

Gospel & Law

Christmas 2015

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Editorial

A brief edition... mainly to say Happy Christmas and all best wishes for the New Year.

But there is an opportunity to contribute to another consultation, this time on marriage, a minor clarification about Archdeacons and a seasonal warning.... are you protected against 'baby Jesus theft'? Plus as usual some dates for your diaries.

More about wedding celebrations...

Further consultation is afoot concerning marriages, considering where they take place – including outdoors, who can be a recognized celebrant – humanists want a piece of the action and the possibility of interfaith weddings. For a chance to contribute to the consultation see the link below:

http://www.lawcom.gov.uk/wp-content/uploads/2015/12/Getting_Married_scoping_paper.pdf

Theft and the Christmas season:

It has become almost commonplace at Christmas time for stories about the cancellation of nativity plays or prohibition of nativity scenes to hit the headlines. In the US 2015 has seen further legal controversy, in a tradition dating back at least to the 1984 case of *Lynch v Donnelly*, over whether nativity scenes are unconstitutional as promoting one religion to the exclusion of others.

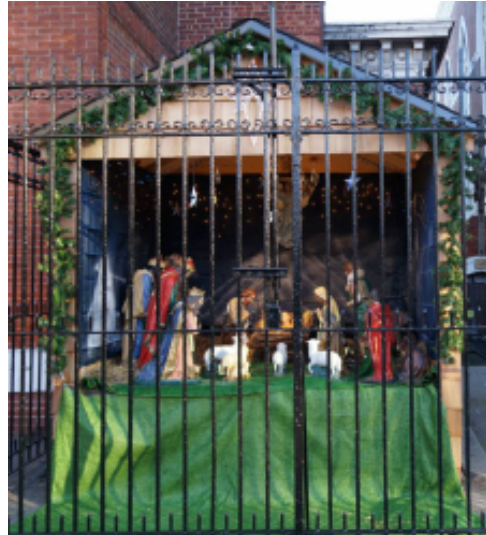
In France too laws to ensure *la laicite* have led to nativity scenes being banned. However, surprisingly this year's major 'cancellation of Christmas' story came from the Pope, who has called Christmas a charade, although in context what he actually said, speaking at Mass at the Casa Santa Maria, was: *"We are close to Christmas. There will be lights, there will be parties, bright trees, even Nativity scenes – all decked out – while the world continues to wage war..... It's all a charade. The world has not understood the way of peace."*

However, a lesser known seasonal phenomenon is 'baby Jesus theft...'. In the past couple of years alone there have been reports of the crime across the US, including at Seattle's Capitol Hill Presbyterian Church, the Indiana Masonic Home and at Sacred Heart Church, Haverhill Massachusetts. In the latter case the figure of Jesus was replaced with a pigs head, leading to FBI involvement questioning whether the offence was a hate crime as well as simple theft.

Across New York Churches are taking extensive measures to protect their nativity figures. At St. Anthony of Padua in Soho, Houston where there have been two thefts in 11 years, there is a 5-foot wrought-iron fence and a bolt has been fitted into Jesus' back so that He can be secured by a chain to a nearby stone. St Anthony's, like St Stanislaus, Sayreville, New Jersey, have installed video cameras following 'baby Jesus thefts' – but this has not prevented a further recent theft. St Patrick's in Bay

Ridge, Brooklyn, uses a system of wires to hold Jesus, his manger and the other statues in place; earlier experience revealed that a plastic cover was inadequate. St Alphonsus, Greenpoint, Brooklyn has erected a fence, 12 foot high and 8 foot wide to protect its nativity scene. One defiant priest however, refusing to take any such measures, argued, 'You don't tie baby Jesus down!'

*St. Anthony-St. Alphonsus Catholic Church's nativity scene is kept behind bars for its safety.
Photo: Courtesy of St. Anthony-St. Alphonus*



Lest you be thinking, what has this to do with us, this side of the Pond, it seems that the phenomenon has made its way to the UK. According to Kent Online this heinous crime has now occurred at Bybrook Garden Centre, Ashford, Kent. The 'centre has been forced to stop selling nativity scenes after thieves stole all the baby Jesus figures.... All the Jesus figurines had been pinched over the weekend.' There are a lot of disappointed customers.

(<http://www.kentonline.co.uk/ashford/news/away-from-his-manger-baby-47824/>)

So, if you have got a nativity scene this Christmas – at home or at Church - have you and your PCC undertaken an adequate risk assessment? Is Jesus sufficiently protected? Is He included on your terrier? Have you consulted EIG or other insurers about the cover you will need and the level of security required? Act now to prevent Christmas disappointment....

A message from the Dean of Arches:

Please note, by way of clarification, that for works authorized under List B of the new Faculty Jurisdiction Rules 2015 ***the Archdeacon needs not only to be consulted but also to give permission.***

Broadly speaking works in List B include routine repairs, maintenance and like for like replacement to the Church building, bells, clocks, church contents, trees and churchyards. The full list and the relevant restrictions are in Schedule 2 of the Faculty Jurisdiction Rules 2015, see below for helpful guidance:

http://www.legislation.gov.uk/ukxi/2015/1568/pdfs/ukxi_20151568_en.pdf

<https://www.churchofengland.org/media/2250523/gs%201995x%20-%20explanatory%20memorandum.pdf>

<http://www.churchcare.co.uk/churches/faculty-rules-2015>

News of John Rees:

'The Society's Chairman John Rees is still undergoing treatment for the aggressive lymphoma that emerged earlier in the autumn. He is beginning to see positive results from the intensive chemotherapy he has been under since October, but please continue to keep him and his wife Dianne in your prayers. He sends warmest good wishes to all our members.

Dates and events:

London Lectures 2016 all to be held at Winckworth Sherwood, Montague Close, London SE1 9BB (by Southwark Cathedral), starting at 5.30pm with refreshments available from 5pm

27th January 2016 – The faculty Jurisdiction Rules 2015: all change (again)? Chancellor Dr Charles Mynors who is author of *Changing Churches: A Practical Guide to the Faculty System*, to be published by Bloomsbury early in 2016.

16th March 2016 – Winding up/leaving a religious community – Francesca Quint, Barrister and Specialist in Charity Law and Alastair Hunt FCA

22nd June 2016 – Relations between Church and State, the Norwegian experience Andreas Hendriksen Arflot, Secretary to the Committee on Church Order of the General Synod of Norway

19th October 2016 – Chancellor Tim Briden, Vicar General - Confirmation of Episcopal elections

The lectures are free of charge and open to members and non-members but spaces are limited so prior booking is essential.

The 2016 Annual Conference will be held on **Saturday 12th March 2016** at the Bridewell Institute, Bride Lane, London, with worship at St Bride's Church, Fleet Street. **Freedom from and of Religion - Keynote speaker will be Baroness Hale of Richmond, Deputy President of the Supreme Court**, with David Burrowes MP and Mark Hill QC. Further details and booking forms have gone out with the September edition of the ELJ; contact Andrew Male if you need more.

LARSN Conference – The 2016 Law and Religion Scholars Network (LARSN) Conference will be held on Thursday 5th and Friday 6th May 2016 at Cardiff University and will celebrate the 25th Anniversary of the LLM in Canon Law at Cardiff. The plan is to include a number of themed panels alongside the usual general panels. Proposed panels so far include: Law, Religion and Media Reporting, The Reformation Revisited and Religious Law. Further suggestions are welcome. Further details including a call for papers (for both themed and general panels) and information about the conference fee will be available in the New Year. We regret that we are unable to provide financial support for travel or accommodation. Please direct any queries to SandbergR@cf.ac.uk

For those who are wondering LARSN is a network for those with a scholarly interest in Law and Religion. There is no subscription and practitioners as well as academics are welcome to join. The network provides useful contacts for those interested in the area and also runs an annual conference. The 2016 conference is scheduled to tie in with the end of year teaching weekend for the Cardiff LLM in Canon Law and a reunion for graduates of the LLM course." <http://www.law.cf.ac.uk/clr/networks/lrsn2.html>.
To join the mailbase, email < LAW-RELIGION-UK-request@jiscmail.ac.uk.

The ELS 2017 Residential Conference and AGM will be at Trinity Hall, Cambridge from Friday 31st March to 2nd April 2017 and will consider the theme, 'By whose authority? A Church ordered in its diversity...', covering authority at all levels of the Church. The price will be variable dependent on whether you have an en suite room or not and there will be bursaries available for clergy again. More details in due course but do put the date in your diary.

And on a final seasonal note:

If anyone is looking for that last minute stocking filler there are still back copies of the Journal available from the Treasurer, Darren Oliver at Winckworth Sherwood (info@wslaw.co.uk). Alternatively why not treat your loved one – or a lucky colleague – to a year's membership of the Society; see the website for details.

HAPPY CHRISTMAS

