



Happy Christmas and the end of 2012, our Silver Jubilee year. I don't know about you but I'm dreaming of a peaceful Christmas season without the cringe-making daily headlines about the Church. Inevitably there is a little in this month's edition about women bishops and gay marriage but also more positive news from Synod, continuation of the conversation about funerals for the neo-natal and pre-term, some caselaw and a couple of seasonal touches.

SYNODICAL MATTERS...

General Synod: 19th to 21st November 2012 – Church House, London

Women Bishops - I can't imagine you don't know the result by now but just in case anyone has recently emerged from a 30 day retreat or other variety of purdah the vote in favour of women Bishops was carried in the Houses of Bishops and Clergy but failed to reach a 2/3 majority by just 6 votes in the House of Laity. The consequences do seem to be an answer to the Chinese prayer about living in interesting times. The House of Laity will be meeting in January to debate a vote of No Confidence in their Chair. The House of Bishops are seeking to bring forward new proposals before Synod's July meeting and in the meantime have set up a new working group and will be using time freed up by cancellation of the February Synod to undertake some consultation with Synod members. Ben Bradshaw MP's debate passed the earth-shattering motion that 'The House has considered the matter of the Church of England Synod vote on women Bishops'. Surprisingly, the press coverage suggests there is more interest in the nation than one might have expected from an 'outdated,' 'irrelevant' institution or perhaps our value lies in the headlines we give them.

More positive notes: The Southwell and Nottingham Diocesan motion to amend **Canon B12** was passed allowing authorised regular communicants, including children or young people, to administer Communion with the authority (where the bishop agrees) of the incumbent or priest in charge. The motion calling for the **Living Wage** to be adopted by all church institutions was also accepted.

At this Christmas season let's remember the children...

By the time Christmas comes umpteen **nativity plays** will have been performed and there will have been numerous **Christingle celebrations** up and down the country raising questions about when such services depart from the scope of Canon B5 to 'make and use variations which are not of substantial importance in any form of service authorised by Canon B1'. For example, is the Russian legend of Babushka a legitimate way to tell the Christmas story, particularly in an un-churched society already confusing Jesus with Father Christmas? In the light of the census figures on religion, is the boundary between Canonically authorised worship and Fresh Expression something that provides further food for thought at next April's ELS weekend conference?

And their schools...

British Humanist Association & Anor v London Borough of Richmond Upon Thames & Ors [2012] EWHC 3622 (Admin) (14 December 2012) found that in approving two new Roman Catholic schools the London Borough of Richmond did not breach provisions for consultation about academies. **Whilst the framework for foundation of academies requires evidence that new schools of that nature are needed this does not override the possibility of founding new schools on other grounds and under other provisions eg schools of a religious character.**

.DATES... for your diaries: -

London Lectures 2013 will be on Wednesdays, 16th January, 13th March, 12th June and 16th October 2013 – all at Winkworth Sherwood, Minerva House, Montague Street, starting at 5.30pm; the speakers are as follows:

16th January 2013 – Owen Carew-Jones and Emma Chadwick – Protest, Possession and Human Rights – the St Paul's Experience
13th March 2013 – Rupert Bursell QC, Chancellor Oxford Diocese – Faculty Jurisdiction and Questions of Theology

Dr Peter Smith - Churchwardens: a case of mistaken identity?

The Revd Canon John Rees, Provincial Registrar - Canterbury - Anglican Covenant or What?

ELS Biennial Residential Conference - 19th – 21st April 2013 – *Shaping the future of Parochial Ministry*, at The Burlington Hotel, Birmingham. Speakers will include The Rt Revd Tim Dakin, Bishop of Winchester, The Rt Revd Christopher Lowson, Bishop of Lincoln, Professor Grace Davie, Sociologist of Religion, Martin Follert, Diocesan Registrar Exeter, the Ven Julian Hubbard, Director of Ministry and The Rt Revd David Urquhart, Bishop of Birmingham

Why gay marriage when we have civil partnership?

Although Civil Partnership creates the same legal consequences as marriage with respect to children, property, inheritance and immigration the nature of the commitment differs from marriage. Civil Partners sign a contract rather than making vows, cannot explicitly make their commitment before God, though legal changes may allow CPs in some religious buildings. Unlike marriage, Civil Partnership is neither necessarily a lifelong commitment nor a commitment to sexual fidelity. For some in the gay community these differences are intended, they do not want gay marriage. However, other gay couples want to be able to make a marital commitment and in some cases to do so in the presence of God. Conversely there are those in heterosexual relationships who would like to be able to make the sort of commitment envisaged by Civil Partnership rather than marriage; the equality arguments cut both ways. The issue for the Church of England is that the only definition of marriage that English law has ever had, since before the Reformation, is the church definition, now enshrined in Canon B30. As the Church is unlikely to amend B30 to remove the requirement of one man with one woman without a long discussion the state will have to find its own legal definition if it wants to create gay marriage within the current Parliament. For the Church to change Canon B30 is a matter of theology, not just equality. Theology cited in the debate to date relies on understandings of male/female as complementary. Yet this is potentially confused by the fact that the law already provides for those who are transgendered to marry; clergy uncomfortable with the idea can opt out of performing such marriages through a conscience clause similar to provisions for remarriage of the divorced. See www.lawandreligionuk.com.

Constitutionally speaking... The government's apparently unilateral decision to make gay marriage illegal in the Churches of England and Wales also raises interesting constitutional questions about both Church/state relations and the church's internal constitution ie who purported to speak for the church with the government and the representative or nature or otherwise of the House of Laity. As Keith Alsop says in his glossary to *The Church of England Companion* www.churchofenglandandglossary.co.uk 'Authority: a vexed question in the Church of England!'

Readers replies re Burials & Memorials for stillborns... interesting questions, especially for Hospital Chaplains...

On a practical note information from a cemetery manager indicated that she had never been asked to bury the remains of a child miscarried before 24 weeks (known in relevant circles as 'unviabiles') but has had requests to cremate. The problem is that the body is often too little to cremate individually and enable the return of identifiable individual ashes to the parents.

Many thanks for raising this; it is an area often dealt with by Hospital Chaplains and raises issues of consent because in the earlier stages, before registration of birth is required, parents may not know what has happened to the miscarried remains. Salford Interfaith Network has been looking at it from the perspective of different faiths since local Chaplains won a battle to cremate appropriately those aborted - whether by choice or natural process. Local practice has been to hold a collective cremation and memorial service for those miscarried or aborted in the first 3 months of pregnancy; for those in the second 3 months there is individual cremation at the hospital and chaplains invite parents to a memorial service. Those stillborn in the final trimester are treated as if they had lived. The service is usually conducted by the chaplains at hospital but occasionally a family whose baby is still-born near-term may be taken home for a blessing and funeral service in their parish. However, for faiths which do not accept cremation and see life as beginning at conception this policy is problematic; work is being done to develop appropriate practices. Issues of parental consent seem to arise in either scenario; if life begins at conception then there is an issue of parental consent in relation to a premature baby. Alternatively if the foetal remains are part of the mother's body her consent as to disposal would also seem to be relevant.

Rev Christine Hill, St Dunstan and All Saints, Stepney writes: When I was a hospital chaplain we would have a service and burial/cremation at the local cemetery for any 'child' aborted, miscarried or still born if that is what the parents wanted. I would also often do a 'naming' ceremony at the hospital, again if wanted (not baptism, although I would have if necessary for the parents – and I do understand the theology) at the hospital. From a Christian and pastoral point of view it seemed to us that whatever the legal status of the foetus it was a child loved by the parents and it certainly helped them in their bereavement. The naming was a chance to be 'happy' about the child and to reflect on what might have been. It came at the very raw bereavement stage because it generally happened within 24 hours of the baby dying and usually only the parents would be present. The funeral would take place several weeks later and was free. The hospital had a contract with undertakers and the cemetery; there was a special place for babies. For parents not wanting an individual funeral, babies would have a joint service and cremation or burial together. The best book I've found is 'Just my reflection' by Sister Frances Dominica and more formally Pastoral Prayers by Stephen Oliver and others.

And to finish with... **HAPPY CHRISTMAS EVERYONE** and a question from a very bright 9 year old Muslim boy at a local County Primary School: **'If Christianity is about Jesus why did God give Christians Father Christmas?'**

