



Ecclesiastical
Law
Society

NEWSLETTER
of
THE ECCLESIASTICAL LAW SOCIETY

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DATES FOR THE DIARY

Wednesday 19 February: London Lecture: Rt Worshipful Charles George QC, Dean of Arches and Auditor, on *Do we still need the Faculty System?* – reprise of the Northern Province lecture on 6 November 2019. [Book here](#). **5.30 till 7 pm.**

Friday 13 March: Regional training day (Leeds): *You couldn't make it up! Good Governance in Parochial Ministry* – to be held at the Leeds Diocesan Office, 17-19 York Place, Leeds, LS1 2EX: **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, which includes: 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.

Saturday 28 March: 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, £35 for members, £45 for non-members. 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](#).

Wednesday 8 April: London Lecture: Chancellor Mark Hill QC, Chairman of the Society, on *The Faculty Jurisdiction (Amendment) Rules 2019: All Change?* [Book here](#). **5.30 till 7 pm.**

Thursday 25 June: Northern Province Lecture: Rt Revd Dr Helen-Ann Hartley, Bishop of Ripon, on *Law and life in the Anglican Communion*. [Book here](#). **5.30 till 7 pm.**

Tuesday 29 September: Northern Province Lecture at Sheffield Cathedral: Dr Eve Poole, Third Church Estates Commissioner and chair of the Mission, Pastoral and Church Property Committee and the Bishoprics and Cathedrals Committees, on *Regulation and governance under the new Cathedrals Measure: the start of a new Chapter?*

Wednesday 7 October: London Lecture: William Nye, Secretary General of the General Synod and Archbishops' Council, on *The Church of England: Some Personal Reflections on Structure and Mission*. [Book here](#). **5.30 till 7 pm.**

Wednesday 18 November: Northern Province Lecture: Kate Davey, barrister and trustee of The Victorian Society, on *Victorian architecture, the amenity societies and the parish church – a compatibility guide*. [Book here](#). **5.30 till 7 pm.**

Wednesday 25 November: London Lecture: Revd Dr William Adam, Archbishop of Canterbury's Ecumenical Adviser and Director of Unity, Faith and Order for the Anglican Communion, on *Communion and Jurisdiction*. [Book here](#). **5.30 till 7 pm.**

London Lectures are held at the offices of Winckworth Sherwood, Minerva House, 5 Montague Close, London SE1 9BB. Lectures start at 5.30 and end at 7 pm.

*With the exception of the lecture **on 29 September**, Northern Province Lectures are held at the offices of the Diocese of Leeds, 17-19 York Place, Leeds, LS1 2EX. Lectures start at 5.30 and end at 7 pm.*

At both venues, you are invited to arrive from 5 pm onwards and stay after the lecture for refreshments.

FROM THE EDITOR

This is my last Newsletter as editor. Ben Harrison has agreed to take over from me and for a couple of months we will run in double harness to ensure a smooth handover. My thanks to all our readers for bearing with me thus far – but I'm sure it's time for a fresh mind on things.

So 'it's goodbye from him'. Or, at any rate, *au revoir*.

Frank

SECOND CHURCH ESTATES COMMISSIONER

On 10 January, it was **announced** that the Queen had approved the appointment of Andrew Selous MP as Second Church Estates Commissioner, in succession to Dame Caroline Spelman. He has been Member for South West Bedfordshire since 2001.

SAFEGUARDING IN THE CHURCH OF ENGLAND

The Bishop of Huddersfield, Jonathan Gibbs will be taking over from Bishop Peter Hancock as the Church of England's lead safeguarding bishop, while the Bishop of Southampton, Debbie Sellin, has been appointed as deputy lead safeguarding bishop. The appointment of a deputy says something about the size and importance of the role.

In that connexion, there is an expanded text of HH Peter Collier's Northern Province Lecture, *Safeguarding in Church and State over the last 50 years or 'From Ball and Banks to Beech via Bell'*, available on the Society's website.

FACULTY JURISDICTION RULES, AS AMENDED

The Church of England's Legal Office has prepared an updated version of the Faculty Jurisdiction Rules 2015, as amended by the Faculty Jurisdiction (Amendment) Rules 2019, which incorporates all the changes made by the Amendment Rules. The update is available [here](#). The Dean of Arches has issued Explanatory Notes, available from Dropbox, [here](#).

The Chairman will be speaking on the Rules in a London Lecture – "The Faculty Jurisdiction (Amendment) Rules 2019: All Change?" – at Winckworth Sherwood on 8 April.

LITURGICAL FURNISHINGS IN CATHEDRALS

The Cathedral Fabric Commission has published a guidance note on *Liturgical Furnishings in English Cathedrals: Storage, Movement, Retention & Disposal*. It should be read alongside the Commission's general *User's Guide to the Care of Cathedrals Measure*.

DRAFT CHANNEL ISLANDS MEASURE

General Synod has given Final Approval to the **draft Channel Islands Measure**, which completed all stages during the February group of sessions. It makes provision for the Channel Islands to be attached to the Diocese of Salisbury instead of the Diocese of Winchester and to transfer the relevant jurisdiction from the Bishop of Winchester to the Bishop of Salisbury and simplifies the

process for applying existing Measures to the Islands. The changes will not take effect in the Islands until their respective legislatures have given consent.

The [Explanatory Notes](#) point out that legislation is required because there is no prerogative power under English law to alter the extent of dioceses or to change episcopal jurisdiction

COVENANT FOR CLERGY CARE AND WELLBEING

At the February group of sessions, the Covenant for Clergy Care and Wellbeing [was declared](#) an Act of Synod.

SAME SEX AND OPPOSITE SEX CIVIL PARTNERSHIP

In England, on 21 January the Church of England issued a press release drawing attention to the pastoral statement from the House of Bishops, [Civil Partnerships – for same sex and opposite sex couples](#). Subsequently, the two Archbishops issued a further [statement](#) in which they apologised ‘for releasing a statement last week which we acknowledge has jeopardised trust. We are very sorry and recognise the division and hurt this has caused.’

In Northern Ireland, following the legalisation of same-sex civil marriage and opposite-sex civil partnership as from 13 January 2020, the Northern Ireland Office (*not* the Executive) opened two consultations on related issues:

- [same-sex religious marriage](#) and the appropriate protections, and
- [marriage and civil partnership conversion entitlements](#).

The consultations close at 11.45 pm on **23 February**. Regulations will follow after the Government has analysed the results. The preferred method for responses is online: same-sex religious marriage [here](#) and conversion entitlements [here](#).

VEGANISM AS A PROTECTED PHILOSOPHICAL BELIEF

In case you missed it, Employment Judge Postle’s preliminary judgment in *Casamitjana v The League Against Cruel Sports* [2020] UKET 3331129/2018 – that ethical veganism is a philosophical belief protected within the meaning of s.10 Equality Act 2010 – has now been published on BAILII, [here](#).

AND FINALLY ... FROM THE CHAIRMAN

In October 2017 I persuaded Frank Cranmer to take on the role of interim Editor of this Newsletter, on the express understanding that it would be for no more than six months while a longer-term replacement was found. Frank was already well-known to members of the Society for his Parliamentary and Synodical reporting in the *Journal* and for the excellent *Law and Religion UK* blog which he runs along with David Pocklington.

I have shamelessly exploited his goodwill in extending the interim period to breaking point and beyond and, uncomplainingly, Frank has continued to produce professional electronic newsletters every few months showcasing the activities of the Society and updating members on

developments in the law of the Church of England and other related subjects – a remarkable act of supererogation for a Quaker.

As the work of the Society has increased, so has the burden that falls on the Editor of the Newsletter. I am delighted that Ben Harrison has consented to succeed Frank who will, I am pleased to say, continue to serve as a Trustee of the Society and bring his wisdom and experience to strategic planning for the future.

I offer my heartfelt thanks – and the gratitude of the Society – to Frank for all he has done through this Newsletter to foster the work of the Society in promoting education in ecclesiastical law.

Mark Hill QC

Chairman, Ecclesiastical Law Society
