

Article reprinted from *CrossWay* Issue Spring 2002 No. 84

(C)opyright Church Society; material may be used for non-profit purposes provided that the source is acknowledged and the text is not altered.

What's Wrong

David Phillips

In the last couple of years the Society has sought to draw attention to the instances where the legislation in regards to appointments and reorganization is either being misused or abused. This work has chiefly been done through the Evangelical Patronage Consultative Council, the Private Patronage Consultative Group and the Church of England Evangelical Council.

The process

To understand the problems it is necessary to appreciate something of the process. If there is a possibility that pastoral re-organization may take place in the not too distant future then it is usual (but not actually necessary) that a new minister be appointed as Priest-in-Charge rather than Incumbent. Such a person does not hold the rights of the benefice but they are simply the Bishop's agent whilst the living is suspended.

In order to suspend the living a consultation exercise must take place. Because the Bishop has to prevent patrons from presenting someone for the living so the patrons rights are **restricted** for up to 1 year. Consultation can then take place to determine whether the living should be **suspended**. Various people and bodies are to be consulted and a formal meeting should be held in the parish. The Diocesan Pastoral Committee must agree.

If suspension takes place it is for up to five years.

The suspension of the living necessarily means that the patrons rights have been suspended.

Instead of incumbent a priest-in-charge is now appointed. Legally this person is simply the Bishop's appointment though the code of practice expects Bishops to involve the parish and patron as if there was no suspension.

At some point consideration may then be given to **pastoral re-organization**. This can be done before, during or after the above process. If an incumbent says no to re-organization it is very difficult to proceed, hence the practice of appointing Priests-in-charge. A draft scheme is drawn up and all the parties consulted. Once the scheme is formalised this passes to the Church Commissioners who may, if there are definite objections, conduct their own consultation in the parishes concerned.

The Commissioners make a decision on the scheme which is then passed to the Privy Council to be formally approved.

Good practice

Although it is easy to complain about the abuses of the system there is much good practice going on.

Two recent examples will show how the system should work.

In the first case a vacancy fell at the time when a Deanery was considering a plan for possible pastoral re-organization. In advance the Trust was told by the Bishop that their rights would be restricted, there would then be consultation with a view to suspension so that a Priest-in-Charge could be appointed. It was believed that the review would not affect the parish and as soon as it was complete the suspension would be lifted and the minister made incumbent. The appointment would take place as if the post had not been suspended. All this then happened exactly as promised.

In a second case suspension took place because pastoral re-organization was under consideration in an area. A Priest-in-Charge was appointed (everyone being happy with the appointment) and after two or three years the parish suggested to the Diocese that suspension could be lifted because there was no further likelihood of re-organization. After the necessary consultation and paperwork this was gladly agreed by the Diocese and the minister duly instituted and inducted as incumbent.

Problems

Although the process often works as it should there are far too many instances where matters do not proceed smoothly. Here are some of those from our own experience:

- Many terms in the legislation are not defined (such as ‘consultation’) which leads to a lot of misunderstanding and sometimes ill-feeling.
- Some of the actual procedures to be followed (for example the precise involvement of the Diocesan Pastoral Committee) are also ambiguous.
- Some Dioceses send out notices suspending the rights of Patrons when what they should first do is restrict the Patrons rights and then consult regarding the suspension of the Benefice.
- Diocesan officials request an informal meeting to discuss matters. Minutes are not kept and the official chairs and directs the meeting. Only afterwards is it discovered that this has been treated as the formal consultation.
- Parishes are told that they will not get a ‘priest’ unless they agree to suspension.
- Sometimes pressure is more subtle; parishes will be told that it is quick and easy to appoint a Priest-in-Charge but it may be a couple of years before an incumbent could be appointed.
- Clergy, concerned about the future spiritual wellbeing of the parish have been given assurances that suspension will not be necessary when they move, only to find such promises empty after they have gone.
- Diocesan officials wanting to influence the future direction of a Church exert inappropriate pressure on the parish when drawing up a profile. Sometimes parishes are told that they will not get a minister if they include particular phrases (some Dioceses seem to particularly dislike members of Reform!).
- Parishes which have passed Resolutions A & B, and particularly Resolution C, relating to women’s ministry are at least given the impression that this will make it much harder for an appointment to be made.
- Policy is too often dictated from above. The legislation assumes that the process of consultation is genuinely open and the outcome not predetermined. Normally parishes are left feeling that consultation is a charade. Some ‘consultations’ consist simply of an Archdeacon or other official telling the parish what is going to happen.
- In some instances during an interregnum the Archdeacon or even an Area Dean asserts that they are entitled to chair the PCC when key decisions are being made. (There are certain consultation meetings which can be chaired by the Archdeacon and sometimes it can be helpful to have an outside chairman, but otherwise the PCC decide who chairs their meetings.)
- Legally, a Priest-in-Charge is a Bishop’s appointment. The reason for creation of a Priest-in-Charge is to ease the way for possible future re-organization. It is easy for a Bishop to manipulate the process to rule out of consideration potential ministers who the parish or patron would like to consider. Sometimes it can seem that reason for suspension has been to push through a particular appointment. Even if this is reading too much into the situation the legislation leaves open the possibility.
- Some parishes have expressed the view that they were ‘punished’ with suspension because of their stance and particularly when they have been critical of the Diocesan officials on moral or doctrinal issues.

- Priest-in-Charge creates a situation where a minister has a fixed term contract. They have little or no security of office and the decision as to renewal legally rests solely in the hands of the Bishop.
- Sometimes patrons are ignored completely. In one case pastoral re-organization was virtually complete before the Trust heard, by accident, that it was happening.
- Re-organization can be forced through even though all the parishes and clergy concerned are against it.
- Sometimes Teams seem to be created not simply for practical reasons but with the ideological intention of creating a homogenous (and bland) central church.

These are examples taken from the experience of Church Society Trust and from others who have contacted us for help. Other patronage bodies can tell of similar problems. For all these various reasons it is important that the relevant legislation is improved and particularly that the focus is put clearly on the needs of the parish.