without the responsibility of attending deanery and diocesan synods.
- It is already a challenge to encourage people to stand for election to deanery synods. This would become more difficult if deanery synod membership no longer conferred electoral rights. The creation of further offices for election by the APCM might also increase the difficulty of attracting candidates to fill them, with the possible result that the same people would serve on deanery synods and as synodical electors.

An electoral college consisting of the elected lay members of PCCs

Advantages

- An electoral college formed of the elected lay members of PCCs could be seen as more representative than the deanery synod (in particular, there could be more young and minority ethnic persons on a PCC), without at the same time extending it beyond those who are sufficiently committed to the Church to be willing to accept a degree of active responsibility for local leadership.
- Such an electoral college would also increase the number of members of the Church involved in the electoral process and thus strengthen its democratic legitimacy.
- The cost of extending the electorate to the elected lay members of PCCs would be less than extending it to all those on the electoral roll (but more than the cost of the current system).

Disadvantages

- An electoral college consisting of the lay members of PCCs would not necessarily be representative of the laity in the dioceses generally. The size of PCCs is not necessarily proportionate to the size of electoral rolls, and parishes with small electoral rolls would therefore have a disproportionately high number of electors. (This could be overcome by applying some form of weighting, although this would be extremely complex and difficult in practice.)
- It is possible that PCC members would be more interested in parish affairs than issues of national importance and that they would have less knowledge than deanery synod members of the candidates standing for election.
- Presiding Officers would need to communicate with all PCC secretaries, meaning that the risk of mistakes and omissions in the register of lay electors (which is already considerable) would be increased further. There would thus be concerns about the accuracy of the data about the electorate – with the implications that would have in terms of possible legal challenge through the appeals process. However, this problem could be overcome in the future if a system of the sort described in paragraph 57 below was introduced.
- Deanery Synod members are more likely than other PCC members to meet Anglicans from other churches.
- Increased cost and administrative load due to the larger electorate.

Elected lay members of diocesan synods

(This option received no support from members of the Group.)

Advantages

- The electorate would be likely to be more knowledgeable about the candidates and the issues faced by the General Synod.
- It would be cheaper and administratively easier to administer, as the electorate would be smaller.

Disadvantages

- Many parishes are not represented directly on the diocesan synod, so if the electorate consisted only of the elected lay members of the diocesan synod, the gap between the General Synod and the parish could be widened.

Universal suffrage

54. The term ‘universal suffrage’ is used loosely in discussions about the electorate for the House of Laity elections. The term could mean that *every* member of the Church of England over a certain age should be given the opportunity to vote, regardless of whether they had chosen to be included in an electoral roll. However, for the sake of clarity, the Group confirms that it has taken the term to mean that every individual who has chosen to be included in *the electoral roll* of a parish of the Church of England would have the right to vote in elections to diocesan and General Synod. (In parliamentary elections, ‘universal suffrage’ similarly refers to a right to vote conferred on all those who register.)
55. A number of the drawbacks to universal suffrage were highlighted by the Bridge Commission – particularly the possible lack of desire amongst parishes to become involved

with the elections process, the cost of the system (whether electronic or not) and the difficulty in ensuring the accuracy of electoral rolls. While some of the drawbacks remain relevant today, a number of the practical difficulties should be reconsidered in light of improvements which have been made in electronic communication since 1997. Possible solutions in that respect are described in paragraphs 56 and 57 below.

Advantages

- Universal suffrage is the most democratic option.
- It is also the most representative option: in particular, by widening the electorate, those individuals who have an interest in synodical government but who are not able to serve on deanery synods due to other commitments or mobility (e.g. young people), would be enfranchised.
- Universal suffrage would enable a wider sense of ownership and involvement in the Church.

Disadvantages (Principle)

- To enfranchise everyone on the electoral roll and then only to achieve a small turnout could undermine the credibility of the process and be a waste of time and resources.
- In a system of universal suffrage, it is less likely that the electorate would have met the candidates standing for election. Consequently, it is likely that the elections would be contested on party lines to an even greater extent than is already the case.
- It is questionable whether universal suffrage would be the best way of identifying individuals who would be suited to contribute to the Church's mission through membership of the Synod.
- The ability of members of the Synod to report back to their electors in deanery synods and thus promote awareness of its work among the electorate would be lost were the electorate to be extended to all those on the electoral roll.
- The use of electoral rolls as a means of establishing the electorate would not necessarily create a level playing field across the country, since the requirements in relation to electoral rolls are applied differently in different places: in some parishes people are not encouraged to join the roll, whereas other parishes have unusually large rolls due to the efforts of the parish to encourage people to sign up (e.g. to avoid closure of the church).

Disadvantages (Practice)

- Determining the electorate would be an enormous and administratively very complex task, requiring Presiding Officers to obtain information from every parish. There is a potential increased risk of legal challenge. Paragraph 57 below suggests the possibility of introducing an electronic data capture system for direct input by parishes of electoral rolls.
- There could be issues as to the quality of the information provided by parishes as a result of failures to comply with the provisions of the CRRs relating to the entry of names in the electoral roll and their removal from it.
- Additional procedural complexity would be required in relation to the need to ensure that members of the laity did not vote more than once, where they were on more than one electoral roll.
- A system of one person one vote would generate a huge workload for dioceses, and to suggest that an electronic system would remove the need for administration is somewhat optimistic (in some rural areas higher proportions of Church members do not have access to broadband). The Group noted however, that internet facilities will become more accessible, and that this practical difficulty could be overcome by local means (e.g. providing and advertising computer facilities locally during the voting period).

- The link between the 6-yearly cycle of revising the electoral roll, and the 5-yearly cycle of determining the allocation of seats between the dioceses would create a practical difficulty. (However, if this change were desirable a parallel change in the timing of revisions could be introduced.)
56. In order to inform the Group's discussion, staff discussed the possibility of an online electoral system with Electoral Reform Services Ltd. It appeared that both online voting and an online nominations process would be possible. Such a system would involve a set-up charge, and ERS estimated that running the elections would cost £500-600 per diocese. It should therefore in principle be possible to design an online system for running the elections, although provision would need to be made for those without access to computer facilities, and a mixed economy approach would be needed for the immediate future.
57. Staff have also discussed with the Research and Statistics Department the possibility of a system being introduced which would enable parishes to enter statistical data online. Such a data capture system has already been introduced across some dioceses (with backup manual entry by the diocese for those parishes where there is no computer), and it is possible that the system could be manipulated to enable the input of electoral roll information for the purposes of General Synod elections. However, discussions with the Department have revealed that, at present, there is some resistance to the system in parishes across the 22 dioceses where it has been introduced, with the result that the backup manual entry system by the diocese is being used heavily. For the system to be effective, there would thus need to be a psychological shift in the perspectives of the users, and, realistically, this may not happen in the immediate future.

The process for altering the electorate

58. Changes to the electorate would not require legislation by way of Measure, since the relevant provisions are contained in the CRRs. The changes required to the CRRs would be made by resolution of the General Synod, passed by a majority in each House of not less than two-thirds of those present and voting.¹² The resolution would need to be laid before both Houses of Parliament as a Statutory Instrument subject to the 'negative resolution' procedure.¹³
59. As to the timing of any changes to the current position, if the Committee takes the view that a new electoral system should be introduced in time for the next quinquennium, the electorate for the House of Laity of the General Synod would need to be established in good time for presiding officers to be able to establish the identity of individual electors by the summer of 2015. How long that would take would depend to some extent on the nature of the new arrangements:
- Identifying the new electorate, as such, would not be problematic if the electorate for elections to the House of Laity of the General Synod consisted of the lay members of the diocesan synods; but in that event it would be necessary to amend the CRRs to advance the date by which diocesan synod elections must be completed (currently 15th July¹⁴) so as to give presiding officers sufficient time, in years when elections to the General Synod and diocesan synods coincide (as they will in 2015), to assemble the necessary data.

¹² Section 7(1) Synodical Government Measure 1969; Standing Order 35(d)(i)(4)

¹³ Section 7(2) Synodical Government Measure 1969

¹⁴ Rule 32(1) CRRs

- If the electorate were to be comprised of ‘synodical electors’ the new arrangements would have to be in place in sufficient time for them to be elected at the cycle of annual parochial church meetings preceding the 2015 elections to the House of Laity and the houses of laity of diocesan synods respectively – that cycle beginning on 1st January each year. But since an annual parochial meeting can be held as late as 30th April, and many are held in that month, it is again likely to be necessary to advance the date by which they have to be held so as to enable details of the synodical electors to be sent to, and collated by, the presiding officer.
 - Finally, if the electorate were to be all those on the electoral roll, again time would be needed for details of those on the electoral roll to be sent to, and collated by, the presiding officer. Since the processes of electoral roll revision and the preparation of a new roll are also linked to the annual parochial church meeting cycle, some amendment to the date by which such meetings have to be held is also likely to be needed in this case as well.
60. Transitional arrangements would have to be made so as to continue to apply the current arrangements to elections to fill casual vacancies that needed to be filled in between the amendment of the CRRs and, respectively, the reconstitution of the House of Laity in 2015 and the elections to diocesan synods in the same year.
61. The Group believes that if new arrangements are to be introduced they should, in principle, take effect as soon as possible. However, the Committee might take the view that a new electoral system should not be implemented until 2020, in order to provide more time for the development of the practical arrangements. The Group also recognises that decisions about the introduction of electronic voting could also have implications as to the point at which any new arrangements could be introduced.

THE USE OF ONLINE FACILITIES

62. Regardless of what conclusion the Business Committee comes to in respect of the electorate for the House of Laity, the Group is of the view that improvements in electronic communication and online facilities should be embraced as soon as legally and practically possible.
63. In general, the present rules for elections to and by the General Synod are paper based (or, at least, make no provision for elections papers to be circulated and received other than as a paper copy). The exceptions are that nomination papers for elections to the Convocations and the House of Laity may be sent out by email and that the nomination stage for elections to which Standing Order 120 applies may be conducted by email. In all cases, voting can only take place by postal ballot.
64. Characterising the present system as time-consuming, expensive and unreliable, several dioceses suggested following the elections in 2010 that the Business Committee might consider the use of email and/or secure webpages for future elections by the dioceses to the Convocations and the House of Laity.
65. There are essentially two separate stages in the elections process – nomination and voting. Both can be undertaken electronically, either wholly or in part.
66. The Group is clear that a great deal of work would be required both to secure the necessary rule changes and to ensure that the system employed had sufficient security checks and

backup arrangements (e.g. to enable postal nominations and ballots for those who chose not to use an online system and in cases where there had been a system failure at either the user's or the host's end) to ensure the integrity of the system. It should also be noted that such a system could not be managed from Church House; expertise would need to be bought in.

67. However, assuming that the integrity of the system can be ensured, the Group is of the view that the Business Committee should actively pursue the introduction of online nominations and ballots as soon as practicable. It would hope that this might be achievable in time for the 2015 elections to the General Synod, but if not, then certainly in good time for the 2020 elections.

SUMMARY OF RECOMMENDATIONS

68. By way of conclusion, the Group therefore makes the following recommendations to the Business Committee:
- 1. To agree that amending legislation be introduced to the Synod in order that the proposed amendments to the Church Representation Rules, the Clergy Representation Rules and the Convocations (Election to Upper House) Rules, set out in Annex 1, can be made in time for the 2015 elections.**
 - 2. To consider whether the allocation of seats between the provinces should be revisited, and in particular whether the provincial weighting of representation of the laity could be removed, even if it were retained in respect of representation of the clergy in the Convocations. (Paragraphs 6-11.)**
 - 3. To include the Diocese in Europe in the minimum allocation of three seats in each House. (Paragraph 12.)**
 - 4. To increase the number of seats allocated to the southern suffragan constituency. (Paragraphs 13-14.)**
 - 5. If the Committee agrees that a recommendation to abolish the universities constituencies is in danger of being rejected by the Synod, leaving the present highly unsatisfactory position unreformed, to reform the electoral system in the way described in Annex 2 and to reduce the number of universities seats to four. (Paragraphs 15-25.)**
 - 6. To invite CMEAC to encourage minority ethnic candidates to stand for election and to mentor them before and during the election process, and to extend that invitation to the Church of England Youth Council in particular and to diocesan synods and internal Synod groupings. (Paragraphs 26-37.)**
 - 7. To consider, in the light of the Group's report, whether proposals for changing the electorate of the House of Laity should be brought before the General Synod, and if so, which one or more of the options for change should be worked up and laid before the Synod. (Paragraphs 38-61.)**
 - 8. To introduce an online facility for nominations and voting as soon as is legally and practically possible, and in any event in time for the 2020 elections. (Paragraphs 62-67.)**

The Revd Canon Sue Booy
On behalf of the Elections Review Group
September 2012

SUMMARY OF PROPOSED LEGISLATIVE CHANGES

1. Set out in this Annex are details of the proposed amendments to be made to the election rules to deal with a number of technical and uncontroversial issues which arose in the last round of elections.
2. The elections are governed by the Church Representation Rules (“CRRs”), the Clergy Representations Rules (“ClergyRRs”), and the Convocations (Election to Upper House) Rules.
 - Amend Rule 20(1) ClergyRRs and Rule 39(3) CRRs so that voting papers can also be sent to an alternative address previously notified to the Presiding Officer.
 - Amend Rule 20(2) ClergyRRs and Rule 39(4) CRRs in respect of the wording “seeking re-election”.
 - Amend the Convocations (Election to Upper House) Rules 1989 to 2005 to allow suffragan bishops to submit forms by fax.
 - Amend the ClergyRRs and CRRs to provide that the Presiding Officer should be required to post all election addresses, received by a given deadline, online on a certain date (before the voting papers are sent out), together with a list of all candidates.
 - Amend Appendix I, Section 1 of the CRRs to make clear that the electoral roll is for lay persons only.
 - Amend Appendix I, Section 6 CRRs – change “Year for birth” to “Year **of** birth”.
 - Amend Appendix I, Sections 5 and 6 to remove the midday cut-off points on the forms.

PROPOSALS FOR THE REFORM OF THE UNIVERSITIES CONSTITUENCIES

2. The current rules (in Rule 12 CRRs) define the electors as follows:

12. The electors shall be priests or deacons of the Church of England who are qualified as follows:-

- (a) in the University of Oxford, are members of Congregation;*
- (b) in the University of Cambridge are members of the Regent House;*
- (c) in the University of London are –*
 - (i) certified by the academic registrar to be appointed or recognised teachers of the university holding full-time posts or part-time posts declared by the holders to be their main employment;*
 - (ii) certified by the principal of the university or the head of the school concerned to be members of the financial and administrative staffs employed full-time by the university or by one of its schools;*
- (d) in the other Universities comprised in an electoral area are certified by the vice-chancellors or the university official designated by him for the purposes to be –*
 - (i) appointed or recognised teachers of the university holding full-time posts declared by the holders to be their main employment;*
 - (ii) members of the financial and administrative staffs employed full-time by the university;*

and who held the qualifying membership post or employment at 6.00 a.m. on the date of the dissolution of Convocation.

- 3. The Group suggests that the rules should be revised so that the electorate consists of the clerical members of theological faculties.
- 4. One way of identifying the electorate would be to define the qualifying departments by reference to an appropriate list. The most obvious possibility in that connection would appear to be the ‘Handbook of Departments’ published by the Association of University Departments of Theology and Religious Studies (‘AUDTRS’).
- 5. Assuming that it were possible to define the concept of a ‘theology faculty’ in that way, it would be necessary to identify which members of such a faculty could vote: should the electorate be restricted to full time and/or paid members?
- 6. Depending on the views that the Committee takes on these questions, it might be possible to arrive at a definition of the electorate which is to the effect that the electors should be:
 - priests or deacons of the Church of England certified by an authorised official of the relevant university to be:
 - i. at least half-time staff
 - ii. of any department of [the relevant university] [any university in the electoral area] which was included in the most recent edition of the Handbook of Departments published by AUDTRS.

7. Were this to be the requirement, the Presiding Officer could compile the list of the relevant electors by:
- obtaining the most recent AUDTRS Handbook of Departments; and
 - writing to each department in the relevant university constituency which was listed in that Handbook asking for the details of the clergy who were at least half-time members of it.
8. Of course, arrangements along these lines would be dependent upon there continuing to be an AUDTRS Handbook, so that if the Committee wished to adopt the approach described above it would be necessary to seek to establish the likely permanence or otherwise of that facility. (It might be possible to mitigate the risk of this, however, by including in the relevant new election Rule a substitutional provision which, for example, gave the Business Committee power to specify some other publication or body in the event that the AUDTRS Handbook was no longer available as a point of reference.) Additionally, account would need to be taken of the possibility that the Handbook might, at the time of an election, be out of date. Information about the frequency of the Handbook's publication would also therefore be desirable. Staff have accordingly approach AUDTRS for information on these aspects but as yet no reply has been received.

**Published by the General Synod of the Church of England
and on sale at the Church House Bookshop**

31 Great Smith Street, London SW1P 3BN

Copyright © The Archbishops' Council 2013

£5