

**GENERAL SYNOD**  
**DRAFT AMENDING CANON NO. 42**

<b>Chair:</b>	The Ven Nikki Groarke (Worcester)
<b>Ex officio members (Steering Committee):</b>	Mr Stephen Hofmeyr KC (Guildford) (Chair) The Ven Douglas Dettmer (the Archdeacon of Totnes) The Reverend Sandra McCalla (London) Dr Laura Oliver (Blackburn)
<b>Appointed members:</b>	Mr Gavin Drake (Southwell & Notts) The Reverend Rachel Firth (Leeds) The Very Reverend Dr Mandy Ford (the Dean of Bristol) The Reverend Neil Patterson (Hereford) Mr Samuel Wilson (Chester)

*References in this report to “the Committee” are references to the Revision Committee.*

1. Draft Amending Canon 42 deals with safeguarding. Explanations of each provision of the Canon as introduced were contained in the Explanatory Notes (GS 2269X1).
2. The Committee met on two occasions to consider the Canon, and also to consider the draft Church of England (Miscellaneous Provisions) Measure and Amending Canon 43, which are dealt with in a separate report (GS 2272Y/2273Y). The Committee completed its remaining business by correspondence under Standing Order 56(4). Every member of the Committee was present at the first meeting. At the second meeting, every member was present except the Reverend Sandra McCalla, who sent apologies.
3. The Committee received submissions before the deadline under Standing Order 55(1) from two members, one of whom exercised their right under Standing Order 55 to attend the Committee’s meetings to speak to their proposal.
4. The Appendix contains a summary of the proposals considered by the Committee as well as the Committee’s decision on each.

### Paragraph 1

5. There were no submissions on paragraph 1 and the Committee was content with the paragraph as it stood.

### Paragraph 2

6. **Mr John Mason (Chester)** was concerned to ensure that the appointment of a Diocesan Safeguarding Officer should be made “expeditiously” and proposed the inclusion of express wording to that effect. The Committee was advised that it was implicit in the nature of the duty to make the appointment that it must be carried out expeditiously. The Committee was also advised that including express wording here might cast doubt on the forcefulness of other duties to make appointments.
7. The Committee unanimously rejected Mr Mason’s proposal.

### Paragraph 3

8. There were no submissions on paragraph 3 and the Committee was content with the paragraph as it stood.

### Paragraph 4

9. **Mr Clive Scowen (London)** proposed the inclusion of express provision for the commencement of paragraph 3, since there is such provision for paragraph 2. The Committee was advised that, in the absence of anything to the contrary, the provisions of an Amending Canon come into force on promulgation (indeed, that is why almost every Amending Canon is silent on commencement). The Committee was advised that paragraph 2, however, is an exception to that default position and that, by necessary implication, the other provisions will come into force on promulgation in the usual way.
10. The Committee unanimously rejected Mr Scowen’s proposal.
11. **Mr Scowen** also proposed the inclusion of express wording to ensure that the amendment to the regulation-making power in Canon C 30.1(2) would come into force before the date that would be specified for the commencement of the other amendments in paragraph 2, so that amended regulations would be ready at the same time. The Committee was advised that, since the regulations would necessarily have to be made sooner, the change proposed by Mr Scowen was apparent by implication. But with some sympathy for the proposal, the Committee recognised that, in this case, it would be helpful to draw the point out more clearly.
12. The Committee unanimously agreed to take a more general approach than that proposed by Mr Scowen by including wording to ensure that all the amendments in paragraph 2 (including, for example, the definition of “diocesan safeguarding officer”) would come into force on promulgation, so far as that was necessary for enabling the making of the regulations.

## APPENDIX

## DRAFT AMENDING CANON NO. 42

Paragraph in original draft Canon (GS 2269)	Paragraph in draft Canon as revised (GS 2272A)	Name	Summary of proposal	Committee's decision
1	1	--	--	--
2	2	Mr John Mason	Appointment of diocesan safeguarding officer must be made "expeditiously"	Rejected
4	4	Mr Clive Scowen	Commencement of paragraph 3 to be set out expressly	Rejected
4	4	Mr Clive Scowen	Provide for early commencement of paragraph 2(3)	Rejected
4	4	The Committee	Provide for early commencement of whole paragraph 2 so far as necessary to enable making regulations	Accepted

