



Ecclesiastical
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Society

NEWSLETTER
of
THE ECCLESIASTICAL LAW SOCIETY

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**NEW DATE FOR THE SOCIETY'S
ANNUAL GENERAL MEETING 2020**

In response to Government advice on limiting social contact during the COVID-19 pandemic, the Society's Day Conference and AGM, originally scheduled for 28 March 2020, was cancelled.

The trustees have now resolved to aim to convene this year's AGM on **25 November 2020**. The plan at the moment is for the AGM to precede The Rev'd Dr William Adam's London Lecture on the same date. Government advice is changing on a daily basis, but we encourage you to save this date in your diary for the time being.

DATES FOR THE DIARY

Thursday 25 June: Northern Province Lecture, 5:30pm - 7:00 pm: The Rt. Rev'd Dr. Helen-Ann Hartley, Bishop of Ripon, on "*Law and life in the Anglican Communion*". This will be **live streamed** on the Society's new Facebook platform, which is currently under development. Further details will be circulated shortly.

Tuesday 29 September: Northern Province Lecture at Sheffield Cathedral, 5:30pm - 7:00pm: 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?*" [Book here](#).

Wednesday 7 October: London Lecture, 5.30 - 7:00pm: 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](#).

Wednesday 18 November: Northern Province Lecture, 5:30 - 7:00pm: Kate Davey, barrister and trustee of The Victorian Society, on "*Victorian architecture, the amenity societies and the parish church—a compatibility guide*". [Book here](#).

Wednesday 25 November: London Lecture, 5.30 - 7:00pm; to be preceded by the Annual General Meeting of the Society: The Rev'd 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](#).

2021 RESIDENTIAL CONFERENCE

The Society's Residential Conference for 2021 will take place from **19 March 2021 to 21 March 2021** at the County Hotel, Newcastle, and will consider "*The Solemnization of Matrimony: Past, present and future*".

Speakers will include: Professor Helen Berry (Newcastle University), Stephen Borton (Archbishop of Canterbury's Faculty Office), Professor Nick Hopkins (Law Commission), Sir Andrew MacFarlane (President of the Family Division), Sandra Millar (Head of Life Events, Church of England) and Professor Rebecca Probert (Exeter University). [Book here](#).

London Lectures are held at the offices of Winckworth Sherwood, Minerva House, 5, Montague Close, London SE1 9BB. Lectures start at 5:30pm and end at 7:00pm.

With the exception of the lectures on 25 June and 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 5.30pm and end at 7:00pm.

At both venues, you are invited to arrive from 5:00pm onwards and stay after the lecture for refreshments.

FROM THE EDITOR

Plans are now well underway to ensure the continued functioning of the Society during these difficult times. Indeed, the trustees met virtually only yesterday—proof of which can be seen below! Work is, in particular, being spearheaded by the Communications Sub-Committee to increase our online presence even further with a **Facebook page**. It is envisaged that this will serve as a medium to deliver some of the forthcoming lectures (detailed above) as well as other initiatives, in the event that social distancing measures continue to be in force. So, do monitor your inboxes for information about when this page goes “live”. Also of note is the online reading group, convened by The Rev’d Russell Dewhurst, on the *Canons of the Church of England*. The group is currently oversubscribed, but a waiting list is in place, and more information can be found [here](#), for those who wish to indicate their interest in any similar initiatives for the future. Select lectures and conference papers are now also available online—see further on that below. Finally, my thanks to Frank Cranmer, who continues to provide content ideas for the “News” section.

B.H.



LECTURES AND CONFERENCE PAPERS NOW AVAILABLE ONLINE

A selection of recent lectures and conference papers are now available online [here](#). This includes a paper by the Society’s Chairman, Mark Hill QC, on the Faculty Jurisdiction (Amendment) Rules 2019, which was originally due to form part of the April 2020 London Lecture. This paper, which details his personal “top 10” changes to the Rules, can be found [here](#).

SPECIAL EDITION PAPERBACK COPIES OF HILL'S “ECCLESIASTICAL LAW”—SELLING OUT FAST!

Limited copies remain of the special paperback fourth edition of Mark Hill QC's *Ecclesiastical Law*, which can be purchased from the Society for £40.00, inclusive of postage and packaging, by clicking [here](#).

NEWS

Caring for churches during lockdown

The Church of England's updated advice on caring for church buildings during lockdown can be found [here](#).

The wider guidance from the Church of England on the impact of COVID-19 (recently updated) can be found [here](#).

Update from the Faculty Office on marriage law

The Faculty Office has updated its [Marriage Law News](#) page. The post deals in particular with the issue of those couples seeking to establish a Qualifying Connection through habitual attendance at public worship, but who cannot continue as there are no services taking place due to COVID-19 restrictions. It is noted that—

'If there is then insufficient time for couples to create the qualifying connection between services resuming and their intended wedding date, an Archbishop of Canterbury's Special Marriage Licence is likely to be required. Whilst every application for a Special Licence is considered on its own merits, the Faculty Office will be very sympathetic where couples have shown a willingness and commitment to create a qualifying connection with their chosen church and have been prevented from doing so solely due to the suspension of public worship. Although 'attendance' at any virtual or live streamed acts of worship cannot be said to be attending public worship sufficient to count towards a qualifying connection, couples are encouraged to participate in such services as are available in the parish through social media or other channels.'

Guidance issued to PCCs on holding remote meetings

The [Church of England](#) has issued guidance on its website dealing with the issue of PCCs holding meetings remotely during the current pandemic. The guidance provides that—

‘Parochial church councils can, if they wish, meet using virtual means such as Skype or Zoom which enable the members to see and hear each other.

However, care must be taken so that members of a PCC who are unable to participate in a meeting in that way are not excluded from the PCC’s deliberations and decision making. The Chair should take steps to ensure that they are able to participate so far as possible, including where necessary by means of the procedure for conducting business by correspondence set out in rule M29 of the Church Representation Rules.

Following a virtual meeting, decisions such as the authorising of expenditure, entering into contracts or those that require a formal resolution of the PCC should be put in written form and circulated for formal approval under the correspondence procedure in rule M29 (which under Rule 76 can be conducted by email).’

PCCs are of course charities, and their members trustees. The **Charity Commission** has also issued advice on the importance of *recording* any decision to meet remotely as a way of demonstrating good governance. This provides that—

‘In the current situation, it is becoming increasingly difficult to hold face-to-face meetings. Some charities have clauses in their governing documents that allow them to meet virtually or to use telephone facilities, so we advise trustees to check their governing document and see if they can make amendments themselves to facilitate changes as to how or when meetings are held.

Where there is no such clause in your governing document and you decide to hold meetings over the phone or using digital solutions, we will understand but you should record this decision and that you have done this to demonstrate good governance of your charity.’

Legislation update

The **Care of Cathedrals (Amendment) Rules 2020** (S.I. 2020/408) amend the **Care of Cathedrals Rules 2006** (S.I. 2006/1941) by substituting a new rule 28, which deals with the compilation and maintenance by cathedral Chapters of inventories of objects that are considered to be of architectural, archaeological, artistic or historic interest. The Rules come into force on 1 July 2020.

The **Church Representation Rules (Amendment) Resolution 2020** (S.I. 2020/406) amends the Church Representation Rules (“CRR”) as set out in Schedule 3 to the **Synodical Government Measure 1969**. The amendments in Part 2 introduce a revised system of appeals in relation to elections held under the CRRs (for example, elections to a deanery or diocesan synod). They are intended to provide consistency with the General Synod’s new procedural rules for elections to the House of Laity and to the Upper and Lower Houses of the Convocations. The Resolution also makes consequential amendments to the **Churchwardens Measure 2001**, to ensure that it is consistent with the other appeals provisions. Paragraph 1 makes provision for commencement.

The [Coronavirus Act 2020](#) came into force on 25 March 2020. Section 84, which was inserted during the passage of the Bill on the motion of the Second Church Estates Commissioner, provides for the postponement of General Synod elections:

‘(1) Her Majesty may by Order in Council, at the joint request of the Archbishops of Canterbury and York, postpone to the date specified in the Order the date on which the Convocations of Canterbury and York stand dissolved for the purposes of the Church of England Convocations Act 1966.’
