

TALENT AND CALLING

**A review of the law and practice
regarding appointments to the offices of
suffragan bishop, dean, archdeacon and residentiary canon**

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MEMBERSHIP OF THE REVIEW GROUP

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*The Revd Rod Thomas

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** indicates members of the General Synod*

The following were also in attendance at meetings of the Group:

Mr David Williams (Clerk to the Synod)

Ms Caroline Boddington (Archbishops' Secretary for Appointments)

Dr Colin Podmore (Secretary)

Ms Sue Moore (Assistant Secretary)

FOREWORD

There have been several reports on church appointments in the last fifteen years. One of the themes emerging in the debate that led to our own work and in the evidence that we received was the hope that we would finally put the matter to rest. We know that we will be a sad disappointment to those who hoped that we would achieve that. The more we dug into the subject, the more we became aware of how much good work has been done and how much constructive work was in hand. We have tried to build on that. We noted that the appointments systems that we have been studying have evolved over the years, and also became aware that further change would be inevitable in response to future developments both within the Church of England and in society at large. The Church will continue to reflect on those developments, to sift them and to discern how best to learn from them in its own circumstances.

This is not an argument for the appointment of yet more committees. The time for another review group may eventually come, but in the meantime it would be consistent with the approach we have taken for the Church's procedures to continue to evolve, prompted in part by the expertise and experience of the two Appointments Secretaries.

The motion that led to our group being set up asked for the Archbishops' Council to report back to the Synod within eighteen months of the date of the debate, which was 17 February 2005. However one might try to interpret the precise words of the motion, the clear intention of those who voted for it was that our recommendations would be available for debate before now. Because our group had first to be appointed, submissions invited and dates for meetings identified, the first full meeting that could be arranged was in September 2005. The timetable would have left us little more than six months to consider the evidence, frame the recommendations and agree a report. We were assured that no-one intended that. Despite our failure to keep to the timetable we hope that we have responded positively to its spirit by keeping the Synod informed as we have gone along and by working as fast as we could.

When I was asked to chair the group it was not difficult to spot that the group included people with different points of view. We had not been chosen to achieve easy agreement. With no experience of chairing senior church groups I expected to have a hard time. Instead I have been consistently cheered by the graciousness, patience and consideration that each member has shown in relating to the others. I cannot recall a group that has been easier or more rewarding to chair.

We have all been in the debt of the five others who have been closely involved with our work but my own debt has been greatest. David Williams has used his grasp of all the current business of the Church to guide us when we were in danger of cutting across or failing to learn from work being done elsewhere. Caroline Boddington has been enthusiastic in helping us to identify good practice, in encouraging us to learn from it and in developing procedures that are worthy of the Church. Within the proper limits imposed by personal confidences, she has freely shared her experience to help us reach soundly based recommendations. Although she has not attended our meetings, Ingrid Slaughter has been a vital presence in the background, diligently answering various legal questions and checking the report to ensure that our references to the law are correct. Colin Podmore was also secretary of the group that produced *Working with the Spirit* (2001) – the 'Perry Report' on how diocesan bishops are chosen – and of the group, chaired by one of our number, that implemented it. Without his help, we would have taken much more time and it would have been harder to be confident that we had all the information we needed. His service to us, on

Foreword

top of an existing full workload, has been literally above and beyond the call of duty. Sue Moore has provided consistently efficient and good-humoured support. We are grateful to all five.

JOE PILLING

Sir Joseph Pilling
Chairman

17 May 2007

1: INTRODUCTION

1.1 The Group and its Work

1.1.1 Our Group was established in response to the following resolution, which was passed by the General Synod on 17 February 2005:

‘That this Synod

- (i) consider that the Church should adopt an integrated and consistent method for the making of appointments to senior ecclesiastical office (other than diocesan bishops) to ensure that all appointments are transparent and encourage the confidence of the Church in the procedures that support the final selection; and
- (ii) request the Archbishops’ Council to commission a working party (to be chaired by a person independent of the Council and the Synod) to review and make recommendations (without limitation) as to the law and practice regarding appointments to the offices of suffragan bishop, dean, archdeacon and residentiary canon, including:
 - (a) the role and practice adopted by diocesan bishops in the making of nominations to suffragan sees; and
 - (b) the role of the Crown in the making of appointments to the other senior Church offices referred to above and how it is discharged, and for the Archbishops’ Council to report back to the Synod within eighteen months of the date of this debate.’

1.1.2 The membership of the Group is listed on page 2. Our chairman retired as Permanent Under-Secretary of State at the Northern Ireland Office in November 2005. The three other lay members are a theological college principal (also Chairman of the House of Laity), a solicitor and a university vice-principal, two of them being also lay canons. The four ordained members are a diocesan bishop (and former residentiary canon and suffragan bishop), a parish priest (formerly Director of Employment Affairs for the Confederation of British Industry), a dean (who chairs the Deans’ Conference) and a residentiary canon.

1.1.3 At our request, the Archbishops’ Secretary for Appointments (Ms Caroline Boddington) attended all meetings after our initial meeting. We are grateful to her for the information that she has given us and for her contributions to our thinking.

1.1.4 We met on thirteen occasions between July 2005 and March 2007, including a two-day residential meeting at Canterbury Cathedral.

1.1.5 In response to our initial invitation we received 141 submissions, from:

- ❖ 30 diocesan bishops and one former diocesan bishop
- ❖ 3 suffragan bishops
- ❖ 14 deans and two former deans
- ❖ 13 archdeacons
- ❖ 3 members of the Crown Nominations Commission

- ❖ 22 other members of the 2000-2005 General Synod
- ❖ 13 Lord-Lieutenants
- ❖ 33 other individuals
- ❖ 6 corporate bodies
- ❖ 4 non-Anglican churches

These are listed in Appendix I.

1.1.6 We spent two of our meetings receiving oral evidence, from:

- ❖ two diocesan bishops
- ❖ two members of the Appointments Committee
- ❖ two suffragan bishops
- ❖ two archdeacons
- ❖ the Chairman of the Association of English Cathedrals
- ❖ the Secretary of the Church Society
- ❖ the Director of the Cabinet Office Corporate Development Group
- ❖ a consultant with a 'head-hunting' firm

By invitation, our Chairman also attended a meeting of those who chair diocesan Houses of Clergy.

1.1.7 A number of the initial submissions expressed views about the fact that the Dean of Bradford is appointed by Simeon's Trustees and the Dean of Sheffield by Simeon's Trustees and the Sheffield Church Burgesses Trust alternately. Accordingly, we held a meeting in Sheffield at which we received oral evidence about that matter from a number of individuals from both dioceses as well as from the patrons.

1.1.8 We are very grateful to all those who have given evidence to us, either in writing or in person.

1.2 The Scope of the Review

1.2.1 The Synod's resolution referred specifically to the offices of suffragan bishop, archdeacon, dean and residentiary canon. For convenience, these offices have commonly been described collectively as 'senior church appointments' (for instance, in the 1992 report *Senior Church Appointments* and the resulting 'Code of Practice for Senior Church Appointments' and in the background papers for the Synod's debate). We recognize that there are other church appointments, both clerical and lay, that may properly be described as 'senior', both in the dioceses and in the National Church Institutions. (Which diocesan appointments involve membership of the bishop's 'senior staff' varies across the dioceses.)

1.2.2 Some of the submissions made to us questioned whether residentiary canonries should be regarded as senior appointments at all. The recommended stipend for residentiary canons is now just 1.2 times the national minimum stipend. Moreover, at present many canonries are leasehold and those who have held them often return to parochial ministry thereafter. On the other hand, such canonries often have a high profile (within the diocese and sometimes beyond it) and can be seen as conferring prestige. They may bring with them other benefits in terms of housing, expenses and support, and may be a stepping stone to other senior appointments. In some cathedrals, the canon in residence effectively 'runs the cathedral' as vice-dean during his or her period of residence; this is a very significant

responsibility which must be regarded as ‘senior’. Furthermore, increasingly residentiary canonries are associated with a strategic brief in the diocese. In the end, the issue of whether residentiary canonries are senior appointments or not is an academic one; the office of residentiary canon is one that falls within the remit that we have been given and it makes sense to consider cathedral appointments together.

1.2.3 We have limited ourselves to considering and making recommendations about the offices mentioned in the Synod’s resolution, but many of our recommendations may also be of relevance to senior church appointments more generally.

1.2.4 In defining our task, we have taken the terms ‘dean’ and ‘residentiary canon’ as referring in this context to the deans and residentiary canons of cathedrals in England. We have therefore not considered:

- the Royal Peculiars, including Westminster Abbey and St George’s, Windsor (which are not cathedrals and by definition fall outside the Church of England’s diocesan and provincial structure);
- Peel Cathedral (of which the Bishop of Sodor and Man is Dean and the canons are incumbents of parochial benefices);
- Gibraltar Cathedral and the Pro-Cathedrals in Valletta and Brussels (of which the Dean and Chancellors are the senior Anglican chaplains in the cities concerned).
- the Deans of Jersey and Guernsey. (Though their responsibilities might be viewed as broadly comparable with those of archdeacons, they are also very senior members of insular society, ranking next after the Lieutenant Governor and Bailiff – and, in Guernsey, the Deputy Bailiff – and different issues therefore arise.)

1.2.5 We have also regarded the following as falling outside the scope of our review:

- the appointment of the Dean of Christ Church, Oxford (who is an Oxford Head of House),
- appointments to the canonries in Christ Church, Oxford and Durham Cathedral that are annexed to academic appointments, and
- appointment to a canonry in Ely Cathedral in conjunction with an office in the Faculty of Divinity in the University of Cambridge (under the constitution of Ely Cathedral one residentiary canonry may be held in conjunction with such an office).

1.2.6 The Synod’s resolution requested a review of the law and practice regarding appointments to the offices mention in general, not an inquiry into any particular recent appointments. Our report therefore does not address the appointment of the then Canon Jeffrey John as Bishop of Reading in 2003, his withdrawal of acceptance of that appointment or his appointment as Dean of St Albans in 2004, even though some of the support for the Synod’s 2005 resolution might have been prompted by these events.

1.2.7 Similarly, though we note that recent appointments in the Anglican Communion have raised issues as to the extent to which divorce and remarriage, homosexual relationships

or questionable orthodoxy ought to be an impediment to appointment to senior office in the Church, it has not been our task to examine those issues.

- 1.2.8 Our terms of reference do not extend to discussion of whether the roles of suffragan bishop, archdeacon, dean and residentiary canon should be changed. We recognize that if those roles were to change, that might have consequences for the way in which appointments are made to those positions.

1.3 Previous Reports

- 1.3.1 We are very conscious that all of the matters which fall within our terms of reference have been considered by previous commissions and review groups. In Appendix II we offer a digest of the relevant parts of their reports, in so far as they are not summarized in the body of our report.
- 1.3.2 The report of the Cathedrals Commission (1927), the Moberly Report *Church-State Relations* (1952), the Howick report *Crown Appointments and the Church* (1964) and the Chadwick report *Church and State* (1970) either touched only on limited aspects of our remit or addressed our concerns only briefly.
- 1.3.3 The van Straubenzee report *Senior Church Appointments* (1992) was the first report to cover all of the issues that we have been asked to address.
- 1.3.4 In its report *Heritage and Renewal* (1994), the Archbishops' Commission on Cathedrals, which was chaired by Lady Howe of Aberavon, commented on the van Straubenzee proposals and, while not recommending any change in the responsibility for making the appointments concerned, recommended that 'the Church should seek to open discussions with the Crown about the prospects for the introduction of a single system of appointments to cathedral posts'.¹
- 1.3.5 In response to the van Straubenzee Report, the Standing Committee of the General Synod set up a group of three members to advise on the way forward. That group judged that 'while there had been broad support for the principles of openness and effectiveness set out in [the Report], there was also concern about the potential heaviness of the procedures recommended by the Working Party'. The group concluded that 'what was needed was a framework of clear principle and good practice, within which the precise arrangements for individual appointments could be tailored to meet the circumstances of each particular case'.²
- 1.3.6 In 1995 the House of Bishops, after consultation with the Standing Committee, approved the Senior Church Appointments Code of Practice which it intended should be observed in the making of all new appointments to the posts concerned. (The Code is reprinted as Appendix III to our report.) The Code did not apply to the appointment of deans and residentiary canons by the Crown. In his introductory note, Sir Philip Mawer, the then Secretary General, recalled the Howe Commission's recommendation of discussions with

¹ *Heritage and Renewal: The Report of the Archbishops' Commission on Cathedrals* (London, 1994), p. 98.

² 'Code of Practice for Senior Church Appointments' (GS Misc 455: 1995), pp. 1-2.

the Crown and commented that ‘the possible application of the Code to Crown appointments is an issue which will be considered in the context of any such discussion’.³

1.3.7 The other report which is of relevance to our work is *Working with the Spirit: Choosing Diocesan Bishops* (2001), a review of the operation of the Crown Appointments Commission by a group chaired by Baroness Perry of Southwark.⁴ That review group’s remit concerned only one office – that of diocesan bishop – and a single process (with only minor variations in the case of archbishops), and involved only a review of the operation of that process and not the possibility of substituting a different one. The recommendations of *Working with the Spirit* were implemented in accordance with the recommendations of a Steering Group chaired by Professor Michael Clarke.⁵

1.3.8 A progress report on the implementation of those recommendations was issued by the Secretary General in January 2005. In it, he observed

‘As members will recall, there were, in summary, three main objectives underlying both reports:

- increased openness and transparency of the process for choosing diocesan bishops
- ensuring that candidates for the role of diocesan bishop are considered from as wide a pool as possible
- improving the information on candidates who are considered by the Crown Nominations Commission.’⁶

The steps taken to achieve these aims include, for example:

- announcement of the vacancies and of the Commission’s meeting dates, with an invitation to the public to submit both comments on the needs and names for consideration;
- a briefing booklet for members of vacancy in see committees and an oral briefing for diocesan members of the Crown Nominations Commission (ensuring that everyone involved in the process is clear in advance as to what the process is);
- for each candidate considered the Commission receives, in addition to the (factual) Register of Ministers form, a personal statement by the candidate on his gifts and vision for the Church, a statement by his diocesan bishop and three references from referees named by the candidate.

³ ‘Code of Practice for Senior Church Appointments’, p. 2.

⁴ *Working with the Spirit: Choosing Diocesan Bishops. A review of the operation of the Crown Appointments Commission and related matters* (GS 1045: London, 2001).

⁵ ‘Choosing Diocesan Bishops: The Report of the Steering Group’ (GS 1465, 2002); ‘Choosing Diocesan Bishops: Further Report from the Steering Group’ (GS Misc 706, 2003); ‘Choosing Diocesan Bishops: Third Report from the Steering Group’ (GS 1510, 2003).

⁶ ‘Choosing Diocesan Bishops: A report on progress on the implementation of the Report of the Steering Group appointed to follow up the recommendations of *Working with the Spirit*’ (GS Misc 770, 2005), p.2.

1.3.9 Although there is no overlap between our remit and that of the Perry and Clarke groups, we are aware of a widespread belief that what might be called the ‘Perry/Clarke principles’ should also apply to the appointments with which we are concerned, and they have been an important influence on our work. One of our members, the Bishop of Sheffield, was a member of both groups and Professor Clarke is also a member of our group, and we have benefited from the advice of the Archbishops’ Secretary for Appointments, Ms Caroline Boddington, who has been responsible at staff level for the implementation of the Perry/Clarke recommendations. Our secretary, Dr Colin Podmore, had the same responsibility for both the Perry and Clarke groups.

1.4 The Theological Context

1.4.1 Both *Senior Church Appointments* and *Working with the Spirit* included significant theological reflection. *Senior Church Appointments* included amongst its appendices two papers by Professor Henry Chadwick and a paper by the Rt Revd John Gladwin (then Provost of Sheffield).⁷ Chapter 2 identified some strands of ecclesiological principle emerging from the Church’s tradition and discussed the implications of these principles for the methods of appointment in the Church.⁸ *Working with the Spirit* (2001) included a paper by the Rt Revd Dr Michael Nazir-Ali (‘Towards a theology of choosing bishops’) and a paper by Dr Podmore (‘The choosing of bishops in the Early Church and in the Church of England: an historical survey’).⁹ Chapter 1 reviewed principles and issues under the sub-headings of vocation, the local and the wider Church and (local) consent.¹⁰

1.4.2 As this earlier material was available to us, we decided not to commission a further paper on the theological context, but have thought theologically about the issues our group was set up to consider with the help of the earlier reports and their supporting papers (which we warmly commend for their continued relevance) and prompted also by some of the written evidence which we received. Our intention and hope has been that the whole of this report will reflect the Christian revelation of the nature of God and the implications for those who would follow Jesus Christ in ordering our lives.

1.4.3 Vocation is the theological theme that occurs first to most of us as we think of appointments in the Church. The emphasis that came up repeatedly in our own discussions and emerged powerfully, if not constantly, in our written evidence is summarized succinctly in this extract from one letter we received:

‘May I make a plea that the group looks not only at the questions arising from the process of “appointing to an office”, but recognizes that even more importantly this is also and at the same time a process of “discerning a calling to ministry”. In other words the office holders in question not only need to be competent in “doing a job”; much more significantly theirs is a “vocation to service”. By “vocation” here I am meaning primarily the wider church’s recognition that someone is called by God to a particular ministry rather than the sense in a person’s own heart that they may be so called. There may well be many who would not put

⁷ *Senior Church Appointments: A Review of the Methods of Appointment of Area and Suffragan Bishops, Deans, Provosts, Archdeacons and Residentiary Canons* (GS 1019: London, 1992), pp. 75-105.

⁸ *Senior Church Appointments*, pp. 6-8.

⁹ *Working with the Spirit*, pp.103-138.

¹⁰ *Working with the Spirit*, pp. 5-9: paras 1.17-1.32.

themselves forward for service as canon, archdeacon or suffragan bishop, but whom the wider church might well judge to have the appropriate gifts for such ministries. They would not wish to “apply for a job”; they might respond prayerfully if invited to consider such an appointment.’

- 1.4.4 Linked to this is the potential tension between on the one hand hierarchy in all human structures including the Church, reflected in convenient terms like ‘senior appointments’, and on the other Christ’s own teaching:

‘And he said to them, “The kings of the Gentiles exercise lordship over them; and those in authority over them are called benefactors. But not so with you; rather let the greatest among you become as the youngest, and the leader as one who serves... But I am among you as one who serves.” ’ (Luke 22. 25-27)

- 1.4.5 This does not mean that we see an internal call to senior office in the Church or a more generalized ambition as necessarily wrong. People can properly feel ambitious for a fuller use of the gifts that God has given them and they can feel called to wider service rather than to the exercise of power or influence that might be associated with a leadership role. Ambition and internal call, of course, must be tested by others, and there will be occasions when individuals are disappointed to find that those responsible in the Church see matters differently from the individuals themselves.

- 1.4.6 The more we thought about the heart of our terms of reference – the way the Church fills senior posts – the more we became aware of the relevance of foundational Christian values. We are all called to relate to others in a way that reflects our understanding of the nature of God in Trinity: three persons in mutual relation, one God of faithfulness, steadfast love and justice. The process of filling posts is one in which human interaction plays a significant part, and we heard many stories about the hurt and sometimes lasting damage which have arisen from these interactions in the past. Many organizations outside the Church aspire to high standards in this area because they see it as good for business or because of their own values or because of the growing sense of rights, sometimes enforceable and sometimes not. For the Church good practice in areas like openness, honest and detailed feedback, accepting training for unfamiliar roles and timeliness flows from thinking theologically about the implications of our understanding of God. We have been privileged to learn about the aspirations and practice of other organizations in this area but in the most important respects the Church need not look beyond the person of Jesus Christ, who not only showed us what God is like, but perhaps more challengingly showed us what it could be like to be human. The revelation of God in Trinity, together with a reading of Jesus’ ministry that embodied dignity with sacrifice, prophetic leadership and humility, helps us to identify the highest standards in an open and prayerful appointments process for the Church.

- 1.4.7 We hope that these values will be seen to have permeated our work from beginning to end. We intended that they should.

1.5 The Group's Broad Approach

- 1.5.1 The only way to assess the Group's fulfilment of the task set by its terms of reference is to read the whole report, but it may be helpful at the end of this introductory chapter to summarize our broad approach.
- 1.5.2 We do not think it sensible to try to achieve uniformity in the detailed procedures of appointment for the variety of posts we have considered. Procedures should take account of the post to be filled, and there are significant differences not only between the four offices under consideration but also within each category. The details of these differences and the consequences that we draw from them may be found in the relevant chapters. Furthermore, many organizations take account of the circumstances at the time that a post has to be filled in settling the detailed procedure to be used. We see advantage in the Church retaining similar flexibility, within a common framework for each type of post. Finally, at present the right to appoint, nominate or present to the categories of appointment within our remit rests variously with the diocesan bishops, the Crown, and (in two instances) independent trusts; by convention or by law the archbishops (in the case of suffragan bishops) and lay representatives (in the case of some deaneries) also have significant rights. To the extent that that continues to be the case, some procedural differences will inevitably result.
- 1.5.3 We have, however, sought to be true to our terms of reference in encouraging greater consistency of approach. If our detailed recommendations are implemented, and particularly if the spirit in which they are made informs the continued evolution of appointment procedures, there will be fewer significant differences.
- 1.5.4 We hope that it will be apparent how seriously we have taken the remit to secure transparency and confidence in the procedures we have examined. We shall make a number of recommendations to that end. In pursuit of transparency, we have also taken care to include a full and clear account of procedures of which, as our evidence showed, many in the Church have little or no knowledge. If implemented, our recommendations would significantly fill out and enhance the existing procedures – in the interests of openness and fairness as well as effectiveness – rather than replacing them with new and different arrangements. Our account of the existing procedures and the historical and legal background to them should therefore make this report, whatever its other merits, a reference document for some time to come.
- 1.5.5 We have also understood our task of making 'recommendations (without limitation) as to... practice regarding appointments' as extending to include recommendations as to how those who are likely to be suitable candidates for senior positions in the Church might be identified and developed. We regard our recommendations about that as among the most important that we shall make. If adopted, they would result in significant change – with some financial cost but, we believe, with important benefits for the ministry of the Church of England as a whole. We make no apology for thinking radically about how the gifts and talents that God has bestowed might be more effectively discerned and deployed in the service of the Gospel and the mission of the Church.

2: THE RIGHT TO APPOINT: THE EXISTING POSITION

2.1 Introduction

2.1.1 Our terms of reference ask us ‘to review and make recommendations (without limitation) as to the law and practice regarding appointments’, including the roles of diocesan bishops and the Crown in making those appointments. We therefore set out first in this chapter who has the right to make each of the appointments concerned.

2.2 Suffragan Bishops

2.2.1 Before the Reformation, English diocesan bishops were commonly assisted by bishops who had been consecrated to sees ‘*in partibus infidelium*’ (parts of the world which had been Christian but which were now under Muslim control and no longer had a Christian population). The separation of the English Church from Rome meant that this was no longer possible. In order to respect the ancient tradition that a bishop cannot be consecrated for episcopal ministry in general but only to a specific see, the Suffragan Bishops Act 1534 provided that certain specified towns ‘shall be taken and accepted for sees of bishops suffragan to be made in this realm’.¹¹ (The term ‘suffragan’ originally referred to diocesan bishops in relation to their metropolitan, but was now used additionally to refer to the bishops of such sees in relation to their diocesans.) Seventeen suffragan bishops were appointed in the sixteenth century, but thereafter the office lapsed until 1870, when suffragans were consecrated to the sees of Nottingham and Dover.

2.2.2 The appointment of suffragan bishops (including the Bishop of Dover, area bishops and the provincial episcopal visitors) is governed by the Suffragan Bishops Act 1534. The act provides that the diocesan bishop wishing to have a suffragan shall ‘name and elect’ two ‘honest and discreet spiritual persons being learned and of good conversation’ and present them to the King in a petition, requesting His Majesty ‘to give to one such of the said two persons as shall please His Majesty such title, name, style and dignity of bishop of such of the sees ... specified [in the act] as the King’s Highness shall think most convenient for the same’. The act further empowers the King to give to one of the two persons named in the bishop’s petition ‘the style, title and name of a bishop’ of such of the sees as he thinks most convenient and expedient. (The reason for that phrase is that the see would not necessarily be situated within the diocese concerned – just as the sees *in partibus infidelium* had not been.)

2.2.3 The Suffragans Nomination Act 1888 permitted the addition by Order in Council of other sees to the list contained in the 1534 act, and the Suffragan Bishops Act 1898 made it lawful to appoint as suffragan bishop a person already in episcopal orders.¹²

2.2.4 In practice, the petition is submitted for royal approval through the Prime Minister. In 1992 the van Straubenzee report observed that ‘for almost a hundred years the convention

¹¹ In the quotations spelling, capitalization and punctuation have been modernized.

¹² Section 6 of the Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988 made it possible to change the name of an existing diocesan or suffragan see, and a comparable provision has been incorporated into the Dioceses, Pastoral and Mission Measure (which as at the date of publication of this report had received Final Approval from the General Synod but had not completed the parliamentary processes and received the Royal Assent), as section 11.

has been that the Prime Minister advises the Sovereign to nominate the person who is named first in the bishop's petition'.¹³ However, the second name must be a realistic candidate, since if for any reason the first candidate ceased to be available for appointment after submission of the petition but before announcement of the appointment, the Crown would normally take up the second name.

- 2.2.5 The Suffragan Bishops Act does not oblige the diocesan to consult the archbishop of the province before making his nomination; the Chadwick report stated that 'generally (though not, we understand, invariably) the diocesan will consult the Archbishop'.¹⁴ However, by 1992 the convention was that the diocesan bishop's petition was submitted to Downing Street with a supporting letter from the Archbishop.¹⁵ The Senior Church Appointments Code of Practice approved by the House of Bishops in 1995 specifies that 'the recommendation to the Crown for the appointment of a suffragan bishop should continue to be made by the diocesan bishop (after consultation with *and with the concurrence of* the Archbishop of the Province)'.¹⁶ We are advised that in present practice the Archbishop's letter sets out the nature of the ministry that the suffragan will have, the gifts that the two candidates would bring to the office and why the first is preferred. Thus in practice the persons nominated must be persons whom the Archbishop feels able to commend to the Crown in the order of preference specified in the bishop's petition, and whom he would be willing to consecrate.

2.3 Archdeacons

- 2.3.1 Both statute and canon law are silent concerning the right to appoint to archdeaconries. Although in the past some archdeaconries were apparently in the gift of lay patrons, so far as is known, all archdeaconries are now in the gift of diocesan bishops (except in the two circumstances discussed in section 2.7 below).¹⁷

2.4 Deans appointed by the Crown

- 2.4.1 The position regarding deaneries and residentiary canonries is rather more complicated. The diversity in the right to appoint to these offices in English cathedrals derives from their history, which continues to be reflected in the diversity of their life today. In Appendix IV we offer an historical note setting out some relevant aspects of that history.
- 2.4.2 The position may be summarized as follows. The Crown appoints the deans of all the cathedrals of dioceses founded before 1882, together with the Deans of Liverpool and Guildford (the only cathedrals of more recently founded dioceses which are not parish churches) – 28 deans in all.¹⁸
- 2.4.3 With regard to their origins, these cathedrals may be grouped as follows:

¹³ *Senior Church Appointments*, p. 62.

¹⁴ *Church and State: Report of the Archbishops' Commission* (London, 1970), p. 43.

¹⁵ *Senior Church Appointments*, p. 65.

¹⁶ 'Code of Practice for Senior Church Appointments' (GS Misc 455, 1995), p. 5.

¹⁷ *Senior Church Appointments*, pp. 69-70

¹⁸ Before the Reformation, deans were elected by the cathedral chapter, as were the priors of cathedral priories, though the chapter was required to elect the candidate nominated by the Crown. This system was retained by Henry VIII in the case of the Old Foundation cathedrals, but the deans of New Foundation cathedrals were appointed by Letters Patent. The Ecclesiastical Commissioners Act 1840 abolished the election of deans of Old Foundation cathedrals; in future, they too were to be appointed by Letters Patent.

- ❖ Old Foundation cathedrals:
Chichester, Exeter, Hereford, Lichfield, Lincoln, London (St Paul's), Salisbury, Wells, York (9)
- ❖ New Foundation cathedrals which were formerly cathedral priories, re-founded as non-monastic cathedrals in 1538, 1541 or 1542:
Canterbury, Carlisle, Durham, Ely, Norwich, Rochester, Winchester, Worcester (8)
- ❖ New Foundation cathedrals of dioceses established in 1541 or 1542:
Bristol, Chester, Gloucester, Oxford, Peterborough (5)
- ❖ Cathedrals of dioceses founded between 1836 and 1877:
Ripon, Manchester, Truro, St Albans (4)
- ❖ Modern non-parochial cathedrals: Liverpool, Guildford (2)

The Cathedrals Measure 1999 established a common framework for the governance of all cathedrals except Christ Church, Oxford (to which the Measure does not apply), but within that framework there remained scope for a significant degree of diversity. Some of the variations between the cathedrals reflect their different histories and traditions.

- 2.4.4 The Cathedrals Measure also requires that 'Where, immediately before the relevant date, the constitution of a cathedral provided for the appointment of the dean to be by Her Majesty the constitution shall continue so to provide.'¹⁹
- 2.4.5 None of the cathedrals founded before the nineteenth century is a parish church as such, though parts of several of them have at some time been used as parish churches, and in some there were small parish churches in the close. (The parish of St Mary-in-the-Marsh, Norwich, which covers the cathedral close, still exists, though without a separate parish church, and one of the residentiary canons of the cathedral is its priest-in-charge.)
- 2.4.6 Ripon and Manchester Cathedrals are parish churches and Truro Cathedral incorporates the south aisle of St Mary's parish church, which continues to be the parish church of St Mary's parish. The Deans of Ripon, Manchester and Truro are appointed as such by the Crown and are *ex officio* incumbents of the parochial benefices concerned, so that the provisions of the Patronage (Benefices) Measure 1986 do not apply to their appointments.
- 2.4.7 The Constitution of St Albans Cathedral states that the rector of the ecclesiastical parish of the Abbey Church of St Alban is appointed by the bishop, and continues 'The offices of dean and rector may be held in plurality and have invariably been held by the same person.' The provisions of the Patronage (Benefices) Measure 1986 (see para. 2.5.5 below) apply to the appointment of the rector by the bishop. Because before 1999 the Cathedral and Abbey Church of St Alban, though it had a dean, did not have 'a corporate body known as the dean and chapter', under Cathedrals Measure 1999 the functions of a

¹⁹ Cathedrals Measure 1999, s. 9(2)(a).

parochial church council are exercised by the Chapter and accordingly the two ‘parish representatives’ are replaced by two lay members of the Chapter appointed by the Chapter.²⁰ The fact that the Crown and the bishop appoint to two offices that have invariably been held by the same person makes the appointment of the Dean of St Albans more of a joint undertaking than is formally the case with other deaneries.

- 2.4.8 It has been suggested to us that the bishop effectively has a veto over the appointment of deans by the Crown, in that he could refuse to license a person appointed by the Crown to a deanery. However, we are advised that this is not the case. A dean does not need to be licensed by the bishop, and indeed the legal advice we have received is that it is not appropriate for any such licence to be issued. There is no requirement in canon or statute law that a dean should have a licence from the bishop in order to carry out his or her functions as dean. Furthermore, Canon C 8.2(b) provides that

‘No member of the chapter of a cathedral church shall be debarred from performing the duties of his office in due course and exercising his ministry within the diocese merely by lack of authority from the bishop of the diocese within which the cathedral is situate.’

The constitutions or statutes of some cathedrals require the bishop to institute a new dean and the statutes of Canterbury Cathedral envisage that the archbishop will give his mandate for the installation of the new dean, but we are advised that these provisions do not give to the bishop or archbishop any discretion not to do so.

2.5 Deans appointed by the Bishop or by independent Trustees

- 2.5.1 Of the dioceses founded after from 1882 onwards, only Liverpool and Guildford have a cathedral purpose-built on a new site. In the other fourteen cases, an existing parish church became the cathedral. These cathedrals were commonly called ‘parish church cathedrals’. That term is misleading, since (as indicated above) the cathedrals of the four dioceses founded between 1836 and 1877 are also either parish churches or (in the case of Truro) include a parish church.
- 2.5.2 However, there is a distinction between these fourteen cathedrals and the others in the way that their deans are appointed, and that distinction derives from their parochial status. In these fourteen cases, the incumbent of the cathedral benefice is appointed under the Patronage (Benefices) Measure 1986. The Cathedrals Measure 1999 requires that ‘the constitution [of the cathedral] shall provide that the incumbent of the benefice which comprises the parish of which the cathedral is the parish church shall be the dean’.²¹
- 2.5.3 The bishop is the patron of the relevant benefice in the following twelve cases: Birmingham, Blackburn, Bury St Edmunds, Chelmsford, Coventry, Derby, Leicester, Newcastle, Portsmouth, Southwark, Southwell, Wakefield. This is either because the bishop of the diocese from which the new diocese was created was already the patron, or

²⁰ Cathedrals Measure 1999, s. 12.

²¹ Cathedrals Measure 1999, s. 9(2)(b).

because the patronage was transferred to the bishop from a non-episcopal patron after the parish church became the diocesan cathedral.²²

2.5.4 In the other two cases, the patrons are independent trustees: Simeon's Trustees in the case of Bradford and Simeon's Trustees and the Sheffield Church Burgesses Trust alternately in the case of Sheffield.

2.5.5 Under the Cathedrals Measure, the functions of the PCC are exercised by the Chapter. The procedure, under Patronage (Benefices) Measure 1986, therefore includes the following:²³

- (1) under section 11 of the 1986 Measure the Chapter:
 - prepares a statement describing the conditions, needs and traditions of the parish;
 - appoints two of its lay members as 'parish representatives';²⁴
 - decides whether to request the patron to advertise the vacancy;
 - decides whether to request a joint meeting of the Chapter and the bishop (and, in the case of Bradford and Sheffield, the patrons) under section 12 of the Measure;
 - decides whether to request a written statement from the bishop 'describing in relation to the benefice the needs of the diocese and the wider interests of the Church'.
- (2) under section 13, the two lay members of the Chapter and (in the case of Bradford and Sheffield) the bishop each have the right to refuse to approve the candidate chosen by the patron, thus preventing the making of an offer. If any of them does, he or she must give reasons in writing. At the request of the patron, the archbishop may review the matter and, if he sees fit, overrule the objections and authorize the patron to make an offer to the chosen candidate.²⁵
- (3) under section 16, if the vacancy lasts for nine months without an offer having been accepted (excepting any period in which the archbishop is reviewing a refusal to approve a candidate), the right to appoint lapses to the archbishop under section 16 of the Measure. He must consult the bishop and the two lay members of the Chapter, and may not appoint someone whose appointment was 'vetoed' within the nine months unless the person who originally withheld approval consents.

²² The patronage of St James, Bury St Edmunds was transferred to the Bishop of St Edmundsbury and Ipswich (which became St Edmundsbury Cathedral in 1914) from a private patron in 1922.

²³ This is not intended to be an exhaustive statement of the law, and it does not make reference to processes (such as those under the Senior Church Appointments Code of Practice) which are not required by law.

²⁴ These lay members may or may not be members of the regular cathedral congregation. In Bradford the Chapter includes four lay persons elected by the annual parochial church meeting from those on the electoral roll, while in Sheffield the Chapter includes two lay persons elected by the annual parochial church meeting from among those who have been churchwardens.

²⁵ Patronage (Benefices) Measure 1986, s. 13.

2.5.6 In the case of Bradford and Sheffield,²⁶ the bishop additionally has limited powers under the Benefices Act 1898 and the Benefices Measure 1982 to refuse to institute on the grounds that:

- only three years have elapsed since the person presented was ordained deacon (but under the Ecclesiastical Commissioners Act 1840, a person appointed as dean must be a priest who has been in holy orders for six years);
- the person presented is unfit for the discharge of the duties of the benefice by reason of physical or mental infirmity or incapacity, pecuniary embarrassment of a serious character, grave misconduct or neglect of duty in an ecclesiastical office, evil life, or having by his or her conduct caused grave scandal concerning his or her moral character since ordination; or
- the person presented has not previously been a team vicar or incumbent and has had either no experience or less than three years' experience as a full-time minister (it is explicitly a matter for the bishop's discretion whether to refuse institution in these circumstances); or

'unfitness or disqualification of the presentee otherwise sufficient in law' is a further ground for refusal suggested by the appeal provisions in the 1898 Act. Appeal may be made to the Dean of the Arches and Auditor, except in respect of the third ground, where appeal lies to the archbishop alone.

2.6 Residentiary Canons

2.6.1 The Crown appoints to 29 residentiary canonries (six of which are currently suspended) in the following nine cathedrals:

Birmingham: 3 (two suspended)

*Bristol: 4

Canterbury: 4 (two suspended) – three 'turns' out of four

*Gloucester: 2 – one alternately with the bishop

London (St Paul's): 3

*Norwich: 3 (one suspended)

Oxford (Christ Church): 4

*Rochester: 2

Worcester: 4 (one suspended)

* indicates that the decision goes to the Lord Chancellor (rather to the Prime Minister and H. M. The Queen) for approval prior to the preparation of Letters Patent. The 23 non-suspended residentiary canonries to which the Crown appoints represent less than one sixth of the total of 147 residentiary canonries currently listed in the *Church of England Year Book*.

²⁶ These provisions are only relevant where the bishop is not himself the patron. They could be used, for example, where new facts came to light of which the bishop was not aware at the time when he had an opportunity to withhold approval to the making of an offer but did not do so.

- 2.6.2 All of these except for Birmingham Cathedral are cathedrals of which the Crown also appoints the Dean, and of them all except for St Paul's Cathedral are cathedrals of the New Foundation (re-founded or founded by Henry VIII).
- 2.6.3 One of the canonries at Norwich Cathedral and one of those at Worcester Cathedral are held by the Archdeacons of Norwich and Worcester respectively. We understand that the Crown now regards the diocesan bishops concerned as being 'in the lead' in the making of these appointments, although the bishop is expected to consult the Prime Minister's Secretary for Appointments in making his choice, and the Crown would also wish to be assured that the dean and the chapter have also been consulted. That being so, the Crown would normally simply appoint to the canonry the person chosen by the bishop to be archdeacon.
- 2.6.4 Three of the four canonries of Christ Church, Oxford to which the Crown appoints are academic appointments (the Regius Professor of Divinity, the Regius Professor of Moral and Pastoral Theology and the Regius Professor of Ecclesiastical History – the latter office may instead be held by a lay canon). (The other canon appointed by the Crown is the Sub-dean, and the Bishop appoints the Archdeacon of Oxford and a diocesan canon.)
- 2.6.5 Another canonry of Christ Church, Oxford is annexed to the Lady Margaret Professorship of Divinity, to which the University appoints. At least one and potentially two canonries of Durham Cathedral are annexed to university appointments, the canons being appointed by the bishop on the recommendation of the board of electors of the university concerned.
- 2.6.6 The residentiary canons of Winchester Cathedral are appointed by the bishop 'with the agreement of the Dean in consultation with the chapter', while the Sub-dean of St Albans is appointed by the dean after consultation with the bishop and the chapter.
- 2.6.7 All other cathedral canons are appointed by the diocesan bishop, although in a large number of cases the bishop is required to consult the dean, the chapter or both (and in the case of Liverpool, the dean, the chapter and 'any such other persons or bodies as the bishop deems appropriate') before making the appointment.

2.7 Other Appointments made by the Crown

- 2.7.1 There are two circumstances in which the Crown may make appointments to an archdeaconry, or to a deanery, canonry or parochial benefice of which it is not the patron.
- 2.7.2 During a vacancy in a diocesan see, the Crown has the right to make appointments which are otherwise in the gift of the bishop, since that right forms part of the 'temporalities' of the see which belong to the Crown during a vacancy and are restored to the bishop when he does homage. In practice, the bishop to whom the other functions of the diocesan have been delegated (or, where the patronage had already been delegated to an area bishop, that bishop) takes the lead on the appointment and the Crown appoints the person recommended by him. If the diocese prefers that no appointment should be made until the new diocesan is in office, the Crown does not make an appointment, but this is rarely the case.

- 2.7.3 The Crown also has the right in law to appoint to an archdeaconry, deanery, canonry or parochial benefice vacated by the office-holder becoming a diocesan bishop.²⁷ The most recent examples are the Archdeaconry of Lewes and Hastings and the Deanery of Derby (to which the Crown appointed when the previous office-holders became Bishop of Blackburn and Bishop of Gloucester respectively).
- 2.7.4 When the Crown appoints to a deanery which is otherwise in the gift of the bishop or independent trustees, the process under the Patronage (Benefices) Measure 1986 described in para. 2.5.5 above does not apply.²⁸

²⁷ It has sometimes been suggested that this right might also apply to offices when their holders are appointed to suffragan bishoprics or to other Crown appointments, but (whatever may have been the position in the past) it is now agreed that this is not the case.

²⁸ The only qualification to this is that the Measure is not entirely clear as to whether the Chapter's right to submit a statement describing 'the conditions, needs and traditions of the parish' still applies.

3: IDENTIFYING AND DEVELOPING TALENT

3.1 Introduction

3.1.1 Before considering how appointments are and should be made to the different offices that we have been asked to consider, we look in this chapter at how those with potential to carry out the duties of those offices are – and should be – identified and developed.

3.1.2 We begin by reviewing the consideration of these issues in *Working with the Spirit* (2001) and in the follow-up report ‘Choosing Diocesan Bishops’ and the resulting changes in practice.

3.2 *Working with the Spirit* (2001)

3.2.1 In examining the pool of candidates from which diocesan bishops were then chosen, *Working with the Spirit* (2001) looked at the Preferment List and the Fielden File.²⁹ At that time the Preferment List was a list of about 370 clergy, 85% of them aged between 45 and 60, judged by their diocesan bishops to be either probably or possibly suitable, either at the time or later, for senior office. The Fielden File was a list of about 170 younger priests (about 80% of them between 35 and 45) thought by their diocesan bishops to have future potential for this work.

3.2.2 The report noted a number of facts about the system:

- not all diocesan bishops consulted their senior staff about nominations for inclusion on the List;
- a priest could only be included in the List with the agreement of his or her diocesan bishop (so that exclusion could result from a poor relationship or difference of opinion with one individual);
- there was no right to know whether or not one was on the List and no possibility of appeal against exclusion from it;
- numbers on the List from each diocese varied from none to 25, and some of the differences could not be explained by objective factors such as the size or type of diocese.

3.2.3 In secular organizations, by contrast, the decision as to whether someone should be included in a list of potential candidates for promotion would rarely depend on one individual. Moreover, because candidates would commonly move frequently from post to post within the organization, assessments by several line managers could be taken into account. The report concluded that

‘The fact that inclusion or non-inclusion depends on a decision taken, sometimes by one individual, often without the priest concerned knowing, and without the

²⁹ *Working with the Spirit*, pages 19-20: paras 2.11-2.14.

possibility of appeal means that the system is not seen to be fair and transparent.³⁰

3.2.4 *Working with the Spirit* recommended that the two lists should be replaced by a single new ‘Senior Appointments List’. This would not be a public list, but clergy would be informed by the bishop when their names were added or removed, and of the reasons for that. The main route to inclusion would be discussion in the context of ‘episcopal review’ (ie ministerial review conducted by the bishop or a member of his senior staff). Special arrangements should be made for non-diocesan clergy (who should all have a ‘review bishop’) and the Provincial Episcopal Visitors should be able to nominate clergy for inclusion in the List. An appeal mechanism was proposed for use by those who believed that they had unfairly been excluded from the List. The operation of the system would be overseen by a Senior Appointments Group consisting of the archbishops and two central members of what became the Crown Nominations Commission.³¹

3.2.5 One of the advantages of the proposed system would be that those on the List could be invited to confirm the accuracy of the factual information held about them, nominate referees, and submit a personal statement.³²

3.3 ‘Choosing Diocesan Bishops’(2002)

3.3.1 The Steering Group appointed to follow up the report’s recommendations, chaired by Professor Michael Clarke (a member of our Group), received a number of critical comments about the recommendations concerning a Senior Appointments List. It accordingly recommended that the recommendations concerning documentation about candidates considered by the Crown Nominations Commission should be achieved in a different way, leaving the Preferment List and Fielden File unreformed.³³

3.3.2 Potential candidates for diocesan episcopacy would be identified by a ‘reference bishop’ (normally the diocesan bishop, but special arrangements would be made for certain non-diocesan clergy). It was hoped that all diocesans would make such decisions after consulting their senior staff. The PEVs would be able to nominate clergy, for whom the diocesan would also be asked to supply a reference. In order for the necessary documentation to be obtained, the bishop would need to inform the person concerned. Bishops should review the pool and remove the names of those no longer thought likely to be considered. Both inclusion and removal would be the occasion for a pastoral conversation.³⁴

3.3.3 Provision was made for an ‘appeal mechanism’ whereby a priest or bishop, or someone acting on his behalf, could, after an unsuccessful appeal to the diocesan bishop, approach the Appointments Secretary, who would take up references and, if these were positive, approach the diocesan bishop. If the diocesan bishop remained unwilling to commend the candidate, the Archbishop of the Province would decide whether to include the person’s name in the pool or not. Central members of the Crown Nominations Commission would

³⁰ *Working with the Spirit*, page 20, para: 2.15.

³¹ *Working with the Spirit*, pages 20-22: paras 2.15-2.16.

³² *Working with the Spirit*, pages 25-26: paras 2.24-2.26.

³³ ‘Choosing Diocesan Bishops’, pages 20-21: paras F20-F21.

³⁴ ‘Choosing Diocesan Bishops’, page 21: paras F22-F27.

also be able to propose names. These arrangements would, it was hoped, reduce to a minimum the number of occasions on which someone for whom the necessary documentation was not already held would be proposed for mandatory consideration at a CNC meeting. If that did happen, the Archbishops would decide, after the Commission meeting, whether the documentation for the person concerned should be kept on file.³⁵

3.3.4 These new arrangements are in place.

3.3.5 The Steering Group acknowledged that reform of the Preferment List and Fielden File fell outside its terms of reference, but noted that the then Archbishops' Secretary for Appointments, Mr Tony Sadler, was preparing proposals for improvements to the system, which might be enshrined in a code of practice adopted by the House of Bishops, and agreed that these would be a step forward. (It also expressed the hope that the House of Bishops would adopt a code of practice setting out principles for good practice in episcopal review which the dioceses' various ministerial review schemes should all embody.³⁶ That work is being taken forward in the context of implementation of the Review of Clergy Terms of Service.)

3.3.6 In January 2005 the House of Bishops agreed that the new arrangements for candidates for diocesan episcopacy should be extended to cover candidates for suffragan sees, and this work has been completed.

3.4 The Preferment List

3.4.1 Plans for a code of practice covering the Preferment List in respect of candidates for archdeaconries and cathedral appointments were put 'on hold' when the Synod called for this review in February 2005. Meanwhile, the ASA has, in co-operation with diocesan bishops, been extending a new standard for documentation (a Register of Minsters form from the candidate, and references from referees nominated by him or her in addition to a reference from the bishop) to candidates on the Preferment List. If an individual is identified as suitable to be a dean the PMAS and the ASA will agree who will lead in collating the appropriate paperwork in consultation with the candidate.

3.4.2 Also, the 'Fielden File' of younger clergy with potential has been integrated into the Preferment List, so that there is now a single list of clergy judged to be 'ready now', 'ready later' or 'possible' as candidates for senior office.

3.4.3 The main use to which the Preferment List is put is that when a bishop is seeking to fill a vacancy by 'search', the names of those identified as 'ready now' for the relevant type of appointment who it seems might match the person specification for the post (and in some cases also those judged likely to be 'ready later' or even 'possible') are sent to the bishop for consideration. The List is also made available to the Prime Minister's Appointments Secretary.

3.4.4 As a result of the developments outlined above the Preferment List (which retains its traditional name) is in a state of transition. The combined list currently includes 585

³⁵ 'Choosing Diocesan Bishops', pages 22-23: paras F28-F35.

³⁶ 'Choosing Diocesan Bishops', pages 23-24: paras F36-F39.

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names, of which 386 are classed as 'ready now'. The numbers of clergy on the List per diocese are as follows:

	September 2000 (old Preferment List only)	January 2007 (integrated list)
no names	1	0
1-5 names	11	3
6-10 names	23	16
11-15 names	6	13
16-20 names	3	7
21-25 names	1	3
25-50 names	0	2

The total number of names has increased from 540 (370 on the Preferment List and 170 in the Fielden File) to 585 – an increase of 45.

- 3.4.5 Not only do the numbers on the List vary, but the proportion of a diocese's stipendiary clergy who are on the List also varies, as follows:

	January 2007
less than 1%	0
1%-2.9%	2
3%-4.9%	9
5%-6.9%	14
7%-8.9%	8
9%-10.9%	8
11%-12.9%	0
over 13%	3

- 3.4.6 Some of these variations may, at least to an extent, be explained by objective factors such as the presence of a university with significant numbers of clergy. Other reasons may be less immediately obvious. A vacancy in see and the appointment of a new diocesan may both affect the numbers, as may the length of time since the List was last reviewed by the diocesan bishop with the ASA. Some diocesan bishops have attracted particularly large numbers of able clergy into their dioceses, who then increase the number on the Preferment List from that diocese. But there continue to be some variations that are troubling. This might well indicate that consistent criteria are not applied across all dioceses. The danger is that this will result not only in the presence on the List of some clergy who are, in reality, rather unlikely to gain senior appointment but also in the exclusion from consideration for senior appointments of clergy who are suitably qualified but whose talents have not been recognized.

- 3.4.7 Those considered suitable for diocesan or suffragan episcopacy know that this is the case and supply the necessary documentation. The Archbishops' Secretary for Appointments, who administers the Preferment List, recommends that anyone on the List should be informed as part of a wider conversation about their future ministry. Most bishops now do this, but concern has been expressed to us that some bishops may not inform those involved. There is no suggestion that the List should be a public list, but the fact that it cannot yet be stated publicly that all clergy who are on the List will know that they are on

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it means that some clergy are still unclear as to whether they are not on the List or are on it but have not been told.

- 3.4.8 As indicated above, the ASA is working to extend standard paperwork to all candidates on the Preferment List. Uniform adoption of this for candidates from all dioceses would, of course, necessitate informing candidates that they are on the List.
- 3.4.9 Nomination by the diocesan bishop on his own initiative (in many cases, but not all, after discussion with his senior staff) continues to be the main route to inclusion in the Preferment List. It therefore continues to be a possibility that a priest's chances of being on the Preferment List and therefore drawn to the attention of other bishops will be determined largely by the attitudes of a single individual – his or her diocesan bishop – both to the priest concerned and to the Preferment List.
- 3.4.10 However, the fact that non-episcopal senior appointments are commonly advertised means that people can be and are considered for such appointments even if they are not on the List. The ASA monitors those who are considered, and if it seems likely that they will be considered for other senior appointments, invites their diocesan bishops to nominate them for inclusion in the List and ensure that appropriate documentation is available for them. In addition, the ASA is made aware of people who might be suitable for senior appointment via other sources (for example, by letters received, by bishops other than the individual's own bishop, by the Prime Minister's Secretary for Appointments and by members of the Crown Nominations Commission). In such cases she liaises with the individual's diocesan bishop on whether this should be taken forward, and if so, how. The ASA reports that in practice she has always been able to reach agreement with diocesan bishops about whether such candidates should be included on the List. If it were to happen that she believed that a diocesan bishop was unreasonably excluding someone, she would refer the matter to the Archbishop of the Province for adjudication, but this has not in fact been necessary hitherto.
- 3.4.11 The Archbishops' Secretary for Appointments has identified a number of other difficulties with the Preferment List system as currently operated.
- 3.4.12 One concerns the lack of common criteria for inclusion in the List. Some priests seem to be included
- because they are good parish priests but without sufficient evidence that they would perform as well in a different milieu or on a different scale;
 - because they could perform competently in a senior role, although they do not seem to be of outstanding quality;
 - because they have long-term potential, though they are not yet ready for senior appointment;
 - because of a reluctance to be frank about the fact that they are not judged suitable.

At the same time, others would seem not to be included because of fear that including them might result in a premature move from their present post. There is also a tendency

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for names to remain on the List even after it ought to be apparent that they are now unlikely to be appointed to senior office (whether because of a reluctance to communicate this, or simply through inertia). All of this means that the quality of those on the List is uneven, and the List is probably larger than it ought to be.

- 3.4.13 Another difficulty concerns the documentation available about the candidates. Due to pressures of other work it has only been possible to introduce the new documentation progressively, as its preparation involves a conversation between the ASA and the candidate. Thus there are at present clergy on the List who have not yet provided the relevant paperwork.
- 3.4.14 Where such documentation is available, the quality of the references often leaves something to be desired. Even though the references are not seen by the candidates (unless the referee chooses to share them), bishops and other referees rarely identify the candidate's weaknesses and development needs, perhaps fearing that to do so would harm the candidate's chances of appointment. (This tendency is, of course, also found in secular appointments.)
- 3.4.15 Finally, the system is characterized by a lack of integration with other processes. For example, it is not at present linked structurally to review schemes, and there is insufficient feedback as to why a candidate was not appointed to a post though shortlisted (which can lead to candidates being interviewed repeatedly and the same difficulties being identified on each occasion). Although the List is increasingly used (indirectly, by the ASA supplying possible names to the relevant members of staff) to inform decisions about appointments to committees and working parties made by the Appointments Committee of the Church of England (which makes appointments on behalf of the General Synod and the Archbishops' Council), by the Archbishops and by synodical Boards and Councils, more use could be made of the List in these contexts. Such appointments could be important development opportunities for those candidates in particular who are not members of the General Synod and therefore less likely to be known at the national level.
- 3.4.16 We were grateful to the Bishop of Liverpool for informing us about the ways in which he seeks to identify and develop clergy in his diocese with the potential for service in positions of leadership in the wider Church. The system is operated by a retired former Chief Executive of Liverpool City Council, acting effectively as a diocesan appointments secretary. Names for consideration are identified through ministerial review, in discussion at meeting of the Core Group (staff meeting) or by self-reference. Those concerned are invited to nominate three referees and are interviewed by the secretary. There is then a conversation with the bishop, who decides in the light of it whether to nominate the person for inclusion on the Preferment List. The interview with someone who is not himself responsible for decisions about inclusion on the Preferment List in particular is an aspect of this system that we would wish to commend for consideration by other diocesan bishops.

3.5 The Preferment List: Proposals for Change

- 3.5.1 In the light of these reflections we make a number of recommendations in the following paragraphs for improvements to the Preferment List.**
- 3.5.2 We recommend that the ‘Preferment List’ should be renamed, avoiding both the outdated concept of ‘Preferment’ and the impression that there is a closed ‘list’ of those who are to be considered for senior appointments.
- 3.5.3 We recommend that the category of those thought likely to be ‘ready later’ should be excluded from the list, so as to focus on its usefulness in filling current vacancies. This would require other arrangements to be made for the development of those with potential. (We shall make recommendations about this in section 3.8 below.)
- 3.5.4 We recommend that diocesan bishops should not submit names without consulting senior colleagues. (Especially in the case of members of the senior staff, this need not involve discussion of names by the full senior staff meeting.)
- 3.5.5 We recommend that all those included in the list should be informed of this, so that standard paperwork (including factual information checked by the person concerned and references from referees named by him or her) will be available for everyone on the list.
- 3.5.6 We recommend that in writing references, bishops should identify candidates’ development needs, so that these can be discussed with candidates when they are interviewed.
- 3.5.7 We recommend that in the Ministerial Development Review for which the draft Ecclesiastical Offices (Terms of Service) Regulations provide, clergy should be given full opportunity to talk about their future aspirations and ministry, strengths and development needs, including the possibility of inclusion in the successor to the Preferment List.
- 3.5.8 We recommend that the ASA should develop criteria for identifying those who should be included in the list, with a view to achieving a more consistent level of quality between dioceses. (The aim would be to exclude weaker candidates put forward in some dioceses and include strong candidates overlooked in others. It is anticipated that the overall result would probably be a somewhat smaller and more focused list.)
- 3.5.9 We recommend that the ASA explore the use of technology to develop a Senior Appointments database with appropriate search facilities and possibly with a facility for online registration. (We hope that this might alleviate problems caused by a need to store more documentation about candidates and keep it up to date, and might also facilitate use of the list by the ASA and the Clergy Appointments Adviser in advising those making appointments other than those covered by the list.) We recognize that if such a database were to be developed this would involve additional cost – the amount depending on the precise arrangements. Details of costs would need to be included in any project scoping.
- 3.5.10 We recommend that members of staff advising the Appointments Committee of the Church of England on particular appointments should be encouraged to approach the ASA for recommendations of possible candidates who are not members of the General Synod, so that they may be given greater access to national development opportunities.

3.5.11 We recommend that individuals with appropriate qualifications (senior, experienced clergy or laypeople) should be appointed and trained by the ASA, to support and work with candidates on a regional basis. (This need not be a full-time role.)

3.6 The Preferment List as a search facility

3.6.1 The Preferment List is used to support the use of ‘search’ in making senior appointments, whether instead of or alongside advertising.

3.6.2 The use of advertising has a number of advantages, including the following:

- it fosters a sense of openness, in that the advertisement advertises the fact that there is vacancy and a process for filling it, as well as inviting applications;
- it may enable suitable candidates to be identified (for this or a future appointment) who are not on the Preferment List or otherwise likely to be identified through ‘search’ methods;
- whether or not such candidates are actually identified, both the clergy and the Church more generally are reassured that there is an equality of opportunity to be considered for senior appointments.

3.6.3 An exclusive use of advertising has a number of drawbacks, however, including the following:

- the field of candidates it produces is less likely to include those who would be highly suitable but are not positively looking for a move;
- the field is less likely to include suitable clergy whose understanding of vocation makes them reluctant to ‘put themselves forward’ by applying for posts;
- advertising does not always produce suitable candidates at the first attempt.

3.6.4 These disadvantages of advertising do not apply if a ‘search’ method of recruitment is used. In many instances, therefore, a combination of advertising and ‘search’ is likely both to produce the most comprehensive field of candidates and to satisfy both those who are concerned about openness and equality of opportunity and those who are uncomfortable with the concept of application for ministerial posts.

3.6.5 The use of the Preferment List as a ‘search’ tool also has a number of other potential advantages. It makes it possible to monitor whether the number of people identified as having the necessary calibre for senior leadership roles is sufficient, and if not to develop strategies for addressing this. If the present problems regarding unevenness of criteria, standards and references are satisfactorily addressed, the List will provide both a pool of ‘quality assured’ candidates and meaningful information about them. Such a ‘managed’

pool of candidates can assist with the promotion of diversity in senior appointments (in terms of gender, ethnicity and ecclesial tradition or ‘churchmanship’).

- 3.6.6 We recommend that the Preferment List should be developed as a search facility along the lines set out above, and that good practice guidelines should be developed, and adopted by the House of Bishops, to support this.**

3.7 Recommendations as to the use of ‘search’ in making senior appointments

- 3.7.1 In this section, we shall make a number of recommendations for good practice in the use of ‘search’ as a means of identifying candidates, either in addition to or instead of advertising. We recommend that the ASA produce good practice guidelines to assist dioceses with the use of ‘search’.**

3.7.2 Where, after discussion with the Advisory Group, a bishop decides both to advertise a post and to seek to identify suitable names through a ‘search’ process, the advertisement should state clearly that suitable candidates are also being sought through a ‘search’ process and that the appointment will not necessarily be made from among those who respond to the advertisement.

3.7.3 The bishop may oversee the search process himself, after consulting the ASA, or he may ask the ASA or a suitably qualified and trained regional representative of the ASA to do so on his behalf. If the person approaching potential candidates is seen as being a third party independent of the bishop, this may enable those approached to explore the possibility more freely.

3.7.4 Candidates responding to an advertisement currently complete the standard Church of England application form and may also be requested to provide further information which is more specific to the role for which they are applying. Where advertising and search are combined, it is important that at the shortlisting stage comparable documentation on candidates is available, which is difficult if different information is being provided on those who have been identified via a search system (who may not be aware that they are under consideration for such a role). We therefore recommend that an application form specifically for senior appointments is designed in such a way that it can also be used as a template for any search database. This will need to include factual information as well as a more personal perspective on an individual’s ministry. There also needs to be consistency of practice in relation to the use of references at the shortlisting stage.

3.7.5 The resulting pool of candidates should be reviewed by the bishop and the Advisory Group. There are two stages at which ‘searched’ candidates might be advised that they are being thought about. They could be asked prior to shortlisting whether they are interested in being considered. Alternatively, they could be approached once they have been shortlisted, in which case they could be advised that they would be interviewed. In the experience of the current ASA different people prefer different approaches, and from the candidate’s perspective the second approach is sometimes more satisfactory. Candidates who are identified via search will need to be given time to think about the role and whether they wish to be considered for it.

3.8 A Talent Pipeline

- 3.8.1 The identification of potential bishops, deans, archdeacons and canons is essentially about the recognition of God-given gifts and talents. These gifts and talents are a resource given to the Church, and the Church needs to be a responsible steward of that resource. Talent needs to be nurtured and developed, and individuals need to be placed in roles which allow their gifts to grow and flourish, while at the same time they are contributing significantly to the mission and life of the Church. We believe that, in order to be a responsible steward, the Church should adopt a more structured approach in relation to people who are identified as possessing the talent necessary for service in senior roles, so that leadership for the Church of tomorrow is being identified and developed in the Church of today.
- 3.8.2 The Preferment List is, as we have said, a useful tool to support ‘search’ processes, and we believe that it would be even more useful if it were refined and enhanced along the lines that we have suggested, but in itself it does nothing to foster the development of those whose names are included in it.
- 3.8.3 We were greatly impressed with the evidence given to us by Mr John Barker, the Director of the Corporate Development Group at the Cabinet Office, about the schemes used in the Senior Civil Service to identify and develop those with talent. People are nominated for inclusion in the ‘High Potential Development Scheme’ or nominate themselves, and those selected to join the scheme receive support, training and regular assessment. The cost of the selection process was initially £1,500 per candidate (charged to his or her Civil Service department), but this is now to be reduced to £400 by the use only of internal selectors. Residential events and lunchtime meetings are organized centrally at a cost to the candidate’s department of £3,000 plus VAT per annum. Beyond this, the activities (such as courses, executive coaching, shadowing and mentoring) are tailored to the needs of each individual candidate, and the cost varies accordingly. Mr Barker believes that there is little antagonism towards the Scheme, something he attributes to the fact that it is not the only route to top-level appointments.
- 3.8.4 Such a scheme cannot simply be copied in the context of senior church appointments – for a number of reasons, of which the financial cost is only one. However, we are concerned that there is as yet little attempt on the part of the official structures of the Church of England to offer structured support, training and development opportunities to those identified as having potential to serve as church leaders at the highest level. **We recommend that a scheme offering this should be adopted.**
- 3.8.5 Features of such a scheme (which we recognize would involve financial cost – the amount depending on the precise proposals) would include:
- linkage to diocesan review processes;
 - a national discernment process to support bishops in their identification of individuals with leadership gifts and longer term potential, based on a common set of criteria which clearly identify the skills and aptitudes needed for senior leadership in the Church;

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- helping individuals to identify both their talents and their development needs;
- a structured approach to individual development, based on the identified needs of senior leadership roles in the Church.

3.8.6 It would be important for such a scheme to identify and value relevant skills acquired before ordination (especially in the case of older entrants) as well as those acquired after ordination.

3.8.7 The aim of such a scheme would be to improve the level of preparedness on the part of those taking up senior appointments for the demands of their offices.

3.8.8 The existence of such a scheme would not alter the fact that appointment to senior office should always be on merit, and the purpose of a selection process for each particular appointment would still be to identify the best person for the role. The fact of a candidate having participated in a 'talent pipeline' scheme would not in itself be a relevant consideration when deciding whom to appoint to a particular appointment.

3.8.9 However, it must be recognized that participation in the scheme would tend to result in a candidate being better qualified (in terms of skills and experience) than at least some other candidates, and therefore on balance more appointable. This, we believe, is acceptable providing that

- appointment to specific senior appointments continues to be on merit;
- selection for inclusion in the scheme is similarly based on merit and decided by a corporate process in which there is general confidence;
- positive attention is given to the need for the inclusion of clergy from minority groups (in terms of gender, ethnicity and ecclesial tradition) in such a scheme, albeit without compromising standards;
- those who are not selected are offered advice which, in some cases, might lead to a successful re-application at a later date.

3.8.10 We have focused on these areas because they fall within our remit. Other tools that are under consideration elsewhere are also a vital part of a strategy for the identification and development of talent. An effective ministerial review scheme, which allows individuals to understand themselves, the impact of their ministry and the expectations that the Church should have of them is crucial. In addition, stimulating clergy to learn within a culture of continuing development, and making available the resources necessary to support that, is critical. Such a culture will help individuals to gain a wider understanding of their own gifts and how those gifts need to be developed so that they can realize their potential. Proper feedback following interviews, such as we shall recommend in paragraphs 5.6.9.3-4 and 6.3.8.2 below, similarly contributes to such an understanding.

3.9 Disappointment

- 3.9.1 Reference has been made, both in the General Synod debate that called for this review and elsewhere, to the phenomenon of the ‘disappointed cleric’.³⁷ In our opening chapter we have argued that ambition is not necessarily wrong. People can properly feel ambitious for a fuller use of the gifts that God has given them, and for those gifts to be used in a wider sphere. By the same token, it is not wrong to feel disappointed when it is not possible for those gifts to be exercised in that way. In a church in which there are 8, 852 stipendiary diocesan clergy and some 1, 200 in ‘sector’ ministries but the total number of bishops, archdeacons and cathedral dignitaries is only 415, such disappointment is inevitable and cannot be avoided.
- 3.9.2 It is not disappointment itself but the possible negative effects of disappointment that are harmful and should be avoided as far as may be. These can, in some cases, include demotivation, depression, spiritual atrophy and bitterness, all of which have destructive consequences for the ministry and indeed the life of those concerned.
- 3.9.3 Disappointment can be caused when false hopes are raised. Among the possible causes of this are incautious comments and breach of confidence. A ‘throwaway’ remark by a bishop can be long remembered and built upon, and an indication that someone is being considered for a particular post can result in disappointment if it engenders a hope that comes to nothing. It is therefore important that those involved in making appointments are careful about – and consistent in – what they say and that confidentiality is maintained.
- 3.9.4 Such considerations have in the past, albeit with the best of motives, resulted in an excessive secrecy about senior church appointments which can be equally damaging. There are two views in circulation as to whether individuals should be aware that they are included on the Preferment List. One argues that if individuals are not aware of this they cannot be disappointed and will be better able to focus on their current ministry. The other view is that openness allows for proper conversation about someone’s ministry and how it might develop. We have recommended that those who are to be included on the Preferment List should be told this, not just for the latter reason but also so that satisfactory documentation about them may be obtained. What is crucial is that when the person concerned and the bishop agree that they should go onto the List, they have a realistic understanding of what that does and does not mean, and in particular that the Preferment List is far from an automatic ticket to senior appointment (though in some cases it might lead to other appointments). In this way, inclusion can be a mark of recognition without raising false hopes.
- 3.9.5 Disappointment is also caused when false hopes are not challenged. This means that when a bishop believes that a priest has unrealistic aspirations, he has a responsibility to say so. Good pastoral care will on occasion involve helping people to escape from illusions and come to a more realistic assessment of their situation. The corollary of telling people that they are on the Preferment List is that their names must be removed when their inclusion is no longer appropriate, and they must be told that that is happening. Such conversations may not be easy, but again they are a necessary part of the pastoral care that a bishop owes to his clergy. The result should be that the priest concerned is not only liberated from false hopes but also helped to identify other ways of

³⁷ *Report of Proceedings*, vol. 36, page 336: 17 February 2005.

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using his or her talents and experience – often in what will be the final years of full-time ministry.

- 3.9.6 Many clergy will be grateful for a bishop’s honesty in helping them to gain a realistic picture of what the future is and is not likely to hold, and for a conversation that they might not have found it easy to initiate, and will welcome liberation from waiting for a letter that is never going to arrive. Others may, initially at least, respond in a different way, but we remain convinced that in the long term being helped pastorally towards a realistic assessment both of what will not happen and what could still happen will be more beneficial than being allowed to retain false hopes unchallenged and to realize only gradually that they are not going to be fulfilled. The bishop will need to exercise discretion as to whether he is the best person to have this conversation. Sometimes the priest might be better served by a conversation with someone who is not directly involved in the process.
- 3.9.7 The Clergy Appointments Adviser has been commissioned by the House of Bishops to prepare a report on the issues associated with ensuring that the final years of stipendiary ministry remain fulfilling and rewarding for the clergy. It is likely that this will be published towards the end of 2007.
- 3.9.8 **We recommend that bishops consider how they can help to avoid or mitigate the negative effects of disappointment on the part of their clergy.**

4: FOSTERING DIVERSITY

4.1 Introduction

4.1.1 Concern has been expressed to us that four distinct categories of clergy are under-represented among senior office-holders: women clergy, minority ethnic clergy, conservative evangelicals and 'traditional catholics'. We believe it to be desirable that the holders of senior appointments in the Church of England should broadly reflect the diversity of the clergy from among whom they are drawn – and indeed that of the Church of England as a whole. (Suffragan bishoprics will remain a partial exception to that unless or until legislation permitting the ordination of women to the episcopate is passed.) In this chapter we shall reflect on each of these categories in turn

4.2 Women Clergy

4.2.1 Various figures are available as to the numbers and percentages of clergy who are women.³⁸ By 2005 the majority (52%) of ordained local ministers and almost half (46%) of non-stipendiary ministers were women; women made up 36% of the diocesan clergy overall. However, since senior appointments are themselves full-time stipendiary positions and those appointed to them are largely drawn from the full-time stipendiary clergy and in particular from those of incumbent status, those figures may be of more direct relevance. In 2005 20% of full-time stipendiary clergy and 23 % of clergy of incumbent status (though only 9% of incumbents) were women. It is against these statistics that the number of women in senior church appointments and the number on the Preferment List must be compared.

4.2.2 In January 2007 there were eleven female archdeacons (10.2%), of whom three had not yet taken up their posts, two female deans (5.0%) and 17 female residentiary canons (13.9%). These figures are clearly significantly lower than those for full-time stipendiary clergy and clergy of incumbent status, though those for archdeacons and canons are now comparable with the proportion of incumbents who are female.

4.2.3 The statistics need to be used with some caution. Since the numbers of posts involved are small, even a single appointment (or non-appointment) can result in a change, in some cases even a significant change, in the percentages. So, for example, the appointment of two women to deaneries would bring the proportion of deans who are female broadly into line with the proportion who are incumbents, canons and archdeacons.

4.2.4 As the proportion of the clergy who are women has been increasing fairly rapidly, the proportion of clergy who are female and have the necessary experience for the positions in question may still be lower than the overall proportion of full-time stipendiary clergy who are female. It is perhaps significant that the proportion of women who have been appointed to canonries and archdeaconries is considerably greater than those appointed as deans (for which greater experience and seniority might be required). However, it is important to note that some who have been ordained later in life will have relevant pre-ordination experience.

³⁸ See *Church Statistics: Parochial Attendance, Membership and Finance Statistics, Together with Statistics of Licensed Ministers for the Church of England, 2004/5* (London, 2006), pp. viii, 26-27.

4.2.5 One would also expect the proportion of senior clergy appointed recently who are women to be greater than the proportion of female senior clergy overall. Given that residentiary canonries generally require less experience than archdeaconries or deaneries, one would expect the rate of appointment of women as residentiary canons to show the most rapid increase, but figures for appointments to residentiary canonries each year are not available.

4.2.6 In considering the appointment of archdeacons and deans it is important to bear in mind that because the overall numbers of appointments in any one year are very small, there are likely to be significant fluctuations in the numbers of women appointed. The figures for archdeacons are:

2002	2 women out of 18 appointed (11.1%)
2003	0 women out of 9 appointed (0%)
2004	1 woman out of 9 appointed (11.1%)
2005	1 woman out of 23 appointed (4.3%)
2006	4 women out of 14 appointed (28.6%)

4.2.7 The number of deans appointed by the Crown, diocesan bishops and independent trustees in the five years 2002-6 is 30, of whom one is a woman. It is hoped that the number of female canons and archdeacons will result in higher numbers of female deans in future years.

4.2.8 In order to make a judgement as to the fairness or otherwise of appointments, it would also be necessary to ask whether women have been offered senior appointments but declined them, and whether women who are appointed to senior office are on average older and more experienced than male appointees (i.e. on average women have to be better qualified than men in order to gain appointment) or indeed on average younger and less experienced (ie women who appear to be less well qualified are appointed in the interests of 'gender balance'). Such figures are similarly not to hand and it is therefore impossible to reach an objective conclusion.

4.2.9 In the absence of statistics, opinions about the fairness or otherwise of the present situation vary. We have received some anecdotal evidence of comments such as 'not this time' or 'we already have a woman on the chapter' being made when a female candidate is considered for senior office. As the person who reported them to us commented, such comments 'demean the conscientious theological scruples of those for whom the Church has agreed to make space'. They are unacceptable (and if they result in a better qualified female candidate not being appointed, the discrimination may be illegal).

4.2.10 The percentages of women on the Preferment List (12.6% overall, and respectively 11.5%, 10.3% and 7.3% of those judged 'ready now' to be a canon, archdeacon or dean) are similarly lower than the percentages of those in full-time stipendiary ministry and those of incumbent status who are women, but comparable with the percentage of incumbents who are women. It should be noted that as the totals in the three categories are respectively 96, 107 and 55, the addition of one woman to the list or indeed the removal of one woman through appointment will alter the percentage. In the last three years, 60% of the women on the Preferment List have moved to new positions (not only

senior appointments); this suggests that there is not, overall, a reluctance to appoint able women. As with the figures for appointments, it cannot be concluded simply from the statistics that there are women who should be on the Preferment List who are not on it.

- 4.2.11 We understand that one of the reasons why women are not appointed to senior positions is that the position is advertised but there is a reluctance of women to apply – either because of a belief that their gifts are not valued by the Church, or because the duties attached to the posts in question do not appeal to them.
- 4.2.12 The Archbishops' Secretary for Appointments has recently held a consultation on this issue with a group of women clergy (at various stages in their ministry) and bishops. A number of issues emerged which were perceived to be possible barriers to women seeking senior appointment. Some of these were system and process issues for the Church and others were issues that women clergy may wish to think about. Many were of potential relevance to other minority groups among the clergy. Indeed there is a clear overlap with the recommendations that we are making for senior appointments in general. Points that were made included:
- The importance of ministerial review in addressing development needs and future hopes. It was noted that there is a responsibility on both reviewer and reviewee to ensure that a meaningful discussion is held.
 - The importance of individuals in minority groups being helped to develop an understanding of the nature of senior roles. Clergy need to be willing to develop the skills required and the Church needs to support them in gaining the necessary experience.
 - The importance of a clear role specification. If the objectives are clear, possible candidates can consider more easily how they might fulfil the role.
 - Combining advertising with search is an effective way of widening the pool of applicants.
 - The need to ensure transparency of process but confidentiality for candidates.
 - The desirability of thinking creatively about the role.
 - The importance of looking at someone's potential and transferable skills as well as their existing skills and immediately relevant experience as part of the selection process.
- 4.2.13 Other issues identified were more specific to female clergy. In particular, a number of women need to work in part-time posts, but many of those that are currently available are assistant curacies and a series of such posts will not offer sufficient preparation for senior appointment. Also, a significant proportion of female clergy are in chaplaincy roles and thought needs to be given – both by the women concerned and by the Church – as to how this experience can be used to prepare them for senior roles and how skills learned in them might be transferred.

4.2.14 Both sides went away from the consultation with a better understanding of the issues and various actions will result from this. Perhaps what is most important is that there is clearly an awareness on the part of the ASA and those responsible for making senior appointments (including, we are confident, the Prime Minister's Appointments Secretary) of the issues, and action is in hand to address them.

4.3 Minority Ethnic Clergy

4.3.1 An audit of the clergy conducted in 2005 indicated that 2.2% of the Church of England's clergy (excluding retired stipendiary clergy) were from minority ethnic backgrounds. Among stipendiary licensed clergy in England the percentage was similar. 2.3% of those of incumbent status were minority ethnic clergy, compared with 4.5% of assistant curates and 1.4% of incumbents. The proportion of cathedral clergy (1.2%) is comparable with the proportion of incumbents.³⁹

4.3.2 The ethnic background of those on the Preferment List is not recorded. The numbers currently known to be on the List are statistically insignificant. **We recommend that the ethnic background of those on the Preferment List should be recorded. Bishops should be asked to indicate which (if any) of those currently on the List from their dioceses are from a minority ethnic background.**

4.3.3 If the proportion of minority ethnic clergy on the Preferment List matched the proportion of minority ethnic clergy overall, then there would be fifteen clergy on the Preferment List. In fact the number would appear to be significantly lower. **We recommend that if this proves to be the case, diocesan bishops should be asked positively to look for minority ethnic clergy who might either be qualified for inclusion on the Preferment List or might be developed in such a way that they might be qualified later on.**

4.4 Conservative Evangelical Clergy

4.4.1 The other two groups whose concerns have been laid before us (conservative or 'classical' evangelicals and 'traditional' catholics) are more difficult to define than the first two that we have considered, because they are based on opinion rather than more objective categories (in respect of ethnicity there is a general willingness to accept self-definition). Ecclesial traditions are not watertight, within each of them there is a spectrum of views, and individuals' precise opinions are subject to change and development. None the less, we have to recognize that there are two groups of members of the Church of England who believe that clergy of their views are not treated fairly and equally when senior appointments are made.

4.4.2 The small number of conservative (or 'classical') evangelicals appointed to senior office in the Church of England has been discussed at a series of meetings between leading representatives of that constituency and the Appointments Secretaries since 2001. A statement issued following the most recent such meeting in July 2006 may be found on the web site of Anglican Mainstream.⁴⁰

³⁹ Church of England Clergy Diversity Audit 2005: Executive Summary (GS Misc 833, 2006), pp. 7, 11, 19.

⁴⁰ www.anglican-mainstream.net/Nov05/24nov05a.html

- 4.4.3 When we discussed the issue, we felt that some of the difficulties in securing a representation of conservative evangelicals among the senior church appointments within the remit of our group flow from the attitudes of many conservative evangelicals themselves, and to an extent at least this has been recognized by members of that constituency in their discussions with us and with the Appointments Secretaries.
- 4.4.4 The priority that many conservative evangelicals give to teaching and evangelism can lead them to conclude that they can minister more effectively at the level of the parish than in a role within the wider diocese. Ministering as a bishop or archdeacon to congregations across the full range of the spectrum of worship in the Church of England involves all bishops and archdeacons in styles and practices of worship with which they are to some degree uncomfortable. For some conservative evangelicals in particular, however, the diversity of what is lawful in Anglican worship extends beyond that in which they can in conscience engage, and this may discourage some from seeking or accepting senior appointments. Because of the emphasis that they place on teaching and evangelism within the local community, conservative evangelicals may also be reluctant to devote time to involvement in the life and structures of the diocese, whereas such involvement is a necessary preparation for offices which involve responsibility for the diocese's life and structures.
- 4.4.5 Cathedral ministry, in particular, is something to which many conservative evangelicals do not feel called. There are physical aspects of many cathedrals – such as shrines, multiple altars (as these Holy Tables are commonly called) and candle stands – that mean that conservative evangelicals may not feel 'at home' in them. Moreover, the liturgical life of cathedrals, including frequent celebration of Holy Communion and daily choral services which the dean and residentiary canons are expected to attend, has sometimes been at odds with an evangelical emphasis on a word-based ministry (which for some includes neither frequent celebration of Holy Communion nor the daily office). Whereas many of those engaged in cathedral ministry see the provision of space (metaphorically as well as literally) in which individuals can explore their understanding of spirituality as playing an important part in their engagement with the wider community, conservative evangelicals tend to emphasize the importance of presenting the content of the Gospel more explicitly.
- 4.4.6 Many of these factors may also be expressed more positively by saying that for many conservative evangelicals, as indeed for many clergy of all traditions, the pastoral leadership of a congregation is the ministry to which they feel called and indeed they view it as the highest vocation. This ministry may involve direct pastoral responsibility for hundreds of people, oversight and direction of significant numbers of ordained and lay ministers, ultimate responsibility for extensive 'plant' and a large budget, and considerable freedom to develop a personal evangelistic ministry within and beyond the parish. Many of the most noted leaders of evangelical Anglicanism have been and are the ministers of prominent churches with large congregations, rather than bishops, archdeacons, deans or canons, and these can therefore be regarded as 'senior appointments'.
- 4.4.7 We rehearse these points not in order to suggest that conservative evangelicals should not or cannot successfully take on senior church appointments, but in order to be realistic about the degree to which individual clergy from this tradition actually wish to do so.

- 4.4.8 Such hesitation cannot, of itself, explain all of the present perceived under-representation of conservative evangelicals in the appointments within our remit. Other factors might include a suspicion on the part of those responsible for putting names forward that a focus on word-based ministry might restrict individuals' ability to minister to broader traditions within the Church of England. In many cases, we believe such suspicion to be unjustified.
- 4.4.9 We continue to believe it to be desirable that conservative evangelicals should be represented among those occupying senior appointments to a greater degree than is at present the case. If this is to be achieved, it will require bishops and those working on their behalf both to seek to persuade able clergy from this tradition to consider whether they might be called to such a ministry and also to help them to acquire the experience of the wider church within the diocese and the Church of England nationally, and also beyond their own tradition, that would equip them for it.
- 4.4.10 It will also require a readiness on the part of bishops and others to appreciate the value of experience gained in parish churches with large staffs, sizeable budgets and strong commitment to the communities in which they are set, and a willingness – on the part of clergy and laypeople involved in discussions about appointments as well as on the part of bishops, to appoint conservative evangelicals.
- 4.4.11 Figures for the number of self-described 'conservative' or 'classical' evangelicals on the Preferment List are not available. **We recommend that bishops should be asked to indicate which (if any) of those currently on the List from their dioceses are from a conservative evangelical background. Bishops should be asked positively to look for clergy from this constituency who might either be qualified for inclusion on the Preferment List or might be developed in such a way that they might be qualified later on.**

4.5 Traditional Catholics

- 4.5.1 The fourth group whose concerns have been laid before us are anglo-catholics who adhere to the traditional view as to the maleness of the priesthood and episcopate, often described as 'traditional catholics'. Again, we recognize the limitations of the definition; there are anglo-catholics who support the ordination of women to the priesthood and episcopate but are otherwise traditional in their outlook. Moreover, among those who are unable to accept women's ordination to the priesthood and episcopate there is a spectrum of views on the subject. In what follows, we shall use the term 'traditional catholics' as a convenient short-hand term for the group that we have in view.
- 4.5.2 The number of clergy concerned is difficult to quantify. One indicator is the passing of resolutions under the Priests (Ordination of Women) Measure 1993 and the Episcopal Ministry Act of Synod 1993. As at 31 March 2004, 810 parishes (6.1%) had passed Resolution A and 1,002 (7.6%) had passed Resolution B, while 315 (2.4%) had petitioned for extended episcopal oversight.⁴¹ However, some parishes share a priest with

⁴¹ House of Bishops' Women Bishops Group, Report to the General Synod from a Working Group chaired by the Bishop of Guildford (GS 1605, 2006), p. 57.

others while other parishes have more than one priest, and many clergy who are opposed minister in parishes that have not passed the resolutions, while some who are in favour minister in parishes that have. A survey conducted by Dr Ian Jones of the Lincoln Theological Institute in 2001-2 found that in the three dioceses he studied, 9.1%, 16.1% and 16.6% of the clergy overall disagreed or strongly disagreed with the 1992 decision. The proportions among male clergy were, naturally, higher. An overall figure for this is not given, but the percentage of the male clergy in the three dioceses who either disagreed or strongly disagreed ranged from 10.6% (among those ordained between 1987 and 1993) to 25.8% (among those ordained since 1993).⁴² All that one can safely conclude from this information is that a significant percentage of the male clergy – probably more than 10% – remain opposed to the ordination of women to the priesthood. A number of indicators – not least the proportion of parishes passing Resolution A (which involves eucharistic presidency) as well as Resolution B – suggest that the majority of these are likely to be traditional catholics.

4.5.3 The Episcopal Ministry Act of Synod 1993 states that

‘Except as provided by the Measure and this Act no person or body shall discriminate against candidates either for ordination or for appointment to senior office in the Church of England on the grounds of their views or positions about the ordination of women to the priesthood.’

An Act of Synod is defined as ‘the embodiment of the mind or will of the Church of England as expressed by the whole body of the Synod’,⁴³ and this particular Act of Synod was passed by very large majorities in all three Houses (Bishops: 39-0; Clergy: 175-12; Laity: 194-14).⁴⁴

4.5.4 It has been pointed out to us in evidence that (with the exception of the Archbishops appointing PEVs), since the ordination of women to the priesthood began in 1994 only two diocesan bishops who ordain women to the priesthood (the Bishop of Manchester, when Bishop of Wakefield, and the Bishop of Exeter) have nominated suffragan bishops who do not.

4.5.5 The number of traditional catholics who have received non-episcopal senior appointments is, in the nature of things, difficult to quantify, because the category concerns opinion rather than a more objective fact. Also, some of those with reservations about the ordination of women to the priesthood may not advertise their views, fearing (rightly or wrongly) that they might constitute a barrier to appointment. It has been suggested to us, however, that among the 43 deans, 120 archdeacons and 140 residentiary canons in the Church of England, the number of traditional catholics is both very small indeed (perhaps fewer than ten out of 303) and very much smaller than the proportion of the stipendiary clergy who belong to that constituency. Traditional catholics have suggested to us that very few indeed of the diocesan bishops who ordain women to the priesthood have appointed any traditional catholic as a dean, archdeacon or residentiary canon, and have also noted that of the few residentiary canons known to hold traditional catholic views, several are among the small proportion appointed by the Crown. As a result, the Crown is perceived as being ‘fairer’ to clergy from this constituency than are the majority of diocesan bishops.

⁴² I. Jones, *Women and the Priesthood: Ten Years On* (London: Church House Publishing, 2004), pp. 42, 50.

⁴³ Standing Orders of the General Synod, S.O. 40.

⁴⁴ Report of Proceedings, vol. 24, p. 996 (11 November 1993).

- 4.5.6 Concern has been expressed to us by a leading representative of this tradition at the likely consequences of the perception among traditional catholics that their clergy are largely excluded from senior appointment in the Church of England. A senior woman priest has also expressed concern to us at the situation, as follows: ‘We are not being honest about this, for we have an act which is impossible to impose on those dioceses who do not want to appoint someone who does not support the ordination of women, no matter how skilled or gifted they are.’
- 4.5.7 A willingness on the part of traditional catholic candidates to work with women clergy (while also safeguarding their own integrity with regard to the sacraments) is clearly essential if they are to be appointed to senior office. The small number of traditional catholics who have been appointed to senior office have, we believe, in general demonstrated such willingness. Such working together involves generosity on their part as it does on the part of the women priests with whom they work.
- 4.5.8 We have no reason to believe that there are not priests of traditional catholic views with the necessary skills and experience, and the requisite positive attitude to working with women priests, to qualify them for senior appointment. Nor have we been made aware of other issues, comparable to those raised in the case of conservative evangelicals, that might make traditional catholics reluctant to accept one of the appointments under review. That being so, it is difficult not to conclude that there is an element of unfair discrimination (whether conscious or unconscious) in the system.
- 4.5.9 It has been suggested to us that the small number of appointments of traditional catholics results from an unwillingness on the part of the majority of those (ordained and lay) who are consulted in most dioceses to accept the appointment of someone of traditional catholic opinion. But as long as those opinions may legitimately be held by Church of England clergy, such an unwillingness will need to be challenged. The Episcopal Ministry Act of Synod represented a solemn undertaking on the part of the Church of England as a whole to the minority who do not agree with the ordination of women to the priesthood. It is not for us to express a view as to whether that undertaking should continue, or what effect the ordination of women to the episcopate might have on it. We are clear, however, that as long as that undertaking does continue to be enshrined in an Act of Synod, those who make senior appointments (principally, though not exclusively, diocesan bishops) have an obligation positively to confront resistance to the appointment of members of the minority and ensure that such candidates receive fair and equal consideration. **We recommend that efforts be made to persuade both those responsible for making appointments and those whom they consult that while the Episcopal Ministry Act of Synod remains in force its prohibition of discrimination should be adhered to.**
- 4.5.10 **We also recommend that bishops should be asked to indicate which (if any) of those currently on the List from their dioceses are ‘traditional catholics’. Bishops should be asked positively to look for clergy from this constituency who might either be qualified for inclusion on the Preferment List or might be developed in such a way that they might be qualified later on.**

4.6 Conclusion

- 4.6.1 While the proportion of women on the Preferment List and among those holding senior appointments is lower than the proportion of full-time stipendiary clergy who are women, we are pleased to note that action is being taken to address this.
- 4.6.2 The proportion of minority ethnic, conservative evangelical and traditional catholic candidates on the Preferment List and among those holding senior appointments would appear to be even lower. We believe that the system and process issues noted in para. 4.1.12 are also of relevance to these minority groups, but we have also made specific recommendations in respect of each.
- 4.6.3 We have limited ourselves to considering only those ‘diversity’ issues that have been raised with us, but we are conscious that there are other groups to be considered – for example, those with disabilities and older people. Although we have not considered these or other groups specifically, we note that several of our observations and recommendations are of more general application.
- 4.6.4 We wish to make it clear that we are not advocating ‘positive discrimination’. The appointment of candidates less qualified than other candidates helps neither the individuals concerned nor the groups that they represent.
- 4.6.5 In the case of female candidates and minority ethnic candidates, monitoring of the gender and ethnicity of the candidates considered for specific senior appointments would assist in building up a picture of the position. (Monitoring on the basis of ecclesial tradition or ‘churchmanship’ is not possible because the categories are insufficiently precise and objective.) **We recommend that in respect of each post, bishops should be asked to complete and return to the ASA a form detailing such information, so as to make monitoring possible.**
- 4.6.6 Ultimately, if there is to be diversity in the appointments made there must be such diversity in the pool of suitably qualified and experienced candidates. This may require the application of resources to support training and development where it is needed.
- 4.6.7 It is, among other things, by its achievement of a representative diversity in its senior appointments – in terms of not only of gender and ethnicity but also of the range of legitimately held opinion – that the Church of England’s commitment to fairness and to its own diversity overall will be judged.

5: CHOOSING SUFFRAGAN BISHOPS

5.1 Introduction

- 5.1.1 Among senior church appointments, suffragan bishoprics represent a distinct category for a number of reasons which concern both the right to appoint and the nature of the office to which the appointment is made.
- 5.1.2 As we have seen in Chapter 2 (section 2.2), by law suffragan bishops are appointed by the Crown, the person appointed being one of two nominated by the diocesan bishop concerned. By convention, the bishop's petition is forwarded to the Prime Minister by the archbishop of the province, who recommends the two names and supports the bishop's preference for one of them, and the Crown appoints the preferred candidate. Thus, the preferred candidate and (in effect) a reserve candidate are chosen by the diocesan bishop, but with the concurrence of the archbishop, who must be willing to commend them to the Crown and to consecrate the person appointed. What is in law a Crown appointment is in practice an appointment to which the diocesan bishop nominates but for which he needs to obtain the agreement of the archbishop.
- 5.1.3 The office of suffragan bishop is distinct from the other senior offices to which diocesan bishops appoint (archdeacon, dean and residentiary canon) not only in respect of the bishop's role in making the appointment but also in its nature.

5.2 The suffragan bishop and the diocese

- 5.2.1 One difference is that whereas the 'core' duties of archdeacons and (to some extent at least) deans and residentiary canons are laid down in canon and statute law, Canon C 20 ('Of Bishops Suffragan') merely says that a suffragan bishop is to do 'such things pertaining to the episcopal office as shall be delegated to him by the bishop of the diocese to whom he shall be suffragan' (para. 1), shall 'use, have, or execute only such jurisdiction or episcopal power or authority in any diocese as shall be licensed or limited to him to use, have, or execute by the bishop of the same' (para. 2) and shall reside in the diocese unless the bishop licenses him to live elsewhere (para. 3).
- 5.2.2 This means that the role of suffragan bishop varies considerably from diocese to diocese, and (where there is no area scheme under the Dioceses Measure 1978) may be changed by the diocesan bishop and especially by a new diocesan bishop.
- 5.2.3 Suffragan bishops may be said to fall into five different categories:
- suffragan bishops who give general episcopal assistance to the diocesan;
 - suffragan bishops to whom the diocesan delegates responsibility for certain aspects of the life of the diocese;
 - suffragan bishops to whom the diocesan delegates (informally or more formally) varying degrees of responsibility for geographical areas;

- suffragan bishops to whom oversight of geographical areas has been delegated by a scheme under the Dioceses Measure 1978;⁴⁵
- the Provincial Episcopal Visitors appointed under the Episcopal Ministry Act of Synod 1993.

The only suffragan bishop who does not fall into one of these categories is the Bishop of Dover, to whom the Archbishop of Canterbury has delegated responsibility for day-to-day oversight of the Diocese of Canterbury as a whole (rather than just an area within it). This delegation has been made by instrument rather than by means of a scheme under the Dioceses Measure 1978 and therefore does not bind the Archbishop or his successors.

- 5.2.4 There are at least two ways in which the role of suffragan bishops can be viewed.⁴⁶ Some emphasize the fact that legally all episcopal ministry in a diocese is exercised in virtue of powers delegated by the diocesan. On this view, the suffragan's ministry is an extension of that of the diocesan; the suffragan is involved in the diocesan's ministry and oversight, which is understood very personally. Others stress very much the suffragan's membership of a diocesan college of bishops, seeing episcopal ministry within the diocese as collegial. On this view the suffragan's ministry has its own independent basis in the ministry which is his by virtue of his ordination or consecration to the episcopate and his appointment to an episcopal see. The tendency to see the suffragan's ministry as an extension of that of the diocesan is likely to be greater where the suffragan's role is primarily one of giving general episcopal assistance to the diocesan. By contrast, the sense of an episcopal college within a diocese is likely to be greater where the suffragans are area bishops whose duties are defined by a scheme under the Dioceses Measure 1978.
- 5.2.5 What is most important is that the role is clearly understood by all concerned. We shall therefore recommend in para. 5.6.4.1 that whenever a suffragan bishop is to be appointed, a clear written role specification should be drawn up. This will both assist in identifying the skills that will be needed and also ensure that there is no conflict of expectations between the suffragan and his diocesan. The role specification will need to make it clear that the role may change (not least because in delegating powers to a suffragan by instrument a diocesan cannot legally bind his successor, and because an area bishop's consent is not legally required for the revocation or variation of an area scheme).
- 5.2.6 Some of those who have given evidence to us have drawn attention to the difficulties that can arise when a suffragan is chosen because his skills and attributes and interests complement those of the diocesan, and that diocesan is subsequently succeeded by

⁴⁵ The position on delegation of the diocesan bishop's functions to suffragan bishops is subject to section 13 of the Dioceses, Pastoral and Mission Measure (which as at the date of publication of this report had received Final Approval from the General Synod but had not yet completed the parliamentary processes and received the Royal Assent). It replaces almost all the existing legislation on the subject, including that on area schemes, and gives the diocesan bishop power to delegate such of his functions as he thinks fit (with very few exceptions) to a suffragan (or assistant) bishop, either for the diocese as a whole or in relation to a particular area. In most cases the diocesan synod must approve the delegation, but the section does not require the consent of or consultation with any central church body. Existing area schemes will continue on a transitional basis, but the Measure gives the diocesan bishop power to revoke or amend them, subject to the approval of the diocesan synod.

⁴⁶ For a discussion of the issues, see *Episcopal Ministry: The Report of the Archbishops' Group on the Episcopate* (London, 1990), pp. 189-206: paras 423-469 and the House of Bishops Occasional Paper 'Suffragan Bishops' (GS Misc 733, 2004).

someone who is chosen because he contrasts with his predecessor but is by the same token much more similar to the suffragan. Difficulties can also arise when the role that a new diocesan wants his suffragan(s) to undertake is different from that envisaged by his predecessor. Another potential problem flows from the fact that there are 68 suffragan sees in the Church of England but only 44 dioceses, and not all diocesan bishops are appointed from among the suffragan bishops. As a result, many suffragan bishops will not become diocesans, and this may deter bishops from choosing younger men as suffragans who might then remain in the same post for as much as 25 years. One answer to these potential difficulties is a greater mobility among suffragan bishops. In secular contexts, exposure to a variety of management roles is often regarded as a good preparation for senior roles. Also, in some cases it might be helpful to choose an experienced suffragan bishop from another diocese who might serve for a relatively short period of time. **We recommend that when suffragan bishops are chosen, the possibility of an existing suffragan being translated from another see should be borne in mind.**

- 5.2.7 The variety of suffragan bishops' roles may suggest varying degrees of involvement on the part of the representatives of the diocese in the choice of a suffragan.
- 5.2.8 The process for appointing the Bishop of Dover was considered in *Working with the Spirit*,⁴⁷ and in *To Lead and to Serve* (the report of the review of the See of Canterbury chaired by Lord Hurd, 2001).⁴⁸ The then Archbishop of Canterbury's senior staff (whom he had asked to suggest practical ways forward in response to the recommendations of *To Lead and to Serve*) endorsed the proposal that use should in future be made of the Canterbury diocesan Vacancy in See Committee to assist the Archbishop in his search for a new Bishop of Dover. They also envisaged a consultation with the diocese and the wider community adapted from the Appointments' Secretaries' practice in relation to diocesan sees.⁴⁹
- 5.2.9 As to the possibility of the Crown Nominations Commission proposing names from which the Archbishop (rather than the Crown) might choose a new Bishop of Dover, the Steering Group appointed to follow up the recommendations of *Working with the Spirit* envisaged this as being appropriate were the delegation to the Bishop of Dover to be made permanent. If that were to happen, it envisaged that using the CNC for the choice of the Bishop of Dover would be matched by a corresponding reduction in the number of representatives of the Diocese of Canterbury on the Crown Nominations Commission when a vacancy in the See of Canterbury is considered (at present the number is the same as for all other dioceses – six).⁵⁰
- 5.2.10 In the case of area bishops, and especially those to whom virtually all of the powers of the diocesan are delegated in respect of the area concerned, there will be an expectation

⁴⁷ *Working with the Spirit*, p. 58-9, paras 3.85-3.87.

⁴⁸ *To Lead and to Serve: The Report of the Review of the See of Canterbury* (London, 2001), p. 29.

⁴⁹ 'Choosing Diocesan Bishops: The Report of the Steering Group appointed to follow up the recommendations of *Working with the Spirit*' (GS 1465, 2002), p. 14, paras E1-2.

⁵⁰ 'Choosing Diocesan Bishops', pp. 14-15, paras E3-E7.

that representatives of that area should play a significant part in choosing a new area bishop. We shall make a recommendation about this in para. 5.6.3.2.

- 5.2.11 Where a suffragan is to have formal or informal responsibility for a geographical area within the diocese, there will be one or more archdeacons who will be expected to work very closely with him. We shall recommend in para. 5.6.7.2 that such archdeacons and the candidates should normally be given an opportunity to meet, and the archdeacon to feed back comments, before the candidates have their final meeting with the bishop. However, care should be taken not to confuse such an opportunity for comment with the role of an advisory group. Such an arrangement would be analogous with other clergy working in a parish being given an opportunity to meet a prospective incumbent. We believe that such a meeting would normally be in the interests both of the archdeacon(s) and of the candidates. It would clearly be for the bishop alone to decide what weight to place on any comments that were made.

5.3 The suffragan bishop and the wider Church of England

- 5.3.1 Though we recognize that not all members of the Church of England accept that the episcopate should be understood as an order distinct from the presbyterate, the 1662 Ordinal speaks of the episcopate as one of three ‘Orders’ and of new bishops being ‘ordained and consecrated’. This means that (except where the person chosen is already a bishop) the appointment of a suffragan bishop involves not only the discernment of a calling and the necessary gifts for a particular office but also of a vocation to an order of ministry more generally. The archbishop who will preside at the ordination (consecration) necessarily has a role in that process of discernment.
- 5.3.2 Another difference between the office of suffragan bishop and the other offices under consideration is that the ministry of a suffragan bishop can never be purely local in its scope. By contrast, while some cathedral deaneries are of national and indeed international significance, and some deans, archdeacons and residentiary canons play a part in the life of the Church of England beyond their own dioceses, it is also possible for these offices to be of purely diocesan significance.
- 5.3.3 The Virginia Report of the Inter-Anglican Theological and Doctrinal Commission spoke of the bishop as ‘one who represents the part to the whole and the whole to the part, the particularity of each diocese to the whole [Anglican] Communion and the Communion to each diocese’; more recently, the Windsor Report of the Lambeth Commission on Communion has commented that ‘an episcopate at once local and universal is... an essential element of the life of the Anglican Communion.’⁵¹ All bishops are members of a provincial, national and international college of bishops. In the Church of England this is expressed in the fact that all serving bishops are expected to attend the annual Bishops’ Meeting. Suffragan bishops, including those who are not members of the General Synod, are often asked to take on national responsibilities and to represent the Church of England internationally.

⁵¹ ‘The Virginia Report’ in *The Official Report of the Lambeth Conference 1998*, p. 57; The Lambeth Commission on Communion, *The Windsor Report 2004* (London, 2004), p. 43.

- 5.3.4 We shall recommend in para. 5.6.4.4 that role specifications for suffragan sees should include reference to the exercise of responsibilities beyond the diocese and some indication of the extent to which it is expected that the role will allow time for them. This will both ensure that the provincial, national and international aspects of a suffragan bishop's role are borne in mind, and will also help to avoid resentment within dioceses of time properly spent by suffragan bishops on duties outside the diocese.
- 5.3.5 It is also the case that suffragan bishops constitute a significant part of the 'pool' from which diocesan bishops are chosen. (It has been suggested to us in evidence that experience as a non-area suffragan bishop is not in fact a good preparation for the role of a diocesan bishop, since diocesan episcopacy involves team leadership and responsibility for strategy, which suffragan episcopacy may not involve, but we make no comment on that.) In 2001, *Working with the Spirit* drew attention to the fact that of the 19 diocesan bishops chosen in the five years 1996 to 2000, 17 (89%) were already in episcopal orders, all of whom were current or former suffragan bishops. The two who were directly consecrated to a diocesan see were an archdeacon and a parish priest. This was a fairly recent development; only 14 of the other 25 diocesans in office at the end of 2000 had been in episcopal orders when chosen.⁵² Since the publication of *Working with the Spirit* there has been an increase in the number of direct consecrations to diocesan sees; of the 22 diocesan bishops chosen in the six years 2001-2006,⁵³ 17 were already in episcopal orders (12 being suffragans and five being translated from other diocesan sees, of whom two had not previously been suffragans). The five who were consecrated direct to a diocesan see included three deans, one canon of Westminster and former dean, and one archdeacon. Thus although in the last five years suffragan bishops have not been quite so predominant among those chosen to be diocesan bishops, it is still the case that the majority of new diocesan bishops (68% of those appointed in 2001-6) are drawn from among those who are or have been suffragan bishops.
- 5.3.6 Because the archbishop of the province must be willing both to commend the candidates to the Crown and to consecrate the new bishop, because the office of suffragan bishop is in its nature one whose significance extends beyond the diocese, and because suffragan bishops constitute a significant part of the pool from which diocesan bishops are chosen, the archbishop in particular and the wider Church of England in general have an interest in the appointment. That interest will be represented in the process first and foremost by the Archbishops' Secretary for Appointments. We shall recommend in para. 5.4.6.5 that the Archbishops' Secretary for Appointments should always be consulted not only about the names under consideration but also about the role specification, so as to ensure that the needs of the wider Church of England are given due consideration. We shall recommend in para. 5.6.5.3 that those considering candidates for suffragan sees should ask themselves what 'added value' each candidate would bring to the Church of England nationally. We shall also recommend in para. 5.6.3.2 that a representative of the wider Church of England should play a part in the process leading to the choice of a new suffragan bishop.

5.4 The role of the diocesan bishop

⁵² *Working with the Spirit*, p. 16: paras 2.2-2.3.

⁵³ This figure includes the earlier nomination of the present Archbishop of York to the see of Birmingham.

- 5.4.1 Very few of the submissions that we received suggested that the diocesan bishop should not have the primary role in choosing a suffragan bishop.
- 5.4.2 Indeed, given that a suffragan bishop shares in the episcopal ministry of a bishop in a way that, for example, archdeacons do not, and that episcopal ministry is highly personal in its nature, the issue in the case of choosing suffragan bishoprics is not whether the diocesan bishop should play the primary role but the extent to which he should be required to involve others in the process.

5.5 Choosing suffragan bishops: the 1995 code

5.5.1 In the 1995 Senior Church Appointments Code of Practice the guidelines for the appointment of suffragan bishops, archdeacons and deans are essentially the same. They are set out in paras 5-8 of the Code (see Appendix III). This may be summarized as follows:

- (1) in advance of the vacancy, the current post-holder is asked to comment on the nature and needs of the post.
- (2) the diocesan bishop
 - (in the case of a suffragan see) consults the archbishop of the Province at an early stage and keeps him informed of the process;
 - consults about the ‘nature, emphasis and requirements of the next phase of the particular ministry and the characteristics to be sought in the person to be appointed. (Those to be consulted include all area and suffragan bishops, the dean, archdeacons, chairman of the houses of clergy and laity, the rural deans and deanery lay chairmen of the deaneries affected, the General Synod and bishop’s council members; anyone else with a significant and direct interest in the appointment [examples are given for deaneries and archdeaconries]; and [at least for suffragan sees and deaneries] representatives of the local community and other churches.)
 - considers the wider needs of the Church of England and consults the Archbishops’ Secretary for Appointments (ASA) and, where appropriate, the Prime Minister’s Secretary for Appointments (PMAS);
- (3) a synopsis of the responses and a draft role specification are prepared for discussion in the bishop’s staff meeting and endorsement by the bishop’s council. In the event of disagreement, the diocesan bishop settles the nature of the ministry, the role specification and the qualities to be sought.
- (4) the diocesan bishop sends these details to those previously consulted (who may be invited to suggest names in confidence), and to the ASA, and (as appropriate) to other diocesan bishops, the PMAS and others, with an invitation to suggest names.

- (5) the diocesan bishop should consider how to publicize the vacancy so that names may be put forward; depending on the type of vacancy this may be done in the diocesan newsletter and/or the Clergy Appointments Adviser's vacancy list and/or by means of announcement in the church press.
- (6) the diocesan bishop is strongly advised to draw together a small group of clergy and laity (primarily drawn from existing bodies such as the bishop's council) to assist him in considering names, and is expected to consider
 - the role of any advisory group
 - the need for obtaining detailed information about candidates
 - whether one or more candidates should be interviewed
 - whether to provide an opportunity for the person to meet those with whom he or she will have to work most closely after the offer of appointment but before the offer is accepted.
- (7) the diocesan bishop seeks the concurrence of the archbishop for the names he intends to nominate.

5.5.2 We note that several significant features of the process set out in the 1995 Code are not mandatory:

- how the vacancy is publicized;
- whether there is an advisory group;
- what the role of any advisory group is;
- how information about candidates should be gathered;
- whether candidates should be interviewed;
- whether the person offered the post should have an opportunity to meet future close colleagues before accepting the post.

There is a lack of detail about the crucial latter stages of the process. Furthermore, the Code begins with a statement that the Code 'is intended to apply in its essentials to all the types of post mentioned, but precisely how far it is followed will vary in individual cases according to their particular circumstances' (para. 1).

5.5.3 The optional nature of several key features of the process outlined in the Code, together with the fact that the Code itself envisages variation in the extent to which it is followed, means that, although we have not received specific evidence of diocesan bishops not abiding by the Code of Practice in making nominations to suffragan sees, to say that is not necessarily to say very much.

5.5.4 In fact, standard practice has evolved since 1995. A survey of recent nominations to suffragan sees revealed a considerable diversity of practice, but indicated that an advisory group has been used and candidates have been interviewed in all cases.

5.5.5 In what follows, we make proposals for the future process which build not only on the 1995 Code but also on how it has come to be implemented, and are informed by current thinking about appointments in general and senior church appointments in particular. The latter stages of the process are set out in much greater detail than was the case in the 1995 Code.

5.6 Choosing suffragan bishops: recommended future process

5.6.1 An agreed process

5.6.1.1 In our view, because nomination to a suffragan see involves nomination to membership of the provincial and national college of bishops and a ministry with a dimension that extends beyond the diocese, **it would be appropriate for the archbishops to indicate that they expect an agreed process to be followed in choosing those with whose nomination they will be asked to concur. In the following sections (5.6.2-9) we make recommendations about the elements of that agreed process. In the process the archbishop will be represented by the Archbishops' Secretary for Appointments (ASA), who will report to, and receive guidance from, the archbishop as necessary.**

5.6.2 Establishing that the see may be filled

5.6.2.1 Under the new Dioceses, Pastoral and Mission Measure, the Dioceses Commission, subject to the agreement of the archbishop of the province, will be able to require the full process for reviving or creating a suffragan see to be gone through where it is not convinced of the need for the see to be filled. Section 12 of the Measure requires the bishop to keep the provision of episcopal ministry and oversight in his diocese under review, and this means that a brief written statement of the reasons why a suffragan is needed could be kept in readiness. (A distinction needs to be drawn between a case for the need to fill a suffragan see and a detailed role specification for the suffragan bishop.)

5.6.2.2 Under Section 17 of the Measure, the diocesan synod has to be consulted about whether the vacancy should be filled when 'the bishop is aware that a see... has become vacant or is shortly to become vacant'. If, after such consultation, the diocesan concludes that the see should be filled, he notifies the archbishop and the Commission of his proposal and the reasons for it, and the Commission has up to two months to object. It seems likely that in many cases a diocesan bishop's need for the assistance of another bishop will be established easily – for example, by reference to factors such as the existence of an area scheme approved by the General Synod under the Dioceses Measure 1978, the number of parishes, clergy and other licensed ministers in the diocese and/or its geographical extent. In such cases, it will generally be possible for the filling of the see to be cleared before a suffragan's retirement takes effect, although where a suffragan is translated there might be a slight delay. By contrast, where the case for filling the see is less easily established, it may be difficult, or even inappropriate, to come to a conclusion about it before the see has actually fallen vacant.

5.6.2.3 Depending on the circumstances, it may also be possible for some of the earlier stages of the process for choosing the next bishop to begin before it has been established definitively that the see may be filled.

5.6.3 The advisory group

5.6.3.1 While we are clear that the diocesan bishop must have the primary role in choosing a suffragan bishop (see section 5.4 above), we consider it essential that he should not act without consultation. We therefore recommend that the bishop should always appoint a

small advisory group to work with him throughout the process, making its precise role clear to its members at the outset.

5.6.3.2 The advisory group should be compact and should consist of clergy and lay members drawn largely from the bishop's council (unless the bishop considers that the appointment of others would help to address issues of diversity or bring important perspectives or elements of expertise to the discussion); the members should be capable of working confidentially with the bishop. In the case of suffragans to whom responsibility for a geographical area of the diocese will be delegated, there should be greater representation of that area. The advisory group should always include someone from outside the diocese with a national perspective. In the case of the provincial episcopal visitors (PEVs), the archbishop will convene an advisory group, including clergy and lay members from across the province, with greater representation of the parishes that are to be in the PEV's episcopal care. The membership of the advisory group should be reported to the Bishop's Council.

5.6.4 The role specification and person specification

5.6.4.1 We have already highlighted the importance of each suffragan bishop having a clear written role specification (see para. 5.2.5 above). We recommend that the role specification should be set out in a standard form, using a pro-forma supplied by the Archbishops' Secretary for Appointments.

5.6.4.2 In advance of the drawing up of the role specification and person specification, the following should be consulted:

- the present (or recently retired or translated) suffragan bishop
- the bishop's senior staff,
- the members of the bishop's council,
- the diocese's General Synod members,
- the chairmen of the houses of clergy and laity of the diocesan synod,
- the rural deans and lay chairmen of the relevant deaneries,
- representatives of the local community and of other churches,
- the Archbishops' Secretary for Appointments (ASA).

5.6.4.3 The input of the ASA might extend to the production by the ASA (or by someone trained, overseen by and acting on behalf of the ASA) of a confidential memorandum drawn up on the basis of consultations. The consultations would be comparable with those undertaken by the Appointments Secretaries in the case of vacancies in diocesan sees, though on a somewhat smaller scale. Such a memorandum, which would be confidential to the advisory group and the bishop, would introduce an element of independent analysis of the proposed role by someone from outside the diocese.

5.6.4.4 The role specification and person specification should be drawn up by the bishop, working with the advisory group, in the light of the comments received. For the reasons set out in para. 5.3.4 above, we recommend that role specifications for suffragan sees should include reference to the exercise of responsibilities beyond the diocese and some indication of the extent to which it is expected that the role will allow time for them. In drawing up the person specification attention should be paid to a memorandum from the

archbishops setting out the challenges facing the national church and any present or likely future gaps in the skills and experience represented in the college of bishops.

5.6.4.5 A draft of the role specification and person specification should be discussed by the senior staff and sent to the ASA for comment, and the final version should be submitted to the bishop's council for endorsement. In the event of disagreement, it is for the diocesan bishop to finalize the role specification and person specification.

5.6.5 Identifying and shortlisting candidates

5.6.5.1 We do not consider it to be appropriate to advertise for candidates for consecration to the episcopate, but it is important, in the interests of openness and transparency, that the vacancy should be announced in the church press, with an invitation to those who wish to do so to submit names in confidence for consideration. A copy of the announcement should be sent to those listed in para. 5.6.4.2 above.

5.6.5.2 The Bishop should collate the names submitted, together with any proposed by members of the advisory group themselves. The PMAS may also be invited to submit names. The pool of candidates who have been identified as suitable for future episcopal ministry will be provided by the ASA. The diocesan bishop should liaise with her or him so that the information held by the ASA about candidates can be provided to support the selection process.

5.6.5.3 The diocesan bishop should inform the Advisory Group of the names submitted, and prepare a long list of candidates for consideration by the Advisory Group, who will assist him with shortlisting. The ASA will provide standard paperwork to support this. The actual criteria will vary, depending on the vacancy. However, we recommend, for the reasons set out in section 5.3 above, that those considering candidates for suffragan sees should ask themselves what 'added value' each candidate would bring to the Church of England nationally.

5.6.5.4 In response to recommendations made in *Working with the Spirit* (the 'Perry Report'), members of the Crown Nominations Commission now receive comparable documentation for all candidates who are to be considered by it. The House of Bishops agreed in January 2005 that for the new arrangements candidates for diocesan sees should be extended to cover candidates for suffragan sees (see Chapter 3, section 3.3). The paperwork consists of:

- the Register of Ministers form (or a *curriculum vitae* containing comparable information);
- a nomination form containing factual information agreed by the candidate and comments on the candidate by his diocesan bishop;
- references from three referees nominated by the candidate;
- a personal statement by the candidate on how he sees himself, his gifts and the development of his ministry.

(The need for this documentation means that, as in the case of candidates for diocesan sees, when a candidate is included in the pool of those judged suitable for consideration for suffragan sees in general, such material is obtained by the ASA, kept on file and updated from time to time.)

- 5.6.5.5 Where someone is shortlisted for whom such documentation is not already held, the documentation will be obtained and supplied by the ASA in consultation with the candidate's diocesan bishop.
- 5.6.5.6 If, in reviewing the paperwork, the Bishop's Advisory Group have questions about a candidate that they wish to be followed up prior to shortlisting, the diocesan bishop will contact the candidate's diocesan bishop and/or referees and/or the ASA for further information. It is essential that additional information received about a candidate is passed to the ASA's office, as this may be useful information for future selection processes in which the candidate is considered.
- 5.6.5.7 The archbishop of the province should be notified of those who have been shortlisted, in case he wishes to feed in comments at this stage.

5.6.6 Interviewing candidates

- 5.6.6.1 Interviewing is only one selection tool and the fact that someone is able to perform well in an interview is only a partial indicator as to that candidate's likely suitability for a particular role. However, we are clear that a diocesan bishop should not nominate someone to a suffragan see without having had a discussion with him. From the fact that two names must, by law, be proposed it follows that at least two candidates should be interviewed. Even if the diocesan bishop has preferred candidates, it would still be desirable for them to be 'tested' against at least one other candidate. Therefore, it would normally be desirable for at least three candidates to be interviewed – one more than the number that the diocesan bishop is required to nominate to the Crown.
- 5.6.6.2 Given the role that we envisage for the advisory group throughout the process, it would be appropriate for the advisory group to interview those candidates whom the bishop interviews. The potential difficulties that *Working with the Spirit* identified as likely to arise if candidates were to be interviewed by the Crown Nominations Commission are much less likely to apply in the case of suffragan sees (not least because the advisory group for each suffragan see would be a different group).
- 5.6.6.3 The members of the advisory group will need to have been trained in interview techniques and good practice in order to be confident in interviewing appropriately at this kind of level and for this kind of post. We recognize that this might involve some additional cost for dioceses. However, the aim would be to produce a training pack centrally which could be delivered by the ASA or by someone on her behalf, thus keeping costs to a minimum. This would also include an exploration of other selection tools (e.g. psychometric tests and presentations) and how they might enhance the selection process.
- 5.6.6.4 The advisory group could be used in a number of different ways in interviewing. It might simply identify strengths and weaknesses to be explored in a subsequent one-to-one

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conversation with the diocesan, or it might additionally place the candidates in order of preference. The advisory group might interview as a single panel (if it is not too large) or as two separate panels, and the diocesan bishop might or might not choose to be present for those interviews. It will be for the diocesan bishop to decide the advisory group's role and the precise arrangements.

- 5.6.6.4 The diocesan bishop's letter inviting candidates to attend for interview will be the first indication given to them that their names are under consideration for this particular see (although they will already be aware that they are thought likely to be considered for suffragan episcopacy, and will have supplied the necessary documentation and named referees). The letter of invitation should include the following information:
- an outline of the selection process and the number of candidates to be seen;
 - the date, time and location of the interview and the names of the panel members;
 - the purpose of the interview (simply to explore issues, or also to make a recommendation to the bishop) and the role of the advisory group;
 - the next steps (e.g. dates for a one-to-one conversation with the diocesan bishop);
 - arrangements for the provision of further information (see the next paragraph).
- The role specification and person specification should be enclosed.

- 5.6.6.5 The diocesan bishop should nominate a suitable person who will meet the candidates prior to interview and give them an outline of the diocese and relevant issues.

- 5.6.6.6 The interviews, and subsequent meetings with the diocesan bishop, should be arranged in such a way that confidentiality is maintained. Candidates should not be in a position to discover the identity of other candidates.

- 5.6.6.7 The advisory group should agree as to what comments about the interview should be fed back to the candidates by the diocesan bishop, either in a one-to-one conversation or subsequently.

5.6.7 Meeting with the Diocesan Bishop

- 5.6.7.1 After the interviews (and not necessarily on the same day) the diocesan bishop should meet the candidates to explore issues that were identified by the advisory group, to explore vocational issues relating to the candidates' individual ministry and to consider how the two might complement each other as bishops and work together in the oversight of the diocese. Where the diocesan bishop has been present at the interviews, he may choose to see only the two preferred candidates subsequently.

- 5.6.7.2 As indicated in para. 5.2.11 above, where a suffragan bishop has formal or informal responsibility for a geographical area, the relevant archdeacon(s) and the candidates should have an opportunity to meet before the candidates' final meeting with the diocesan bishop. It may also be appropriate to offer this possibility to others with whom a suffragan is likely to work particularly closely (e.g. a diocesan staff member responsible for an area of work that the suffragan will be expected to oversee). Those whom the candidates meet should be given an opportunity to offer comments to the diocesan bishop, but care should be taken not to confuse such an opportunity for comment with the role of an advisory group. It would be for the diocesan bishop to decide what weight, if

any, to place on the comments made to him. Such a meeting will also be of assistance to the candidates in considering whether they would accept the appointment if offered.

5.6.8 Nominating two candidates

5.6.8.1 Although by convention the Crown appoints the candidate preferred by the diocesan bishop, with the concurrence of the Archbishop, by law, the bishop is required to nominate two candidates to the Crown. We do not propose that that legal requirement be changed.

5.6.8.2 If for any reason the first candidate cannot be appointed, the second candidate whom the bishop has nominated will be appointed. This means that the second candidate must be someone whom the bishop has seen and has positively identified as being suitable for appointment, and who is willing to accept the appointment.

5.6.8.3 A survey of nominations by eight diocesan bishops revealed that

- only four of the eight had seen the reserve candidate whom they nominated;
- in only one case had the person been seen by the Advisory Group;
- only two were formally advised that they were being nominated as the reserve (though two more knew that they had been one of two candidates).

5.6.8.4 We have already recommended that at least the two preferred candidates and normally a third should be interviewed and at least the two preferred candidates should meet the diocesan bishop separately. We further recommend that no candidate whom the diocesan bishop and the advisory group have not seen in connection with the appointment should be nominated to the Crown as the reserve candidate.

5.6.9 Offer and Appointment.

5.6.9.1 If after the one-to-one meetings the bishop is satisfied that he has identified two candidates who are both suitable for appointment and has decided which is to be preferred, he will seek the concurrence of the archbishop in his decision. The bishop should also give feedback on the other candidates who were interviewed to the ASA, as this will inform the advice the ASA is able to offer with regard to suffragan sees in other dioceses.

5.6.9.2 If the archbishop concurs, the diocesan bishop will make a verbal offer to the preferred candidate subject to a medical examination and CRB check. Both candidates should be invited to visit the house (if they have not already done so on the day of the meeting with the diocesan bishop) and given information about the personal costs associated with it before deciding whether to accept nomination. The preferred candidate should be encouraged to consult a limited number of people in confidence before deciding whether to accept the nomination – typically three, normally including the candidate's diocesan bishop and his spiritual director.

5.6.9.3 Once he knows the preferred candidate will accept the nomination, the diocesan bishop should inform the second candidate that he proposes to nominate him to the Crown as the reserve candidate. The significance of this should be explained, and an opportunity for 'feedback' should be offered. The importance of pastoral support for the reserve

candidate during the period before the announcement of the appointment should be borne in mind.

5.6.9.4 If more than two candidates were seen by either by the advisory group or by the bishop, the others should also be informed at the appropriate stage that they will not be nominated, and offered ‘feedback’.

5.6.9.5 Shortly before the appointment of the new suffragan is announced, the diocesan bishop should inform the members of the advisory group, and the reserve candidate, in confidence of the name of the new suffragan.

5.6.10 Conclusion

5.6.10.1 We have recommended that the archbishops indicate that they will expect the process set out in sections 5.6.2-9 above to be followed in choosing suffragan bishops with whose nomination they will be asked to concur and whom they will be expected to consecrate. We believe that this will ensure that suffragan bishops are chosen by a process which is open, transparent and consultative, which gives due weight to the suffragan’s ministry as a bishop in the Church of God and in the Church of England beyond the diocese concerned, and which preserves the important principle that the primary role in the process of choosing a suffragan bishop should be played by the diocesan bishop in whose episcopal ministry the suffragan will share.

PROPOSED PROCESS FOR CHOOSING A SUFFRAGAN BISHOP: AN OVERVIEW

- Under the Dioceses, Pastoral and Mission Measure, the Bishop establishes that the see may be filled. (Section 5.6.2)
- The Bishop appoints a small **advisory group** (including someone from outside the diocese with a national perspective) and makes its precise role clear to its members. The membership is reported to the Bishop’s Council. (Section 5.6.3)
- After consultation, the Bishop, working with the advisory group, draws up a **role specification and person specification**; a draft is discussed by the senior staff and sent to the ASA for comment. A final version is submitted to the Bishop’s Council for endorsement. In the event of disagreement, the Bishop finalizes the role specification and person specification. (Section 5.6.4)
- There is an **announcement of the vacancy** in the church press with an invitation to submit names for consideration. (Para. 5.6.5.1)
- The Bishop informs the advisory group of the names submitted and prepares a **long list of names** for consideration by the advisory group, who assist the Bishop with shortlisting. (Paras 5.6.5.2-3)

- **Documentation** on the shortlisted candidates is supplied by the ASA. (Paras 5.6.5.4-5)
- **The ASA notifies the Archbishop of the Province** of those who have been shortlisted, in case he wishes to comment. (Para. 5.6.5.7)
- **Someone nominated by the bishop meets the candidates** prior to interview to give them an outline of the diocese and relevant issues. (Para. 5.6.6.5)
- **Normally at least three candidates are interviewed** by the advisory group. The advisory group's role and the precise arrangements are decided by the Bishop. (Paras 5.6.6.1-4)
- Where a suffragan bishop is to have formal or informal responsibility for a geographical area, **the relevant archdeacon(s) and the candidates have an opportunity to meet.** (Para. 5.6.7.2)
- **The Bishop meets candidates** for one-to-one discussions. (Para. 5.6.7.1)
- **The Bishop seeks the concurrence of the archbishop** for the nomination of two candidates. (Para. 5.6.9.1)
- If the Archbishop concurs, the Bishop makes a **verbal offer** to the preferred candidate, subject to medical examination and CRB check. (Para. 5.6.9.2)
- Both candidates are invited to visit the house (if they have not done so already) and are given information about associated personal costs. (Para. 5.6.9.2)
- The preferred candidate consults confidants. (Para. 5.6.9.2)
- If the preferred candidate accepts nomination, the Bishop informs the second candidate that he proposes to nominate him as reserve. Feedback is offered to him and to other candidates who were interviewed. (Paras 5.6.9.3-4)
- The Bishop nominates the two candidates. The petition to the Crown is submitted with a letter from the Archbishop of the Province supporting the two candidates and explaining why the first is preferred.

6: APPOINTING ARCHDEACONS

6.1 The office of archdeacon and archdeacons' roles

- 6.1.1 The office of archdeacon differs from the other offices within the scope of our review in that all archdeacons are normally appointed by diocesan bishops and neither the Archbishop of the Province nor (except in the circumstances described in Chapter 2, section 2.7) the Crown is involved.
- 6.1.2 Unlike suffragan bishops, archdeacons have 'ordinary jurisdiction' (Canon C 22, para. 2) – i.e. jurisdiction that is inherent in their office rather than delegated to them by the diocesan bishop. They have legal responsibilities defined by canon and statute law that cannot be taken away from them. These are central to the archdeacon's task and indicate some of the knowledge and skills that an archdeacon must have or be able to acquire in order to carry out the duties of the office satisfactorily.
- 6.1.3 However, the legal responsibilities account for only part of the job to be done. Bishops give archdeacons a range of other responsibilities for aspects of the oversight of the clergy and aspects of the life, ministry and mission of the diocese. These differ from diocese to diocese and from post to post, and are subject to change.
- 6.1.4 Among the many factors which result in the responsibilities of archdeacons varying from diocese to diocese are the number of suffragan bishops and the nature of their responsibilities (for the variety of which, see para. 5.2.3 above) and the number of archdeacons. In a diocese with no suffragan bishop, the archdeacons may do some work that in other dioceses might be done by a suffragan; where there are area bishops or bishops with less formal responsibility for a geographical area of the diocese, the archdeacons may work very closely with one of those bishops. The ratio of archdeacons to suffragan bishops may also make a difference. In some dioceses the numbers of archdeacons and suffragans are equal, but in others there are two or even (in five cases) three archdeacons per suffragan. (On average, there are 2.6 archdeacons per diocese and 1.7 per suffragan.)⁵⁴
- 6.1.5 Twelve archdeacons are also residentiary canons, and some archdeacons are chaplains – 17% or one in six of the archdeacons who responded to a survey in 2003 were either residentiary canons or chaplains. Some are incumbents or priests-in-charge – 14% or one in seven of those who responded in 2003 were (in most cases, of parishes with smaller than average congregations).⁵⁵ Thus in 2003 31% or almost one third of archdeacons had a second 'job'. Many archdeacons welcome the 'rooting' of their ministry in such a context and, in the case of residentiary canons, the pastoral support of chapter colleagues, but having what amounts to two jobs may also create tensions, especially when one of them involves presence in a particular place (cathedral or parish) and the other requires frequent travel.

⁵⁴ P. Brierley, 'Archdeacons in the Early 21st Century: Report of the 2003 Survey' (unpublished paper, 2004), p. 5.

⁵⁵ P. Brierley, 'Archdeacons in the Early 21st Century', p. 13. The survey did not cover the archdeacons in the Diocese in Europe, and treated the Bishop and Archdeacon of Ludlow as a suffragan bishop. Of 110 archdeacons approached, 91 (83%) replied.

- 6.1.6 The fact that each archdeacon's job is different makes the provision of a 'role specification' essential in our view, and this is especially so when the post is linked with another position, but only 54% of the archdeacons who responded to the 2003 survey had one at that time.⁵⁶ As in the case of suffragan bishops, we shall recommend that all archdeacons should be given a written role specification. It will be apparent that there cannot be a standard 'role specification' for archdeacons; each will need to be worked out in advance of an appointment being made, and also regularly reviewed thereafter. All archdeacons do, however, have legal responsibilities, and some of these cannot be delegated. **We recommend that 'core' paragraphs, covering these responsibilities, should be drawn up so that they may be included in each archdeacon's role specification.**
- 6.1.7 There are 120 archdeacons, including the seven archdeacons in the Diocese in Europe and the Bishop of Ludlow (who is also Archdeacon of Ludlow). This is greater than the number of suffragan bishops (68) and diocesan bishops (44) combined, and archdeacons in any case comprise only part of the pool from which bishops are chosen (of the 44 current diocesan bishops, 11 are former archdeacons). Most archdeacons, therefore, will not go on to be bishops, and for many the archdeaconry is their last appointment. The average age of the archdeacons surveyed in 2003 at the time of their appointment was 52, but a small number had been younger than 45 when appointed. Their average length of service as archdeacon was 5.9 years, but a small number had already served for more than 15 years.⁵⁷ It has been suggested to us that some archdeacons would benefit from a 'sideways' move to another archdeaconry in the same diocese, or another diocese, where their experience might be valuable. Others might welcome a return to full-time parish ministry before retirement. **We recommend that when archdeacons are appointed the possibility of appointing an existing archdeacon from the same or another diocese should be borne in mind.**

6.2 Appointing archdeacons: the 1995 Code and current practice

- 6.2.1 In the 1995 Senior Church Appointments Code of Practice the guidelines for the appointment of suffragan bishops, archdeacons and deans are essentially the same. They are set out in paras 5-8 of the Code (see Appendix III) and summarized in para. 5.5.1 above.
- 6.2.2 As in the case of suffragan bishops, the optional nature of several key features of the process outlined in the Code, together with the fact that the Code itself envisages variation in the extent to which it is followed, means that although we have not received specific evidence of diocesan bishops not abiding by the Code of Practice in making nominations to archdeaconries, to say that is not necessarily to say very much. Again as with the choosing of suffragan bishops, practice in many dioceses has continued to evolve since 1995. The best practice now, and probably also the most common practice, represents a significant advance on the outline envisaged in the 1995 Code.
- 6.2.3 However, it would appear that there is a greater variety of practice than is now the case with the choosing of suffragan bishops. When our Chairman attended the national

⁵⁶ P. Brierley, 'Archdeacons in the Early 21st Century', p. 32.

⁵⁷ P. Brierley, 'Archdeacons in the Early 21st Century', p. 33.

meeting of those who chair diocesan houses of clergy in 2006, concern was expressed by some at quite recent senior appointments for which the 'clergy chair', though a member of the bishop's council, was unaware of either a discernible process or consultation.

6.2.4 Archdeacons are important members of a bishop's senior staff team. Very few of the submissions we have received have suggested that the bishop should not have the final say in appointing archdeacons, and we not propose any change to that position. This is not to say, however, that it is acceptable for bishops to appoint archdeacons without consultation or due process. The significance of the archdeacon's position within the diocese and considerations of fairness to clergy who might believe themselves to be suited to such a role require that the appointment is made following a process which is known and in which representatives of the clergy and laity of the diocese play an appropriate part.

6.3 Appointing archdeacons: recommended future process

6.3.1 A common framework

6.3.1.1 The variety of contexts and responsibilities we have described above, and not least the fact that in almost one third of cases the role of archdeacon is combined with another post, mean that there is not a single process for appointing archdeacons that would be the most appropriate to be followed in every instance. However, there are certain principles that we believe should apply in each case. What we propose, therefore, is a common framework for appointing archdeacons, in order to ensure that there is a minimum standard of transparency and fairness across the Church of England, rather than a single process. Within the common framework we shall set out the variations that we believe might be appropriate, depending on the context. **We hope that the House of Bishops will adopt the common framework set out below as a minimum standard that will apply in all dioceses.**

6.3.2 The advisory group

6.3.2.1 While we are clear that the decision as to who is to be appointed should continue to rest with the diocesan bishop (see para. 6.2.4 above), we consider it essential that he should not act without consultation. We therefore recommend that the bishop should always appoint a small advisory group to work with him throughout the process, making its precise role clear to its members at the outset.

6.3.2.2 The advisory group should be compact and should consist of clergy and lay members drawn largely from the Bishop's Council (unless the bishop considers that the appointment of others would help to address issues of diversity or bring important perspectives or elements of expertise to the discussion); the members should be capable of working confidentially with the bishop. The membership of the advisory group should be reported to the Bishop's Council.

6.3.2.3 Where a suffragan bishop has been given responsibility (either by an area scheme or less formally) for a geographical area within the diocese that includes all or part of the vacant archdeaconry, that bishop should be a member of the advisory group.

6.3.3 The role and person specification

- 6.3.3.1 We have already highlighted the importance of each archdeacon having a clear written role specification (see para. 6.1.6 above). We recommend that the role specification should be set out in a standard form, using a pro-forma supplied by the Archbishops' Secretary for Appointments.
- 6.3.3.2 In advance of the drawing up of the role and person specification, the following should always be consulted:
- the present or most recent occupant of the post
 - the bishop's senior staff,
 - the members of the bishop's council,
 - the diocese's General Synod members,
 - the chairmen of the houses of clergy and laity of the diocesan synod,
 - the rural deans and lay chairmen of the relevant deaneries,
 - the diocesan chancellor, registrar and secretary,
 - the Archbishops' Secretary for Appointments (ASA).
- 6.3.3.3 If the post involves significant responsibility for relationships with the local community or with other churches, it will be appropriate to consult representatives of the local community and of other churches. If the archdeaconry is to be held with another post, those directly concerned with that post will need to be consulted.
- 6.3.3.4 The role specification and person specification should be drawn up by the bishop, working with the advisory group, in the light of the comments received. A draft should be discussed by the senior staff, and the final version should be submitted to the Bishop's Council for endorsement. The ASA also stands ready to offer comments if needed. In the event of disagreement, it is for the diocesan bishop to finalize the role and person specification.
- 6.3.3.5 Before a decision about the means of identifying candidates is taken, it will be necessary for the bishop to decide (having consulted the advisory group and the ASA) whether the appointment should be made from within the clergy of the diocese or open to external candidates. (One reason for an internal appointment could be that most of the members of the senior staff have not been in the diocese for long.)

6.3.4 Advertisement, announcement and search

- 6.3.4.1 We do not consider it inappropriate to advertise archidiaconal posts, and in many cases advertising is a good way of identifying potential candidates. It is not the only way of doing so, however. The preferment list may be consulted, through the Archbishops' Secretary for Appointments, and the bishop, members of the advisory group and others who have been consulted about the role may well also know of suitable candidates. Such methods of identifying candidates may be described generically as 'search'. We have noted (in para. 3.6.4) the benefits of search and advertising and that, in many instances, a combination of both methods is likely to produce the most comprehensive field of candidates.

6.3.4.2 In our view, archidiaconal posts should normally be advertised, so that those who might wish to apply have an opportunity to do so, but the additional use of search will generally enhance the process. (For recommendations on the use of ‘search’ in making senior appointments, see Chapter 3, section 3.7.)

6.3.4.3 What is important, whether or not the post is advertised in the church press, is that in the interests of fairness and transparency the clergy of the diocese are given an opportunity to express an interest in the post. This may be achieved by means of a direct communication with the clergy, whether ad hoc or in a diocesan mailing, drawing their attention to the vacancy and giving them the opportunity to suggest names if they wish to do so.

6.3.5 Shortlisting candidates

6.3.5.1 After names have been gathered, whether by advertisement, as a result of announcement, from the ASA or suggested by those who have been consulted about the appointment or by members of the advisory group themselves, it will be necessary to produce a long list of candidates from which a shortlist can be drawn up. The diocesan bishop should decide on a shortlist of candidates after discussion with the advisory group. The ASA intends to offer standard paperwork to support the shortlisting process. The actual criteria will, of course, vary, depending on the vacancy.

6.3.5.2 Where ‘search’ is used either in addition to advertising or instead of it, the advice offered in section 3.7 of this report should be followed. It is recommended that the assistance of the Archbishops’ Secretary for Appointments is sought.

6.3.5.3 We believe that there should be an expectation that more than one candidate is interviewed, so that the successful candidate can be said to have been ‘tested’ in interview against at least one other candidate.

6.3.6 Choosing between shortlisted candidates

6.3.6.1 As in the case of suffragan bishoprics, we recommend that the advisory group should have before it similar documentation for all those who have been shortlisted. This should comprise either the Senior Appointments application form or the information collected through the search arrangements (see paragraph 3.7.4).

6.3.6.2 Interviewing is only one selection tool and the fact that someone is able to perform well in an interview is only a partial indicator as to his or her likely suitability for a particular role. None the less, we recommend that an interview should always be held. An interview might highlight areas of ‘risk’ – or reveal that the bishop knew the candidate less well than he thought.

6.3.6.3 Where a suffragan bishop has been given responsibility (either by an area scheme or less formally) for a geographical area within the diocese which includes all or part of the vacant archdeaconry, that bishop should be a member of the interviewing panel.

6.3.6.4 Those who interview should ideally have received training. Where that is not practicable, they should have at least received a briefing. The ASA plans to offer a standard briefing

pack. This will also include an exploration of other selection tools (e.g. psychometric tests and presentations) and how they might enhance the selection process.

6.3.6.5 Most of what we have said in Chapter 5, section 5.6.6, about the interviewing of candidates for suffragan sees applies equally to the appointment of archdeacons. A suitable person should be nominated to meet the candidates before the interview to give them an outline of the diocese and the issues. Even where one or more of the candidates are from the diocese, such a meeting should take place in the interests of fairness, so that both come to the interview with the same amount of prior briefing.

6.3.7 Meeting with the diocesan bishop

6.3.7.1 Whether or not candidates have been interviewed by a panel, it is appropriate that the process should conclude with a one-to-one conversation between the candidate(s) and the diocesan bishop.

6.3.7.2 Where the archdeacon is to work particularly closely with another archdeacon, it may be appropriate to offer that archdeacon an opportunity to meet the candidate(s) before the final meeting with the diocesan bishop and offer comments. It would be for the bishop to decide what weight, if any, to place on those comments.

6.3.8 Offer and appointment

6.3.8.1 After such a one-to-one meeting, it is for the diocesan bishop to decide whether to make a verbal offer of appointment. This should be subject to a medical examination and a CRB check. The person offered the post should be invited to visit the house (if this has not already happened) and given information about the personal costs associated with it before deciding whether to accept the nomination.

6.3.8.2 What is said in paras 5.6.9.3-4 about feedback to and about any unsuccessful candidates for suffragan sees applies also to the appointment of archdeacons.

6.3.8.3 Shortly before the appointment of the new archdeacon is announced, the diocesan bishop should inform the members of the advisory group in confidence of his or her name.

PROPOSED FRAMEWORK FOR APPOINTING ARCHDEACONS: AN OVERVIEW

- The Bishop appoints a small **advisory group** and makes its precise role clear to its members. The membership is reported to the Bishop's Council. (Section 6.3.2)
- After consultation, the Bishop, working with the advisory group, draws up a **role specification and person specification**; a draft is discussed by the senior staff. A final version is submitted to the Bishop's Council for endorsement. In the event of disagreement, the Bishop finalizes the role specification and person specification. (Paras 6.3.3.1-4)
- After consultation with the advisory group and the ASA, the Bishop decides whether the appointment should be made from within the clergy of the diocese or open to external candidates. (Para. 6.3.3.5)
- There is normally an **advertisement**, but this may be supplemented by the use of **'search'**. Whether or not the post is advertised, the clergy of the diocese are given an **opportunity to express an interest**. (Section 6.3.4)
- A **long list** of names is produced. After discussion with the advisory group, the Bishop decides on a **shortlist**. (Section 6.3.5)
- The advisory group has similar **documentation** on all shortlisted candidates. (Para. 6.3.6.1)
- **Someone nominated by the bishop meets the candidates** prior to interview to give them an outline of the diocese and relevant issues. (Para. 6.3.6.5)
- It is recommended that an **interview** is held and that more than one candidate is interviewed. (Paras 6.3.5.3, 6.3.6.2-5)
- Where the archdeacon is to work particularly closely with another archdeacon, it may be appropriate to offer that archdeacon an **opportunity to meet the candidate(s)**. (Para. 6.3.7.2)
- Whether or not candidates have been interviewed by a panel, the process concludes with a **one-to-one discussion** between the candidate(s) and the Bishop. (Para. 6.3.7.1)
- The Bishop decides whether to make a **verbal offer**, subject to medical examination and CRB check. The person concerned is invited to visit the house (if this has not already happened) and given information about associated personal costs. (Section 6.3.8)

6.3.9 Archdeacons held with another post

- 6.3.9.1 As mentioned in para. 6.1.5, at present almost one third of archdeacons are held with another post. Except where the archdeaconry is held with a suffragan bishopric (in which case, the process should be that for the nomination of a suffragan), the archdeaconry will be the more important and time-consuming of the two posts. We recommend that the framework outlined above should be followed, although it will need to be adjusted at a number of key points.
- 6.3.9.2 Where the archdeaconry is to be held with a residentiary canonry, the dean should be a member of the advisory group and should participate in interviewing the candidates – either with the bishop or in a separate panel. In such a case, the other members of the chapter – ordained and lay – should be given an opportunity to meet the candidate(s) before the final one-to-one meeting with the bishop, and to feed in any comments. This is particularly important in the case of the other residentiary canons, who will be expected not only to work with the person appointed but also to pray with him or her day by day and in many cases also to live with him or her as part of the residential community of the cathedral close.
- 6.3.9.3 Where the archdeaconry is to be held with a parochial appointment as incumbent, bishops will need to ensure that the appointment is conducted within the framework of the Patronage (Benefices) Measure 1986, sections 11 and 12, and that the parish is mindful of the archidiaconal responsibilities of their parish priest when they consider the needs of the parish.
- 6.3.9.4 In addition to the parish's statement of needs, the bishop should produce a role specification for the archidiaconal role (see section 6.3.3), liaise with the PCC on how the duties of both roles may be combined in a way that is feasible, and agree the final role specification covering both aspects.
- 6.3.9.5 Assuming that both the parish and the bishop wish to advertise the post the bishop will make the necessary arrangements to do so. He may wish to combine this approach with a search of suitable candidates (see section 6.3.4).
- 6.3.9.6 Where the bishop is not the patron, the patron's rights will need to be recognized in the appointment process, and the patron will need to be given the opportunity to participate within the framework of the Patronage (Benefices) Measure 1986. It will be important to achieve clarity about the respective roles of bishop and patron at the outset.
- 6.3.9.7 For such joint archidiaconal/parochial appointments it is recommended that the bishop set up an advisory group to support him in the selection process (see para. 6.3.2.1). This group would produce the shortlist in conjunction with the Bishop and would also form the core of the interview panel. Given the significance of such an appointment, it is recommended that the patron (if the bishop is not patron) and the PCC representatives are included in the Advisory Group. If they are not then separate interview arrangements will need to be set up for the parish.
- 6.3.9.8 It is important that the candidate be invited to visit the parish and meet the staff and ministry team (if any) before deciding to accept the post.

7: CATHEDRAL APPOINTMENTS MADE BY BISHOPS

7.1 Deans appointed by the diocesan bishop: the present position

- 7.1.1 The deans of twelve English cathedrals are appointed by the diocesan bishop, and thus only a quarter of diocesan bishops ever make such an appointment. Many of those who do will do so only on one occasion, and practice in the making of all senior appointments has continued to evolve since the Senior Church Appointments Code of Practice was issued in 1995. All of this means that to attempt to generalize about the way in which these appointments are currently or have been made would be pointless.
- 7.1.2 All of the cathedrals concerned are parish churches. Legally the appointment is of an incumbent of the parochial benefice, and under the Cathedrals Measure 1999 ‘the [cathedral] constitution shall provide that the incumbent of the benefice... shall be the dean’. The procedure laid down by the Patronage (Benefices) Measure 1986 (summarized in Chapter 2, para. 2.5.5) applies to the appointment of the incumbent, the functions of the Parochial Church Council being exercised by the Chapter. Two lay members of the Chapter, acting as ‘parish representatives’, have the right to refuse to approve a candidate whom the bishop proposes to appoint, although this refusal may be overruled by the archbishop. Thus, as with the nomination of suffragan bishops, the bishop’s right to appoint is not absolute.
- 7.1.3 Among those who made submissions to us, support for this patronage remaining with the diocesan bishops concerned has not been universal. Some of those who believe that Crown patronage appropriately reflects the role of cathedrals in relation to the wider community of the cities and counties that they serve have argued that all deans should be chosen by the Crown. As we shall explain in para. 8.3.21, we do not agree. We also note that a transfer of this patronage to the Crown would involve the loss of the right of the two lay members to refuse to approve the candidate chosen. We do not believe that this would be acceptable to the cathedrals concerned. We have not identified in the dioceses and cathedrals concerned significant opposition to this patronage remaining with the diocesan bishop, and we conclude that it should so remain.
- 7.1.4 Of the twelve cathedral parishes, seven had a residential population of less than 750 in 1993 and the number of regular worshippers drawn from it was negligible. Of the other five, only in Chelmsford (15%), Portsmouth (31%) and Southwell (95%) were more than 10% of the regular worshippers resident in the parish.⁵⁸ Clearly, the parochial status of some at least of these cathedrals remains appropriate, and to recommend that the others should cease to be parish churches would fall outside our remit. The right of the Chapter in these cases to appoint two of its lay members to exercise the functions of ‘parish representatives’ flows from this parochial status and we therefore do not propose that it be removed.
- 7.1.5 The process adopted for the appointment of the deans of these twelve cathedrals will accordingly need to incorporate

⁵⁸ *Heritage and Renewal: The Report of the Archbishops’ Commission on Cathedrals* (London, 1994), p. 59.

- the statement describing the conditions, needs and traditions of the parish which is to be drawn up by the Chapter;
- the Chapter's right to request that the vacancy be advertised;
- the Chapter's right to request a joint meeting of the Chapter and the bishop under section 12 of the Patronage (Benefices) Measure to discuss the vacancy;
- the Chapter's right to request a written statement from the bishop 'describing in relation to the benefice the needs of the diocese and the wider Church';
- the right of the two lay members of the Chapter to refuse to approve the candidate proposed by the bishop.

None of these factors was alluded to in the 1995 Code.

7.1.6 The involvement of the Chapter as a corporate body and of two of its lay members means that the framework that we have proposed for the appointment of archdeacons cannot be applied to the appointment of deans without adaptation. However, many of the basic principles should be the same.

7.2 Deans appointed by the diocesan bishop: recommended future process

7.2.1 We recommend that the process for the appointment of these twelve deans should be based on that recommended for the appointment of archdeacons in section 6.3 above, but with the adaptations set out in the following paragraphs.

7.2.2 The advisory group should include the two lay members appointed by the Chapter under the Patronage (Benefices) Measure.

7.2.3 The Cathedral Council should be consulted in the initial consultation, recognizing its nature as an advisory body.

7.2.4 Representatives of the wider community and of other churches should always be consulted. In view of the widespread appreciation of the Crown's consultations when appointing to deaneries, bishops might wish to consider conducting such consultation in a similar way, by means of face-to-face meetings with the Archbishops' Secretary for Appointments, resulting in a confidential memorandum by the ASA, similar to that drawn up by the PMAS for Crown deaneries. (This would also have the benefit of reducing the amount of paper correspondence on the part of the bishop.)

7.2.5 The documentation before the advisory group should always include

- a statement describing the conditions, needs and traditions of the cathedral and its parish drawn up by the Chapter in accordance with the Measure; and
- a written statement from the bishop 'describing in relation to the benefice the needs of the diocese and the wider Church', as envisaged in the Measure.

7.2.6 There should always be either an announcement or an advertisement, without this precluding the simultaneous use of 'search' methods.

7.2.7 We have discussed at length and on a number of occasions the difficult issue of whether an opportunity should be given for the ordained members of the Chapter (who unlike the Chapter's two lay representatives have no legal role in the choice of the new dean) to meet the preferred candidate before the appointment is made. We are very conscious that

a Chapter is unlike a ‘team’ in secular employment in that it is a group of people whose ordained members are expected not only to work together but also to live together and to pray together on a daily basis – often for many years and potentially until retirement. Bearing that in mind, it would seem, at first sight, to be desirable for those who are being asked to work, live and pray together over such a long period to be given an opportunity to meet before a final decision is taken.

- 7.2.8 However, we are also conscious that in some cases a new dean will have to attempt to resolve difficult situations involving one or more of the existing canons. His or her ability to do so would be fatally compromised if a meeting resulted in a strong request to the bishop from the Chapter not to appoint the candidate. Diocesan bishops have suggested to us that in such circumstances they would find it difficult to press ahead with the appointment, and that if they did so one or more of the canons might feel that they had an interest in proving that they had been right to suggest that the appointment was the wrong one.
- 7.2.9 The arguments are finely balanced, but in the end we concluded that we could not recommend that such a meeting take place.
- 7.2.10 It is important that candidates should make their decision as to whether to accept appointment in full knowledge both of any likely personal expense and also of the cathedral’s financial position. We therefore recommend that full information should be given. This should include, for example, information about the financial aspects of occupation of the deanery and about the financial position of the cathedral. We recommend that the candidate should also see the statements drawn up by the bishop and the chapter (see para. 7.2.5 above).

**PROPOSED FRAMEWORK FOR APPOINTING DEANS
WHEN THE BISHOP IS PATRON OF THE CATHEDRAL BENEFICE:
AN OVERVIEW**

Differences from the framework for archdeacons are shown in italics.

- The Bishop appoints a small **advisory group**, *including the two lay Chapter members appointed by the Chapter under the Patronage (Benefices) Measure*, and makes its precise role clear to its members. The membership is reported to the Bishop’s Council.
- *The documentation given to the advisory group should always include*
 - *the statement drawn up by the Chapter in accordance with the Patronage (Benefices) Measure, and*
 - *a written statement from the Bishop, as envisaged in the Measure.*
- *The Chapter may request a meeting with the Bishop under section 12 of the Measure.*

- *Those consulted should include the Cathedral Council (recognizing its nature as an advisory body) and representatives of the wider community and other churches).*
- After consultation, the Bishop, working with the advisory group, draws up a **role specification and person specification**; a draft is discussed by the senior staff. A final version is submitted to the Bishop's Council for endorsement. In the event of disagreement, the Bishop finalizes the role specification and person specification.
- There is *always either an announcement or an advertisement*, but this may be supplemented by the use of 'search'.
- A **long list** of names is produced. After discussion with the advisory group, the Bishop decides on a **shortlist**.
- The advisory group has similar **documentation** on all shortlisted candidates.
- **Someone nominated by the bishop meets the candidates** prior to interview to give them an outline of the diocese and relevant issues.
- It is recommended that an **interview** is held and that more than one candidate is interviewed.
- The Bishop decides whether to make a **verbal offer** (*for which the approval of the two lay members of the Chapter is needed under the Measure*), subject to medical examination and CRB check. The person concerned is invited to visit the house (if this has not already happened) and given information about associated personal costs.

7.3 Canons appointed by the diocesan bishop

- 7.3.1 Of the 147 residentiary canonries currently listed in the Church of England Year Book, the Crown appoints to 23, including three academic canonries (a further six Crown canonries are currently suspended). There are two (potentially three) further academic canonries to which universities appoint. The remainder – some 122 residentiary canonries in 39 cathedrals – are appointed by the diocesan bishops concerned (in the case of Winchester, 'with the agreement of the Dean in consultation with the chapter').
- 7.3.2 Some of these canonries are held by archdeacons, some are held jointly with a specific diocesan post, and the holders of some of the other canonries are expected to undertake various responsibilities in the diocese. Two residentiary canons in each cathedral must normally be engaged exclusively on cathedral duties.⁵⁹

⁵⁹ Cathedrals Measure 1999, s. 8.

7.3.3 The provision made in the 1995 Senior Church Appointments Code of Practice for the appointment of canons is separate from and briefer than that for the other senior church appointments within its purview. The guidelines are set out in para. 9 of the Code (see Appendix III) and may be summarized as follows:

- (1) A statement 'setting out the needs in the post for the next phase of ministry and the kind of gifts that should be looked for in the person to be appointed' is drawn up, either
 - by the dean, after discussion with the diocesan bishop and in close consultation with the chapter and other leading lay and clerical representatives of the Cathedral, for the bishop's agreement, or
 - where the canonry is linked with a diocesan post, by the diocesan bishop, but in close consultation with the dean, chapter; and other lay and clerical representatives of the Cathedral;
- (2) in the light of (1) a job and person specification (including a reference to the length of tenure) are drawn up;
- (3) the diocesan bishop gathers potential names, including any put forward by the dean and chapter and/or by the Archbishops' Appointments Secretary or the Prime Minister's Appointments Secretary; (the bishop is invited to consider the possibility of an announcement in the diocesan newsletter, the Clergy Appointments Adviser's vacancy list and/or the church press);
- (4) (the bishop is invited to consider whether there should be an advisory group and if so what its role should be, the need for obtaining detailed information about the candidates, and whether one or more candidates should be interviewed);
- (5) the diocesan bishop, having identified the person he felt it appropriate to appoint, should consult informally with the dean;
- (6) before the appointment is offered to the preferred candidate, he or she should meet the bishop, and the members of the cathedral chapter and other senior colleagues with whom he or she should work.

7.3.4 We have received very little evidence that related specifically to the appointment of residentiary canons and we are thus unable to make a judgement as to how consistently this very minimal set of guidelines has been applied.

7.4 Canons appointed by the diocesan bishop: recommended future process

7.4.1 The process adopted for any appointment must be proportionate to the level and nature of the appointment. Residentiary canonries vary considerably both in the duties attached to them and in the level of responsibility involved. We therefore do not think it necessary or desirable for there to be a common process of appointment to residentiary canonries. **However, we recommend that the process for appointing to residentiary canonries should always include the elements set out in the following paragraphs.**

7: Cathedral Appointments by Bishops

- 7.4.2 A role and person specification should be drawn up by the bishop and the dean jointly.
- 7.4.3 Where the canonry is linked to a suffragan bishopric, the process for choosing a suffragan bishop should be followed. The dean should be a member of the advisory group.
- 7.4.4 Where the canonry is linked to an archdeaconry, the process for appointing an archdeacon should be followed. The dean should be a member of the advisory group.
- 7.4.5 Where the canon will be neither a suffragan bishop nor an archdeacon, a formal advisory group is not necessary, unless the bishop considers that the responsibilities involved make the use of such a group advisable. This does not, however, mean that it would be appropriate for the bishop to make such appointments without consultation. In particular, there should always be consultation with the dean, even where this is not required by the cathedral's constitution or statutes.
- 7.4.6 Residentiary canonries should, we believe, normally be advertised, so that clergy have an opportunity to offer themselves for the appointment. For the reasons set out in paras 3.6.3-4, we recommend that this should be combined with a search process.
- 7.4.7 Candidates for residentiary canonries should always be interviewed by a panel including the bishop and the dean. While competitive interviews are recommended (so that even where there is a 'preferred candidate' that candidate is 'tested' against at least one other candidate), a process whereby candidates are interviewed one by one until an appointment is made is also possible.
- 7.4.8 As recommended in the 1995 Code, the preferred candidate for a residentiary canonry should always have an opportunity to meet those who would be their fellow chapter members before the appointment is offered. This enables the candidate to gain an understanding of the community that he or she would be entering, as well as enabling the members of that community to express views to the bishop. Such an informal discussion would be a two-way exploration of whether someone was being called to join the residential and worshipping community of the chapter.

8: THE ROLE AND PRACTICE OF THE CROWN IN MAKING APPOINTMENTS

8.1 Introduction

- 8.1.1 In considering the role and practice of the Crown in making appointments it will be convenient in each case first to set out the Crown's current practice, then to discuss whether the Crown's role should remain the same, and then finally to recommend changes that we believe should be made to the Crown's current procedures if the Crown retains the right not only formally to make the appointments concerned but also to decide who should be appointed.
- 8.1.2 The processes that we shall describe in this chapter have evolved since they were first considered by the van Straubenzee report fifteen years ago, in ways detailed in para. 8.3.7 below. We hope that our recommendations will contribute to their continued development.

8.2 Crown Deaneries: Current Practice

- 8.2.1 Once the current dean has publicly announced his or her retirement, the Prime Minister's Secretary for Appointments (PMAS) arranges to carry out two days of consultations (occasionally more), normally held in the cathedral precincts. Some meetings may be held in London if that is more convenient for some of those who are to be consulted. Those consulted are drawn from those groups to whom the life and mission of the cathedral matter, or should matter. They include a wide cross-section of people from the cathedral, the diocese and wider civil society. The aim of these consultations is to build up as comprehensive a picture as possible of the cathedral – both its current life and the challenges and opportunities which lie ahead. The PMAS also welcomes letters from others who have not participated in these consultations.**
- 8.2.2 The PMAS produces a memorandum which attempts not only to reflect the views of consultees but also to reflect on them. The memorandum is intended to provide a job specification and a personal profile of the skills and experiences which are needed in the next dean. It is sent to the diocesan bishop with an invitation to express views on, or suggest amendments to, its content. The memorandum is otherwise confidential – except as indicated in para. 8.2.5 below (which makes it possible for people to say things which they might not otherwise say).**
- 8.2.3 Very often, the chapter will also draw up its own note on future needs, and sometimes the diocesan bishop will do so as well.**
- 8.2.4 In the light of these and any other relevant documents, the PMAS draws up a long list of potential candidates. These names are usually drawn from a variety of sources, including names which the diocesan bishop may have proposed, names put forward during the consultations, the Preferment List and other names separately commended to the PMAS from time to time (which are usually discussed with the Archbishops' Secretary for Appointments (ASA) and with the diocesan bishops concerned).

- 8.2.5 The PMAS informs the ASA of the long list of names, in case she wishes to suggest others or offer detailed comments. In order to inform her comments, she is made aware of the results of the PMAS's consultations.
- 8.2.6 The PMAS then sends the long list to the bishop with CVs, relevant references or extracts from references and, where available, preferment forms and sometimes other supporting documentation. (The PMAS usually also informs the bishop of the other names that have been mentioned to him in connection with the vacancy but which he does not consider to be suitable.) Sometimes the names may be prioritized into two or three groups, ranging from those who seem very strong candidates to those who may have some but not all the attributes required. A process of iteration then ensues, usually involving more than one conversation between the PMAS and the bishop. Sometimes further names are introduced into the process and considered during this stage.
- 8.2.7 The aim is for the bishop and the PMAS to reach agreement on a shortlist of candidates and the order of preference in which they are to be put to the Prime Minister.
- 8.2.8 At or around this point the PMAS informs the Archbishop of the province concerned of the names on the shortlist, or likely to be on it, in case he wishes to comment.
- 8.2.9 The PMAS then puts advice to the Prime Minister. The aim is always to reach agreement with the diocesan bishop on the final shortlist of names to be put to the Prime Minister. It is almost inconceivable that the Crown would make an appointment to which a diocesan bishop was opposed. However, the Crown would be reluctant to give an absolute undertaking never do this, for fear of doing an injustice to a particular candidate in the admittedly unlikely event of his or her appointment being blocked by the bishop for an inappropriate or insubstantial reason. The need for mutual trust and regard between the Crown and diocesan bishops in practice guards against such a scenario occurring.
- 8.2.10 Furthermore the aim is, within a final agreed shortlist, for the PMAS and the diocesan bishop also to reach agreement on the order of preference in which the names will be put to the Prime Minister. On the very rare occasions when, notwithstanding agreement on the names to be shortlisted, there is an unresolved difference of opinion between the bishop and the PMAS as to the order of preference between the shortlisted candidates, the PMAS draws this to the Prime Minister's attention, with the reasons for it.
- 8.2.11 Once the Prime Minister has reached a view, The Queen's informal agreement is sought to the recommended name.
- 8.2.12 When Her Majesty has given her informal approval, the Prime Minister writes to the preferred candidate inviting him or her to consider the offer. The PMAS writes simultaneously, inviting the candidate (and spouse, if there is one and he or she wishes to accompany the candidate) to Downing Street for a discussion, as part of the candidate's process of discernment.
- 8.2.13 The candidate then has a discussion with the diocesan bishop. The candidate is also encouraged to consult a limited number of people in confidence – typically three, almost always including his or her spiritual director and often his or her diocesan bishop. The

purpose of these discussions is to enable the candidate to decide whether or not to accept the offer of appointment.

- 8.2.14 It is almost always the case that the candidate and his or her spouse (if there is one) may see the house attached to the post if they wish, although exceptional circumstances may occasionally prevent this. Information on paper about the house is always made available to the candidate.
- 8.2.15 The offer is made subject to Criminal Records Bureau (CRB) checks and a medical examination, arrangements for which are made by the PMAS's office while the candidate is considering the offer.
- 8.2.16 If the candidate confirms that he or she would be willing to accept the appointment (which is not always the case), the Prime Minister puts a formal submission to The Queen for her approval. A date for the public announcement is agreed with the candidate and the diocesan bishop.
- 8.2.17 This process is summarized on the next page.
- 8.2.18 Some concern has been expressed to us at the time taken to make appointments to Crown deaneries. However, the PMAS has supplied us with figures for recent appointments which indicate that the average time taken between announcement of the vacancy and announcement of the appointment of deans by the Crown is roughly the same as for diocesan bishops (by the CNC and the Crown) – around eleven months. In the case of suffragan bishops (nominated by diocesan bishops) the average is just under ten months.
- 8.2.19 It is not generally the case (as is sometimes suggested) that a rigid order is adhered to in making appointments to deaneries. The PMAS has informed us that the process is started in chronological order, as soon as possible after the public announcement of a vacancy, but thereafter vacancies are filled as speedily as possible. If a serious candidate for a deanery is simultaneously a serious candidate for a more senior appointment, that could result in a delay in making the more junior appointment, however.
- 8.2.19 The PMAS reports that one factor affecting the length of time taken to make appointments is an increase in the number of refusals of offers of deaneries. By contrast, it is very rare for someone invited to become a diocesan bishop to decline.

THE PRESENT PROCESS FOR APPOINTMENT OF A DEAN

- Consultations by the PMAS, normally in the cathedral precincts; letters to the PMAS.
- A confidential memorandum by the PMAS is sent to the Bishop for comments and suggested amendments; often, also a note on future needs by the Chapter; sometimes also a note by the bishop.
- A long list of potential candidates is drawn up by the PMAS and sent to the ASA (for possible further suggestions or comments).
- The PMAS sends the long list to the Bishop with CVs, references etc.
- A shortlist is agreed by the PMAS and the Bishop.
- The Archbishop of the Province is informed of the names.
- The PMAS puts advice to the Prime Minister.
(On the very rare occasions when the PMAS and the Bishop disagree about the order of preference within the agreed shortlist, the Prime Minister is informed of this and of the reasons for it.)
- The Queen's informal agreement is sought.
- The Prime Minister writes to the preferred candidate.
(The offer is subject to CRB checks and a medical examination.)
The PMAS invites the candidate (and spouse, if any) to Downing Street for a discussion.
- The candidate has a discussion with the diocesan bishop, and is encouraged to consult people (typically three) in confidence. Almost always the candidate (and spouse, if any) sees the house; written information is always given.
- If the candidate accepts, the Prime Minister puts a formal submission to The Queen for her approval.
- The date for the public announcement is agreed with the candidate and the Bishop.

8.3 Crown Deaneries: The Role of the Crown

8.3.1 Although Church-State relations were repeatedly considered by commissions during the twentieth century, only the 1952 Moberly report *Church-State Relations* touched on the Crown's patronage of deaneries. Its page of comments about Crown appointments to deaneries and canonries concluded: 'So long as such conditions [consultation with the bishop and archbishop] persist, we think that the system of Crown appointments provides the best means of fulfilling [the] needs.'⁶⁰

8.3.2 The only report which has so far given more detailed consideration to the role of the Crown in making appointments is the van Straubenzee Report *Senior Church Appointments* (1992). Chapter 4 of the report set out 'The Case for Change' in the systems for making appointments, including the role of the Crown in appointing to deaneries. In summary, the arguments for change which have a direct bearing on Crown appointments were:

- a lack of recent change contrasted with the inception of the Crown Appointments Commission and the passing of the Patronage (Benefices) Measure 1986 (4.6);
- a desire to advance 'an evolutionary process of change which has gradually given the Church a greater say in its own appointments and government' (4.6);
- 'Crown appointments... are open to Prime Ministerial and Civil Service influence' (4.16);
- 'the processes of Crown appointments are not necessarily out of step with those now operating successfully in respect of diocesan bishops but they are invisible and cannot therefore be certainly said to be in step' (4.16);
- the arrangements 'have not been formally affected by recent changes in the Church, such as increased lay involvement and the introduction of synodical government' (4.19);
- advice on these appointments 'can now be tendered by a Prime Minister with no affiliations to the Church of England at all or indeed to any other Christian community' (4.21).

8.3.3 In para. 4.20 of its report, the Working Party noted the following arguments in favour of the Crown's involvement which had been advanced in submissions to it ('especially by some members of Cathedral Chapters'):

- the Crown's involvement reflects the current nature of the relationship between the Established Church and the State, which should not be altered;

⁶⁰ *Church and State, being the Report of a Commission appointed by the Church Assembly in June, 1949* (C.A. 1023: London, 1952), p. 48; cf. Appendix II, para. 00.

- the Church gains real advantage from the Crown's use of its freedoms;
- the Crown brings a different perspective to bear;
- the Crown's freedom prevents bishops from having excessive powers of appointment.

8.3.4 The Report argued for retention of the Sovereign's role in the process but the exclusion from it of the Prime Minister and civil servants. It recommended that this should be achieved by the establishment of a convention whereby the Archbishops of Canterbury and York, as privy counsellors, would give advice on such appointments to the Sovereign on such appointments directly (on which advice the Sovereign would be bound to act). The Group's view that this was possible was based on a legal Opinion from Sir David Callcutt QC, but it did not find favour more generally and was not pursued (see Appendix II, paras 3.3 and 3.9).

8.3.5 As indicated in Chapter 1, the Howe Report *Heritage and Renewal* (1994) did not recommend any change in the responsibility for making cathedral appointments, but did recommend that 'the Church should seek to open discussions with the Crown about the prospects for the introduction of a single system of appointments to cathedral posts'.⁶¹

8.3.6 The Senior Church Appointments Code of Practice (1995) did not apply to the appointment of deans and residentiary canons by the Crown. As related in Chapter 1, the introductory note commented that 'the possible application of the Code to Crown appointments is an issue which will be considered in the context of any such discussion [as that recommended by the Howe Commission]'.⁶²

8.3.7 It is important to be clear that the procedure for making cathedral appointments which we have described above is not identical to that on which the van Straubenzee report commented fifteen years ago. The procedures have evolved gradually in response to changes in Church and society and continue to do so. Developments since 1999 may be summarized thus:

- expansion of public consultations, especially but not only in respect of canonries;
- somewhat fuller discussions with the relevant diocesan bishop, who is provided with more paperwork about candidates;
- a slightly fuller process of discernment among candidates (especially for decanal appointments), involving a somewhat wider circle of confidants whom the candidate might consult and, when necessary, more time for deliberations;
- increased involvement of the PMAS and/or his deputy in consultations over canonries, which, through their more systematic involvement, has an

⁶¹ *Heritage and Renewal: The Report of the Archbishops' Commission on Cathedrals* (London, 1994), p. 98.

⁶² 'Code of Practice for Senior Church Appointments', p. 2.

element of independent audit about it, and which helps to provide a firm basis on which to seek candidates.

In considering the submissions made to us we have been alive to the possibility that some might relate to an earlier stage in the development of these processes.

- 8.3.8 The first issue that we have had to consider is that of whether the Crown should continue to take the decision as to who should be appointed as deans. Only if it is decided to change the position with regard to that is it necessary to consider the secondary issue of whether or not to retain purely formal involvement on the part of the Sovereign.
- 8.3.9 Of the original written submissions that we received, 59 commented on the issue of whether or not to leave the decision with the Crown. 54 submissions offered evidence on the process whereby the Crown makes the appointments. We have reflected carefully both on the views advanced and on the evidence given.
- 8.3.10 The arguments that were advanced in submissions to us in favour of retaining the Crown's existing role may be summarized as follows. (We do not necessarily agree with them.)

(a) Arguments of principle

1. Crown involvement reflects the Church of England's identity as the church of and for the wider community of the nation.
2. The national importance of cathedrals and their role in the wider life of the counties suggests that deans should be appointed by the Crown.

(b) Pragmatic arguments

3. There is an advantage in the Crown's objective and independent view.
4. Where a bishop's senior appointments are not representative of the full range of ecclesial traditions, a Crown-appointed dean can be an exception to this.
5. The Crown promotes minority candidates; a committee process is less likely to do so.
6. A committee process is more likely to favour 'bland and colourless' candidates.
7. The PMAS is more likely to win the interest and involvement of the wider community in consultations about the appointment.
8. Changing the system would involve wasting time and energy on a matter of less than prime importance.
9. The process operated by the PMAS enjoys general confidence.

10. Removing the Crown's involvement would tend to increase pressure for marginalization of the Church.
 11. The PMAS's involvement lessens the influence of local (or indeed national) church politics.
 12. The public and the benefactors on whom cathedrals depend are reassured by Crown appointment of deans.
 13. Crown appointment enhances the independence of the dean.
 14. Crown patronage is a safeguard against excessive episcopal power; the bishop cannot secure the appointment of the person he wishes to be appointed.
 15. Crown patronage is part of a healthy 'mixed economy'.
 16. There is widespread appreciation of the present PMAS and his deputy.
 17. The Church should not lightly cast aside such high level (and high calibre) input from the State.
 18. The PMAS can spot talent that the ('increasingly synodically-minded') rest of the Church can ignore or be ignorant of.
 19. There is general satisfaction with the outcome of the process.
 20. The present arrangements save the Church a great deal of money.
- 8.3.11 The arguments advanced in submissions to us in favour of ending the Crown's present role may be summarized as follows. (Again, we do not necessarily agree with them.)

(a) Arguments of principle

1. Those with whom the dean is to work most closely (bishop and chapter) should have a pro-active role in the appointment.
2. Crown appointment divorces power from responsibility for the consequences of its exercise.
3. The process should be 'open'.
4. All church appointments should be made as far as possible by those most closely involved in the mission and ministry context.
5. Crown patronage can only be justified in the case of diocesan bishops who potentially sit in the House of Lords.

- 6 The Crown's role should, as in most aspects of our national life, be symbolic.
- 7 The influence which the PMAS enjoys is excessive.
- 8 Senior appointments should always be made by a group (including at least one lay person), not by an individual.
- 9 Appointments should always be by application.
- 10 The Crown is not accountable for its appointments.

(b) Pragmatic arguments

11. Crown patronage means that the bishop cannot necessarily secure the appointment of the person whom he believes is best suited to the mission of the cathedral and the diocese.
 12. Crown patronage means that appointments take too long (and in consequence those appointed are pressed to take up appointment too quickly). Is the Prime Minister's personal involvement a delaying factor?
 13. Some of the Crown's decanal appointments are regarded as having been inappropriate and, indeed, harmful.
 14. It cannot be guaranteed that future holders of the office of PMAS will be as good as the present one.
 15. A tiny number of submissions criticized aspects of the work of the PMAS in relation to a very small number of individual appointments.
 16. A purely 'church' process would help to tie cathedrals more closely into the life of the diocese.
- 8.3.12 It will be seen that weighty arguments were advanced both for and against the present system. Although broadly 'pragmatic' arguments predominated among those in favour, arguments of principle were also advanced. It was noticeable that those with the greatest familiarity with the way in which the Crown makes the appointments in its gift (by no means only those who have themselves been appointed by the Crown or might hope to receive a Crown appointment in future) had a greater tendency to be content with the present system; opposition was significantly more common among those with less direct knowledge (or none at all) of those procedures.
- 8.3.13 We have discussed this issue in depth, at some length and at several of our meetings.
- 8.3.14 One of our members, Dr Christina Baxter, takes a different view from that of the other members of the Group. While at the present time she would not wish to question the Sovereign's role, she believes that deans should be chosen by a person or body accountable to the Church rather than to the Prime Minister. In her view, the secular power should not be given a say in who should have positions of leadership in the

Church. She regards the persistence of the present arrangements as an accident of history and believes that they should now be brought into line with the position regarding the choice of diocesan bishops and the framing of church legislation, in both of which the initiative now lies with the Church. She would prefer the choice of deans to be made by a process broadly comparable with that for the nomination of diocesan bishops, involving a committee whose members would include the bishop and the diocesan 'lay chair' but also representation of the wider community.

- 8.3.15 Dr Baxter would be content for the actual appointment to be made by the Crown, providing a convention (comparable to that for suffragan bishops) were established whereby the Prime Minister's role was the purely formal one of advising Her Majesty to appoint the person identified by the committee (as is now the case with non-political appointments to the House of Lords, for example). Such an arrangement would retain the involvement of Her Majesty in cathedral appointments (which is much appreciated) and would avoid the need for legislation. It would have the same effect as the convention proposed by the van Straubenzee report but would not involve the novelty of advice which Her Majesty would be bound to accept being tendered to her other than by a minister of the Crown. Dr Baxter has indicated that when our report is debated she will move an amendment to the motion calling for such a change, so that the mind of the Synod may be tested.
- 8.3.16 Some of us believe that if such a committee process were to be adopted for the cathedrals for which the Crown currently chooses the dean, all deans (including those presently appointed by bishops or by independent trustees) should be appointed by same process. Others believe that it would be possible and desirable to leave the fourteen deaneries which are not in the Crown's gift in the patronage of the present patrons (in twelve cases the bishop, in two independent trustees) while introducing for those that are in the Crown's gift a process comparable to that of the Crown Nominations Commission.
- 8.3.17 Some members of our Group have come – not least in the light of the evidence we have received – to believe that the present arrangements are desirable in principle as well as preferable in practice. Most cathedrals either are not parish churches or have insignificant numbers of parishioners. Their primary task is neither pastoral care of those within a limited geographical territory nor the nurturing of a congregation of the faithful, and although all churches should be centres of mission, cathedrals have a distinctive role as places of missionary engagement on the 'fault-line' between sacred and secular. Some of us believe that in view of this it is of positive benefit for the PMAS, who (though he or she must be a communicant Anglican) is accountable to the Prime Minister and through him to the wider community of the nation, to take the lead in the appointment of deans. Some of us also take the view that it is of positive benefit for there to be, in the majority of dioceses, a member of the bishop's senior staff who does not owe his appointment entirely to the bishop or to a diocesan committee and therefore has a certain independence and may offer a different perspective.
- 8.3.18 The Group noted a widespread appreciation within the Church of the part played by Her Majesty The Queen in the affairs of the Church and her personal and public commitment to the Christian faith. We wanted to recommend nothing that would diminish or appear to diminish her role.

- 8.3.19 Some of us are particularly struck by the benefit that the Church derives from the work of the Prime Minister's Secretary for Appointments and his deputy. Only a tiny minority of the 141 submissions that we received made any criticism at all of that work, while very many indeed were fulsome in their appreciation of it. The Downing Street appointments office can be seen as a search and recruitment service offered to the Church by the State at no charge. Its work also offers a second route whereby those who have not been put forward by their own diocesan bishops may none the less be considered for senior appointments. The present role of the Crown makes it necessary that there should be in the Prime Minister's office a senior civil servant who is a communicant member of the Church of England and is in regular and close contact with the Archbishops and their staff as well as with Church House. This too can be seen as useful for the Church.
- 8.3.20 Some of us would not wish all senior church appointments to be made by a committee-style process, believing that such processes tend to favour certain types of candidate and disadvantage others. Those of us who take this view believe that deaneries lend themselves to 'adventurous' appointments but that committees have a tendency to prefer 'safer' candidates. On this view, an alternative to the Crown's present role in which the bishop made the appointment in consultation would be preferable to a CNC-style process. However, this would increase the number of appointments made by bishops. To many, the diversity of means by which senior church appointments are made is a strength, not a weakness. Those who take this view value the present 'mixed economy' and believe that in a church whose diocesan bishops are chosen by a Commission and a significant minority of whose deans are chosen by bishops, it is an advantage for the majority of deans to be chosen by a different route (though still with the consent of the diocesan).
- 8.3.21 The arguments of principle that we have outlined in para. 8.3.17 might suggest that all deans should be chosen by the Crown, and indeed some of those who made submissions to us proposed precisely that. We do not agree; all of us (other than Dr Baxter) think the present 'mixed economy' is preferable. While the distinctions between the cathedrals of the pre-1882 dioceses (and modern purpose-built cathedrals) and the others were never watertight and have been reduced by the Cathedrals Measure 1999, some of us at least believe that – broadly speaking – there remain differences in the life, role and significance of the two groups of cathedrals which are sufficient to justify the fact that the Crown chooses and appoints the deans of the first group only.
- 8.3.22 It is also important to look at the question within the overall context of Church-State relations. As we have already noted, Crown appointment of deans and canons did not loom large in earlier discussions of Church-State relations. Now, however, these are the last significant non-parochial ecclesiastical appointments in which the Crown takes the lead. The removal of this patronage and the downgrading of the Downing Street appointments office which would inevitably follow would mark a further stage in the disengagement of Church and State in England and it is quite possible that it might in turn prompt further changes and accelerate a process of disestablishment. We recognize that establishment will in any case continue to evolve, but most of us are unconvinced that such a further step towards disengagement is desirable at the present time.
- 8.3.23 If a new government were to propose such a change, the Church would have to decide whether to acquiesce in it or whether to press for continued involvement of this sort by the representatives of the nation in the life of the Church. The issue that we have been

asked to address is, effectively, a different one – that of whether the Church itself should request such a change.

- 8.3.24 The final consideration, which in the end led all of us except Dr Baxter to conclude that we should not recommend that the Crown’s present role in making these appointments should cease, is that we do not believe that at the present time there exists within the Church at large or among bishops and senior clergy the consensus in favour of such a change that we believe would be necessary for it to be pursued. There was not such a consensus among the submissions that we have received.
- 8.3.25 We note that in 2003, when the Government was proposing to abolish the office of Lord Chancellor, the Government issued a consultation document which, *inter alia*, asked what should happen to the patronage of those Crown benefices and canonries to which the appointments are ‘signed off’ by the Lord Chancellor. One of the options was that this Crown patronage should be transferred to a church patron. Views within the Church were divided: some favoured leaving the patronage with the Crown, while others argued that it should be transferred to a church patron (either the diocesan bishop or the diocesan board of patronage). In the absence of a General Synod decision it was not possible for the Archbishops to express, on behalf of the Church of England, a preference for one of these options as against the other. (In the event, the office of Lord Chancellor was not abolished, and the appointments concerned continue to be ‘signed off’ by the Lord Chancellor.) In this case, Dr Baxter’s amendment will test the mind of the General Synod on the issue.
- 8.3.26 The van Straubenzee report’s radical recommendation that the Crown’s role should become purely formal was rejected, and as a result that report in itself resulted in no change at all to the Crown’s existing processes (although, as we have already noted, they have none the less continued to develop). With the exception of Dr Baxter, who wishes to test the mind of the Synod (see paras 8.3.14-15 above), we would prefer to concentrate on making recommendations that we hope would result in further improvements to those processes, in the belief that such recommendations are more likely to meet with general approval and therefore also to result in change. **We therefore recommend that the right both to appoint to the 28 Crown deaneries and also to choose the person to be appointed should continue to rest with the Crown.**

8.4 Crown Deaneries: Recommended Modifications to the Process

- 8.4.1 The benefits, outlined above, which many believe are conferred by Crown patronage would be endangered if that patronage were exercised in the same way as episcopal patronage. The majority of us believe that variety in the means of making the appointment is an important positive aspect of the ‘mixed economy’ which the involvement of the Crown maintains. We therefore do not propose the establishment of a single process for making these appointments.
- 8.4.2 Some of the submissions that we received – even from those who are aware of the Crown’s process for appointing deans and are generally supportive of it – have suggested improvements to it. We agree that some modifications are desirable in order to address their concerns and to ensure that the process not only embodies the principles that we believe should apply to all appointments but is also seen to do so.

- 8.4.3 The process by which the Crown appoints deans is structured, professionally operated and consultative. However, while there is fairly widespread knowledge – at least in the dioceses concerned – of the process that leads to the drawing up of a ‘role and person specification’, there is little general knowledge of the later stages of the process. We have set that process out in section 8.2 above and hope that that account will do much to reassure those who have had concerns about it. In the interest of openness and transparency, **we recommend that the process for appointment to Crown deaneries (incorporating the modifications that we propose below) should be set out in a public statement by the Prime Minister (though not in such a way as to preclude further development and an appropriate degree of flexibility). Such a statement should record publicly that the aim of the process is to reach agreement with the diocesan bishop on a final shortlist of candidates with whose appointment the bishop would be content.**
- 8.4.4 Although the PMAS welcomes letters about vacant deaneries, that is not widely known. **In the interests of openness and transparency, we recommend that whenever a Crown deanery falls vacant, a notice should be inserted in the church press similar to that which now appears when a diocesan see is vacant. This would invite those who wish to do so to send comments (including names for consideration) to the PMAS.**
- 8.4.5 We note that in the case of the deaneries to which diocesan bishops and independent trustees appoint, the Chapter prepares a statement describing the conditions, needs and traditions of the parish and has the right to request a joint meeting with the Bishop under section 12 of the Patronage (Benefices) Measure. In the case of Crown deaneries, the Chapter does not have these rights and therefore corporately plays no formal part in the process. We consider that a statement by the Chapter about the needs of the cathedral could be a useful document both for the PMAS and the Bishop, and that it would be appropriate for the Chapter to be able to discuss that statement with the Bishop. **We therefore recommend that, in addition to the consultations undertaken by the PMAS, the Chapter should be encouraged to submit a statement to the PMAS and the Bishop about the needs of the Cathedral, and should be given the opportunity to discuss the statement with the Bishop.**
- 8.4.6 We understand that bishops are sometimes sent relevant extracts from references, rather than the full reference. In line with the practice of the Crown Nominations Commission, adopted in response to *Working with the Spirit*, **we recommend that references should normally be passed on in full. Where, exceptionally, it is judged necessary to exclude material from a reference in order to protect confidentiality (for example, information about positions for which the candidate was previously considered), the reason for the excision should be stated.**
- 8.4.7 It has been put to us that bishops are in a very isolated position in that they are unable, for reasons of confidentiality, to consult anyone about the names proposed to them by the Crown for consideration. **We therefore recommend that the bishop should be allowed, if he wished, to talk in confidence with up to three people from his diocese (after agreement with the PMAS) during the process of deliberation about names, in order to seek their comments and advice. These people would not constitute an**

‘appointing group’ and might well not meet as a group at all. They would not themselves meet the candidates under consideration, and would not necessarily meet the PMAS. Their role would be to act as ‘sounding boards’ for the bishop. Whereas some fear that processes involving groups may result in less ‘adventurous’ appointments, we believe that the possibility of taking such soundings with up to three trusted confidants could strengthen bishops in considering such appointments.

- 8.4.8 We are concerned that under the present arrangements diocesan bishops are sometimes placed in a position whereby they are asked to agree to the appointment as dean of their cathedral of someone whom they have never met. (The bishop and the dean meet only after an offer has been made by the Crown.) **We recommend that in future the Prime Minister’s letter offering the appointment to the candidate should state that final endorsement of the appointment would depend on discussions between the candidate and the bishop and between the candidate and the PMAS.** Such meetings would, of course, take place at a stage when the candidate, who will not have applied for the post, would himself or herself still be considering whether to accept the appointment if the offer were confirmed.
- 8.4.9 As indicated in Chapter 7 (para. 7.2.7) we have discussed at length and on a number of occasions the difficult issue of whether an opportunity should be given for the members of the Chapter to meet the candidate before the meeting between him or her and the bishop. Most of the issues are the same as those that we considered in Chapter 7, and we have come to the conclusion that in the case of Crown deaneries, as in the case of those to which the bishop appoints, we cannot recommend that an opportunity is provided for the candidate to meet the Chapter before the appointment is announced. We believe, however, that the recommendations we have made in para. 8.4.5 above will enhance the Chapter’s role in the process leading to the appointment of the dean.
- 8.4.10 We have become aware of two cases in which the person appointed later took the view that the information supplied to help with the decision as to whether to accept the offer of appointment was inadequate. It is important that candidates should make their decision in full knowledge both of any likely personal expense and also of the cathedral’s financial position. **We therefore recommend that full information should be given. This should include, for example, information about the financial aspects of occupation of the deanery and about the financial position of the cathedral. We recommend that the candidate should also see any statement of needs drawn up by the Bishop and/or the Chapter.**
- 8.4.11 **We note that the PMAS usually discusses with diocesan bishops candidates from their dioceses whose names are not on the Preferment List but which he notes for possible appointment to a Crown appointment. We recommend that this should invariably be the case.**
- 8.4.12 If it becomes necessary to withdraw an offer of appointment (e.g. for medical reasons), it is important that pastoral support should be offered to the person concerned, and that there should be clarity as to whose responsibility this is. A ‘debriefing’ should be given by the PMAS, and he should ensure that pastoral support is arranged by the person’s diocesan bishop (who has responsibility for his or her pastoral care). **Where for any reason it becomes necessary to withdraw an offer of appointment, we recommend**

that, in addition to the debriefing which we understand that the PMAS offers in such circumstances, the PMAS should ensure that arrangements for personal, ministerial and spiritual support are made in discussion with the candidate's diocesan bishop.

- 8.4.13 We have no reason to believe that those whom the Crown is appointing to deaneries are not the best candidates for the positions concerned or that a proper process is not followed for appointing them. However, a modern appointments process must be *seen* to be open and transparent and must comply with the legitimate expectations of those who are most closely concerned with the appointment (in this case, the candidate, the bishop and prospective future colleagues). We believe that with the modest enhancements that we have recommended the process for appointing to Crown deaneries will fulfil those criteria and conform with the principles that we believe should apply in the making of all senior church appointments.

**PROCESS FOR APPOINTMENT OF A DEAN
WITH PROPOSED ENHANCEMENTS (*in italics*)**

- *Notice in the church press inviting comments (including suggested names for consideration).*
- Consultations by the PMAS, normally in the cathedral precincts; letters to the PMAS.
- A confidential memorandum by the PMAS is sent to the Bishop for comments and suggested amendments; often, also a note on future needs by the Chapter; sometimes also a note by the bishop.
(The Chapter should be encouraged to prepare a statement and have been given an opportunity to discuss it with the Bishop.)
- A long list of potential candidates is drawn up by the PMAS and sent to the ASA (for possible further suggestions or comments).
- The PMAS sends the long list to the Bishop with CVs, references etc. *(References should normally be in full and the reason for any – exceptional – excisions should be explained.)*
- *The Bishop should be allowed, if he wished, to talk in confidence throughout the process to up to three people from the diocese.*
- A shortlist is agreed by the PMAS and the Bishop.
- The Archbishop of the Province is informed of the names.
- The PMAS puts advice to the Prime Minister.
(On the very rare occasions when the PMAS and the Bishop disagree about the order of preference within the agreed shortlist, the Prime Minister is informed of this and of the reasons for it.)
- The Queen's informal agreement is sought.
- The Prime Minister writes to the preferred candidate. *The letter should indicate that final endorsement would depend on the candidate's discussions with the Bishop and with the PMAS. (The offer is subject to CRB checks and a medical examination.)*
The PMAS invites the candidate (and spouse, if any) to Downing Street for a discussion.

- The candidate has a discussion with the diocesan bishop, and is encouraged to consult people (typically three) in confidence. Almost always the candidate (and spouse, if any) sees the house; written information is always given. *(Full information should be given, including information about the financial aspects of occupation of the deanery and about the financial position of the cathedral. The candidate should also see any statement of needs drawn up by the Bishop and or the Chapter.)*
- If *the discussions have been satisfactory and if* the candidate accepts, the Prime Minister puts a formal submission to The Queen for her approval.
- The date for the public announcement is agreed with the candidate and the Bishop.

8.5 Crown Canonries: Current Practice

8.5.1 Unlike the procedure for appointing to Crown deaneries, the procedures followed by the Crown in respect of canonries vary somewhat in order to reflect local circumstances. The method of appointment is agreed in advance with the dean and chapter and, often, with the diocesan bishop. One of three methods is usually adopted:

- competitive interviews of a slate of candidates;
- interviewing one candidate at a time (with only one interview if the first candidate approached is satisfactory);
- very occasionally, nomination of a candidate to the dean and chapter, after discussion with them but without interview.

8.5.2 The process usually begins with a visit from the PMAS or his deputy to the cathedral to carry out consultations. The aim is broadly similar to those undertaken for decanal posts, but the scope and scale of the soundings is more restricted given the less wide-ranging role of most canonries.

8.5.3 A profile of the post is written up from these consultations.

8.5.4 This profile, combined with other relevant documentation (for example, often a note prepared by the chapter concerned, which could, in some cases, be described as a role and/or person specification), is the basis for a long list produced by the PMAS or his deputy. (These appointments are not usually advertised.) As for deans, potential candidates may be drawn from suggestions arising from the bishop, dean and chapter and others consulted during the soundings, the Preferment List and names separately commended to the PMAS. Usually, at or around this stage this long list would be shared with the ASA for comment.

- 8.5.5 The names, with relevant details (similar to those for candidates for deaneries), are sent to the dean and chapter for consideration. At this point there may be further discussion between the dean and the PMAS or his deputy, and there may be further discussion with the bishop.
- 8.5.6 The dean responds with the cathedral's preference(s). Depending upon which method of appointment has been decided upon, the PMAS or his deputy asks the candidate(s) if they would be interested in being considered for the post. If they are, they are put in touch with the Dean so that arrangements can be made for them to visit the cathedral and meet the Dean and Chapter, and sometimes the bishop. Such meetings usually include the PMAS or his deputy, and now usually involve informal sessions as well as a formal interview.
- 8.5.7 When agreement is reached on the preferred candidate, the PMAS or his deputy confirms with him or her that he or she remains interested. If so, and if the preferred candidate has not yet met the bishop, a meeting with the bishop is arranged.
- 8.5.8 If the results of all of this are positive, a submission is prepared. This is offered for signature either to the Prime Minister and The Queen or, in the case of Crown canonries which are in the gift of the Lord Chancellor, to the Lord Chancellor, with a recommendation that the successful candidate is offered the appointment if they are content. Such a submission to Her Majesty constitutes formal advice from the Prime Minister. In the case of cathedral canonries, Her Majesty's informal approval is not sought at an earlier stage.
- 8.5.9 When either the Prime Minister and then The Queen or the Lord Chancellor (as the case may be) have agreed to the appointment a letter is sent to the successful candidate offering him or her the post subject to a CRB check (whether or not a medical examination is undertaken depends on local circumstances). The letter asks whether the candidate would like to meet the PMAS or his deputy for a further discussion before reaching a final decision.
- 8.5.10 Finally, arrangements are made for a press announcement by Downing Street, at a time and date to suit the candidate, the dean and the bishop.
- 8.5.11 The process for making appointments to canonries in Worcester Cathedral is set out in the protocol reproduced opposite. Circumstances in relation to other cathedral canonries may differ, as may views about the appropriate procedures in those cases. We quote this protocol as an example of the Crown's practice in respect of canonries.

**APPOINTMENT TO CROWN CANONRIES:
THE 'WORCESTER PROTOCOL'**

- The Prime Minister's Secretary for Appointments (PMAS) will initiate consultations over the needs of the cathedral and the post. These will be initiated with the Chapter and the Bishop, and may include the wider community. This may include a visit to Worcester to take soundings more widely.
- The PMAS may receive names from the Chapter and the Bishop.
- The PMAS and the Chapter will together settle on the long list of names of possible candidates, the PMAS copying these with details to the Bishop.
- The PMAS, the Chapter and the Bishop will together shortlist candidates.
- The PMAS will approach the shortlisted candidates and formal interviews are arranged with the PMAS, the Chapter and the Bishop, jointly, with the opportunity as well for each party to see them separately, if so wished.
- A preliminary visit to meet the Chapter informally could be offered before the formal interview stage.
- The PMAS will seek the Prime Minister's agreement to a candidate, taking into account the final views of the Bishop and the Chapter.
- The PMAS will send a formal submission to The Queen for approval.
- There may, of course, be circumstances where there is such an exceptional candidate that the Crown would prefer to revert to the 'one at a time' process, but the Bishop and the Chapter would be consulted about this.

8.5.12 Sometimes a diocese seeks to attach a diocesan post to a Crown canonry, thus effectively rendering the canonry part-time; indeed, the duties of the canonry would usually have very much the smaller share of the time available. It is usual practice for the Crown to agree to such proposals. In these cases, since the diocesan post constitutes the major part of the joint post, the Crown is content that the initiative in selecting candidates, the choice of methods for doing so and the initiative in proposing the final name should rest with the diocese, subject to the Crown being satisfied that the candidate proposed is of a suitable calibre and that the possibility of other candidates has been suitably considered. This is the case with the Archdeaconries of Norwich and Worcester (which are currently held with residentiary canonries – see Chapter 2, para. 2.6.3).

8.5.13 As stated in para. 2.6.4, three of the canonries of Christ Church Oxford which are in the gift of the Crown are annexed to Regius chairs. These are treated primarily as academic appointments and, broadly, follow the university's usual procedures for professorial

posts, adapted to allow for the Crown's role and for the interest of the Dean and Chapter of Christ Church in the appointment.

8.6 Crown Canonries: the Role of the Crown

- 8.6.1 The issues of appointments to deaneries and canonries are separable and there are additional issues in respect of canonries. It will be apparent that many (though not all) of the arguments in favour of Crown appointments to deaneries also apply to Crown canonries, at least to a degree.
- 8.6.2 One additional argument in favour of retaining Crown patronage of canonries if Crown patronage of deaneries is retained is that the former assists with the latter in that it enables people to be 'tried out in' and given experience of cathedral ministry prior to appointment as a dean. The Crown's patronage of a (relatively small) number of canonries 'fits' in a context where the Crown appoints both to parochial benefices and to deaneries, and as part of a 'mixed economy' in which many parochial benefices are in the gift of non-ecclesiastical patrons.
- 8.6.3 It has also been drawn to our attention that the Crown has been keen to use its patronage of canonries to promote diversity in senior church appointments. For example, it has been pointed out to us that the Crown has made a number of appointments of traditional catholics to canonries, whereas very few traditional catholics indeed have been appointed to residentiary canonries by bishops who themselves ordain women to the priesthood.
- 8.6.4 We note that the van Straubenzee report's recommendation of direct advice to the Crown by the Archbishops applied only to the appointment of deans. It did not argue for this to be the case with regard to canonries, but merely commented that the dean (or provost), the Chapter and the bishop should all be involved in discussions about the job and the gifts needed in order to do it and expressed the hope that 'those responsible for advising on appointments to canonries in the gift of the Crown and the Lord Chancellor will be sympathetic to those needs and operate in a similar manner'.⁶³
- 8.6.5 We judge that there is broad satisfaction with the way in which Crown appointments to canonries are made, and indeed it has been suggested to us that some bishops consult their chapter less about appointments to canonries than the Crown does.
- 8.6.6 The question of which canonries are in the gift of the Crown is more difficult than that of whether any should be. Whereas it is relatively easy to define the deaneries to which the Crown appoints (the deans of all cathedrals of dioceses founded before 1882, together with the Deans of Liverpool and Guildford, whose cathedrals are not parish churches), the picture with regard to canonries is more complicated (see para. 2.6.1). The Crown appoints canons in only one cathedral of the Old Foundation (St Paul's) and only one modern cathedral (Birmingham); it appoints canons in seven cathedrals of the New Foundation but not in the other six. It appoints no canons at all in 33 cathedrals, but all of the canons in three cathedrals (Birmingham, Bristol and Worcester) and all but one in four others (Gloucester, Norwich, St Paul's and Rochester).

⁶³ *Senior Church Appointments*, p. 51.

- 8.6.7 The 1927 *Report of the Cathedrals Commission* recommended that the bishop should have the patronage of at least one canonry in his cathedral and that it was desirable that two should be in his gift. It recommended that some of the bishops who possessed the patronage of all of the canonries in their cathedrals should give the patronage of one to the Crown and that in exchange the Crown should transfer patronage to those bishops who appointed no canons or only one.⁶⁴ The Howick Commission, which reported in 1964, received ‘a good deal of evidence that a variety of appointments of canons has been found valuable and that Crown appointments to these offices are well received’. It therefore went so far as to recommend an increase in the number of Crown canonries: ‘Where there are four or more canons in any chapter and none is appointed by the Crown, we recommend that one should be so appointed’.⁶⁵
- 8.6.8 We recognize that the present distribution of Crown canonries lacks logic and have considered whether, for example, it would be more sensible for one of the two canons in each cathedral who must be engaged exclusively on cathedral duties⁶⁶ to be appointed by the Crown. This would increase the number of Crown canonries from 29 (6 suspended) to 42, although if it applied only in cathedrals whose dean is appointed by the Crown the number would be 28 (as against 23 – the current number of Crown canonries that are not suspended). Such a change would be a complex undertaking, requiring negotiations involving all or most cathedrals and diocesan bishops; it would also be controversial. We therefore do not make such a recommendation. It would be for the bishops of the cathedrals concerned to consider the possibility of an exchange on a smaller scale, such as was proposed in 1927.

8.7 Crown Canonries: Recommended Modifications to the Process

- 8.7.1 In Chapter 7 we observed that the process adopted for any appointment must be proportionate to the level and nature of the appointment. Residentiary canonries vary considerably both in the duties attached to them and in the level of responsibility involved, and, as we said in para. 7.4.1, we therefore do not think it necessary or desirable for there to be a common process of appointment to residentiary canonries. **However, we recommend that the process for appointing to residentiary canonries should always include the elements set out in the following paragraphs.**
- 8.7.2 All residentiary canons should have a role specification, and this should be drawn up by the bishop and the dean jointly.
- 8.7.3 We believe that the ‘Worcester protocol’ (see para. 8.5.11) offers a helpful model, and recommend that the same broad principles should be followed in respect of other Crown canonries, recognizing that the details will necessarily vary in accordance with the circumstances in each cathedral.

⁶⁴ *Report of the Cathedrals Commission appointed in pursuance of a Resolution of the National Assembly of the Church of England* (London, 1927), i, 23.

⁶⁵ *Crown Appointments and the Church, being the Report of a Commission appointed by the Archbishops of Canterbury and York* (London, 1964), p. 56.

⁶⁶ *Cathedrals Measure 1999*, s. 8.

- 8.7.4 We recommend that (as envisaged in the ‘Worcester protocol’), there should always be an opportunity for the preferred candidate to meet all members of the Chapter informally before the appointment is offered.
- 8.7.5 We also recommend that (as provided for in the ‘Worcester protocol’) there should always be a formal interview, involving the bishop, the dean and at least one other member of the Chapter. We do not envisage the whole Chapter being part of an interviewing panel.

8.8 Other Appointments made by the Crown

- 8.8.1 As indicated in Chapter 2, section 2.7, the Crown has the right to appoint
- (a) to a vacancy created by the office-holder becoming a diocesan bishop (in such cases, the process to be followed is set out for the diocesan bishop, who has an opportunity to ask for changes in the process); and
 - (b) to posts otherwise in the gift of the diocesan bishop that fall vacant during a vacancy in the episcopal see.
- 8.8.2 The most recent examples are of (a) are the Deanery of Derby and the Archdeaconry of Lewes and Hastings; the most recent example of (b) is a canonry at Blackburn Cathedral.
- 8.8.3 In the case of the deanery, a similar process was followed to that for Crown deaneries outlined above.
- 8.8.4 In the case of the archdeaconry, the PMAS ascertained the needs of the post, primarily from the diocesan, and discussed a long list of potential suitable candidates with the diocesan. After an interview with the diocesan and the area bishop and a meeting with the PMAS, the name of the preferred candidate was proposed to the Prime Minister and The Queen for agreement.
- 8.8.5 In the case of the canonry, the method of appointment was discussed and agreed by the dean and the PMAS. It was agreed that the cathedral would advertise the post as well as consider a list of potential candidates proposed by the Crown. Competitive interviews were held at the cathedral with candidates drawn from both of these sources. The name of the preferred candidate was then proposed to the Prime Minister and The Queen for agreement.
- 8.8.6 We are unable to think of any good reason for the Crown retaining the right to appoint in either of these two circumstances; we regard both as unnecessary and unhelpful anomalies.
- 8.8.7 **We therefore recommend (as the Howick Commission did in 1964) that the Crown’s right to appoint to an office vacated by the office-holder becoming a diocesan bishop be abolished, and that instead the appointment should be made by the person or body who would otherwise have made it.**

- 8.8.8 **We also recommend that the Crown’s right to appoint to offices in the patronage of a diocesan bishop during a vacancy in the diocesan see should be abolished, and that the patronage should instead vest in the bishop to whom the other functions of the diocesan have been delegated (or, where the patronage had already been delegated to an area bishop, in that bishop).** It would be for the bishops concerned to decide (in consultation) whether to make the appointments or leave the offices concerned vacant until a new diocesan had been chosen.
- 8.8.9 We believe that these changes would not be controversial and that with the agreement of the Crown they could therefore be made by means of a Miscellaneous Provisions Measure. Meanwhile, we recommend that the Crown should simply appoint the person chosen by the person or body who would have the right to appoint if such legislation were to be passed.

9: THE DEANERIES OF BRADFORD AND SHEFFIELD

9.1 Introduction

- 9.1.1 As we have already noted, only two of the dioceses founded from 1882 onwards have purpose-built cathedrals. In the other fourteen dioceses an existing parish church became the cathedral and in those cases the incumbent of parish of which the cathedral is the parish church is automatically the dean of the cathedral. In twelve cases the patron of the cathedral benefice is the bishop.
- 9.1.2 The two exceptions are Bradford and Sheffield Cathedrals. Simeon's Trustees are the patrons of Bradford Parish Church, which became Bradford Cathedral in 1919, while Simeon's Trustees and the Sheffield Church Burgesses Trust alternately are the patrons of Sheffield Parish Church, which became Sheffield Cathedral in 1914.
- 9.1.3 Although our terms of reference include appointments to all deaneries, the General Synod motion highlighted appointments by the Crown and diocesan bishops. In consequence, in inviting initial submissions we did not specifically invite comment on appointments to these two deaneries. Fortunately, the patrons nevertheless made initial submissions. Six other submissions, including three from people who either currently or formerly held significant positions in the Diocese of Sheffield, commented on the patronage of these deaneries. Five of these submissions suggested that 'private patronage' of these two deaneries should be abolished. In consequence we felt obliged to consider the issue and invited a number of witnesses from both dioceses to give oral evidence to us. The Chairman, two members and the Secretary travelled to Sheffield for that purpose. (The Bishop of Sheffield, who is a member of the group, did not participate in that meeting.) The relevant written evidence was shared with the two trusts in advance on an anonymized basis, and the day concluded with a meeting with their representatives, at which points made to us in oral evidence (by witnesses with personal knowledge of what they told us) could be put to them. We are grateful to all of those who have given evidence to us, in writing and/or orally – especially to those who travelled some distance in order to be with us.
- 9.1.4 We recognize that with regard to both cathedrals there are strongly held views as to the appropriateness or otherwise of the present patronage, and in what follows we shall do our best to be fair to those on both sides of the issue. We are pleased to note that, notwithstanding the differences of view, good relations exist on a personal level between the patrons, the bishops and the cathedral clergy and congregations. We should be sorry if our consideration of the issues that were raised with us in evidence did anything to impair those relationships.
- 9.1.5 Although the involvement of Simeon's Trustees is a factor common to both cathedrals, the two situations are different and it will therefore be appropriate to consider them separately.

9.2 Bradford Cathedral

- 9.2.1 It is well known that Bradford Cathedral has experienced high-profile problems in the recent past. In that context, some (though not all) of those who gave evidence to us were

critical of the appointment of one of the previous incumbents as being inappropriate. It is not our task to express an opinion about that, and nor, on the basis of the evidence that we have received, are we in a position to do so, but the fact that such criticisms were made to us needs to be recorded as part of the background to our deliberations.

- 9.2.2 It was also suggested to us that it was because of the problems and dissatisfaction with one appointment that a number of relatively senior clergy within the Diocese of Bradford had written to the then Archbishop of York prior to the appointment of the present dean, criticizing the fact that the patronage belongs to Simeon's Trustees. Opinions among those who gave evidence to us differed as to the extent to which (if at all) it was fair to criticize the patrons for the appointment concerned. Clearly, not only the patrons but also the two lay members of the Chapter and the bishop (who each have the right to refuse to approve the making of an offer to the patrons' preferred candidate) and indeed those who write references about a successful candidate bear a share of the responsibility for any appointment – including any that are perceived with hindsight not to have been right.
- 9.2.3 Those from the Diocese of Bradford who gave evidence to us were unanimous in their satisfaction both with the way that the patrons conducted the process leading to the appointment of the present dean and with the appointment made. Interviews were conducted by a panel consisting of two of Simeon's Trustees, two lay members of the Chapter, the Bishop of Bradford and the Leader of Bradford City Council. In practice, therefore, the patrons gave the Chapter members and the Bishop, in addition to their statutory right to approve the making of an offer, a share in making the positive decision as to whom to appoint.
- 9.2.4 Such points have been made to us in evidence and we have therefore judged it right to make reference to them, but we are clear that these considerations cannot be determinative in answering the question as to whether the patronage should remain with Simeon's Trustees. What some regard (at least with hindsight) as 'poor appointments' have doubtless been made in the past by the Crown and by bishops. Equally, it does not necessarily follow from the fact that a 'good appointment' is made by a good process that the person or body making the appointment should have the right to do so.
- 9.2.5 Two distinct though related arguments against the present arrangements have been advanced in evidence to us that are independent of the recent history of Bradford Cathedral.
- 9.2.6 One is that (to quote a submission from a lay person from a diocese other than Bradford or Sheffield) 'The participation of private patronage in the appointment of deans is inappropriate in the 21st century.' This echoes the view expressed over eighty years ago by the sub-committee of the then Cathedrals Commission that visited Bradford Cathedral: 'We are of opinion that the patronage of the cathedral ought not to be in the hands of private trustees', which in turn led the Commission to recommend that 'It is most desirable that the patronage of the benefice, if not already belonging to the bishop, should be vested in him.'⁶⁷ 'Private' here means that the patron is neither a 'public' body nor an

⁶⁷ *Report of the Cathedrals Commission appointed in pursuance of a Resolution of the National Assembly of the Church of England* (London, 1927), ii, 167: report dated 3 September 1925; i, 43: recommendation xxii; cf. p. 22: 'in cathedrals which are also parish churches the incumbent, or "provost", should be appointed by the bishop'. By the time the Commission's report was finalized it was understood that 'proposals have been initiated which would

ecclesiastical ‘corporation’ or office-holder. Like many such trusts, Simeon’s Trustees are a self-perpetuating body (new trustees being appointed by the existing trustees). They are also independent and hence not formally accountable either to the Church or to the wider local or national community for the exercise of their patronage.

- 9.2.7 The other argument advanced against the continued vesting of the patronage in Simeon’s Trustees relates to the perception that Simeon’s Trustees is a body which, as one submission put it, it is ‘defined by a particular churchmanship’.
- 9.2.8 Simeon’s Trustees were founded by Charles Simeon (1759-1836), the doyen of the evangelical clergy of his day. Professor Owen Chadwick has commented on the founding of the Trust as follows:

‘Charles Simeon observed that under the law of patronage an evangelical vicar might be succeeded by an idle or fox-hunting parson. He therefore constituted (1817) the Simeon Trust, contributing his wealth and raising large sums from donors to buy advowsons which enabled the trust to appoint incumbents and so ensured evangelical succession. Shortly before his death the municipal corporations act ordered advowsons of corporations to be sold and allowed him to extend his purchases. The trustees were not sectarian. The trust deed spoke lofty ideals of choosing clergymen. They eschewed idle clergy, fox-hunting clergy, dancing clergy, gospel-less clergy, Anglo-Catholic clergy and at last non-evangelical clergy. Their opponents said that in exercising patronage the liberty of the Church of England was sufficient; that while it was right to exclude idle and immoral it was wrong to exclude good men because they did not hold the narrow orthodoxy of evangelicals. The evangelicals denied that their orthodoxy was narrow and said that it was nothing but the reformed doctrine of the Church of England. But this exercise of patronage opened them to the charge of party.’⁶⁸

- 9.2.9 This description of the trust’s origins and early history by a distinguished church historian, together with the fact that today Simeon’s Trustees is a member of the Evangelical Patronage Consultative Council, makes it understandable that it is perceived as a trust ‘defined by a particular churchmanship’. We also note that all twelve trustees listed in its original submission to us attended evangelical theological colleges.
- 9.2.10 It is only fair to record, however, that both orally and in their second submission to us the representatives of Simeon’s Trustees have denied that they are ‘defined by a particular churchmanship’ and rejected such perceptions or allegations as being ‘inaccurate and unjustified’. Whereas we have merely attempted to summarize and explain the views that have been expressed to us, it has seemed right to allow Simeon’s Trustees to speak for themselves by printing their second submission in full in Appendix V.
- 9.2.11 While it is true that either the worship or the clergy of other cathedrals or even both may be described in terms of a particular tradition, and that those in the dioceses concerned who do not share that tradition may not feel fully ‘at home’ in the cathedral, the issue posed by the patronage of Bradford Cathedral is a slightly different one. In this case, the

have the effect, if carried out on the lines proposed, of transferring the patronage of Bradford Parish Church to the bishop’, but this did not take place.

⁶⁸ W. O. Chadwick, *The Victorian Church* (3rd edn: London, 1971), p. 449.

fact that the patronage belongs to Simeon's Trustees means that there may be a perception within the diocese that the cathedral 'belongs' to a body 'defined by a particular churchmanship', rather than belonging fully to the diocese whose mother church it is.

- 9.2.12 Notwithstanding the right of the bishop and lay chapter members to refuse to approve the making of an offer, the patrons may be described as the 'appointing body', in that they alone have the legal right to identify a candidate for appointment. It has been suggested to us in evidence that there has in the past been a perception on the part of some that Simeon's Trustees had at least a strong desire for someone of evangelical tradition to be appointed as Dean of Bradford. Whether that perception was fair or unfair in respect of any particular appointment is impossible for us to judge. (Simeon's Trustees do not accept that it is.) However, if circumstances are such as to give rise even only to a perception that the whole 'appointing body' for a cathedral deanery may (consciously or otherwise) be inclined because of its history, composition and overall understanding of its role to favour candidates of a particular tradition, and to regard faithfulness to that tradition as being more important than other qualifications, the appointment process may be regarded as lacking the appropriate degree of fairness and openness.
- 9.2.13 It is important to be clear that while it so happens that in this case the patron is an evangelical patronage trust, exactly the same considerations would have applied had the advowson belonged to an anglo-catholic patronage trust or indeed to a body characterized by espousal of a liberal tradition. We are also conscious that the members of all such patronage trusts work on a voluntary basis to find clergy for parishes and that their work is widely appreciated in the church at large as part of a 'mixed economy' in parochial patronage.

9.3 Sheffield Cathedral

- 9.3.1 The position with regard to Sheffield Cathedral is more complicated than in Bradford, not least because there are two patrons who have the right to exercise the patronage alternately – Simeon's Trustees and the Sheffield Church Burgesses Trust.
- 9.3.2 Not only does there seem to be general happiness (as in Bradford) with the most recent appointment to the Deanery of Sheffield, but no reservations have been expressed to us about any previous appointment by the patrons. The most recent appointment in Sheffield was made by an interviewing panel of nine, including representatives of both patrons, the two lay chapter members and the Bishop of Sheffield. Although it is only fair to note that criticisms were made to us of the process used for appointing the present dean, we do not make any judgement about that process, and it does not necessarily follow from criticism of a process that the right to make the appointment should be re-allocated.
- 9.3.3 This means that in this case too the issues that we have to address are those of
- whether it is appropriate at all for the right to present to a cathedral deanery to be vested in an independent trust, and

- whether the perceived identity of the patrons is such as to give rise to difficulties in the relationship between the cathedral and the diocese and to a perception that the process of appointment lacks the appropriate degree of openness and fairness.
- 9.3.4 The Church Burgesses Trust was founded by a charter of Queen Mary in 1554, one of its primary purposes being to pay the stipends of three assistant ministers at Sheffield Parish Church. Until 1854 the Burgesses appointed and employed the three assistant ministers, but thereafter they paid the stipends of two assistant curates who were responsible to the Vicar. It was not until 1890 that the Church Burgesses received, as a bequest, a half share in the advowson of the parish church, entitling them for the first time to present to the benefice at alternate vacancies.
- 9.3.5 The Trust's second primary purpose was to pay the costs of divine service at Sheffield Parish Church, and one of the three objects to which the Trust's surplus income was to be devoted was the repair of the parish church. The Burgesses are now obliged to spend 70% of their income on ecclesiastical purposes in Sheffield. They have raised their annual income from £60,000 per annum in the 1960s to £2.5 million. Of this, the Cathedral received almost £280,000 in 2005 – 46% of the Cathedral's income. The ancient parish of Sheffield having been divided into a large number of modern parishes, there are differing perspectives on the extent to which the Burgesses are obliged to make grants to the Cathedral as the ancient parish church.
- 9.3.6 With regard to the question of whether it is right for independent trustees to make such appointments, the position with regard to the Church Burgesses Trust and Simeon's Trustees (who purchased the other half share in the advowson a little earlier than the Church Burgesses received theirs by bequest) is essentially the same. Although the primary purposes of the Church Burgesses Trust are ecclesiastical, the Church Burgesses are not a 'church body'; public meetings of the Trust ceased at the end of the seventeenth century and the public has never been involved in the appointment of Trustees (who are appointed by the existing trustees).⁶⁹
- 9.3.7 With regard to Simeon's Trustees, the same issues as to ecclesial tradition ('churchmanship') arise as in the case of Bradford, but the position is more complicated in that regard than in Bradford. The congregation of Bradford Cathedral has been described to us 'broadly low church and evangelical', but with 'a breadth that reflects its status as a cathedral church'. The congregation of Sheffield Cathedral, by contrast, has been described to us as 'ranging from middle to high – that is to say a classic English cathedral congregation'. Also, the Diocese of Sheffield has a very significant proportion of Anglo-Catholic parishes. 34 parishes out of 173 (20%) have passed Resolution A under the Priests (Ordination of Women) Measure, and 20 of these (the highest proportion in any English diocese) receive extended episcopal ministry from a Provincial Episcopal Visitor, in this case the Bishop of Beverley.⁷⁰
- 9.3.8 While the representatives of the Church Burgesses Trust emphasized to us that the Burgesses represent a broad range of ecclesial traditions, that perception is not shared by

⁶⁹ G. Tolley, 'The Sheffield Church Burgesses Trust. The Twelve Capital Burgesses and Commonalty of the Town and Parish of Sheffield in the County of York: A Brief Historical Note' (2004), p. 2.

⁷⁰ 'House of Bishops' Women Bishops Group: Report to the General Synod from a working party chaired by the Bishop of Guildford' (GS 1605: 2006), p. 57 (figures as at 31 March 2004).

other witnesses, who believe that evangelicals predominate among the current Trustees. The Burgesses' perceived attitude to women was also criticized in evidence. Although their charter was amended in 2003 to permit the appointment of women as Trustees, in early 2006 when we met representatives of the Trust, a female Trustee had yet to be appointed, and we were told that this was despite a number of professionally qualified female candidates being drawn to the Burgesses' attention at the last vacancy. (A female Trustee was appointed later in 2006.) The fact that the Burgesses had yet to appoint a female incumbent to one of the livings in their gift (except in one case where the person concerned was already priest in charge) was also noted by those who are critical of the Burgesses' stance.

- 9.3.9 The main problem raised in respect of the Burgesses' patronage is not that of ecclesial traditions or their perceived attitudes with regard to women as trustees and incumbents, however, but a perception that they represent a sectional interest within the City of Sheffield that is in some tension with other forces within the City to which the Cathedral needs to relate and, indeed, is also at variance with the composition of the Cathedral congregation. Sheffield has been described to us as being one of the most socially divided cities in Europe. The Church Burgesses Trust is seen as representing the 'Old Sheffield' epitomized by the Company of Cutlers, which is contrasted with the (now admittedly similarly outdated) left-wing image of the 'New Sheffield'. It was suggested to us that in early 2006 all of the then Trustees of the Church Burgesses Trust lived in a single (affluent) postal district of Sheffield (S10) and worshipped in one or other of three parish churches.
- 9.3.10 Thus, the Church Burgesses Trust is perceived by some who gave evidence to us as a group of male professional and business people resident in one affluent district of Sheffield and representative of the city's old traditions but not of the full breadth of its present life. By contrast, the Cathedral is situated in Central Sheffield, which collapsed socially and economically in the 1980s. Very few members of the present congregation worshipped in the cathedral before the mid-1980s. The congregation was described to us as consisting to a considerable extent of short-term and less affluent residents such as students and hospital workers. We gained a sense that a public-sector ethos predominates. Fears were also expressed that in a socially and politically divided city the Cathedral's public association with the Burgesses, while obviously financially very beneficial in itself, might militate against establishing relationships with and obtaining funding from public bodies that were uncomfortable with what the Burgesses were perceived as representing.
- 9.3.11 Those of us who met with representatives of the Sheffield Church Burgesses Trust were very positively impressed by their calibre and by their account of their work (which is undertaken voluntarily for the good of the church and wider community in Sheffield). It is clear that their stewardship of the assets which they hold in trust has brought very great benefit to the church in Sheffield in general and to Sheffield Cathedral in particular. We deeply regret that in this report it has been necessary, in order to explain the reasons why there is perceived to be a problem with their enjoying a share in the patronage of the Deanery of Sheffield, to record perceptions that they do not themselves share and which they may even find hurtful or offensive. Those of us who do not live in Sheffield are, by definition, unable to judge to what extent these perceptions are justified, but we have had

to conclude that such perceptions exist and that they are relevant to the issue that we have felt obliged to address.

9.4 The Way Forward

- 9.4.1 In responding to the evidence presented to us both in writing and in submissions, we had first to consider whether we agree with the view that the participation of private or independent trustees in the appointment of deans is inappropriate. Our conclusion was that in the present context, which involves the Crown appointing to 28 deaneries and diocesan bishops to twelve, the involvement of independent trustees as part of what is, albeit to a limited extent, a ‘mixed economy’ of patronage is not in itself inappropriate. We are clear that if the Crown’s patronage of cathedral deaneries were to be abolished or become purely formal the picture would change.
- 9.4.2 We have encountered little support for the possibility of transferring this patronage to the Crown, which would involve the loss of the existing rights of the parochial congregations under the Patronage (Benefices) Measure 1986. The Bishops of Bradford and Sheffield have not themselves pressed for the patronage to be transferred to them.
- 9.4.3 We are also conscious that – for reasons that we considered in Chapter 4 (section 4.3) – evangelicals are under-represented in cathedral ministry in general and among deans in particular. In this context, the involvement of patrons who in general help evangelical clergy to find posts and are concerned in particular that evangelicals should participate more in cathedral ministry (as the second submission from Simeon’s Trustees documents) can be seen as a positive advantage.
- 9.4.4 However, we could not ignore the evidence presented to us of significant degrees of unhappiness with the present position both within the congregation of Sheffield Cathedral and among the clergy in both dioceses at large. We wished to be fair not only to the patrons but also to others who had given evidence to us in writing and orally.
- 9.4.5 We noted that while on the most recent occasion in Sheffield Simeon’s Trustees involved representatives of the Church Burgesses Trust, the two lay Chapter members and the Bishop in interviewing and making the decision, and subsequently in Bradford allowed the Chapter members and the Bishop to participate in short-listing, they were not obliged to do so. We were conscious that the composition of trusts can and does change, and that, as things stand, members of the two trusts might in future decide to adopt different procedures.
- 9.4.6 We therefore decided to ask the patrons to agree to the patronage being transferred to:
- Simeon’s Trustees and the Bishop jointly in the case of the Deanery of Bradford; and
 - Simeon’s Trustees, the Sheffield Church Burgesses Trust and the Bishop of Sheffield jointly in the case of the Deanery of Sheffield.

- 9.4.7 With the consent of the patrons, this transfer could be effected by means of a pastoral order under the Pastoral Measure 1983 (as amended). It would not require legislation. We note that the transfer of a share in the patronage to the two bishops might, with the consent of those concerned, be balanced by the transferring of parochial patronage currently in the gift of the deans or bishops to the patrons of the cathedral benefices.
- 9.4.8 The advantage of the change would be that the wider diocese (and in the case of Sheffield, where this is an issue, the cathedral congregation) would be reassured that the bishop would be fully involved in the process as of right, rather than simply by courtesy. The rights of the laity of the two parishes under the Patronage (Benefices) Measure 1986 would be unaffected. (It is, of course, common for bishops to be patrons of parochial benefices jointly with other patrons, including patronage trusts, and bishops are already sole patrons of twelve of the fourteen cathedral benefices of cathedrals whose deans are not appointed by the Crown. The roles of bishop and patron have not historically been seen as mutually exclusive.)
- 9.4.9 At the same time, there would not necessarily be any change in the arrangements adopted for the most recent appointments in Sheffield and Bradford (except that in Sheffield the Bishop was not fully involved in shortlisting), and we hoped that it would therefore be acceptable to the patrons. Given the evidence we received, especially from within the Diocese of Sheffield, we did not believe that the strong feelings expressed to us would die down without some change being made in the legal position so as to secure for the future the involvement of the diocesan bishop in the choice of dean. We therefore believed that it would be in the interest of the patrons to agree to this change in the formal position.
- 9.4.10 We also suggested that in any event it would be preferable for the existing patrons' patronage of the Deanery of Sheffield to be joint rather than alternate. This would tend to ensure greater stability and remove the possibility of undue changes of process or approach from one appointment to the next. (Although the present Trustees work together harmoniously, as we have said, the composition of trust bodies can and does change over time.) Joint patronage would also lessen the impact of the adverse perceptions of the two bodies to which our attention has been drawn, in that the appointment could not be said legally to be 'in the gift' of one body or the other exclusively. At our initial meeting, the representatives of both trusts had expressed openness to such a change.
- 9.4.11 It is interesting that after we had reached this conclusion but before we had made our proposal to the patrons we received a letter from a former member of Simeon's Trustees familiar with the Cathedral and Diocese of Bradford, in which he expressed the following view:
- 'Only modest change is needed, namely that patronage should be exercised jointly by the diocesan bishop and the Simeon Trust. This would be to enshrine legally what has effectively been the approach in recent appointments to the deanery. Having the diocesan fully constituted as a patron ought to reassure those exercised about the present procedure. A limited but significant alteration in this direction would seem to be the most acceptable way forward consistent with the best traditions of the Anglican *via media*.'

- 9.4.12 In their responses (printed in Appendix V) the two trusts have both rejected our main proposal.
- 9.4.13 With regard to our secondary proposal, Simeon's Trustees have indicated that in other contexts they prefer joint patronage to alternate turns and are very amenable to discussing such a change with the Church Burgesses Trust. The response of the Sheffield Church Burgesses Trust on this point is more cautious, but they would be open to exploring this, 'if... others are able to demonstrate that a change could yield an improvement sufficiently significant to justify altering the status quo'.
- 9.4.14 We continue to believe that such a change in Sheffield would be in the interests of both the patrons and the Cathedral. We also welcome the openness of both bodies to following the best practice under the Patronage (Benefices) Measure, and the readiness implied by the Church Burgesses Trust to work within the spirit of any guidelines that might be adopted for appointments to deaneries more generally.
- 9.4.15 However, the criticism within both dioceses of the present position flows primarily from principle and perception and a concern about possible future changes, rather than from the way in which the patronage has most recently been exercised. Whether joint patronage of the two existing patrons in Sheffield and the commitment of the present members of both trusts to good practice in future would be sufficient in itself to remove that criticism must therefore remain open to question.
- 9.4.16 We have considered carefully the responses of both trusts to the proposal we put to them. Although we respect the genuine convictions reflected in their letters and are grateful for their thorough examination of the proposal, we remain persuaded that it would be better for the trusts to agree formally to include the bishop in the patronage arrangements in each case, as set out in para. 9.4.6 above. The publication of our report will give them and others an opportunity to reflect or reflect further on the issues of perception that we have identified. The possibility remains that the trusts might wish to reconsider their position if, as a result, it became clear that there would be a general welcome for the proposal in para. 9.4.6.

10: RECOMMENDATIONS

Chapter 3: Identifying and Developing Talent

1. In *section 3.5* we make a number of recommendations for improvements to the Preferment List.
2. We recommend that the Preferment List should be developed as a search facility along the lines set out in *section 3.6*, and that good practice guidelines should be developed, and adopted by the House of Bishops, to support this.
3. In *section 3.7*, we make a number of recommendations for good practice in the use of 'search' as a means of identifying candidates, either in addition to or instead of advertising. We recommend that the ASA produce good practice guidelines to assist dioceses with the use of 'search'.
4. We recommend that a scheme offering structured support, training and development opportunities to those identified as having potential to serve as church leaders at the highest level (as described in *section 3.8*) should be adopted.
5. We recommend that bishops consider how they can help to avoid or mitigate the negative effects of disappointment on the part of their clergy (see *section 3.9*).

Chapter 4: Fostering Diversity

6. We recommend that the ethnic background of those on the Preferment List should be recorded. Bishops should be asked to indicate which (if any) of those currently on the List from their dioceses are from a minority ethnic background. (See *section 4.3*.)
7. We recommend that if it proves to be the case that the proportion of minority ethnic clergy on the Preferment List is less than the proportion among the clergy overall, diocesan bishops should be asked positively to look for minority ethnic clergy who might either be qualified for inclusion on the Preferment List or might be developed in such a way that they might be qualified later on (see *section 4.3*).
8. We recommend that bishops should be asked to indicate which (if any) of those currently on the List from their dioceses are from a conservative evangelical background. Bishops should be asked positively to look for clergy from this constituency who might either be qualified for inclusion on the Preferment List or might be developed in such a way that they might be qualified later on (see *section 4.4*).
9. We recommend that efforts be made to persuade both those responsible for making appointments and those whom they consult that while the Episcopal Ministry Act of Synod remains in force its prohibition of discrimination should be adhered to (see *section 4.5*).
10. We also recommend that bishops should be asked to indicate which (if any) of those currently on the List from their dioceses are 'traditional catholics'. Bishops should be asked positively to look for clergy from this constituency who might either be qualified

for inclusion on the Preferment List or might be developed in such a way that they might be qualified later on. (See *section 4.5.*)

11. We recommend that in respect of each post, bishops should be asked to complete and return to the ASA a form detailing the gender and ethnicity of candidates considered, so as to make monitoring possible (see *para. 4.6.5.*)

Chapter 5: Choosing Suffragan Bishops

12. We recommend that when suffragan bishops are chosen, the possibility of an existing suffragan being translated from another see should be borne in mind (see *para. 5.2.6.*)
13. We recommend that the archbishops indicate that they expect an agreed process to be followed in choosing those with whose nomination they will be asked to concur (see *para. 5.6.1.*)
14. In the *sections 5.6.2-9* we make recommendations about the elements of that agreed process. In the process the archbishop will be represented by the Archbishops' Secretary for Appointments (ASA), who will report to, and receive guidance from, the archbishop as necessary.

Chapter 6: Appointing Archdeacons

15. We recommend that a 'core' role specification, covering those responsibilities of an archdeacon that cannot be delegated, should be drawn up so that it may be included in each archdeacon's role specification (see *para. 6.1.6.*)
16. We recommend that when archdeacons are appointed the possibility of appointing an existing archdeacon from the same or another diocese should be borne in mind.
17. We hope that the House of Bishops will adopt the common framework set out in *sections 6.3.2-9* as a minimum standard that will apply in all dioceses (see *para. 6.3.1.1.*)

Chapter 7: Cathedral Appointments by Bishops

18. We recommend that the process for the appointment of the deans of the twelve cathedrals of which the bishop is patron should be based on that recommended for the appointment of archdeacons in *section 6.3*, but with the adaptations set out in *section 7.2.*
19. **We recommend that the process for appointment to residentiary canonries by bishops should always include the elements set out in *section 7.4.***

Chapter 8: The Role and Practice of the Crown

(a) Crown Deaneries

20. We recommend that the right both to appoint to the 28 Crown deaneries and also to choose the person to be appointed should continue to rest with the Crown (see *section 8.3*).
21. We recommend that the process for appointment to Crown deaneries (incorporating the modifications that we propose in *section 8.4*) should be set out in a public statement by the Prime Minister (though not in such a way as to preclude further development and an appropriate degree of flexibility). Such a statement should record publicly that the aim of the process is to reach agreement with the diocesan bishop on a final shortlist of candidates with whose appointment the bishop would be content.
22. In the interests of openness and transparency, we recommend that whenever a Crown deanery falls vacant, a notice should be inserted in the church press similar to that which now appears when a diocesan see is vacant. This would invite those who wish to do so to send comments (including names for consideration) to the PMAS. (See *para. 8.4.4*.)
23. We recommend that, in addition to the consultations undertaken by the PMAS, the Chapter should be encouraged to submit a statement to the PMAS and the Bishop about the needs of the Cathedral, and should be given the opportunity to discuss the statement with the Bishop (see *para. 8.4.5*).
24. We recommend that references should normally be passed on to the bishop in full. Where, exceptionally, it is judged necessary to exclude material from a reference in order to protect confidentiality (for example, information about positions for which the candidate was previously considered), the reason for the excision should be stated. (See *para. 8.4.6*.)
25. We recommend that the bishop should be allowed, if he wished, to talk in confidence with up to three people from his diocese (after agreement with the PMAS) during the process of deliberation about names, in order to seek their comments and advice. These people would not constitute an ‘appointing group’ and might well not meet as a group at all. They would not themselves meet the candidates under consideration, and would not necessarily meet the PMAS. Their role would be to act as ‘sounding boards’ for the bishop. (See *para. 8.4.7*.)
26. We recommend that in future the Prime Minister’s letter offering the appointment to the candidate should state that final endorsement of the appointment would depend on discussions between the candidate and the bishop and between the candidate and the PMAS (see *para. 8.4.8*).
27. We recommend that full information should be given to the candidate. This should include, for example, information about the financial aspects of occupation of the deanery and about the financial position of the cathedral. We recommend that the candidate should also see any statement of needs drawn up by the bishop and/or the chapter. (See *para. 8.4.10*.)

28. We note that the PMAS usually discusses with diocesan bishops candidates from their dioceses whose names are not on the Preferment List but which he notes for possible appointment to a Crown appointment. We recommend that this should invariably be the case. (*Para. 8.4.11.*)
29. Where for any reason it becomes necessary to withdraw an offer of appointment, we recommend that, in addition to the debriefing which we understand that the PMAS offers in such circumstances, the PMAS should ensure that arrangements for personal, ministerial and spiritual support are made in discussion with the candidate's diocesan bishop. (*See para. 8.4.12.*)

(b) Crown Canonries

30. We recommend that the process for appointing to residentiary canonries should always include the elements set out in *section 8.7*.

(c) Other Appointments made by the Crown

31. We recommend (as the Howick Commission did in 1964) that the Crown's right to appoint to an office vacated by the office-holder becoming a diocesan bishop be abolished, and that instead the appointment should be made by the person or body who would otherwise have made it. (*See section 8.8.*)
32. We also recommend that the Crown's right to appoint to offices in the patronage of a diocesan bishop during a vacancy in the diocesan see should be abolished, and that the patronage should instead vest in the bishop to whom the other functions of the diocesan have been delegated (or, where the patronage had already been delegated to an area bishop, in that bishop). (*See section 8.8.*)
33. Meanwhile, we recommend that the Crown should simply appoint the person chosen by the person or body who would have the right to appoint if such legislation were to be passed.

Chapter 9: The Deaneries of Bradford and Sheffield

34. We have considered carefully the responses of Simeon's Trustees and the Sheffield Church Burgesses Trust to the proposal we put to them. Although we respect the genuine convictions reflected in their letters and are grateful for their thorough examination of the proposal, we remain persuaded that it would be better for the trusts to agree formally to include the bishop in the patronage arrangements in each case, as set out in para. 9.4.6. The publication of our report will give them and others an opportunity to reflect or reflect further on the issues of perception that we have identified. The possibility remains that the trusts might wish to reconsider their position if, as a result, it became clear that there would be a general welcome for the proposal in para. 9.4.6.

EVIDENCE SUBMITTED TO THE REVIEW GROUP

The Group received evidence from the following († indicates those who gave oral evidence):

Diocesan Bishops

The Rt Revd Peter Price (Bishop of Bath and Wells)
The Rt Revd Nicholas Reade (Bishop of Blackburn)
The Rt Revd David James (Bishop of Bradford)
The Rt Revd Michael Hill (Bishop of Bristol)
The Rt Revd Graham Dow (Bishop of Carlisle)
The Rt Revd John Gladwin (Bishop of Chelmsford)
The Rt Revd Dr Peter Forster (Bishop of Chester)
The Rt Revd Colin Bennetts (Bishop of Coventry)
The Rt Revd Dr Alastair Redfern (Bishop of Derby)
The Rt Revd Dr Geoffrey Rowell (Bishop of Gibraltar in Europe)
The Rt Revd Michael Perham (Bishop of Gloucester)
The Rt Revd Christopher Hill (Bishop of Guildford)
The Rt Revd Anthony Priddis (Bishop of Hereford)
The Rt Revd Timothy Stevens (Bishop of Leicester)†
The Rt Revd Jonathan Gledhill (Bishop of Lichfield)
The Rt Revd Dr John Saxbee (Bishop of Lincoln)
The Rt Revd James Jones (Bishop of Liverpool)†
The Rt Revd Nigel McCulloch (Bishop of Manchester)
The Rt Revd Graham James (Bishop of Norwich)
The Rt Revd Richard Harries (Bishop of Oxford)
The Rt Revd Ian Cundy (Bishop of Peterborough)
The Rt Revd Dr Kenneth Stevenson (Bishop of Portsmouth)
The Rt Revd John Packer (Bishop of Ripon and Leeds)
The Rt Revd Dr Michael Nazir-Ali (Bishop of Rochester)
The Rt Revd Christopher Herbert (Bishop of St Albans)
The Rt Revd Richard Lewis (Bishop of St Edmundsbury and Ipswich)
The Rt Revd George Cassidy (Bishop of Southwell and Nottingham)
The Rt Revd Stephen Platten (Bishop of Wakefield)
The Rt Revd Michael Scott-Joynt (Bishop of Winchester)
The Rt Revd Dr Peter Selby (Bishop of Worcester)
The Rt Revd Mark Santer (formerly Bishop of Birmingham)

Suffragan Bishops

The Rt Revd David Atkinson (Bishop of Thetford)
The Rt Revd Pete Broadbent (Bishop of Willesden)†
The Rt Revd Richard Frith (Bishop of Hull)
The Rt Revd Martyn Jarrett (Bishop of Beverley)†
The Rt Revd Nigel Stock (Bishop of Stockport)

Deans

The Very Revd Peter Bradley (Dean of Sheffield)†
The Very Revd John Clarke (Dean of Wells)
The Very Revd Vivienne Faull (Dean of Leicester)
The Very Revd Raymond Furnell (formerly Dean of York)
The Very Revd Dr David Ison (Dean of Bradford)
The Very Revd Dr Jeffrey John (Dean of St Albans)
The Very Revd Dr Martin Kitchen (Dean of Derby)
The Very Revd Alec Knight (Dean of Lincoln)
The Very Revd Christopher Lewis (Dean of Christ Church, Oxford)†
The Very Revd Richard Lewis (formerly Dean of Wells)
The Very Revd Jonathan Meyrick (Dean of Exeter)
The Very Revd George Nairn-Briggs (Dean of Wakefield)
The Very Revd Michael Sadgrove (Dean of Durham)
The Very Revd Colin Slee (Dean of Southwark)
The Very Revd Graham Smith (Dean of Norwich)
The Very Revd Victor Stock (Dean of Guildford)
The Very Revd Michael Tavinor (Dean of Hereford)

Archdeacons

The Ven Richard Blackburn (Archdeacon of Sheffield and Rotherham)
The Ven Peter Burrows (Archdeacon-elect of Leeds)
The Ven Paul Ferguson (Archdeacon of Cleveland)
The Ven Robert Freeman (Archdeacon of Halifax)
The Ven Martin Gray (Archdeacon of Lynn)
The Ven Jonathan Greener (Archdeacon of Pontefract)
The Ven John Guille (Archdeacon of Winchester)
The Ven Christine Hardman (Archdeacon of Lewisham)†
The Ven Ian Jagger (Archdeacon of Auckland)
The Ven Trevor Jones (Archdeacon of Hertford)
The Ven Clive Mansell (Archdeacon of Tonbridge)†
The Ven Clifford Offer (Archdeacon of Norwich)
The Ven Richard Seed (Archdeacon of York)
The Ven Godfrey Stone (Archdeacon of Stoke-upon-Trent)
The Ven Paul Wright (Archdeacon of Bromley and Bexley)

Lord-Lieutenants

Sir Simon Bowes Lyon (Hertfordshire)
Mrs Bridget Cracroft-Eley (Lincolnshire)
Sir Thomas Dunne (Herefordshire)
Mrs Mary Fagan (Hampshire)
Mrs Sarah Goad (Surrey)
Mr Algernon Heber-Percy (Shropshire)
Lady Mary Holborow (Cornwall)
Dr Laurence Howard (Rutland)

Mr Richard Marriott (East Riding)
Sir Nigel Mobbs (Buckinghamshire)
Mrs Phyllida Stewart-Roberts (East Sussex)
Robert Taylor (West Midlands)
Mr Hugh Wyatt (West Sussex)

Members of the 2000-2005 General Synod not listed above

The Revd Canon Michael Ainsworth (Manchester)
Mr Anthony Archer (St Albans)
The Revd Canon Dr David Blackmore (Chester)
The Revd Canon Cedric Blakey (Derby)
Mr John Booth (Chichester)
Mrs Margaret Brown (Chichester), Chairman of the Third Province Movement
The Revd David Butterfield (Lichfield)
Dr Peter Capon (Manchester)
The Revd Paul Collier (Southwark)*
The Revd Canon Penny Driver (Ripon and Leeds)*
The Revd Canon Malcolm Grundy (Bradford)
The Revd Canon Alan Hargrave (Ely)
The Revd Prebendary David Houlding (London)†
Mrs Mary Johnston (London)
Mrs Linda Jones (Liverpool)
Mr Ian Looker (Salisbury)
Mrs Christine McMullen (Derby)
Mrs Rachel Moriarty (Chichester)
The Revd Canon Gordon Oliver (Rochester)
The Revd David Phillips (St Albans)
Mr Timothy Royle (Gloucester)
The Revd Canon Professor Anthony Thiselton (Southwell)*
Mrs Shirley-Ann Williams (Exeter)†

* = members of the Crown Nominations Commission

Other Individuals

Mr Terry Adams
Mrs Lorna Atwell
Mr John Barker
Mr Stephen Barney
Mrs Sarah Bennett
Professor David Chiddick
Mr Dudley Coates
The Revd Patrick Coghlan
The Revd Steve Cook
Mr Peter Cowell
Mr Colin Cullimore DL
Mr Jeff Davies
The Revd Prebendary Patrick Dearnley
Mr Richard Garner

Mr David Gater
Mrs P A Green
The Revd Kenneth Habershon
The Revd Canon Christopher Hayward†
The Revd Barry Hill
Mr John Holroyd DL
Mr David Hopkinson
Mrs P J Keens
Mr J D R Kewley
Mr Stephen Marriott
Mr Harvey Mitchell†
The Revd Dr Andrew Moore
Ms Sandra Newton†
Ann Nicholl
Mrs Alma Organ
The Revd David Phillips
Mr P J Roberts
The Revd Canon Bruce Ruddock
Mr Delbert Sandiford
The Revd Tony Shepherd
The Revd Professor Bernard Silverman
Mr Gordon Simmonds
Mrs Diana Smith
The Revd Michael Stagg
Mr David Thornton
The Revd Derwyn Williams
Ms Kate Wyer

Corporate Submissions

Affirming Catholicism
The Foundation for Church Leadership
The Dean and Chapter of St Paul's Cathedral
The Chapter of Sheffield Cathedral
The Sheffield Church Burgesses Trust
Simeons Trustees

Other Churches

Catholic Bishops' Conference of England and Wales
Baptist Union
Methodist Church
Church of Scotland

RELEVANT PREVIOUS REPORTS

1 Introduction

- 1.1 This appendix offers a (necessarily brief and selective) overview of those reports published over the last eighty years which have made recommendations about appointment to the offices that fall within our remit.

2 Mid-twentieth century reports: 1927-1970

- 2.1 The Cathedrals Commission which was appointed in 1924 and reported in 1927 made a number of recommendations about cathedral appointments.⁷¹
- 2.2 During the twentieth century there were also a number of reports on church-state relations. Some of these addressed the issue of the nomination of diocesan bishops by the Crown, but they included remarkably little comment on the issue of Crown appointments to deaneries and canonries.
- 2.3 The 1952 Moberly Report *Church-State Relations* addressed three main issues: ‘control of worship’, ‘appointment of bishops’ and ‘control of church courts’, and under the second heading included just one page on cathedral appointments. It commented:

‘We do not recommend any change of procedure in these appointments which in recent years have been made with painstaking care... Since the cathedral should be the religious centre of the diocese, it is essential that the bishop and dean should be able to work together in harmony. We are therefore glad to know that when these appointments are made there is habitual consultation with the bishop of the diocese and with the archbishop as well. So long as such conditions persist, we think that the system of Crown appointments provides the best means of fulfilling those needs.’⁷²

- 2.4 The Howick Commission, whose report *Crown Appointments and the Church* was published in 1964, was appointed in response to a resolution passed by the Church Assembly in the autumn of 1961 which called for an examination of ‘the whole method of Crown Appointments to Ecclesiastical Offices’. Part of the background was controversy over the Crown’s appointment of the first Dean of Guildford earlier in 1961, but in fact nearly all the evidence received by the Commission concerned the appointment of bishops, and it was on that that the report concentrated. The report did, however, make some modest recommendations regarding Crown appointments to deaneries:

‘There should be a wider area of consultation than is the case at present. The views of the diocese should be ascertained and the greater chapter given an opportunity to state the needs of the cathedral. The views expressed should be

⁷¹ Among these was the recommendation that ‘in cathedrals which are also parish churches the incumbent, or “provost”, should be appointed by the bishop’ (see para. 9.2.6).

⁷² *Church and State, being the Report of a Commission appointed by the Church Assembly in June, 1949* (C.A. 1023: London, 1952), p. 48.

communicated to the Archbishop and the Prime Minister by the bishop of the diocese or, if the see is vacant, by someone within the diocese nominated by the Archbishop of the Province.’⁷³

With regard to Crown canonries, it recommended that the bishop and the dean or provost should be consulted over appointments and that ‘Where there are four or more canons in any chapter and none is at present appointed by the Crown, one should in future be so appointed’ (see para. 8.6.7).⁷⁴ It also recommended that ‘the right by which the Crown has the presentation to a benefice made vacant by preferment to a diocesan see should cease’ (see paras 2.7.3 and Chapter 8, section 8.8).⁷⁵

- 2.5 The Chadwick Commission, whose report *Church and State* was published in 1970, made some observations about the appointment of suffragan bishops. It recommended that the same method should be followed as that for choosing diocesan bishops, but with the addition of the diocesan bishop as a member of the appointing body and with his consent being necessary for the nomination to go forward.⁷⁶ (This recommendation was not implemented.) The report made no comment at all on cathedral appointments.

3 The van Straubenzee Report (1992)

- 3.1 The issues on which the twentieth-century church-state reports focused were gradually addressed as the century progressed – by Church Assembly (Powers) Act 1919, the Ecclesiastical Jurisdiction Measure 1963, the Worship and Doctrine Measure 1974 and the establishment of the Crown Appointments Commission in 1977. Only thereafter did the issue of the appointment of deans and canons by the Crown begin to gain prominence.
- 3.2 In 1985 the General Synod’s Standing Committee proposed a review of the methods of appointing area and suffragan bishops, deans and provosts, and the Synod widened this to include residentiary canons. The review group (chaired by Sir William van Straubenzee) itself successfully requested that its terms of reference should also embrace archdeacons.⁷⁷ Its report, *Senior Church Appointments*, was published in 1992.
- 3.3 The group commissioned legal Opinions from Sir David Callcutt QC, who advised that it would be possible to establish (with the consent of the cabinet and the leading parliamentary parties) a constitutional convention whereby advice to the Sovereign on ecclesiastical appointments could be given direct by the Archbishops of Canterbury and York as privy counsellors, rather than through the Prime Minister. In support of his argument, Sir David pointed out that the Prime Minister is probably not answerable to Parliament for advice given on the exercise of ecclesiastical patronage, that as recently as 1954 the Archbishop of Canterbury had asserted that the Sovereign retained a right not to

⁷³ *Crown Appointments and the Church, being the Report of a Commission appointed by the Archbishops of Canterbury and York* (London, 1964), p. 61.

⁷⁴ *Crown Appointments and the Church*, p. 61.

⁷⁵ *Crown Appointments and the Church* (London, 1964), p. 62.

⁷⁶ *Church and State: Report of the Archbishops’ Commission* (London, 1970), pp. 43-44: paras 137-140.

⁷⁷ *Senior Church Appointments: A Review of the Methods of Appointment of Area and Suffragan Bishops, Deans, Provosts, Archdeacons and Residentiary Canons* (GS 1019: London, 1992), pp. 55-57.

accept such advice, and that there is precedent (in the case of the Garter) for the Sovereign resuming a right to confer honours.⁷⁸

3.4 The report recommended that for suffragan bishoprics, three candidates should in future be chosen, with the concurrence of the diocesan bishop, by an appointing group chaired by the diocesan bishop and consisting of

- an elected archdeacon, rural dean and deanery lay chairman (elected by and from their own number within the diocese or, in the case of area bishops, the area);
- a lay person from the diocese appointed by the bishop;
- two people appointed by the bishop to represent national and ecumenical interests;
- a person appointed by the Standing Committee of the General Synod.

The bishop would send a petition naming two of the three to the Archbishop, indicating the preferred name; the Archbishop would forward the petition and the preferred name to the Sovereign.⁷⁹

3.5 In the case of deans (appointed by the Crown) and provosts (appointed by the diocesan bishop or, in the cases of Bradford and Sheffield, by Trustees), the report recommended an appointing group consisting of

- the diocesan bishop,
- two lay representatives of the cathedral congregation
- a residentiary canon of the cathedral,
- a dean or provost from another diocese,
- a member of the diocesan house of clergy,
- a member of the diocesan house of laity,
- a nominee of the Standing Committee of the General Synod.

The bishop would chair the group in the case of provosts, but the group would choose its own chairman in the case of deans. In the case of deans, the group would, with the concurrence of the bishop, recommend two names in order of preference and the Archbishop would recommend the first to the Sovereign. In the case of provosts appointed by the diocesan bishop, the bishop would appoint one of the three names. The report expressed the hope that the patrons of Bradford and Sheffield cathedrals would be ready to adopt these procedures ‘in large measure’ before presenting a prospective incumbent to the diocesan bishop.⁸⁰

3.6 In the case of archdeacons, the report recommended that a Code of Practice adopted by the House of Bishops should require

⁷⁸ *Senior Church Appointments*, pp. 28-33.

⁷⁹ *Senior Church Appointments*, pp. 36-38

⁸⁰ *Senior Church Appointments*, pp. 38-42.

- consultation with a list of diocesan office-holders about the elements of a job description and person specification,
- consultation with the bishop's council about a synopsis of the responses,
- a job description and person specification drawn up by the bishop and circulated to those previously consulted, other diocesan bishops and the Archbishops' Secretary for Appointments, with an invitation to suggest names.

The bishop would then choose from among the names suggested.⁸¹

3.7 In the case of canonries in the gift of diocesan bishops, the report recommended that

- a job description and person specification should be drawn up after discussion between the bishop, dean/provost and chapter – by the dean/provost and chapter for agreement by the bishop or (in the case of canonries linked to diocesan posts) by the bishop;
- the dean/provost and chapter could suggest names;
- the bishop would consult the dean or provost before extending an invitation to the preferred candidate;
- 'before the appointment is offered to the preferred candidate, he or she would meet the bishop, and the members of the cathedral chapter and other senior colleagues with whom he or she would work'.

The House of Bishops should set a 'standard of best practice' that 'would parallel, in broad terms, the present arrangements for the appointment of incumbents, including the possibility of advertising these posts'.⁸²

3.8 The report did not recommend any change in the exercise of the Crown's patronage of residentiary canonries in its gift, except that it expressed the hope that those responsible for advising on such appointments would involve the dean/provost and chapter and the diocesan bishop very fully in prior discussions about the job and person specification.⁸³

3.9 The report was debated by the General Synod on a 'take note' motion in February 1993. Lord Habgood, the then Archbishop of York, dissented from Sir David Callcutt's Opinion. He argued that 'to demonstrate that Sovereigns can make, and sometimes have made, decisions on their own account is not at all the same thing as saying that they can act on advice from someone other than a Minister of the Crown'. The Prime Minister might be acting alone in that he was not accountable to Parliament for advice on ecclesiastical appointments (in the same way that the appointment of judges and of chiefs of staffs in the armed forces was not debatable in Parliament), but 'he is not acting in a

⁸¹ *Senior Church Appointments*, pp. 46-49.

⁸² *Senior Church Appointments*, pp. 49-51.

⁸³ *Senior Church Appointments*, pp. 50-51.

personal capacity. He is acting as the chief Minister of State advising the Head of State'. He concluded:

'The Queen is not Supreme Governor of the Church of England simply in a personal capacity... She is Supreme Governor by virtue of being Head of State. To suggest, therefore, that she might act as Supreme Governor in a way that deliberately bypassed her normal constitutional relationship with the State would be to undermine its basis... The fact is that if we want as a Church to retain a relationship with the State as symbolised by the Head of State, there is no way of avoiding the constitutional machinery of State. It is as simple as that. I therefore urge the Synod to stop wandering round this particular minefield and to concentrate instead on some of the helpful remarks made elsewhere in the report.'⁸⁴

4 *Heritage and Renewal (1994)*

- 4.1 The Archbishops' Commission on Cathedrals, chaired by Lady Howe of Aberavon, reported in 1994. It recommended important changes to the governance of cathedrals (see Appendix IV, para. 20).
- 4.2 The Commission's report, *Heritage and Renewal*, commented on the Van Straubenzee proposals for the appointment of deans and canons. It pointed out that there cannot be a single, comprehensive appointment process as long as the responsibility for making the appointments is divided between the Crown, diocesan bishops and independent trustees. The Commission considered whether the responsibility should be transferred to the Crown or diocesan bishops completely, or whether the Crown should appoint all deans and provosts while ceding to diocesan bishops the appointment of all canons, but decided not to recommend any change to the status quo. However, it did recommend that 'the Church should seek to open discussions with the Crown about the prospects for the introduction of a single system of appointments to cathedral posts'.⁸⁵

5 *Working with the Spirit (2001) and Choosing Diocesan Bishops (2002)*

- 5.1 In 1998, 21 years after the Crown Appointments Commission was established, the General Synod called for a review of its operation. The review group was chaired by Baroness Perry of Southwark and its report, *Working with the Spirit: Choosing Diocesan Bishops*, was published in 2001.⁸⁶ The recommendations of *Working with the Spirit* were implemented in accordance with the recommendations of a Steering Group, chaired by Professor Michael Clarke, the first report of which, *Choosing Diocesan Bishops*, was issued in 2002.⁸⁷

⁸⁴ *Report of Proceedings*, vol. 24 (1993), pp. 14-16.

⁸⁵ *Heritage and Renewal: The Report of the Archbishops' Commission on Cathedrals* (London, 1994), p. 98.

⁸⁶ *Working with the Spirit: Choosing Diocesan Bishops. A review of the operation of the Crown Appointments Commission and related matters* (GS 1045: London, 2001).

⁸⁷ 'Choosing Diocesan Bishops: The Report of the Steering Group' (GS 1465, 2002); 'Choosing Diocesan Bishops: Further Report from the Steering Group' (GS Misc 706, 2003); 'Choosing Diocesan Bishops: Third Report from the Steering Group' (GS 1510, 2003).

- 5.2 Chapter 1 of *Working with the Spirit* considered a number of issues of principle:
- vocation, both ‘internal’ (perceived by the individual) and ‘external’ (expressed by the Church);
 - the roles of the local and the wider Church in the choice of diocesan bishops; and
 - the importance of (local) consent.⁸⁸

A theological essay and an historical survey were appended to the report.

- 5.3 The report’s objectives were summarized by the present Secretary General (in a progress report on the implementation of the Steering Group’s recommendations that he issued in January 2005) as follows:
- increased openness and transparency of the process for choosing diocesan bishops
 - ensuring that candidates for the role of diocesan bishop are considered from as wide a pool as possible
 - improving the information on candidates who are considered by the Crown Nominations Commission.⁸⁹

- 5.4 Chapter 2 of *Working with the Spirit* examined the pool of candidates from which diocesan bishops were then chosen. It looked at the Preferment List and the Fielden File.⁹⁰ Its conclusions and recommendations are summarized in section 3.2 of the present report. The Steering Group recommended that the recommendations concerning documentation about candidates considered by the Crown Nominations Commission should be achieved in a different way, leaving the Preferment List and Fielden File unreformed.⁹¹ Its recommendations, which were subsequently implemented, are summarized in section 3.3 of the present report.

- 5.5 Examination of the pool of candidates also involved consideration of concerns that candidates from several minority groups within the Church were disadvantaged or unfairly discriminated against when nominations to diocesan bishoprics were considered.⁹²

- 5.6 Chapter 3 of *Working with the Spirit* considered in detail the operation of the Crown Appointments Commission (recommending that it be renamed in order to reflect its role more accurately). Chapter 4 looked at the operation of Vacancy in See Committees and the Appointments Secretaries’ consultations in the vacant dioceses. Chapter 5 considered the church ceremonies of election and confirmation whereby the person nominated by the Crown becomes the diocesan bishop. It recommended that they should be retained, but made detailed recommendations (including recommendations that the confirmation ceremony should be held in a public place, that the language and proceedings should be updated sensitively, and that the archbishop should give a ‘mission’ or charge to the new bishop).

⁸⁸ *Working with the Spirit*, pp. 5-9: paras 1.17-1.32.

⁸⁹ ‘Choosing Diocesan Bishops: A report on progress on the implementation of the Report of the Steering Group appointed to follow up the recommendations of *Working with the Spirit*’ (GS Misc 770, 2005), p.2.

⁹⁰ *Working with the Spirit*, pages 19-20: paras 2.11-2.14.

⁹¹ ‘Choosing Diocesan Bishops’, pages 20-21: paras F20-F21.

⁹² *Working with the Spirit*, pages 26-29: paras 2.27-2.34.

Annex to GS Misc 455

SENIOR CHURCH APPOINTMENTS

Code of Practice (1995)

1. **In order to seek to ensure that appointments to senior posts in the Church of England (suffragan bishop, provost, archdeacon, residentiary canon) are made in a manner which ensures so far as possible that appropriate appointments are made and that there is awareness of and confidence in the appointment process, the House of Bishops has approved this Code of Practice for making such appointments. The House has approved this code after consultation with the Standing Committee of the General Synod. It is intended to apply in its essentials to all the types of post mentioned, although precisely how far it is followed will vary in individual cases according to their particular circumstances.**

Principles

2. **The report of the Working Party on Senior Church Appointments (the van Straubenzee report, GS 1019) identified two principles which should underlie methods of appointment to senior posts. These are that they must be effective and open.**
3. The Working party went on to say that in practice these principles mean that –
 - (i) the processes by which appointments are made should be widely known and understood;
 - (ii) the processes should not undermine episcopal authority but should involve a proper degree of consultation –

with clergy and laity directly affected, including synodically elected representatives;

with the wider Church (including, where appropriate, leaders of other Churches in England);

in the community, to reflect and fulfil the national role of the Church of England.

- (iii) this consultation should be primarily directed at defining:

the nature, duties and responsibilities of the post to which the appointment is to be made and the context in which it is set, and the gifts, skills and personal characteristics to be looked for in the person appointed;

- (iv) it should also include identification of the names of individuals considered suitable for appointment;

- (v) the vacancy should be made known so that names can be suggested or applications received;
 - (vi) the final choice of appointee should continue to rest, in the case of non-Crown appointments, with the diocesan bishop;
 - (vii) in each case, the method of appointment should be capable of adaptation to the post in question, be robust enough to cope with changing circumstances, and be designed to secure the best appointment possible.
4. To these considerations we would add two points:
- (a) the recommendations to the Crown for the appointment of a suffragan bishop should continue to be made by the diocesan bishop (after consultation with and concurrence of the Archbishop of the Province) and
 - (b) openness about the processes of appointment should be matched by strict confidentiality on the part of all those concerned in the consideration of individuals and about how the processes have operated in particular cases. This is important if those who may be candidates for senior posts are to retain their confidence in the processes themselves.

Guidelines for the Making of Appointments to Posts other than those of Residentiary Canon

5. The working out of this approach in practice suggests that the following procedure be followed in the making of all appointments other than those of residentiary canon (for which we identify a similar procedure below):
- (i) before a vacancy occurs, the retiring holder of the post should be asked for his or her comments on the nature and needs of the post as they see them;
 - (ii) when the vacancy is announced, the diocesan bishop should arrange for consultation about the nature, emphasis and requirements of the next phase of the particular ministry and of the characteristics to be sought in the person to be appointed. Those consulted should include –
 - (a) all area and suffragan bishops, the dean or provost, archdeacons, the chairmen of the diocesan houses of clergy and laity, rural deans and lay chairmen of deanery synods affected, the diocesan secretary, the elected representatives of the diocese on the General Synod, and members of the bishop's council;
 - (b) anyone else with a significant and direct interest in the appointment (such as, in the case of an archdeacon, the Diocesan Chancellor and Registrar and the chairman and secretary of the Diocesan Board of Finance; in the case of a provost, the residentiary canons and the members of the Cathedral Council; or in the case of an archdeaconry held with a residential canonry, the dean or provost concerned);

- (c) where appropriate (eg in the case of a suffragan bishop or a provost) representatives of the local community and other Churches;
 - (iii) the bishop will also wish to consider the appointment in the context of the wider needs of the Church of England, and to consult
 - (a) the Archbishops' Appointments Secretary; and
 - (b) where appropriate, the Prime Minister's Appointments Secretary
 - (iv) following this consultative process:
 - (a) a synopsis of the responses received and a draft job description should be prepared for discussion in the bishop's staff meeting and endorsement by the bishop's council (or the Cathedral greater council as appropriate);
 - (b) in the event of disagreement, the diocesan bishop should settle the nature of the ministry to be undertaken, the job description and the kind of qualities that should be looked for in any possible candidates;
 - (c) these details, once settled, should be sent to those referred to in (ii) above and to any others he considers appropriate by the diocesan bishop, who may also extend an invitation to them to suggest to him, in complete confidence, names for consideration;
 - (d) the diocesan bishop will himself be in touch with the Archbishops' Appointments Secretary and eg other diocesan bishops, and, as appropriate, with the Prime Minister's Appointments Secretary [cf (ii) (b) above] about possible names for consideration.
- 6. In the case of appointments of area or suffragan bishops the diocesan bishop will need to consult at an early stage with the Archbishop of the Province, keep him informed of the progress of the appointment and seek his concurrence.
- 7. In considering names for any vacancy the diocesan bishop is strongly advised to draw together a small group, consisting of clergy and laity, to assist him. Where he does this, it is suggested that those concerned are primarily drawn from existing bodies (such as the bishop's council) so that they are seen to carry confidence and so as to avoid creating additional committees.
- 8. The diocesan bishop will also wish to consider:
 - (i) how any vacancy can best be made known in order to enable the names of potential candidates to be put forward. Means of publicising the vacancy include the diocesan newsletter, the Clergy Appointments Adviser's vacancy list and an announcement in the Church press. Some or all of these may be appropriate depending on the nature of the appointment.

- (ii) other aspects of how the process leading up to an appointment is to be conducted, including such issues as the role of any advisory group (cf paragraph 7) in it, the need for obtaining detailed information about possible candidates, and whether one or more candidates should be interviewed (and in that case his responsibility to any not appointed);
- (iii) whether to provide an opportunity for the person appointed to meet, after the offer of the appointment but before he or she accepts the offer, those with whom he/she will have in future to work most closely.

Guidelines for the appointing of Residiary Canons in the gift of the Diocesan Bishop

9. In relation to canonries in the gift of the diocesan bishop, the process when a vacancy arises would normally follow this pattern:–

- (i) after discussion with the diocesan bishop, the dean (or provost), in close consultation with the chapter and other leading lay and clerical representatives of the Cathedral, should consider and prepare for his agreement a statement setting out the needs in the post for the next phase of ministry and the kind of gifts that should be looked for in the person to be appointed. Where, however, the canonry in question is linked with a diocesan post, the diocesan bishop should take the lead in preparing this statement, but in close consultation with the dean (or provost), chapter; and other lay and clerical representatives of the Cathedral;
- (ii) in the light of (i) a job description should be prepared and agreed, together with a profile of the kind of person it should be appropriate to appoint and for what tenure;
- (iii) the diocesan bishop should then gather potential names for appointment, including any put forward by the dean/provost and chapter; and/or by the Archbishops' Appointments Secretary or by the Prime Minister's Appointments Secretary;
- (iv) the diocesan bishop, having identified the person he felt it appropriate to appoint, should consult informally with the dean/provost concerned before extending an invitation to the candidate in question;
- (v) before the appointment is offered to the preferred candidate, he or she should meet the bishop, and the members of the cathedral chapter and other senior colleagues with whom he or she should work.

The diocesan bishop may also wish to consider the issues raised in paragraph 8(i) and (ii) above in relation to such appointments.

Appointments to Deaneries and Crown Canonries

10. The arrangements for appointments to these posts are in the gift of the Crown and are primarily a matter for the Crown itself, as are appointments to provostships, archdeaconries, canonries and benefices which revert to it when the priest in question has been appointed to a diocesan bishopric.

On behalf of the House of Bishops
George Cantuar:
Chairman
Date: June 1995

CATHEDRALS: AN HISTORICAL NOTE

1. Cathedrals have a diverse history which has strongly influenced the diversity in the roles and responsibilities of their deans (and provosts) and residentiary canons. This note aims to offer a (necessarily highly selective) overview of that history.

Old Foundation Cathedrals

2. Before the Reformation, the following nine English cathedrals were staffed by ‘secular’ clergy (i.e. clergy who were not members of religious orders): Chichester, Exeter, Hereford, Lichfield, Lincoln, London (St Paul’s), Salisbury, Wells, York. These cathedrals survived the Reformation intact and came to be known as ‘Cathedrals of the Old Foundation’.
3. The canons of Old Foundation cathedrals were also prebendaries – i.e. their income came from individual endowments (‘prebends’), consisting of lands and the right to collect rents, fees and tithes from parishes. The number of prebends ranged from 22 (Wells) to 58 (Lincoln). The chief dignitaries in each cathedral – the *quattuor personae*, ‘cornerstones’ of their spiritual and material fabric – were the dean, the precentor (who ranked next after the dean), the chancellor and the treasurer. Each of these commonly had a deputy (respectively, the sub-dean, the succentor, the vice-chancellor and the sacrist). Archdeacons were sometimes also prebendaries and commonly also had stalls in choir next to those of the great officers. A small number of the prebendaries (varying from four to eight, but generally six or seven) were designated as residentiary canons and required to reside at the cathedral for part of the year; these had a share in the common funds of the cathedral in addition to their individual prebends.⁹³

Former Cathedral Priors

4. The other ten pre-Reformation English cathedrals were monastic foundations – cathedral priories. Nine of these were Benedictine priories and one (Carlisle) a priory of Augustinian canons. The priories were headed by a prior, with a sub-prior to perform his duties when he was absent (at Durham there was a third and at Canterbury and Winchester a third and a fourth prior). Responsibility for various aspects of the cathedral priory’s life rested with up to twenty-five ‘obedientaries’ including the sacristan or sacrist, precentor and receiver, and their assistants or subordinates such as the sub-sacrist and the succentor.⁹⁴
5. Two of the cathedral priories – Bath and Coventry – were simply dissolved in 1539, since the Bishop of Bath and Wells and the Bishop of Coventry and Lichfield each had a second, secular cathedral (at Wells and Lichfield respectively), but in 1538 Norwich Cathedral and 1541-2 the other seven were transformed into secular cathedrals: Canterbury, Carlisle, Durham, Ely, Norwich, Rochester, Winchester, Worcester.

⁹³ S. Lehmborg, *English Cathedrals: A History* (London and New York, 2005), pp. 81-84.

⁹⁴ Lemberg, *English Cathedrals*, pp. 92-95.

Other New Foundation Cathedrals

6. Henry VIII also founded six new dioceses in 1541-2: Bristol, Chester, Gloucester, Oxford, Peterborough and Westminster (suppressed in 1550). Chester, Gloucester, Peterborough and Westminster had as their cathedrals former Benedictine abbeys which had been dissolved in 1539-40. Bristol Cathedral was a former Augustinian Abbey, dissolved in 1539. Osney Abbey, another Augustinian abbey, was replaced by Christ Church as the cathedral for Oxford in 1546.
7. The thirteen cathedrals founded or re-founded by Henry VIII are known as 'Cathedrals of the New Foundation'.

The Reforms of 1840

8. The Ecclesiastical Commissioners Act 1840 abolished non-residentiary prebends and limited the number of residentiary canons to eight (Christ Church, Oxford), six (Canterbury, Durham, Ely), five (Exeter and Winchester) or four (all other cathedrals). In some cases, these numbers were later further reduced.

Modern Cathedrals: 1836-1877; Liverpool and Guildford Cathedrals

9. The cathedrals of the two new dioceses founded in the first half of the nineteenth century were both already collegiate churches. The church of SS Peter and Wilfrid, Ripon, which had belonged to a house of Augustinian Canons until the dissolution of the monasteries, had been refounded as a collegiate church by James I in 1604. In 1836 it became the cathedral of the new diocese of Ripon, its dean and prebendaries becoming the first dean and chapter. The parish church of Manchester was a collegiate church from 1422. The college was dissolved in 1547 but refounded in 1578. In 1847 it became the cathedral of the new diocese of Manchester, its dean and prebendaries becoming the first dean and chapter. These two churches were both parish churches.
10. St Mary's, Truro was constituted as the cathedral for the new Diocese of Truro, founded in 1877, but in fact a new cathedral was built. This incorporated, as an additional side-aisle, the south aisle of St Mary's, which continued to be the parish church. A dean and chapter were created, though the Bishop of Truro was dean until 1960. Also in 1877 St Albans Abbey, which had become a parish church in 1553, became the cathedral for the new Diocese of St Albans.
11. A new cathedral was also built for the Diocese of Liverpool, founded in 1880. As in Truro, the bishop initially acted as dean – in this case, until 1931. A third newly-built cathedral is that of Guildford, completed in 1961, when the first dean was appointed. As completely new buildings, Liverpool and Guildford Cathedrals are not parish churches.

'The Parish Church Cathedrals'

12. The other fourteen English cathedrals (all of them cathedrals of dioceses created in or after 1882) are commonly known as 'parish church cathedrals'. The Cathedral and Abbey Church of St Alban also fell within the definition of a 'parish church cathedral' in the Cathedrals Measure 1963 (now repealed), and falls within the corresponding provision in

the Cathedrals Measure 1999, in that although it had both a dean and a chapter before the 1999 Measure it did not have a corporate body known as ‘the dean and chapter’.

13. The description of these churches as ‘parish church cathedrals’ is misleading; on the one hand, not only St Albans but also the other cathedrals established between 1836 and 1877 – Manchester, Ripon and Truro – all have parishes, whereas, on the other hand, the Newcastle parish has no residents and eight of the other thirteen parishes have very small populations of less than 750 (in 1993: 10, 20, 72, 150, 250, 354, 456 and 637), the proportion of the regular congregation drawn from the parish being negligible in all cases but one.⁹⁵ However, these fourteen cathedrals continue to be distinct from the others in a way that is related to their status as parish churches, in that in each case the parish has an incumbent who is dean of the cathedral by virtue of being the incumbent of the parochial benefice.
14. The cathedrals concerned are: Newcastle (1882), Southwell (1884), Wakefield (1888), Southwark (1905), Birmingham (1905), Sheffield (1913), St Edmundsbury (1913), Chelmsford (1914), Coventry (1918), Bradford (1919), Blackburn (1926), Derby (1927), Leicester (1927), Portsmouth (1927).
15. Of these parish church cathedrals, Southwell Minster is perhaps the most distinctive historically speaking, in that it was a collegiate church, dissolved in 1540, re-founded in 1585 but again dissolved under the Ecclesiastical Commissioners Act 1841.
16. The *Report of the Cathedrals Commission* (1927) gives the following information about the clergy of the first ten ‘parish church cathedrals’ in 1927:⁹⁶

Newcastle	four canons (the vicar, the archdeacon and two others)
Southwell	rector and two curates
Wakefield	four canons (the vicar, two archdeacons and a canon missionary)
Southwark	dean (the bishop) and six canons (only the rector and diocesan missionary being stipendiary and only the rector actually resident)
Birmingham	acting dean (the rector, also assistant bishop) and 24 honorary canons
Sheffield	vicar and two assistant clergy
Bury St Edmunds	vicar
Chelmsford	sub-dean (the rector) and three curates

⁹⁵ *Heritage and Renewal: The Report of the Archbishops’ Commission on Cathedrals* (London, 1994), p. 59 (Bradford reported that 10% of its regular congregation was drawn from its parish population of 354).

⁹⁶ *Report of the Cathedrals Commission appointed in pursuance of a Resolution of the National Assembly of the Church of England* (London, 1927), ii, 21-326.

(one called ‘the precentor’)

Coventry	dean (the bishop); sub-dean (the vicar) and 24 honorary canons
Bradford	vicar and two curates

17. In 1927, therefore, most of these cathedrals were essentially run by an incumbent, supported by one or more assistant curates.

The Cathedrals Measures

18. Under the Cathedrals Measure 1931, constitutions were established and statutes made by 1942 for all cathedrals (except Christ Church, Oxford). In the case of parish church cathedrals, the establishment of a chapter was optional. In line with a recommendation of the Cathedrals Commission,⁹⁷ the Measure required that the incumbent of a parish church cathedral should be styled ‘the Provost’, whether or not there was a chapter).
19. Most of the Cathedrals Measure 1931 was replaced by the Cathedrals Measure 1963. This perpetuated the differences in the governance of ‘dean and chapter’ and ‘parish church’ cathedrals (all of which were now to have a chapter). It also provided that in each cathedral the holders of two residentiary canonries should be engaged exclusively on cathedral duties, though the constitution and statutes could provide for this to be reduced to one ‘until such time as the bishop may determine after consultation with the administrative body’.

The Cathedrals Measure 1999

20. The Cathedrals Measure 1999 resulted from the work of the Archbishops’ Commission on Cathedrals, chaired by Lady Howe of Aberavon, which reported in 1994. This recommended that ‘the distinction between “dean and chapter” and “parish church” cathedrals should be ended and a single broad system of governance for all cathedrals introduced, capable of flexible adaptation to suit local circumstances’ and that the senior clergy member of all administrative chapters should in future be known as ‘the dean’.⁹⁸
21. The Measure applies to all English cathedrals (other than Christ Church, Oxford) without distinction and provides that ‘the principal dignity of the cathedral, next after the bishop, shall be known as the dean’. The effect of the Measure’s provisions regarding deans was generally to increase the powers of the deans of the former ‘dean and chapter’ cathedrals; the dean is to have a casting vote in chapter meetings and ‘as chairman of the Chapter to govern and direct on its behalf the life and work of the cathedral’, and without his consent the cathedral’s services cannot be altered, its budget settled or chapter decisions taken in his absence implemented. These powers are, however, less than those that were generally enjoyed by provosts (who, as indicated above, had – at least in the fairly recent past – been incumbents assisted by assistant curates). Where the parochial church councils of parish church cathedrals had not previously been abolished, they were abolished by the Measure.

⁹⁷ *Report of the Cathedrals Commission*, i, 43.

⁹⁸ *Heritage and Renewal*, p. 179.

22. Although there is now a common framework for the governance of all cathedrals, within that framework there remains scope for a significant degree of diversity. This makes it possible for many of the historic differences between the different types of cathedral to continue to exist. The Measure also provides that where the constitution of a cathedral provided for the appointment of a dean to be by Her Majesty, the constitution shall continue to so provide, but that in any other case the incumbent of the benefice which comprises the parish of which the cathedral is the parish church shall be the dean. It would therefore not be correct to say that the Measure completely removed the distinctions between the different types of cathedral.

**RESPONSES TO THE GROUP'S PROPOSALS
BY THE SHEFFIELD CHURCH BURGESSES TRUST
AND SIMEON'S TRUSTEES**

A: RESPONSE BY THE SHEFFIELD CHURCH BURGESSES TRUST

The Burgesses have reflected very carefully on the discussions with representatives of the Review Group. Thank you for taking time to come to Sheffield to talk matters through with representatives of the Trust. The Burgesses were glad to hear that the processes adopted by the Burgesses and the Simeons for the appointment of Deans in Bradford and Sheffield have found favour with the Review Group. It is good to have an external, positive affirmation of the existing processes and the recent experience with appointments.

In view of this, their own consideration of the various options and there being no compelling need or reason for changing a system that continues to work demonstrably well, the Burgesses feel strongly that their first choice would be the retention of the status quo for the patronage for the appointment of the Dean at Sheffield Cathedral.

On the last occasion that this Trust made an appointment (as you know from the paperwork provided to the Review Group) the first step the Patronage Committee took was to consult with the Bishop to obtain names and his views on the appointment. In addition, the Trust consulted with the Archbishop's Secretary for Appointments, Churchwardens, and various representatives from the life of the Cathedral; the Suffragan Bishop, the lay Chairman of the Diocesan Synod and the Diocesan Secretary; the Lord Mayor, Chief Executive of the Council, representatives of the Cutlers' Company, the University and the then Polytechnic (now Sheffield Hallam University). After all of that, there was then liaison with Simeons Trustees and further consideration of trusts, bodies and persons who might be able to put forward relevant names for consideration. Such further enquiries would on the next occasion include discussions with e.g. the two Archdeacons (Sheffield and Rotherham, and Doncaster); Area Deans in both Sheffield and Doncaster; the incumbents of Doncaster and Rotherham Minsters.

However, if, notwithstanding the effectiveness of the current process, others are able to demonstrate that a change could yield an improvement sufficiently significant to justify altering the status quo, then the Burgesses would be open to exploring with the Simeons Trustees a mechanism for co-patronage, rather than the current alternating patronage for the appointment of the Dean of Sheffield. Such a change would not alter the Burgesses' existing commitment to full consultation with the Bishop of Sheffield throughout the process of the appointment of a Dean.

It is recognised that by the time, all other things being equal, a new appointment is made in Sheffield there may be new national guidelines for the process and we look forward to an opportunity to comment in a consultation process on the adoption of any national approach to guidelines for appointments of Deans.

Godfrey Smallman
Law Clerk
30 May 2006

B: SECOND SUBMISSION BY SIMEON'S TRUSTEES

Executive Summary

- 1 ST are glad to make this submission to SCARG based on major internal and external discussions.
- 2 We note that references are minimal to Sheffield/Bradford Cathedral patronage in the whole body of relevant General Synod papers; these references are imprecisely and inaccurately expressed.
- 3 We have also found ourselves hampered in other respects in providing evidence.
- 4 We consider diversity in the Body to be a theological principle of greater value than an ideological commitment to equality and/or uniformity.
- 5 The Howe Commission did not recommend standard forms of cathedral appointment as it did of governance; neither need they be treated in the same way.
- 6 The words of Charles Simeon's charge to his trustees are basic in defining and understanding the principles on which ST must and does work.
- 7 Nothing in that charge supports accusations of narrow, evangelical, party patronage.
- 8 ST firmly resist the few inaccurate and unjustified perceptions of their role at Sheffield and Bradford; these are an illogical and unacceptable basis for change.
- 9 ST identify five major ways in which sharing patronage between ST and Bishop would cause more problems than it is said to solve; crucially, *inter alia*, it would confuse roles and distort balances.
- 10 The normal ST practice of collaborative and consultative working is universally attested with favour by all those with whom we have worked on the Sheffield and Bradford appointments.
- 11 The need for broad knowledge and experience of the C/E in handling cathedral appointments is well met in the wide range of our 12 Trustees (average 27 years' ministry in 23 dioceses in parochial and other posts; patrons of almost 200 livings, including several quasi-cathedral churches).
- 12 In principle and experience, ST-following-the-Code-of-Practice offers a preferable model to those of Crown and episcopal appointment, both widely criticised.
- 13 Our partnership with the Sheffield Church Burgesses Trust should not allow our few critics or theirs to confuse or project "political" views inappropriately.
- 14 ST, while not partisan, note that most cathedrals are more "catholic" and few evangelicals are on cathedral staffs. This is unrepresentative of the wider church and of many specific dioceses.
- 15 While some evangelicals are not in a choral tradition, most are as committed to liturgy as they are to less formal worship and could transfer their bridging-for-mission skills from parish to cathedral.
- 16 ST are well placed to address the parish church aspects of Sheffield and Bradford Cathedrals, which should not be marginalised by the diocesan dimension.
- 17 ST are willing to discuss joint rather than alternate patronage with SCBT.
- 18 ST commend our role on grounds of theology, good collaborative practice widely acknowledged, substantial diverse expertise and experience; if our role was diluted, the weakness would be wider than ours alone; we commend our practice to the wider church through SCARG in the words and spirit of Charles Simeon's charge.

Second Submission by Simeon's Trustees

1 Simeon's Trustees (ST) are glad to submit this further positive contribution to the report of the Senior Church Appointments Review Group (SCARG). Our paper reflects detailed work by three trustees, discussion at several of our main meetings and two informal meetings with SCARG members from whom we have received the greatest courtesy and attention, both times in the company of the Sheffield Church Burgesses Trust (SCBT) with whom we share alternately the patronage of the Parish Church Cathedral of Sheffield.

2 Neither the General Synod resolution of February 2005 nor its proposer Anthony Archer's background paper (GS Misc 765 A) mentions the patronage of Sheffield and Bradford Cathedrals. Neither did any speaker in the GS debate refer to those. The only two references in the official paperwork are first, indirectly in GS Misc 765 B (the Secretary General's Background Note) in footnote 3 on page 5; and second, directly in GS Misc 798 (Invitation to Submit Evidence to SCARG, from its Chairman Sir Joseph Pilling) on page 3, para 5 (though not mentioned in para 7 which para 8 then identifies as the likely agenda of SCARG). The former reference is not helpful in saying that "The Deans of two [unidentified] cathedrals are appointed by private patrons." In patronage circles the phrase "private patrons" is generally used and understood to mean individuals (such as landed gentry and others), whereas "patronage trusts" would be the more accurate and thus more helpful way of describing the role of ST (and of SCBT). Both references are also open to question in their use of the word "appointed" re the role of patrons. The legal right and responsibility of the patron is to nominate and present a candidate but both the parish [church cathedral] representatives and the diocesan bishop have the right and responsibility to approve the candidate or not. In practice - certainly in ST's practice - these legally distinguishable roles are usually exercised in a collaborative and concurrent way. However to say baldly that [private] patrons appoint to two cathedrals is not a sufficiently precise statement of the position and needs to be corrected in subsequent papers.

3 Other difficulties we have found include the facts that we were not initially invited directly to give evidence; that the edited extracts of written evidence to SCARG re our patronage contain some inaccuracies (see 7 below) and that we understand there to be some oral evidence which SCARG has heard. While we have some informal and anecdotal reports of this oral evidence, it is by definition impossible for us to address it adequately; we would therefore submit that it is at best of limited value to SCARG and arguably inadmissible when ST cannot have the right of reply to hearsay.

4 We understand that the New Testament regularly speaks of the unity of the church being expressed in diversity - as the "body" metaphor in one of its several uses exemplifies. This reflects the very nature of God whom we understand to be a Trinity, whose grace is described as "many-faceted" and in whose nature we are made as humans and re-created in Christ. Thus on the one hand we resist both an ideological commitment to equality as having universal validity and also suggestions of a uniform approach to appointments while on the other hand we commend a variety of approaches within core values. Some speakers in the GS debate (John Moses and Mary Johnston) made such points cogently. We note +John Habgood's rueful remark in 1983: "Cherishing of variety and irregularity used to be much more common in the Church of England than it is now."

5 We also wish to maintain that standard forms of cathedral governance do not automatically mean that standard forms of appointment should be established. The former were introduced in part because of perceived abuses; no such criticism is made or sustainable in respect of ST cathedral patronage, on which the Howe Commission did not make recommendations.

6 Charles Simeon’s charge to his trustees includes these words: “*I charge them . . . First, that they be very careful, whenever they shall be called upon to fill up a vacancy in this Trust . . . that they elect no one who is not a truly pious and devoted man, a man of God in deed and in truth, who with his piety combines a solid judgment and a perfectly independent mind. Secondly, that, when they shall be called upon to appoint to a living, they consult nothing but the welfare of the people for whom they are to provide, and whose eternal interests have been confided in them. They must on no account be influenced by any solicitation of the great and powerful, or by any partiality towards any one on account of the largeness of his family or the smallness of his income. They must be particularly on their guard against petitions from the parishes to be provided for, whether in behalf of a Curate that has laboured among them, or of any other individual. They must examine carefully, and judge as before God, how far any person possesses the qualifications suited to the particular Parish, and by that consideration alone must they be determined in their appointment of him.*”

7 With due allowance for the language of the time (1833), the principles and criteria are such that any Anglican ought to be able to subscribe and follow. There is nothing in that foundation document of ST to substantiate references in written evidence to “narrow evangelical tradition” or “defined by a particular churchmanship” or “a party patronage society” or “ulterior agenda”. Indeed written evidence and oral accounts testify to the “scrupulously fair” actions of ST in particular appointment processes. ST would wish modestly to assert that our role adds value, as others acknowledge.

8 ST wish to register our clear view that the few challenges to our patronage role at Sheffield or Bradford rest largely on perceptions which are inaccurate and unjustified and which do not accord with either the principles on which ST stand in our foundation document or the good practice which ST follow in line with the Code of Practice to the Patronage (Benefices) Measure 1986 and indeed beyond the letter of that Code. Such false perceptions seem to us to be an illogical and unacceptable basis for proposing a change to the status and role of ST. The right response to them is gently but firmly to challenge and correct them rather than give them credence and weight.

9 Specifically, the suggestion by SCARG that the patronage might be shared between ST and the Bishop (in both cases) creates more problems than it purports to solve. First, it would not remove the ST interest and thus would not satisfy those who object – however mistakenly – to that. Second, it fails to recognise that the roles of patron and of bishop (and of parish church cathedral representatives) are complementary, not identical. Third, it would distort the careful existing balance between patron, representatives and bishop by giving the bishop two bites at the cherry. Fourth, history – some of it recent – indicates that appointments of deans by bishops (or by the Crown) are sometimes seen with hindsight not to have been any “more perfect” than those of patronage trusts. Fifth, the question remains of the suggested change: *cui bono?*

10 ST, in exercising our patronage responsibilities at Sheffield and Bradford, follow good practice as in parochial settings. The preparation locally of the “parish profile” with supporting

papers is a key part of the process. Collaboration and consultation with the parish church cathedral representatives and the diocesan bishop are normative and gladly embraced. This has been consistently acknowledged in the current discussions, not least by those two other groups of partners with us. Any suggestion that the Dean's appointment is "imposed" – as one piece of written evidence puts it – is wrong in both principle and practice. For some written evidence to imply that bishops and cathedral chapter representatives cannot resist the will of the patron is equally inaccurate and is an unwarranted criticism of them more than of the patron.

11 When evidence submitted argues for a good balance in cathedral appointments between the local and/or diocesan bishop's perspectives and the wider church's input, a body like ST is well placed to provide a broader view. The current 12 experienced trustees average 55 years of age, average 27 years of full-time ministry in at least 23 dioceses of the Church of England; between them they have served 19 curacies and 20 incumbencies; 5 have worked in theological colleges, 3 have been rural/area deans, 2 are archdeacons while others have been diocesan missionary, DDO, bishop's chaplain, warden of readers, members of General Synod and have held appointment in national church organisations. Meeting for up to four hours every six to eight weeks and accessing the Clergy Appointments Adviser's lists, they serve spheres of ministry from the south coast to Lancashire and from Gloucestershire to E Yorkshire while among their almost 200 parochial livings they include several Minster, Abbey and other churches of quasi-cathedral size congregations (in some cases larger than some cathedral congregations).

12 Indeed our conviction is that, both in principle and practice, the model based on the Code of Practice to the Patronage (Benefices) Measure 1986, as carefully applied by ST, offers a better pattern to the Church of England than the other two main models of Crown and episcopal appointment [sic] to Deaneries, both of which have been much more widely challenged and criticised in General Synod and elsewhere.

13 While we are alternating patron with the SCBT at Sheffield, and thus have many interests and views in common, we have felt it right to make our own submission which takes proper account of the different trusts. It has also become clear to us that there are local factors, which might be considered as "political", that affect how some others view the role of SCBT. Such issues, whatever their rights and wrongs, are between SCBT and such other parties. We do, however, consider it important that views held by others concerning SCBT should not be "projected" on to ST – or *vice versa*.

14 While ST with a clear conscience reject (6/8 above) any allegation of partisan churchmanship, we are also well aware that few evangelicals serve on cathedral staffs in any capacity. The applicants for Sheffield and Bradford Deaneries last time round, as a result of an open advertising process, included far more non-evangelicals - clearly not deterred by the ST patronage - than evangelicals. If we - all - are concerned about integrity and consistency in senior appointments, we need to ask why a large and growing strand in the Church of England remains so under-represented in our cathedrals where, as is frequently pointed out, the whole of a diocese should be able to feel at home. Cathedral usage, by and large, is not churchmanship-neutral; it inclines towards the more catholic part of the broad Anglican spectrum. ST do not see it as our task to redress such imbalance but we would look to those receiving the SCARG report to give it attention.

15 To develop this aspect a little, our experience suggests that many evangelical clergy are less at home with the choral tradition in Anglican worship than with more informal styles. This

should not, however, lead to a conclusion that evangelicals have no place in liturgical development (consider the contributions in recent times of, say, Colin Buchanan, Trevor Lloyd and Michael Vasey to authorised forms of worship); neither should it support a view that evangelicals have nothing to offer in cathedrals. Rather is it the case that growing numbers of evangelical clergy, such as ST help to find posts, have experience of bridging traditional and fresh expressions of worship at parish level. Such clergy can be key players in helping cathedrals grasp and develop the undoubted mission opportunities available to them in our largely secular yet curiously spiritual culture.

16 Meanwhile, it should not be overlooked that we are principally discussing parish church cathedrals. While the diocesan role of a cathedral is obvious and major that is not the only focus of interest in a vacancy. It is easy for the parish aspect of that church's mission and ministry to be overshadowed by the diocesan aspect; ST, with our (in the best sense) parochial expertise, help to achieve that balance while also, in the most recent Sheffield and Bradford appointments, involving trustees with particular experience and gifts appropriate to the cathedral and diocesan context (three non-residentiary canons – one from the vacant cathedral, an archdeacon, an incumbent of a minster church, a former central member of the Crown Appointments Commission).

17 In other contexts where ST are co-patron, our preferred method is for the patronage to be administered jointly at each vacancy rather than to alternate turns (except where the co-patron is the Crown or Lord Chancellor, who in principle do not work thus). In the case of Sheffield Cathedral, ST are very amenable to discussing with SCBT such an amendment to the patronage practice.

18 In summary: ST believe that our role is to be commended on theological grounds, as it is to be commended in practice. We bring considerable and appropriate experience and expertise, we work collaboratively with all our partners and this is widely acknowledged by others. We consider that a change to our patronage would represent a weakening of the whole process, not just of our part, and we encourage SCARG to make recommendations that encourage the kind of good practice we follow in the light of the principles we espouse. In the words of Charles Simeon's charge: "consult nothing but the welfare of the people for whom they are to provide, and whose eternal interests have been confided in them."

On behalf of Simeon's Trustees
Peter Williams: Chairman (Vicar of Ecclesall, Sheffield; Hon Canon, Sheffield Cathedral)
David Bailey: Trustee (Vicar, Beverley Minster; Hon Canon, York Minster)
Gordon Ogilvie: Trustee (Archdeacon of Nottingham)

July 2006