

Thirty-ninth Report of the Standing Orders Committee

Membership of the Committee

Appointed Members

Mr Geoffrey Tattersall (Manchester) - Chair

Miss Anne Ashton (Portsmouth)

Mr Jim Cheeseman (Rochester)

The Ven Adrian Harbidge, The Archdeacon of Bournemouth
(Winchester)

Mrs Sue Johns (Norwich)

The Revd Simon Killwick (Manchester)

The Revd Dr Robin Ward (Rochester)

Ex-Officio members

The Prolocutors of the Convocations of Canterbury and York

The Chairman and Vice Chairman of the House of Laity

This, the Committee's thirty-ninth report to the General Synod is the second made to the Synod this quinquennium. Issues addressed include amendments proposed in order to reflect decisions taken by the Synod in July 2004 arising out of the Business Committee's report *Making the Synod's Procedures More Effective* (GS 1542).

As a result of amendments made to SO 39 in February 2004 proposed amendments to Standing Orders may be made under a 'deeming' procedure if the Business Committee so determines. The Business Committee has determined that a number of the amendments proposed by the Standing Orders

Committee in this report should be dealt with in that way, and the report accordingly deals separately with those amendments which it is proposed should be the subject of motions for approval and those which should be dealt with under the deeming procedure. However, amendments proposed to be dealt with under the deeming procedure must be debated if not less than five members give due notice of their desire that they should be or one or more members give due notice of an amendment to the proposed amendment.

Part A: Amendments for debate

Items 23 and 25

Standing Orders 10 and 26

During the debate in July 2004 referred to above the Synod carried the motion;

‘That this Synod invite the Standing Orders Committee, in consultation with the Business Committee, to consider ways in which downward pressure can be applied in relation to the number of amendments tabled for debate.’

Amendments 23 and 25 come before the Synod as a result of that request. The proposed amendments seek to give effect to it in two ways.

First, the Committee proposes that the deadline for the submission of amendments should be 24 hours before the relevant sitting, except in the case of the first day of a group of sessions, when it should be 24 hours before the start of the session. (A ‘session’ comprises all the sittings in one day.) The

Committee considers that the deadlines currently provided in Standing Order 26 are often too close to the sitting concerned and can make it unnecessarily difficult for those processing amendments for the Synod's consideration.

However, the Committee does not believe that this change alone will significantly reduce the number of amendments tabled for debate, and has noted the concern of the Synod that amendments are debated which in fact prove to have very little support. It therefore also proposes that a member submitting an amendment must show that it has the support of at least 10 other members of the Synod. The Committee believes that requiring the member to show support in advance (rather than, as has been suggested, to require say 25 members to stand in support of the amendment at the point of debate) is preferable, as it should remove altogether those amendments with little support and is consistent with the Synod's request that the 'downward pressure' should be applied in relation to the number of amendments being *tabled* for debate.

The amendment to achieve both aspects of the Committee's proposals is item 25 which amends Standing Order 26(a).

The Committee believes that similar provisions should be applied to following motions (Standing Order 10 (a)), not only on grounds of principle and consistency but also to prevent the situation arising of a member who is unable to demonstrate the required support for an amendment to formulate it instead as a following motion. Item 23 achieves this.

The Committee would wish to point out that:

- (i) it will remain open to the chair of a debate to allow amendments to be moved even if the new

requirements it proposes have not been met, in exercise of the chair's discretion under Standing Order 26(b)(i);

- (ii) the imposition of the new requirements should not present any practical difficulty in relation to notice which has to be given before the Synod has assembled, in view of the fact that (under Standing Order 12(ii)), notice may be given not only in writing but also by e-mail or facsimile; and
- (iii) the Committee's proposals do not affect amendments in relation to other types of business (eg legislative or liturgical business) where separate provision continues to be made.

Item 24

Standing Order 21

In the July 2004 debate the Synod carried the motion:

‘That this Synod invite the Standing Orders Committee, in consultation with the Business Committee, to consider reducing the time normally allowed for speeches under SO 21.’

In the light of the debate, the Business Committee considered that the speech limits that were likely to gain the greatest overall support from the Synod were 10 minutes for the speech by the mover of a motion and 5 minutes for all other speeches. The Standing Orders Committee concurred with that view and item 24 accordingly makes provision to that effect.

At present the Standing Order provides differently for different classes of business (although the generality is 15/10 minutes). The Committee believes that it would be simplest to adopt the new provision for all classes of business, including legislative and liturgical business. However, the new provision will retain the existing power of the chair to lengthen or shorten the speech limit in force at any time.

Item 26

Standing Order 96(b)

This amendment has two purposes. First the current provision of SO 96 has proved to be confusing to apply in practice. The position is that, before the formation of the Archbishops' Council, the then Standing Committee had power to include in the Agenda (on a 'take note' debate) the annual report of any body (other than the Synod's own subordinate bodies, to which a different procedure applied) which had been delivered to the Secretary General. This was similar to the current SO 96(b); but SO 96(c) now follows that and makes it subject to a 'deeming' procedure. In practice that deeming procedure has not so far been followed, as the Business Committee has made a conscious decision, in accordance with its powers under SO 4, as to whether or not such a report should be included in the Agenda for debate as of right. This practice has most consistently been used in respect of the annual report of the Church Commissioners.

The Committee has concluded that the former position should be restored. In other words, the decision as to whether these reports be debated should fall to the Business Committee rather than to an individual member of the Synod – although even in

that case the Business Committee has first to make the decision whether or not to activate the procedure that would allow this. This proposal can be achieved simply by leaving out SO 96(b), as the Business Committee already of course has power (under SO 4(a)) to settle the content of the Agenda.

Secondly, the Audit Committee believes that because of the nature of the Committee's work, the Synod ought to have a right to call for the Committee's report to be debated on those occasions when the Business Committee does not find a guaranteed slot for it in the Synod's Agenda. The problem is that, being a body answerable to the Synod through the Archbishops' Council, the Audit Committee does not at present fall within the provisions of SO 96(b) and (c), which provide for the Synod to call for annual reports to be debated when the Business Committee has directed the Clerk to include them in the Agenda. The Committee accepted this suggestion and therefore proposes that SO 96 be amended accordingly.

Item 26 will give effect to both aspects of the Committee's proposals. The effect of SO 96, as amended by it, will be as follows. The Business Committee would decide whether or not the reports of the Archbishops' Council and the Audit Committee should be debated by the Synod. If the Business Committee decided they should not, a member would still have the right to call for either of those reports to be debated. The Business Committee would have the power to include within the Agenda, for debate, the annual report of any other body that had been delivered to the Clerk to the Synod.

Item 27

Standing Order 113A

The Committee for Ministry of and among Deaf and Disabled People and the Business Committee have invited the Standing Orders Committee to prepare a Standing Order along the lines of that relating to the Representatives of the Church of England Youth Council (SO 113A), giving the Deaf Church Conference representative rights in the Synod. This proposal raised a number of issues, including the appropriate way for deaf people to be represented, the place of such representation within the wider question of synodical reform and how to encourage deaf people to play a full part in the life and work of the Synod through the normal processes. However, in the view of the Business Committee, deafness is a unique disability which involves the learning and use of another language to communicate: whilst there is a spectrum of capability, many deaf people have no English at all. There are accordingly problems about access to the Synod through the normal election process to an extent greater than for other disability groups. Although the long-term objective is to ensure and enhance the accessibility of Synod to deaf and disabled people through the normal electoral processes, this is not readily achievable at present and the challenge is to find a way to make steps forward towards this goal. To that end the Business Committee proposed that the Deaf Church Conference be given representative rights on the Synod, to participate in the Synod's processes, but not to vote.

The Standing Orders Committee concurred with this request and accordingly proposes that SO 113A is revised to achieve this aim.

Items 28 and 29

Standing Orders 123 and 123A

The Standing Orders relating to the appointment of the Secretary General and Clerk to the Synod provide that they should be lay persons. The Archbishops' Council has advised the Committee that these restrictions are unnecessary and could possibly lead to claims on grounds of indirect sex discrimination. The Committee accordingly proposes their removal.

Part B: Amendments for deemed approval

Item 30

Standing Order 4(b)

This corrects a cross reference.

Item 31

Standing Order 6

The long established convention is that Private Members' Motions lapse with the dissolution with the Synod. However it appears that the express provision to that effect formerly contained in SO 6 was deleted some time ago. As the report of the Standing Orders Committee at the time makes no mention of it and the point was not covered in debate, the Committee has concluded that this was inadvertent and propose that it should be reinserted.

Item 32

Standing Order 10(b)(i)

This removes a reference which is not followed in practice, (The effect of doing so might be to reduce the period within which questions may be submitted.)

Item 33

Standing Order 21(a)

This corrects a cross reference.

Item 34

Standing Order 25(b)(iii)

This makes a consequential amendment which should have been included when the Synod renamed the General Approval stage as 'First Consideration.'

Item 35

Standing Order 44(c)

This makes a correction.

Item 36

Standing Order 96(a)(i)

This corrects a cross reference.

Item 37

Standing Order 119(d)

This makes it clear that any decision of the Business Committee as regards cross membership of bodies answerable to the Archbishops' Council is subject to any express provision dealing with that in the constitutions of the bodies concerned.

Item 38

Standing Order 119(g)

This corrects a cross reference.

Item 39

Standing Order 129(b)

This corrects a cross reference