

## GENERAL SYNOD

## FIFTY-EIGHTH REPORT OF THE STANDING ORDERS COMMITTEE

The Standing Orders Committee has considered the proposed amendments to the Standing Orders that would give effect to proposals contained in *Responsible Representation: A Review of the Electoral Processes to the Crown Nominations Commission* (GS 2202). The Committee is of the view that the proposed amendments as drafted would achieve the intended effect.

1. The Standing Orders Committee (“the Committee”) presents its fifty-eighth report to the Synod.

2. The Committee’s membership is as follows:

Appointed members:

Mr Geoffrey Tattersall QC (Manchester) (Chair)  
 The Revd Prebendary Simon Cawdell (Hereford)  
 Mr David Coulston (Europe)  
 Mrs Mary Durlacher (Chelmsford)  
 Mr David Robilliard (Channel Islands)  
 Mr Clive Scowen (London).

Ex-officio members:

The Revd Canon Simon Butler (Prolocutor of the Lower House of the Convocation of Canterbury)  
 The Revd Canon Joyce Jones (Prolocutor of the Lower House of the Convocation of York)  
 Dr Jamie Harrison (Chair of the House of Laity)  
 Canon Elizabeth Paver (Vice-Chair of the House of Laity).

**Proposals contained in *Responsible Representation: A Review of the Electoral Processes to the Crown Nominations Commission* (GS 2202)**

3. The Committee has considered the proposed amendments to the Standing Orders that would give effect to proposals contained in *Responsible Representation: A Review of the Electoral Processes to the Crown Nominations Commission* (GS 2202).

4. This report is submitted to the General Synod in fulfilment of the Committee’s duty under Standing Order 40(1) to submit to the Synod a written report or comment on any motion included on an agenda or notice paper for the amendment of Standing Orders.

5. The Committee is of the view that the proposed amendments, as set out in the Annex to this report, would achieve the intended effect by implementing such of the recommendations contained in GS 2202 as require amendments to the Standing Orders. We note that recommendations 13 and 14 and 36 in GS 2202 are now subject to modifications made by the Review Group so that decisions about co-option

and, in certain circumstances, recommencing the process for filling a vacancy, are taken by the Crown Nominations Commission itself, rather than by its chair, and that the proposed amendments take account of those modifications.

6. The Committee considered what practical steps might be taken to assist the Synod in taking decisions on the proposed changes to the process for electing members of the Crown Nominations Commission as set out in the Standing Orders. The usual procedure for making amendments to the Standing Orders is for each amendment to be moved, debated and voted on (unless the procedure for deemed approval applies to the amendment). It is additionally open to any member to give notice of an amendment to a proposed amendment, in which case that amendment is moved, debated and voted on before the vote on the main amendment takes place. The process can, therefore, be quite complex and may not be easy to follow.
7. On the basis that, while the Synod had voted to “receive” GS 2202, it had not yet endorsed the recommendations it contains, the Committee was of the view that the Synod – rather than simply being presented with a sequence of textual amendments to the Standing Orders – should be invited to vote, in turn, on a series of propositions which reflect recommendations in GS 2202. The outcome of those votes would reveal what changes to the Standing Orders the Synod wished to make and it would be possible to move the necessary amendments to the Standing Orders on a subsequent day during the July group of sessions.
8. The Committee agreed to recommend this approach to the Business Committee. The Committee understands that the Business Committee have arranged the Synod’s agenda accordingly, with votes on a series of propositions taking place on Friday 9<sup>th</sup> July and the moving of the necessary amendments to the Standing Orders on Monday 12<sup>th</sup> July.

**Geoffrey Tattersall**  
Chair

June 2021

## Annex

### Standing Order 137 (Crown Nominations Commission: membership)

1. In Standing Order 137, in paragraph (1), for sub-paragraphs (b) and (c) substitute—
  - “(b) six members elected from the House of Clergy,
  - (c) six members elected from the House of Laity.”
2. In Standing Order 137, in paragraph (2), after paragraph (b) (but before the following “and”) insert—
  - “(ba) if a member is co-opted under paragraph (4A), that member.”
3. In Standing Order 137, for paragraph (3) substitute—
  - “(3) The six members to be elected from the House of Clergy and the six members to be elected from the House of Laity are to be elected as six pairs, with three pairs from the House of Clergy and three pairs from the House of Laity.
  - (3A) Where there is a vacancy in a diocesan bishopric or in either Archbishopric, only one member of each pair referred to in paragraph (3) may serve as a member of the Commission on its considerations of that vacancy; and the member to serve as such is—
    - (a) whoever the members of each pair agree between themselves, or
    - (b) in the absence of agreement under sub-paragraph (a), whoever is chosen by a lot drawn by the Secretary of the Commission.
  - (3B) But if it is impossible for either member of a particular pair to serve as mentioned in paragraph (3A), the Chair of the Commission, having consulted the other two pairs from the same House as that pair, must nominate a member of one of those other pairs to serve instead of either member of that pair.
  - (3C) And if it is impossible for a member of one of those other pairs to serve instead of either member of that pair, the Chair of the House concerned must nominate another member of that House to do so.”
4. In Standing Order 137, the existing paragraphs (3A), (3B), (3C) and (3D) are to be renumbered as paragraphs (3D), (3E), (3F) and (3G) respectively and in the existing paragraph (3D), for “(3C)” substitute “(3F)”.
5. In Standing Order 137, in paragraph (4)(a), after “members” insert “(but see paragraphs (4A) and (4B))”.
6. In Standing Order 137, after paragraph (4) insert—
  - “(4A) If the Commission considers that the members under paragraph (1)(d), when taken together, are not representative of the diocese as a whole, it may, with a view to achieving such representation, co-opt one additional member; but a person is not eligible for co-option under this paragraph unless the person is eligible for election to one of the Houses of the Synod.

- (4B) Before making a co-option under paragraph (4A), the Commission must take into account such information about the diocese and the vacancy as has been provided to it—
- (a) by the Vacancy in See Committee of the diocese, and
  - (b) by the Prime Minister’s Secretary for Appointments and the Archbishops’ Secretary for Appointments acting jointly.”.

**After Standing Order 137**

7. After Standing Order 137 insert—

*“137A. Crown Nominations Commission: nomination of members*

- (1) It is for the Business Committee to decide in any given case whether or not nominations for candidates for an election for the purposes of SO 137(1)(b) or (c) are to be conducted by using an electronic system; and the Business Committee must give instructions to the Clerk accordingly.
- (2) The Clerk must circulate to each member of the House of Clergy and to each member of the House of Laity an invitation to nominate candidates for an election for the purposes of SO 137(1)(b) and (c).
- (3) A nomination is valid only if—
  - (a) it is for a pair of candidates, each of whom is a member of the House of Clergy or each of whom is a member of the House of Laity,
  - (b) it is supported by a proposer and seconder, each of whom must be a member of the House of Clergy or the House of Laity (but need not be a member of the House to which the person being proposed and seconded belongs), and
  - (c) each of the two persons being nominated confirms his or her willingness to stand as part of that pair.
- (4) The instructions from the Business Committee referred to in paragraph (1) must include instructions on—
  - (a) how support for the purposes of paragraph (3)(b) is to be evidenced;
  - (b) how confirmation for the purposes of paragraph (3)(c) is to be given;
  - (c) the duration of the period within which a nomination must be made or how the duration of that period is to be determined.
- (5) A nomination must, in the case of each candidate, contain the year of the candidate’s birth.
- (6) The Clerk must—
  - (a) as soon as each nomination is received, determine whether it is valid, and
  - (b) without delay, inform each candidate and the proposer and seconder whether the nomination is valid.
- (7) If the Clerk rules that a nomination is not valid, the Clerk must give each candidate and the proposer and seconder the reasons for the ruling when informing each of them of it under paragraph (6)(b).

- (8) A pair of persons are not to be included as candidates for the election if the Clerk has not received a valid nomination for that pair before the end of the period for nominations.”

### **After Standing Order 137**

8. After Standing Order 137 insert—

*“137B. Crown Nominations Commission: election of members*

- (1) It is for the Business Committee to decide in any given case whether or not voting for the purposes of SO 137(1)(b) or (c) is to be conducted by using an electronic system; and the Business Committee must give instructions to the Clerk accordingly.
- (2) The election of members of the House of Clergy under SO 137(1)(b) and of members of the House of Laity under SO 137(1)(c) is to take place as a single election held at a group of sessions.
- (3) The persons entitled to vote in an election under this Standing Order are the members of the House of Clergy and the members of the House of Laity who are present at the group of sessions at the time when the election is held; and for this purpose those persons constitute a single electorate.
- (4) An election under this Standing Order is to be conducted by the method of the single transferable vote in accordance with the election rules.
- (5) The Clerk must cause the votes to be counted and must enable each candidate (or a person nominated by the candidate) to be present at the count.
- (6) The Clerk must declare the result at the group of sessions; and a full return of the result and the result sheet must be given to the candidates in accordance with the election rules.”

### **Standing Order 140 (Crown Nominations Commission: duration of membership)**

9. In Standing Order 140, after paragraph (6) insert—

*“(6A) On a vacancy arising under paragraph (6) in respect of a member of a pair referred to in SO 137(3A), a vacancy also arises, subject to Article 3(4) of the Constitution, in respect of the other member of the pair.”*

10. In Standing Order 140, in paragraph (7), after “SO 134” insert “; but, in a case within paragraph (6A), paragraphs (7) to (11) of SO 134 do not apply and the two vacancies are to be filled by a pair of members of the kind referred to in SO 137(3A).”.
11. In Standing Order 140, in paragraph (9), for “137(3A), (3B) or (3C)” substitute “137(3D), (3E) and (3F)”.

### **Standing Order 141 (Crown Nominations Commission: business and procedure)**

12. In Standing Order 141, after paragraph (10) insert—

*“(11) If the Commission, having completed its considerations on a vacancy, does not select a name for submission to the Prime Minister, it may direct that that the process for*

filling the vacancy is to recommence at the stage which it specifies; and the stage of the process which may be so specified includes the stage at which members under SO 137(1)(d) are elected.

- (12) Where the Commission gives a direction under paragraph (11), the process for filling the vacancy recommences accordingly at the stage specified by it.”

**After Standing Order 141**

13. After Standing Order 141 insert—

*“141A. Crown Nominations Commission: election appeals*

The provisions of SOs 135 to 135O apply, with such modifications as are necessary, to an election for the purposes of SO 137(1)(b) or (c) as they apply to a relevant election.”

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