



Ecclesiastical  
Law  
Society

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**NEWSLETTER**  
of  
**THE ECCLESIASTICAL LAW SOCIETY**

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**No. 2/2024**

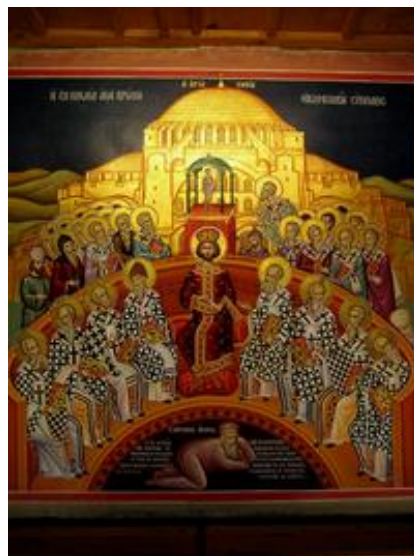
**Summer 2024**

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**Save the Date – 2025 CONFERENCE**  
**20 June 2025 - 22 June 2025**

**“Nicaea Received:  
1700 years of Canons, Councils and Ecumenism”**



## NEWS & NOTICES

### **2025 Conference line-up announced “Nicaea Received: 1700 years of Canons, Councils and Ecumenism”**

The annual conference of the Ecclesiastical Law Society for 2025 will take place at Chichester Cathedral and the Bishop’s Palace in Chichester between 20 – 22 June 2025. The topic will be “Nicaea Received: 1700 years of Canons, Councils and Ecumenism”.



The year 2025 marks the 1700th anniversary of the first Ecumenical Council at Nicaea, an event of the highest significance in world history.

It is not only the Nicene creed which Christians today still receive from the Council of 325.

*Chichester Cathedral from the Bishop's Palace*

For the field of ecclesiastical law, Nicaea left its mark indelibly on the centuries that followed, not least in canons – a species of legislation pioneered at Nicaea – in the involvement of the Emperor and the secular powers, and in conciliarity itself. The Conference will explore the effects of Nicaea on ecclesiastical and canon law over the past 1700 years and up to the present day. There will be a particular focus on how reception of the first Ecumenical Council can shape the ecumenical endeavour today, and on the emerging field of juridical ecumenism. The Society is honoured to welcome speakers who contribute on the world stage, and the conference promises to be a landmark event for ecclesiastical lawyers, church historians, and ecumenists. Current confirmed speakers include:

- His All-Holiness Ecumenical Patriarch Bartholomew of Constantinople (keynote address)
- Myriam Wijlens, Professor of Canon Law at the University of Erfurt
- Professor Norman Doe KC, Professor of Law, Cardiff University
- The Rt Worshipful Morag Ellis, Dean of the Arches and Auditor
- The Rt Revd Jonathan Baker, Bishop of Fulham and Chair of the Council for Christian Unity
- The Rt Revd Christopher Hill, President of the Ecclesiastical Law Society
- The Revd Professor Alison Millbank, Professor of Theology, Nottingham University
- The Revd Gerry Lynch, doctoral student, University of Oxford

Further speakers will be announced as they are confirmed.

Please note that this is not a residential conference. Attendees will arrange their own accommodation and breakfast. The conference fee will cover keynote addresses, choice of workshops and seminars, meals (including the Conference Dinner) and coffee and tea. There will be a cash bar at the Conference venue. Delegates are encouraged to book early since numbers at the Conference are strictly limited and accommodation in the area is likely to be in high demand. There are many hotels, guesthouses, and Airbnb venues in the City and nearby.

Provisional ticket prices (subject to change) are £395 for members, £475 for non-members. Clergy are encouraged to access CMD and other grants to facilitate attendance.

ELS members will be notified when bookings open. Bookings will open to members first, and later to non-members. If you would like to be kept informed of news about this conference (including confirmed speakers, when registration opens, etc.), please sign up via the website [here](#).

## **36<sup>th</sup> ANNUAL ELS CONFERENCE REPORT**

On Sunday 28 April 2024, the Ecclesiastical Law Society's Thirty-sixth Annual Conference took place at St Peter's Eaton Square in London. Eighty people attended to consider the subject of 'The Law of Liturgy in the Church of England: Dead or Alive?'



Six speakers addressed the topic, each from very different directions, opening up new perspectives on the questions. The speakers were: The Rt Revd Dr Martin Warner, Bishop of Chichester; The Revd Neil Patterson, Diocesan Director of Vocations & Ordinands and Ministry Development Officer, Diocese of Hereford; The Ven Moira Astin, Archdeacon of Reigate; the Worshipful David Willink, Barrister, Chancellor of Rochester; The Rt Revd Robert Atwell, former Bishop of Exeter; The Revd Dr Christopher Landau, director of ReSource. See a future edition of the Ecclesiastical Law Journal for a full conference report and more details.

The Society's Annual General Meeting took place in the afternoon, at which the Trustees' report, the Treasurer's Report, and the Journal Editor's report were received. Elizabeth Wilson stepped down as chair after serving her three-year term, and Lee Coley was elected as the new chair. Elizabeth was thanked for all her work leading the ELS over the past three year by the President of the Society, the Rt Revd Christopher Hill. The Rev'd Sam Maginnis, Ola Olajide and The Rev'd Neil Patterson were elected as trustees.

The AGM unanimously passed the following motion: "This Society would welcome the introduction of a postgraduate qualification in canon law as part of the Common Awards partnership between the Church of England, the Church in Wales, Theological Education Institutions, and Durham University." The day concluded with Evening Prayer and a drinks reception, at which HH Peter Collier KC proposed a toast to our outgoing chair.

**We are grateful to St Peter's, Eaton Square and the Vicar Fr Jonathan Kester, for hosting us and to our sponsor [Stone King LLP](#) for their financial support towards the 2024 conference.**

## **MESSAGE FROM THE OUTGOING CHAIR, ELIZABETH WILSON**

It has been a great privilege to lead the Society since March 2021. Although my term of office commenced during the Covid-19 lockdowns, with the help of a newly-formed executive team, and the technology already in place, we were able to continue to navigate the challenges of Covid-19 ensuring that the spirit of the Society continued during those dark days and that its fellowship and sense of common purpose remained undiminished.



Having emerged from the Covid-19 lockdowns and having been able to meet again in person, it has become clear that as a membership we value both on-line and face-to-face events. These two streams now continue side-by-side and are growing. Our Journal continues to go from strength to strength as the leading peer-reviewed journal in the field. Activities led by trustees, committees, and working parties have continued to make valuable contributions to the field of ecclesiastical law, as detailed in our annual reports. Last but not least we are delighted that His All-Holiness Ecumenical Patriarch Bartholomew shares our interest in ecclesiastical law and will be the keynote speaker at our weekend conference in Chichester from 20th to 22nd June 2025 marking the 1700th anniversary of the first Ecumenical Council at Nicaea.

Notwithstanding all of the above, however, the ELS is not immune from the financial realities affecting every organization in the present economic climate. Increases to membership rates will be needed in the coming year to sustain the Society's work, and I hope that members will understand the need for these increases to secure the Society's future. Last year's members' survey revealed that for a majority of us, the most important reason we belong to the ELS is 'being part of the ecclesiastical law community'. Your membership subscriptions enable this community to thrive. Thank you for supporting the work of the trustees, officers, and volunteers over the past three years. With your continued support, I know the Society stands in a good position for the years ahead.

I have worked alongside (the newly elected chair) Lee Coley on the ELS trustee board, and I know he will bring wisdom, energy and enthusiasm to the role. He is a diocesan registrar and an experienced practising ecclesiastical lawyer. I whole-heartedly commend him to you and will be glad to offer any support to him and the trustees as Lee leads the Society in the coming years.

I look forward to continuing my involvement in the life of our Society, and in particular I hope to revive the Northern Province lectures.

It has been an honour to be Chair of the ELS, and I pray that God continues to bless all our work, for His glory and the good of His Church.

with best wishes,

Elizabeth Wilson

## LONDON LECTURES ROUND-UP

### The developing work of the Legal Advisory Commission: reflections from a current member



On Thursday 23 May, Stuart Jones of Birketts LLP and Registrar of the Dioceses of London and Norwich delivered a lecture to the Society on “The developing work of the Legal Advisory Commission: reflections from a current member”. This was the first London lecture of the year, and the first to take place at the new venue for the lecture series, the Grosvenor Chapel, London, where lecture co-ordinator and ELS trustee the Revd Stephen Coleman is Priest-in-Charge.

Stuart Jones’s lecture summarised the historical background of the Legal Advisory Commission, and then explained in detail the Commission’s membership, purpose, and its work on recent *Opinions*. For many present, this lecture was their first insight into the inner workings of the LAC, and provided fascinating context for this important part of the legal landscape of the Church of England. Questions followed, and the discussion continued afterwards over refreshments.

### Robin Ward addresses the ELS on the work of Canon Edmund Gough de Salis Wood SSC

On Thursday 18 July, the Revd Canon Dr Robin Ward, Principal of St Stephen’s House, Oxford, delivered a lecture to the Society on “‘The heathen in his blindness bows down to Wood and Stone’ – the canonical erudition of Canon Edmund Gough de Salis Wood SSC (1841-1932), an essay in Anglo-Catholic jurisprudence” at the Grosvenor Chapel, London.



Dr Ward’s lecture explored Wood’s work as an Anglo-catholic canonist, principally his book ‘The Regal Power of the Church’: although not well known today, Wood was described by ELS co-founder Eric Kemp as ‘one of the few really learned Anglican canonists of recent years’. It was fascinating to see some of the ways in which Wood’s quite visionary clarity in addressing questions of fundamental authority in the church foreshadowed later developments in Anglican canon law. Questions followed, and the discussion continued afterwards over refreshments.

*The ELS is grateful to **Birketts LLP** for their sponsorship of the 2024 London lectures.*

## **BITESIZE ECCLESIASTICAL LAW IS UP AND RUNNING**



An initiative arising from our Trustees' strategy day last year was the development of a series of 'bitesize' introductory sessions to ecclesiastical law in an accessible and digestible format.

These consist of monthly 30-minute discussions between The Revd Russell Dewhurst and the Ven Moira Astin about the basics of ecclesiastical law, in a monthly series of accessible 'bitesize' discussions.

The introductory discussion between the hosts is recorded and posted to our Youtube channel. In the second half, the discussion is opened up to all attending the seminar, and this part is not recorded. The Zoom discussions are open to members and non-members and is free of charge.

Sessions recorded and available on our dedicated YouTube channel [here](#).

[#1 What is Ecclesiastical Law?](#) – We talk about what subjects ecclesiastical law covers and what its status is, focussing especially on the Church of England.

[#2 Why Ecclesiastical Law?](#) – We talk about why the church has law and what it is for.

[#3 Who's Who in Ecclesiastical Law?](#) – We talk about the roles of chancellors, registrars, archdeacons, and others in the Church of England.

Future sessions will consider #4 What is a PCC?, #5 What is an electoral roll, and #6 What is a Churchwarden? You can sign up for these and all of our other events [here](#). We would welcome comments and suggestions for future discussions!



*Your 'bitesize' hosts: the Venerable Moira Astin and the Reverend Russell Dewhurst*

## LATEST EDITION OF THE ELJ PUBLISHED



The most recent edition of the Ecclesiastical Law Journal was published in May. It includes stimulating articles on 'Juristecture' and the regulation of normative space by Morag Ellis and Mark Hatcher considers that key question, *Bishops in the House of Lords: fit for the future?* Renae Barker examines *When a doctrine is not a doctrine: understating the intersection of civil and canon law and the 'doctrine' of marriage in the Anglican Church of Australia* and David Etherington KC gives us his personal perspective, *In defence of the Chancellor*. Our own contributor Frank Cranmer considers *How not to announce changes to the Immigration Rules* as well as providing the regular Parliamentary Report from October 2023 – January 2024.

Case notes consider reordering, major projects, disposal of church treasures, exhumations, grave reservations, removal of plaques, contractors' obligations, new building works (a thatched roof!) and episcopal appointments.

Books reviewed include *Marriage, Separation, and Divorce in England, 1500–1700* by K. J. Kesselring and Tim Stretton considered by Charles George KC, Renae Barker reviews Alex Deagon's *A Principled Framework for the Autonomy of Religious Communities* and Bishop Christopher Hill reviews Paul Avis's *Reconciling Theology*. Astrid Kaptijn considers *Autocéphalies. L'exercice de l'indépendance dans les Églises slaves orientales (IXe–XXIe siècle)* edited by Marie-Hélène Blanchet, Frédéric Gabriel and Laurent Tatarenko and, ahead of next year's conference, Russell Dewhurst examines *The Cambridge Companion to the Council of Nicea*,

Members have access to the entire run of Journal back issues online. To use this facility, go to our [website](#) and click Login. If you aren't sure of your password, click "Forgot Password" enter your email address. When you have logged in, click on the "Members" menu title, then "Journal Archive" and follow the link. The latest edition of the has been published and sent to members of the Society who receive it without additional charge.

The banner features the title 'Ecclesiastical Law Journal' and the subtitle 'An international journal for the comparative study of law and religion'. It includes the Ecclesiastical Law Society (EIS) logo, the Cambridge University Press logo, and the text 'Accepts open access' and 'FIND OUT MORE'.

## CANON LAW IN THE ACADEMY

**MA in Theology with a Canon Law specialism:** a new academic pathway in canon law has been announced at St Padarn's Institute in Cardiff, Wales. St Padarn's is a Theological Education Institution (TEI), and part of the Common Awards initiative in which TEIs of the Church of England and the Church in Wales offer higher education qualifications validated by Durham University. The new part-time degree is an MA in Theology with a Canon Law specialism, taught principally during three residentials over each year of the course. The application deadline for 2024 has now passed, but applications can be made to commence study in Autumn 2025. Further information is available on the course [web page](#) and in the course [brochure](#).

**The Seventeenth International Congress of Medieval Canon Law** took place in Canterbury 7<sup>th</sup>–13<sup>th</sup> July. Although the principal focus of the papers presented (over two hundred in number) was historical, ELS members were well-represented among those contributing to the conference's stream exploring the contemporary reception of medieval canon law. The Ven Dr Will Adam, Professor Norman Doe, the Rt Worshipful Morag Ellis, and the Revd Russell Dewhurst gave papers on this theme, and also were among those appearing in a performance of Norman Doe's play *Thrice to Rome* at St Dunstan's Church, Canterbury, which featured an international cast of luminaries from the medieval canon law discipline.

**Events in Rome:** As part of the 23<sup>rd</sup> Colloquium of Anglican and Roman Catholic Canon Lawyers (a network of the Centre for Law and Religion at Cardiff Law School) in Rome this September, there are two events which members of the ELS are invited to attend:

On Tuesday 24 September 2024, at 6pm in the Aula Minor at the Angelicum Pontifical University of Saint Thomas Aquinas, Rome, Professor Norman Doe KC will give a public lecture on 'Canon Law, Ecumenism, and Synodality'. The lecture is hosted by the Faculty of Canon Law and the Institute for Ecumenical Studies at the Angelicum.

On Wednesday 25 September 2024, at 6pm a play will be performed at the Cancelleria (Piazza della Cancelleria, 1, 00186 Roma), in the hall there of the church of San Lorenzo in Damaso. The play, *Thrice to Rome*, is about the three appearances of Gerald of Wales before the Papal Court of Innocent III (1200-1203). It is based on Gerald's account of the trials which is re-cast by Norman Doe KC as a community play in the form of a dramatised reading. The play is by invitation only, and members of the ELS are invited to attend. There will be no charge for the performance, though attendees will be encouraged to contribute to a collection for the church of San Lorenzo in Damaso: however, places are limited, and you must book a place in advance in order to attend. To book a place, please use this link - <https://www.eventbrite.co.uk/e/thrice-to-rome-tickets-940446750547> Contact [communications@ecclawsoc.org.uk](mailto:communications@ecclawsoc.org.uk) with any questions.



## **DATES FOR THE DIARY 2024 – 25**

### **Online training: Help, I've got a churchyard!**



This online training event will explain the law relating to churchyards in the Church of England, and will aim to help those who manage them to keep out of trouble.

The event is aimed at churchwardens, incumbents, priests-in-charge, and assistant curates – especially those who are new in post or new to managing a churchyard. It is also of relevance to PCC members, area deans, archdeacons and diocesan registry staff.

This event takes place over two sessions:

- Thursday 19 September 17:30–19:00 BST : Burials and graves
- Wednesday 2 October from 17:30–19:00 BST : Memorials

Please note by registering once you are registering for both sessions, even though the dates listed in the header above and automatically-generated emails are only for the first session (limitations of the technology).

Each evening will conclude with questions. This webinar is organized by the training committee of the ELS. Please note there will be a limited number of places for this webinar to keep questions and discussion productive:- when this number is reached bookings will close.

The Zoom webinar is open to members and non-members and is free of charge. Booking through this website closes 24 hours before the event. Please book using the form below. The day before the event, Zoom invitations will be sent out by email to those who have booked.

Topics covered will include: Session One: Who has the right to be buried in a churchyard? Where can they be buried? Cremated remains. Gravespace reservations and the importance of churchyard plans. Exhumation. Full churchyards – churchyard extensions and applications to close churchyards. Maintenance of closed churchyards – local authorities. Session Two: Basic principle – faculty jurisdiction. Churchyard Regulations (and the new proposals – AMOs) – “delegation” to minister. What might the Churchyard Regulations cover? Memorials falling outwith the Regulations. Informing the bereaved. Extras and how to control them – teddy bears, plastic flowers, balloons, fresh flowers, planting a “garden”, chippings, QR codes. Maintenance of memorials – next of kin and PCC liability. Topple testing.

About the presenters:



**Louise Connacher** is the Registrar of the Province of York, and the Registrar of the Dioceses of Sodor and Man and of York. She has also acted as Deputy Registrar of the Dioceses of Blackburn and Leeds. In these roles, Louise has advised churchwardens, incumbents and archdeacons on many contentious churchyard issues, as well as handling faculty applications regarding churchyards. As a member of her local PCC, she also has practical experience of dealing with collapsed boundary walls, storm-damaged trees and toppled memorials...



**June Rodgers** is a graduate of Trinity College Dublin and Lady Margaret Hall Oxford. She sat as a recorder of The Crown Court from 1990-2020. She is a recently retired barrister and was Chancellor of the Diocese of Gloucester from 1990-2020, when she had to unscramble various parochial difficulties by way of Consistory Courts, site views and advice to incumbents and members of PCCs. Early enquiries of Diocesan resources (there to help Churchwardens and PCC members) might have reduced the rarely helpful involvement of local papers and alleviated stress and worry on those caring for their churches. She also acted as a deputy Chancellor for the Diocese of London in a case involving an historic graveyard, and the role of a group of “friends” of a church. Graveyards can give rise to emotional trouble for parishes, church wardens and incumbents, badgers, birds let alone surviving relatives but

much stress can be avoided by getting the legal rules clear from the start. She was a Common Councillor in the city of London for some 25 years, serving on its Patronage Committee and on committees responsible for running a civic cemetery and a crematorium

You can sign up to attend this training event [here](#).

## LECTURES 2024

Our full programme for 2024 includes lectures, conferences, and training events both in person and online. Details and dates are on our website as soon as details become available. Events open for booking so far include:

### Tuesday 15 October 2024 – the Grosvenor Chapel, London at 6pm



The Right Reverend Martin Seeley, Bishop of St Edmundsbury and Ipswich, will speak on “Rebuilding Trust”

Please note the changed date for this lecture. Details [here](#).

### Tuesday 12 November 2024 – the Grosvenor Chapel, London at 6pm

The Revd Dr Flora Winfield will discuss “Furthering the mission of the Church of England and making better provision for the cure of souls: reviewing the Mission and Pastoral Measure 2011.”

Details [here](#).

**The ELS is grateful to [Birketts LLP](#) for their sponsorship of the 2024 London lectures.**

*ELS Lectures are free of charge and are open to members and non-members save where otherwise stated. Where held in person, spaces are limited and prior booking (through the website) is essential. Booking closes 48 hours before the event (or when the event is full), but please contact the Communications Officer [communications@ecclawsoc.org.uk](mailto:communications@ecclawsoc.org.uk) for late availability requests. If you find you can no longer attend, please cancel your booking to make the space available for someone else.*

## And, in case you missed it...

The *Ecclesiastical Law Society* has its own dedicated YouTube channel – you can sign up to subscribe and view past recordings of lectures and interviews [here](#).

The most recent recordings are listed below.



Jan Hallebeek on “Introduction to the Canon Law of the Old Catholic Churches (Union of Utrecht)”

You can view this lecture [here](#).

# LEGISLATION UPDATE

*Thanks as ever go to Frank Cranmer for these useful contributions.*

## The new Labour Government

### ***Bishops in the House of Lords***

The [Labour Manifesto](#) included an interim commitment to introduce “legislation to remove the right of hereditary peers to sit and vote in the House of Lords” and mandatory retirement from the Lords at the end of the Parliament in which a Peer reaches 80. But the longer-term intention is wholesale reform: “Labour is committed to replacing the House of Lords with an alternative second chamber that is more representative of the regions and nations. Labour will consult on proposals, seeking the input of the British public on how politics can best serve them.”

The [King’s Speech](#) included mention of the [Lords Spiritual \(Women\) Act 2015](#) (Extension) Bill. It will extend for a further five years the current arrangement under which, whenever a vacancy arises among the 21 rank-and-file diocesan bishops in the House of Lords, the position will continue to be filled by a female diocesan if one is available – however, wholesale replacement of the Lords would be the end of the Lords Spiritual.

Readers with long memories will know that we have been here before on more than one occasion. Whether it pursues radical Lords reform in the present Parliament will depend on its legislative priorities, but this time the Government might just have a large enough majority to get it through.

### ***Anti-terrorism and extremism***

Although the Labour Manifesto did not address the Prevent Duty explicitly, it did make a commitment to updating the law on counter-extremism to prevent individuals from being drawn towards terrorist ideology. Of more immediate importance, it also made a commitment to reintroduce legislation to improve security in the face of terror attacks and the King’s Speech announced the introduction of a new Terrorism (Protection of Premises) Bill. At the time the election was called, a consultation was in progress on the duties to be imposed on venues under the “standard tier” of the draft Terrorism (Protection of Premises) Bill which fell at the Dissolution. It remains to be seen what the replacement legislation will look like, but it is to be hoped that the duties placed on “standard tier” premises will be no more onerous than under the previous Government’s draft Bill.

The Labour Manifesto also included a commitment to “update the rules around counter-extremism, including online, to stop people being radicalised and drawn towards hateful ideologies”. In the last Newsletter we noted that the previous Government had introduced a new definition of “extremism” without any consultation whatsoever – and had attracted criticism from

the Archbishops of Canterbury and York for doing so. It is to be hoped that the new Government will consult in advance of publishing any new definition.

### ***“Conversion” practices***

The King’s Speech included a commitment to introduce a draft Bill ‘to ban conversion practices’ in England and Wales, defined in the accompanying background notes as ‘acts that aim to change someone’s sexual orientation or gender identity’. The notes say that ‘We are clear that any ban must not cover legitimate psychological support, treatment, or non-directive counselling. It must also respect the important role that teachers, religious leaders, parents and carers can have in supporting those exploring their sexual orientation or gender identity’.

### ***Faith in Government?***

Fiona Bruce’s (no, not *that* Fiona Bruce – ed.) [International Freedom of Religion or Belief Bill](#) fell at the Dissolution in spite of having Government support. It would have required the Prime Minister of the day ‘to appoint a Special Envoy for International Freedom of Religion or Belief’ – the post held by Ms Bruce.

The previous Government had also created the role of “Minister for Faith and Communities” in 2012 and had filled it fairly consistently from then on, though not always at the same ministerial level. Though the Labour Manifesto did say that ‘Government is at its best when working in partnership with business, trade unions, civil society, faith groups and communities, at the time of writing the new Government had not appointed anyone to such a role.

### ***Assisted dying again***

On 26 July, Lord Falconer of Thoroton introduced the Assisted Dying for Terminally Ill Adults Bill [HL], a private Member’s bill ‘to allow adults who are terminally ill, subject to safeguards, to be assisted to end their own life; and for connected purposes’. It was read the first time and ordered to be printed – though its chances of progress are not very great.

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