

NEWSLETTER of

THE ECCLESIASTICAL LAW SOCIETY

No. 8/2019

3 September 2019

Editor: Frank Cranmer <u>frank.cranmer@centrallobby.com</u> Administrator: Andrew Male admin@ecclawsoc.org.uk

REMINDER: SUBSCRIPTIONS 1 JULY 2019 TO 30 JUNE 2020

If you have not yet renewed your subscription for the new membership year and wish to continue as a member, *please* can you do so as soon as possible? The payment options are set out on a page on our website and here is the link that takes you there: https://ecclawsoc.org.uk/membership/renew/.

If you do not wish to renew, would you please e-mail the Administrator at this address? administrator@ecclawsoc.org.uk. [AM]

DATES FOR THE DIARY

Wednesday 18 September: London lecture – Sir Philip Mawer on the role of the Independent Reviewer under the Declaration on the Ministry of Bishops and Priests (Resolution of Disputes Procedure) Regulations 2014. Book here. **Refreshments at 5 pm, lecture at 5.30.** Wednesday 6 November 2019: Northern Province lecture – Rt Worshipful Charles George QC, Auditor of the Chancery Court of York, on *Do we still need the Faculty System*? Book here. Drinks at 5 pm, lecture at 5.30.

Friday 15 November 2019: Regional training day (London) – *You couldn't make it up! Good Governance in Parochial Ministry* – to be held at the Minerva House offices of Winckworth Sherwood, **10.30 am till 3.30 pm**: cost including lunch, £25.00 for ELS members: £30.00 for non-members. Book here. To be led by members of the ELS Education Team, including: Simon Baker, Chair of ELS Education, Norman Boakes, former Archdeacons' National Executive Officer, Andrea Russell, Queen's Foundation, Birmingham, Louise Connacher, Acting Provincial Registrar, Stuart Beake, former Archdeacon of Surrey, Stephen Borton, Ecclesiastical Manager Lee Bolton Monier-Williams and Teresa Sutton, Sussex University.

Wednesday 20 November 2019: St Mary-le-Bow – Professor Norman Doe on *The Court of Arches: Its Jurisdiction and Jurisprudence – Entirely Settled?* with a response by the Dean of Arches. Admission by ticket only, £6. Book here. Lecture at 6.05 pm, followed by a drinks reception.

Friday 22 November 2019: Regional training day (Birmingham) – *You couldn't make it up! Good Governance in Parochial Ministry* – to be held at The Queen's Foundation, Somerset Road, Edgbaston B15 2QH, **10.30 am till 3.30 pm**: cost including lunch, £25.00 for ELS members: £30.00 for non-members. Book here. **For details see above.**

Saturday 28 March 2020: The Society's day conference – Synodical Government: Fit for Purpose? – to be held at the Minerva House offices of Winckworth Sherwood, 10 am till 4 pm: cost including lunch, for members, £30 per person up to 10 November 2019 and £35 per person thereafter. Bookings for non-members on 10 November 2019 at £45 per person. Speakers will include the Most Revd John Sentamu, Archbishop of York and Patron of the Society, the Rt Revd Christine Hardman, Bishop of Newcastle, the Rt Revd Paul Colton, Bishop of Cork, Cloyne and Ross, the Rt Revd Pete Broadbent, Bishop of Willesden, the Ven Jane Steen, Archdeacon of Southwark, and the Ven Alan Perry, Archdeacon of Edmonton, Canada. Book here.

London Lectures are held at the offices of Winckworth Sherwood, Minerva House, 5 Montague Close, London SE1 9BB.

Northern Province Lectures are held at the offices of the Diocese of Leeds, 17-19 York Place, Leeds, LS1 2EX.

CONSULTATION ON SURROGACY LAW

The Law Commission of England & Wales and the Scottish Law Commission have extended their consultation on *Building families through surrogacy: a new law* until **11 October**. [*FC*]

REGISTRATION OF MARRIAGE

In August, the Faculty Office issued its latest *Marriage Law News*, which outlined details of how the marriage registration provisions of the Civil Partnerships, Marriages and Deaths (Registration etc) Act 2019 are to be implemented. The report noted that the General Register Office is under pressure from Government to bring the changes into effect as soon as possible, and, when first published, the proposal was that they should come into force by 2 December 2019 – to which the Faculty Office added:

'As the necessary Regulations have not yet been laid before Parliament, the implementation timescale and the timelines for lodging a completed Marriage Document/Schedule with the Registry Office set out in this article remain liable to revision'.

The basic proposal that Marriage Registers and Marriage Certificates (issued at the time of the wedding) will be replaced by a Marriage Document, to be prepared by the officiating minister before the wedding and signed at the ceremony by the couple, their witnesses and the officiant:

'The significant difference is that the couple will then need to ensure that the Marriage Document is deposited at the local Register Office within 7 days of the date of the wedding and the local Superintendent Registrar will then record the details and issue the couple with a Marriage Certificate ... The couple can ask someone to lodge the Marriage Document on their behalf (as in many cases they will, of course, be on honeymoon!) but it is their responsibility NOT the officiating minister's responsibility, to ensure that it is done'.

The Church of England subsequently issued a statement on the proposed changes.

The proposal has generated a certain amount of *angst*, not least about the short timescale for its introduction and the need to train clergy and others in the new procedures. On the other hand, the proposal sounds not dramatically different from the current system of Marriage Schedules in Scotland and Northern Ireland – which seems to operate perfectly well. [*FC*]

THE CHURCH OF ENGLAND AND SAFEGUARDING

On 1 August, the Church of England issued a Press Release announcing the publication of protocols and practice guidance for its Past Cases Review 2. It includes links to key documents, as follows:

- PCR2 Protocol and Practice Guidance
- PCR2 Background and Overview
- PCR2 Full Appendices for Practice Guidance.

The Church later announced an independent review by Keith Makin, a former Director of Social Services, into its handling of allegations against the late John Smyth QC. Also in August, Yvonne and David Shemmings published their final report into past failings in safeguarding by the Diocese of Chichester: *Sexual Abuse by Clergymen in the Diocese of Chichester 'You Can't Say No To God'*. The report was commissioned by the Diocese in 2017 in response to a recommendation by IICSA. [*FC & David Pocklington*]
