



Ecclesiastical
Law
Society

NEWSLETTER
of
THE ECCLESIASTICAL LAW SOCIETY

No. 2/2018

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3 February 2018

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CANDLEMAS EDITION: EDITORIAL

The figures from the crib are firmly back in their boxes until next year, the snowdrops are out, the worst weather of the winter is no doubt still to come and members of General Synod are packing their bags for the February session. Possibly the most important – and almost certainly the most contentious – item on Synod’s agenda will be the debate on [Mission and Ministry in Covenant](#) and the associated paper [GS 2086](#).

Meanwhile in Parliament, the proposals of the Second Church Estates Commissioner and the Bishop of St Albans for correcting the historical anomaly under which mothers’ names are not recorded on marriage certificates (and generally for overhauling the system of marriage registration in England and Wales) are to be incorporated into the much wider [Civil Partnerships, Marriages and Deaths \(Registration Etc.\) Bill](#) introduced by Tim Loughton (Con, East Worthing and Shoreham). Loughton’s bill was given a fair wind by the Home Office at second reading: how much of it will become law, however, remains to be seen. [FC]

DATES FOR THE DIARY

ELS Day Conference and AGM: *Gospel and Law in Theological Education* – Saturday 17 March 2018 – at St Bride’s Institute, Bride Lane (off Fleet Street) London EC4: Book [here](#).

London Lectures 2018 – at Winckworth Sherwood, Minerva House, 5 Montague Close, London SE1 9BB.

- **Wednesday 7 March** – David Frei, External and Legal Services Director of the United Synagogue and Registrar to the London Beth Din, on *The Role of a Beth Din in Jewish Law*. Book [here](#).
- **Tuesday 3 July** – Baroness (Elizabeth) Berridge, co-chair of the All Party Parliamentary Group on International Freedom of Religion or Belief on *Freedom of Religion or Belief*. Book [here](#).
- **Wednesday 10 October** – Dr Peter Smith, barrister of Lincoln’s Inn and formerly Dean of Law at Exeter University, on *Visitations*. Book [here](#).

Northern Province Lectures 2018 – at Wrigleys LLP, 19 Cookridge Street, Leeds LS2 3AG.

- **Tuesday 24 April** – Sir Mark Hedley, Deputy President of the Clergy Discipline Tribunal and Chancellor of the Diocese of Liverpool.

Two further Northern Lectures will be given in 2018 on dates to be announced: by Sir Philip Mawer (Independent Reviewer under the Declaration on the Ministry of Bishops and Priests (Resolution of Disputes Procedure) Regulations 2014) and by the Chairman on the Ecclesiastical Jurisdiction and Care of Churches Measure 2018.

Lyndwood Lecture 2018 – Professor Diarmaid MacCulloch Kt DD FBA on *Richard Hooker (1554-1600): Invention and Reinvention* – **Wednesday 7 November**. Book [here](#).

ELS Residential Conference 2019 – to be held at **Cumberland Lodge, Windsor from 5 to 7 April 2019** on *Church and State in the Twenty-first Century: Re-imagining Establishment for the post-Elizabethan age*.

YET MORE ON CATHEDRALS

The Epiphany *Newsletter* drew attention to the publication in December of the Taylor Review, [*Sustainability of English Churches and Cathedrals*](#), and DCLG's [*Cathedrals and their Communities: A report on the diverse roles of cathedrals in modern England*](#), which summarised the findings from the tour by Lord Bourne of Aberystwyth, as Minister for Faith at DCLG, of all 42 Church of England cathedrals.

Hard on their heels came the publication of the [draft report of the Church of England's Cathedrals Working Group](#), on which the Working Group announced a consultation in the form of an [on-line survey](#) closing on **28 February**. In a wide-ranging analysis, it concluded that the cathedral chapter, chaired by the dean, should continue to be the cathedral's governing body, but that the chapter should have an enhanced membership with a majority of 'non-executive' members, at least two-thirds of whom would be laity. It also recommended a clear separation of governance and management and the establishment of a senior executive team to oversee day-to-day cathedral operations. For a thoughtful analysis, see Michael Sadgrove: [*A New Report on Cathedrals*](#) and [*The Report on Cathedrals: Further Thoughts*](#). [FC]

PLANNING LAW AND CHURCH BELLS

The issue of perceived noise nuisance from church bells came up in a [Commons Written Answer](#) on 15 January, when Craig Mackinlay (Conservative, South Thanet) asked the Secretary of State for Communities and Local Government, what steps his Department has taken within planning and other guidance to local authorities to support the continued ringing of church bells and traditional chimes. The Minister of State for Housing and Planning, Dominic Raab, replied that national planning policy already stated that 'businesses' (which evidently include churches) should not have unreasonable restrictions put on them because of changes in nearby land uses after they had been established and that the Government was 'minded to amend the National Planning Policy Framework to give greater emphasis to this matter, by setting out that planning policies and decisions should take account of existing businesses and other organisations, such as churches, community pubs and music venues, when locating new development nearby'.

That said, however, it should be remembered that, in addition to planning law, ringing church bells is also subject to potential liability for nuisance at common law and under the Environmental Protection Act 1990 and, in the Church of England specifically, to the provisions of Canon F 8. [FC]

CANON JEREMY PEMBERTON

Canon Jeremy Pemberton's appeal against the dismissal of his claim for unlawful direct discrimination because of sexual orientation and/or marital status and of unlawful harassment related to sexual orientation, following the Acting Bishop of Southwell and Nottingham's revocation of his Permission to Officiate and refusal of an Extra Parochial Ministry Licence, was heard last week by the Court of Appeal: judgment will presumably be handed down at some point after Easter.

BISHOP GEORGE BELL

The Epiphany *Newsletter* noted the [Report of the Independent Review](#) by Lord Carlile of Berriew QC into the Church of England's handling of the accusations against Bishop George Bell, in which Lord Carlile concluded that, though the Church had 'acted throughout in good faith' and 'was motivated by a desire to do what it perceived to be the right thing by the complainant' [11], 'the process followed by the Church in this case was deficient in a number of respects' [13] and had 'failed to engage in a process which would also give proper consideration to the rights of the Bishop [which] should not be treated as having been extinguished on death' [18].

The Archbishop of Canterbury subsequently issued a statement – available [here](#) – in which he said that, while the Church accepted Lord Carlile's overall conclusions, 'we have to differ from Lord Carlile's point that "where as in this case the settlement is without admission of liability, the settlement generally should be with a confidentiality provision". The C of E is committed to transparency and therefore we would take a different approach'.

Archbishop Justin's response attracted a good deal of criticism, perhaps the most considered of which was [a letter in the Daily Telegraph](#) from a group of academic historians led by Professor Charmian Brinson. That letter prompted [a further statement](#) by the Archbishop in which he said that he could not 'with integrity' rescind his earlier statement:

'I wrote my response with the support of both Bishop Peter Hancock, the lead bishop for safeguarding, and Bishop Martin Warner, the Bishop of Chichester. We are clear that we accept all but part of one of the recommendations Lord Carlile makes and we are extremely grateful to him for what he has done and the help he has given the Church.

He indicates that, in his judgement, a better way to have handled the allegation would have been for the Church to offer money on condition of confidentiality. We disagree with this suggestion. The confidentiality would have been exposed through the IICSA process, and the first question we would have faced, both about Bishop Bell and more widely, would have been 'so what else are you concealing?'. The letter from the historians does

not take into account any of these realities, nor the past failures of the Church. But we will go on considering how we can make our processes better and more robust, as pointed out by Lord Carlile.' [FC]

AND FROM PRAGUE...

The first Newsletter for 2018 of the Church Law Society of Prague (in the version for English readers) was published at the end of January. There is a link to it, and to all the earlier Newsletters, [here](#).

Frank Cranmer