

GENERAL SYNOD**UPDATE FROM THE LEGISLATIVE REFORM COMMITTEE**

1. The Legislative Reform Committee met in September 2024 to review the current legislative programme in light of decisions taken at the February 2024 and July 2024 groups of sessions.
2. At the February 2024 group of sessions, there were two Private Members Motions (PMMs) which were carried by Synod that specifically referred to bringing forward legislation. This was the PMM from the Ven Mark Ireland on [Bullying by Lay Officers](#) and the PMM from the Revd Mark Bennet on the [Removal of Divorce Impediment to Ordination](#).
3. At the July 2024 group, the Diocesan Synod Motion (DSM) from Winchester on [Rest Periods for Office Holders](#) was carried by Synod.
4. Members will note from the papers circulated for the February 2025 group of sessions, that there is a considerable legislative programme currently.
5. Under its terms of reference, the LRC is responsible for guiding staff on the prioritisation of the legislative programme. The focus is on the key Measures which members will engage with at this and the next group of sessions, that is the Clergy Conduct Measure, the Abuse (Redress) Measure, the National Church Governance Measure and the revised Mission and Pastoral Measure. These are important, complex and time critical pieces of legislation which have been the focus for the legislative work of Synod and our staff.
6. This has meant that the requests from Synod for legislation which had not been factored into the planning for Synodical legislative capacity and staff time planning, cannot be taken forward at the pace which members may have expected.
7. Members should note that the request for legislation requires significant commitment over and above the time table for bringing business to the Synod. The Legal Office is always involved in drafting legislation which is a specific skill requiring technical knowledge of ecclesiastical law, meaning it is difficult to increase capacity. Depending on the legislation other teams will be required. Of course Synod members are also needed to form the various scrutiny boards as well as steering groups and revision committees. For these specific PMMs and DSM, the Ministry Development team and Central Secretariat are needed to take these motions forward at a time when the legislative load is already at a very high level. All this means that delay in legislating as requested is frustratingly inevitable.
8. However, the LRC is keen to look at how some of the outcomes required can be met through other means. This would honour the intent of the motions, if not the specifics. Therefore, the LRC is recommending that the following actions be taken, noting that the request for legislative change be considered as soon as Synodical time and capacity within the staff team allows.

Bullying by Lay Officers

9. The Archbishops' Council (AC) via the Elections Review Group has undertaken a consultation with PCCs on Codes of Conduct. Over 4200 responses were received and the analysis of the consultation is currently in progress. The scale of responses has meant that the analysis is taking longer

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than expected.

10. Even if we had full capacity, the conclusions from this consultation would need to be completed before any consideration of legislation could take place. It gives a good place to propose immediate change and to begin to shape what legislation would need to contain.
11. The AC is considering its own Code of Conduct for the Council and its sub-committees, which could be shared with PCCs to adapt for their use in the interim. Some dioceses are developing Codes of Conduct and there are models from many charitable bodies which could help an individual PCCs to draft its own.

Remarriage Impediment to Ordination

12. In February 2024 the Synod passed a motion requesting the Council to introduce legislation to amend the requirement to obtain a faculty from the archbishop of the province to dispense from the impediment to ordination that arises from remarriage with a former spouse still living. The motion requested that the archbishop's power to grant such a faculty be transferred to the diocesan bishop.
13. For the reasons given above about the legislative workload, it has not so far been possible to find time to address this request. It is hoped that it can be taken forward later in 2025.

Rest Periods for Office Holders

14. The LRC noted that it would be challenging to legislate for this, not least as there is no consistent pattern of work for clergy. There is currently provision for flexibility within the statements of particulars which can enable rest periods.
15. The request for a day and a half rest period is being considered by the Ministry Development Board's Advisory Group for the Terms and Wellbeing of Ministers and the LRC has requested that this also be considered alongside work on the Guidelines for the Professional Conduct of the Clergy.
16. Following on from the work on the Guidelines, there may be a review of the Clergy Terms of Service Regulations, and this motion should be taken into account then with a view to implementing what was requested in a way that is simpler, quicker and more direct than a separate piece of legislation.

Next steps

17. The LRC will continue to update Synod on the progress of these motions.
18. The Synod Office has also been asked to help the movers of DSMs and PMMs to understand when legislation is required and when the outcomes being sought by these motions can be achieved through other means.
19. Despite the present constraints, the LRC remains open to suggestions from Synod members for future legislative change to help us to become simpler humbler and bolder.

The Ven Luke Miller
Chair, Legislative Reform Committee
January 2025