

GENERAL SYNOD

DRAFT AMENDING CANON NO. 28

REVISION COMMITTEE REPORT

- Chair:** The Venerable Alan Hawker, the Archdeacon of Malmesbury (Bristol)
- Steering Committee (ex-officio):** Mrs Caroline Spencer (Canterbury) (Chair)
 The Right Reverend Ian Brackley, the Bishop of Dorking (Southern Suffragans)
 Canon Peter Bruinvels (Guildford)
 Mrs Margaret Condick (St Edmundsbury & Ipswich)
 The Venerable George Howe, the Archdeacon of Westmorland & Furness (Carlisle)
 The Reverend Canon David Parrott (Chelmsford)
- Appointed members:** The Reverend Jonathan Alderton-Ford (St Edmundsbury and Ipswich)
 Ms Linda Ali (York)
 The Reverend Dr Joan Crossley (St Albans)
 Mrs Kay Dyer (Coventry)
 The Reverend Canon Alan Hargrave (Ely)
 The Right Reverend Martyn Jarrett, the Bishop of Beverley (Northern Suffragans)
- Diocesan Secretaries**
- Consultant:** Mr Simon Parton (Diocesan Secretary of the diocese of Southwark)
- Diocesan Registrars'**
- Consultant:** The Reverend Canon John Rees (Registrar of the Diocese of Oxford)
- Council for Christian Unity:** The Reverend Prebendary Paul Avis (General Secretary)

1. The Draft Amending Canon ("the Amending Canon") received First Consideration from the General Synod ("the Synod") at the February 2007 group of sessions. The period for the submission of proposals expired on 2 April 2007.
2. In addition to proposals from the Steering Committee, proposals for amendment (submitted in accordance with Standing Order 53(a)) were received from the following members of the Synod before the closing date mentioned in paragraph 1 –

The Most Reverend and Right Honourable the Lord Archbishop of Canterbury
 Mr Jim Cheeseman (Rochester)
 Mr Clive Scowen (London)*

* Attended the meeting of the Revision Committee ("the Committee") in person and spoke to his proposals.

3. The Committee met on one occasion and the proposals which the Committee accepted form the basis for the Amending Canon (GS 1642A) now before Synod. As required by Standing

Order 54(b), Appendix A to this Report is a summary of the proposals received and of the Committee's consideration of them.

4. The numbering given in this Report refers to that in the revised Amending Canon (GS 1642A). This is apart from in Appendix A where the numbering in the left column of the table refers to that of the Amending Canon (GS 1642) given First Consideration and on which the submission was made. Appendix B to this Report contains a destination table showing how provisions in the Amending Canon at First Consideration correspond with those in the Amending Canon now before the Synod.

GENERAL ISSUES

5. The Committee recalled that the Ely Diocesan Synod Motion, which gave rise to the Amending Canon, called for the removal of all the words after "in the area of the project" in Canon B 44.5 so that the requirement that public worship according to the rites of the Church of England was maintained with reasonable frequency remained, but the requirement that the Holy Communion be celebrated on particular days was removed. That left the question of what amounted to "reasonable frequency".

CONSIDERATION OF THE AMENDING CANON CLAUSE BY CLAUSE

Paragraph 1

6. Paragraph 1 of the draft Amending Canon, being merely formal, was uncontroversial and no proposals had been received in relation to it.

Paragraph 2

Proposal from the Archbishop of Canterbury

7. The Archbishop of Canterbury had submitted that in deciding whether to exercise his power to dispense with the normal requirement governing the frequency of the celebration of Anglican Communion, the bishop should – in addition to the matters already referred to at the former paragraphs 2(a) and (b) of the Amending Canon – also be required to have regard to the duty (under Canon B 15.1) of all those who have been confirmed to receive the Holy Communion regularly, and especially at the festivals of Christmas, Easter and Whitsun or Pentecost.
8. The Committee sought clarification of the meaning of "the Holy Communion" where that expression occurs in Canon B 15.1. The Committee was advised that "Holy Communion" here (and generally where that expression is used in the Canons) means a service of Holy Communion according to the rites of the Church of England and presided over by a priest of the Church of England or by an episcopally ordained priest in a church whose orders are recognised and accepted by the Church of England. The Committee was further advised that if the Amending Canon were enacted – with or without the amendment proposed by the Archbishop of Canterbury – the bishop would continue to have an unfettered discretion and that all the Amending Canon was saying was that he would be required to take into account specified factors, but that the question of what weight should be attached to them was a matter for him and would vary according to the particular circumstances.
9. The Steering Committee supported the Archbishop of Canterbury's proposal. They were of the view that it was helpful. They hoped that if the Archbishop's proposal were accepted by

the Revision Committee, the matters to which it referred would be placed first in the list of matters to which the bishop would be required to have regard. They emphasised that the Archbishop's proposal was concerned not only with the three major festivals, but also with regular reception of the Holy Communion.

10. The Committee accepted the Archbishop's proposal by 8 votes in favour and 0 against and agreed to an amendment to the Amending Canon to give effect to it .

Mr Cheeseman's proposal

11. Mr Cheeseman had submitted a proposal that where the bishop dispensed with the celebration of the Holy Communion there should be a requirement that a notice be displayed outside the church in question indicating where a celebration of the Holy Communion according to the rites of the Church of England would take place. The Steering Committee did not support Mr Cheeseman's proposal on the basis that it would be ecumenically discourteous. There were two distinct groups of people to consider: the regular congregation and Anglican visitors/irregular attenders. The Steering Committee submitted that the effect of Mr Cheeseman's proposal would be discourteous to the first group. The Committee accepted the view expressed by the Steering Committee.
12. The Committee rejected Mr Cheeseman's proposal with 0 votes in favour and 7 against (and 1 abstention).

Mr Scowen's proposal

13. Mr Scowen had submitted, and spoke to, a proposal that when exercising his powers to dispense with the celebration of the Holy Communion, the bishop should be required – in addition to the matters already set out in paragraph 2 of the Amending Canon – to take into account the “desires and expectations of Anglican worshippers in the parish concerned” with regard to the frequency of such celebrations. Mr Scowen referred to the wide range of types of local ecumenical partnership (“LEP”) and to the different expectations, in terms of the provision of Anglican services, that existed across the range of those types. He argued that there was currently no provision requiring consultation with the Anglican worshipping community before a decision whether to dispense with the celebration of the Holy Communion according to the rites of the Church of England was taken by the bishop. Mr Scowen further submitted that as matters currently stood, the bishop would be unable to take account of any consultation with members of the Anglican worshipping community.
14. The Committee was advised that, contrary to Mr Scowen's suggestion, there was nothing in Canon B 44 as it currently stands that would prevent the bishop from taking into account the outcome of any consultation. It was pointed out that Canon B 44.4 requires the bishop to consult the PCC before exercising his powers, including the power to dispense with the celebration of the Holy Communion required by Canon B 14, and that the requirement to consult implied a duty to take into account the outcome of such consultation.
15. Mr Scowen suggested that there remained a need to ensure that the view of the PCC reflected the view of the parishioners as a whole and that provision might therefore be made requiring the PCC to consult the parishioners.
16. The Committee was given advice as to the implications Mr Scowen's proposals would have in relation to the Church of England (Worship and Doctrine) Measure 1974. The Committee was advised that Mr Scowen's proposals suggested a move to a more subjective basis for deciding the frequency with which the Holy Communion would be celebrated which could, in theory, allow for congregations to say that they wished the Holy

Communion to be celebrated only seldom or even not at all. Section 4(1) of the Measure required that every Canon making provision with respect to worship should be such as in the opinion of the General Synod was neither contrary to, nor indicative of any departure from, the doctrine of the Church of England in any essential matter. Providing for the subjective view of parishioners to be a material consideration in the making of any decision as to the minimum frequency with which the Holy Communion was to be celebrated in a parish might be thought at least to indicate a departure from the position in relation to the celebration and reception of the Holy Communion currently contained in the Canons.

17. The Steering Committee did not support Mr Scowen's proposal. This was because of the problems involved in quantifying parishioners' "desires and expectations" and determining how to satisfy them. The proposal, if accepted, would involve considerations that were too subjective; and in any event, the types of LEP at which Mr Scowen's proposal seemed to be directed would have an Anglican priest in any event. The Committee accepted the view of the Steering Committee, taking the view that the current requirements with regard to consultation were adequate.
18. Because Mr Scowen had said that he was not especially wedded to the form of words employed in his submission ("desires and expectations"), the Committee agreed that it would consider as separate questions both the precise form of Mr Scowen's submission, as well as his wider point about whether the current requirements as to consultation were wide enough.
19. On the question of whether current provision with regard to consultation was wide enough, the Committee voted in the affirmative by 7 votes to 1. The Committee then proceeded to reject Mr Scowen's specific proposal by 1 vote in favour and 7 against.

The Steering Committee's proposal

20. The Steering Committee proposed an amendment of a drafting nature. The Committee's attention was drawn to the requirements for dispensing with celebrations of the Holy Communion contained in Canon B 14A. The Committee was advised that the requirements in Canon B 44.5 (as it now stands, and as it would be if amended by the Amending Canon) are in addition to the requirements of Canon B 14A, but that the Steering Committee considered that it would be helpful to make that clear on the face of Canon B 44.5 as amended.
21. The Committee accepted the Steering Committee's proposal by 8 votes in favour and 0 against and agreed to an amendment to give effect to it.

On behalf of the Committee

Alan Hawker

Chair

1 December 2007

Appendix I

Summary of proposals and submissions received which raised points of substance and of the Committee’s consideration thereof

Paragraph of revised draft Amending Canon (GS 1642A)	Summary of submission	Submitted by	Committee’s decision
1	No substantive amendments proposed.		
2	Bishop should have regard to the duty (under Canon B 15.1) of all those who have been confirmed to receive the Holy Communion regularly, and especially at the festivals of Christmas, Easter and Whitsun or Pentecost. Where celebration of Holy Communion dispensed with, should be requirement to post notice outside church indicating where Anglican Communion is celebrated. In deciding whether to dispense with Holy Communion bishop should take into account “desires and expectations” of Anglican worshippers in parish.	The Archbishop of Canterbury Mr Jim Cheeseman Mr Clive Scowen	Accepted. Not accepted. Not accepted.

Appendix II

Destination table

GS 1642 (as at First Consideration)	GS 1642A (as amended by the Revision Committee)
1	1
2	2
-	2(a)
2(a)	2(b)(i)
2(b)	2(b)(ii)

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