

THE CHURCH IN SOCIETY COMMITTEE

MEMBERSHIP

The Bishop of Clogher, The Rt Rev Dr MGStA Jackson (Chairman)
The Archbishop of Armagh, The Most Rev AET Harper
The Archbishop of Dublin, The Most Rev Dr JRW Neill
Dr R Corbett (Medical Ethics, Science and Technology Sub-Committee)
Rev Canon Dr IM Ellis (Honorary Secretaries' nominee)
Rev KRJ Hall (Social Justice and Theology (NI) Sub-Committee)
Mr SR Harper (Legislation and Politics (RI) Sub-Committee) (Honorary Secretaries' nominee)
Rev WD Humphries (Ecological and Environmental Sub-Committee)
Rev Canon WA Lewis (Legislation and Politics (NI) Sub-Committee)
Dr K Milne (European Affairs Working Group)
Very Rev FJG Wynne (Social Justice and Theology (RI) Sub-Committee)

PURPOSE

The Church in Society Committee of the General Synod of the Church of Ireland seeks to identify, contribute to, challenge and develop areas of living today where the mission of the Church can be active and the love of God shared. It does this through the development of reports, resource materials and by developing projects that apply theological perspectives to public issues in a challenge to Christian living.

EXECUTIVE SUMMARY

During 2007-2008, the Church in Society Committee completed the following work:

Statements

- The Chairman made an address on the role of Churches in dealing with issues of the past in Northern Ireland (Appendix A).
- Dr Rory Corbett issued a response to new proposals on organ donation by Prime Minister Gordon Brown (Appendix B).
- Revd Kenny Hall issued responses on the high rate of suicide amongst young people in the Diocese of Armagh (Appendix C) and on the appointment of the Victims' Commission (Appendix D).

Consultations

- A submission was made by the Social Justice and Theology (NI) Sub-Committee to the Probation Service for Northern Ireland (Appendix E).
- A submission was made by the Legislation and Politics (RI) Sub-Committee to the Oireachtas Joint Committee on the Constitutional Amendment on Children (Appendix F).
- A submission was made by Social Justice and Theology (NI) Sub-Committee to the Office of the First Minister and Deputy First Minister on the *Draft Programme for Government 2008-2011*, the *Draft Budget 2008-2011*, and the *Draft Investment Strategy 2008-2011* (Appendix G).

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Publications

- *Embracing Difference* by Revd Canon Patrick Comerford was published and launched by the Social Justice and Theology (RI) Sub-Committee.
- A report entitled *Change in Rural Ireland: Life after Sugarbeet* is being finalised.
- A report entitled *Pastoralia in a Digital World* is being prepared.

The Church in Society Committee would like to thank Ms Lucy Connolly for her contribution to the work of the Committee and wishes her well in her new role.

FUTURE OBJECTIVES

Social Justice and Theology (RI) Sub-Committee:

- Production of a pastoral reflection on the Church of Ireland and the Travelling Community;
- Review of balance between publication of material and compilation of responses for answering questions put to the Church;
- Consultation with State agencies to identify new areas where useful work could be done.

Social Justice and Theology (NI) Sub-Committee:

- It is hoped to meet as soon as possible with The Victims' Commission;
- Draw up a submission on the proposed *Presumption of Death Bill*.

European Affairs Working Group:

- To identify the major issues emerging from the *Lisbon Treaty* and to encourage an informed discussion within the Church;
- To identify the significance of other general developments emerging from the European Union and to make information on such developments available to the Church;
- To communicate, where appropriate, the particular views of the Church to the governments of Northern Ireland and the Republic of Ireland and to the institutions of the European Union.

Medical Ethics, Science and Technology Sub-Committee:

- Continue to monitor legislation emerging from the Northern Irish Assembly, the Oireachtas and Westminster relevant to the fields of medicine, science and technology;
- Continue to monitor developments in medical, scientific and technological industry and academia;
- Work is underway to prepare a paper on nanotechnology to outline factually what innovations are involved and to draw attention to the ethical repercussions.

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Ecological and Environmental Sub-Committee:

- Further encourage good ecological practice at parish level by continuing the publication of *Greening the Church* and holding the annual *Ecological Workshop*;
- Complete the *Environmental Policy* for central and Church offices;
- Continue ecological and environmental inter-church activity by encouraging parishes to use Eco-Congregation Ireland and to apply for the Eco-Congregation Award.

Legislation and Politics (RI) Sub-Committee:

- Continue to monitor issues arising from legislative and political developments within the state;
- Continue to resource, with analysis underpinned by research, those within the Church who are required to comment;
- To consult, when appropriate, those with relevant or expert knowledge of pertinent issues such as care of the elderly, protection of children and upon legislation relevant to marriage;
- To engage with parliamentary, government and civil/public service consultative processes to ensure the views of the Church of Ireland are taken into account.

Legislation and Politics (NI) Sub-Committee:

- Engagement with the Bill of Rights for Northern Ireland process and response;
- Meeting with the Northern Ireland political parties to discuss and take action on engagement with the political institutions at Stormont.

REPORTS OF SUB-COMMITTEES

SOCIAL JUSTICE AND THEOLOGY (RI) SUB-COMMITTEE

The work of the group in the twelve months to February 2008 comprised the following:

- *Rural Ireland after Sugar Beet* – this pastoral reflection was drafted and presented to the main committee;
- *Embracing Difference*, Canon Patrick Comerford's booklet, was published under the group's auspices in January 2008 and is intended as a resource for parishes who wish to approach the 'New Irish' in their midst;
- *Pastoralia in the Digital World* – this booklet has been drafted and presented to the main committee;
- Thought is being given to a pastoral reflection on the Church of Ireland and the travelling community;
- The Chairperson attended the conference held in Dublin to launch the encyclical *Deus Caritas Est*, from this many points of common interest and inspiration emerged.

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The group is thinking, in general, about how best to take its work forward in the light of discussions held with the main committee and the Archbishop of Armagh following General Synod 2007.

SOCIAL JUSTICE AND THEOLOGY (NI) SUB-COMMITTEE

In light of the high rate of suicides among young people, in particular in the Armagh Diocese, an appeal was made for young people to understand that there are people who care about them and who would be willing to help them find a way through their problems (Appendix C).

The Rev Kenny Hall, Chairperson of the sub-committee, also issued a statement with regard to the appointment of the Victims' Commission urging all victims to take part and for the setting up of a Victims and Survivors Forum (Appendix D). It is also planned to meet with the Victims' Commission as soon as possible.

The committee were grateful to Mrs Ethne Harkness, a former director in Law Reform for making a response to the Draft Programme for Government for Northern Ireland *Building a Better Future*. This Programme for Government highlights the key goals and actions the Executive will take to drive forward those priority areas (Appendix G).

A response was also made to the Probation Board for Northern Ireland (PBNI) stating our support that the PBNI will require additional resources to successfully implement new provisions, while efficiency savings will be expected in provision of existing services. We recognise that the PBNI has a good track record in reducing offending and further development of success in this area is to be welcomed (Appendix E).

A submission is currently being prepared on the proposed *Presumption of Death Bill*. It will be important for relatives of "the disappeared" but its impact will be wider than that, covering cases where people are missing but death cannot be proved in the "normal" way (by production of a body) so there cannot be Registration of a Death.

EUROPEAN AFFAIRS WORKING GROUP

The period of 'reflection' recommended by the European Commission following the rejection of the Constitutional Treaty by France and the Netherlands ended with the conclusion of negotiations on a new treaty during the Portuguese presidency. The signing of the Lisbon Treaty, sometimes referred to as the Reform Treaty, on behalf of all the member states of the Union took place on 13th December 2007. If it is to come into effect (possibly by 1st January 2009) it has to be ratified by all 27 states. It now appears to be the case that Ireland alone among the 27 is putting the treaty before the electorate for approval by referendum. This places an exceptional responsibility on the Republic which has, in effect, a veto on the entire process.

In order to familiarise the public with the issues arising from the Treaty, the National Forum on Europe (on which the Church of Ireland is represented) organised several regional meetings at which speakers who supported the treaty, and those who opposed it, put forward their arguments. The forum also published *A Summary Guide to the Treaty of Lisbon*. The Institute of International and European Affairs, of which our working

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group is a member, has published a *Consolidated Version of the Treaties as amended by the Treaty of Lisbon*, intended to provide a readable version of the several foundation treaties of the Union as amended by the new treaty.

It has been our endeavour to enable members of the Church of Ireland to identify the major issues raised by the Lisbon Treaty and to encourage informed discussion on the treaty within the Church and to approach these tasks in an ecumenical manner. We are grateful for the attention that the *Church of Ireland Gazette* and diocesan magazines have drawn to this important treaty which has equal significance for society north and south of the border.

The EU office in Dublin arranged a fact-finding visit to Brussels in April by members of the several religious traditions in the country and four of our working-group participated in the event.

Since we last reported, we have had a meeting with Mr Jim Nicholson, MEP, in accordance with our policy of seeking discussion with MEPs representing all constituencies on the island. We had already met with Mr Jim Allister and most MEPs from the Republic.

We are happy to report that in the course of the year, having in mind the objectives of our covenant with the Methodist Church, our working-group was joined by Mr Robert Cochran. We would also like to convey our good wishes on his appointment as Bishop of Down and Connor to Mgr Noel Treanor who, as Secretary General of the Conference of Bishops' Conferences of the European Union, was ever ready to help us in our work.

MEDICAL ETHICS, SCIENCE AND TECHNOLOGY SUB-COMMITTEE

The Medical Ethics, Science and Technology Sub-Committee continued to monitor developments in legislation and innovation in industry and academia relevant to its brief.

The public debate initiated by Prime Minister Gordon Brown's suggestion that the United Kingdom should operate an "opt-out" rather than an "opt-in" system for organ donation was welcomed in a statement by the Chairman of the Sub-Committee (Appendix B).

The progress of the *Human Fertilization and Embryology Bill* through the House of Commons is being closely watched by the Sub-Committee, while the impact of new draft guidelines on the termination of pregnancy in Northern Ireland issued by the Department of Health is being monitored.

A paper on nanotechnology is being prepared to inform the Church on the factual implications of this innovation and to draw attention to some of the arising ethical issues that will proceed with the development and deployment of such technology.

ECOLOGICAL AND ENVIRONMENTAL SUB-COMMITTEE

Over the past year the sub-committee has continued its work on two fronts. On the one hand the ecumenical work has further developed through Eco-Congregation Ireland, where progress has been advanced with the addition of the Society of Friends to the Roman Catholic, Presbyterian, Methodist and Church of Ireland representatives on the panel.

Several parishes (including two from the Church of Ireland) are almost ready to undergo assessment for the Eco-Congregation Award. If successful these will be the first to receive the award under the Irish administration, the only other Irish award having been made to St Molua's Stormont before the Irish branch of Eco-Congregation came into being.

Eco-Congregation Ireland has also made a significant contribution to the work of several other bodies including Friends of the Earth, Trocaire and Christian Aid with a regular report made to the Inter-Church Meeting. The sub-committee expresses its thanks to the other members of the Eco-Congregation Ireland Committee: Helen Sheil (Methodist Church), Catherine Brennan SSL (Roman Catholic Church), Natasha Harty (Society of Friends), Joe Furphy (Presbyterian Church).

On the second front, progress has continued within the Church of Ireland and there has been a concerted effort to encourage individual parishes to become "eco-friendly".

The *Ecological Workshop* held at the Emmaus Centre, Swords, saw attendance double from the previous year's workshop at Dromantine with a healthy balance between northern and southern delegates. The number of parishes showing an interest in environmental work continues to grow steadily and the advice of the sub-committee continues to be sought on a regular basis.

One successful and particularly constructive development has been the establishment of an e-mail magazine entitled *Greening the Church*, produced intermittently, and sent to individuals throughout the Church of Ireland. The number of recipients is growing with every edition and this cost-free project is intended to provide information on the many and varied activities of eco-parishes throughout the country and to encourage further development at "grass roots" level.

Through the sub-committee many Church of Ireland parishes took part in the very worthwhile and rewarding *Global Day of Action on Climate Change* (Saturday 8 December 2007) when church bells were rung throughout the country and mass demonstrations were held in several centres including Dublin and Belfast. The aim of the action, which coincided with the Bali talks on climate change, was to draw the matter of climate change to the attention of everyone including local politicians.

The sub-committee has also been encouraging the viewing of the Al Gore film, *An Inconvenient Truth*, which it considers to be a valuable and thought-provoking contribution to the debate on Global Warming. The film has now been shown at several centres throughout the land.

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The development of an Environmental Policy for central and Church offices has further progressed in the past year and is now nearing completion.

The thanks of the sub-committee is expressed to all those who have recently acted as consultants in respect of its work.

LEGISLATION AND POLITICS (RI) SUB-COMMITTEE

The occurrence of a general election and the resultant formation of a new government, and with it a new Programme for Government, within the last year has impressed heavily upon legislative and political developments within the Republic of Ireland. We have been monitoring these developments and will continue to do so.

A submission was made to the Oireachtas Joint Committee on the Constitutional Amendment on Children in which the Sub-Committee outlined some points of concern that it had with the draft Constitutional amendment, as circulated by the Oireachtas committee, as well as noting the points that we welcome in that draft (Appendix F).

Submissions were also made to the Oireachtas Joint Committee on the Constitution in its consultative process on the issue of freedom of expression and to the Director of Public Prosecution in the consultative process undertaken by his office on the practice of not giving reasons to victims or to the public when a decision is made not to prosecute or to withdraw a prosecution.

We continue to fully avail of the very welcome opportunities granted through the government's consultation process with churches and faith communities.

LEGISLATION AND POLITICS (NI) SUB-COMMITTEE

The Legislation & Politics Committee (NI) is examining developments to date in the Bill of Rights for Northern Ireland process. The Committee reviewed submissions made by the Role of the Church Committee, 2000-2003, in the Human Rights Commission consultation process on a Bill of Rights. Those statements find broad acceptance with the current thinking of the Committee.

Presently, the Committee is engaged in a review of the work of the Bill of Rights Forum and intends to issue a response to the Forum's Report when it is published in March 2008.

The Committee is involved in a series of meetings with the main political parties in Northern Ireland to discuss two matters:

- 1) A Bill of Rights for Northern Ireland;
- 2) Church of Ireland engagement with the political institutions at Stormont.

The Committee has met the Ulster Unionist Party (UUP). Meetings with the Social Democratic and Labour Party (SDLP), Sinn Fein, Democratic Unionist Party (DUP) and the Alliance Party are scheduled.

APPENDIX A

CHAIRPERSON’S ADDRESS ON THE ROLE OF CHURCHES IN DEALING WITH ISSUES OF THE PAST IN NORTHERN IRELAND

Introduction

I wish to suggest three areas in which the churches, individually and together, need to take an active role in making a fresh contribution to the evolving life of Northern Ireland for the future. You might understandably say: But is this not the sort of hand-wringing exercise in which the churches themselves already indulge all too often? In many ways, the churches are every bit as ‘lost’ as is anyone else in the new Ireland of today. Deliberately I use the plural. In Northern Ireland society, we are going through a painful process of political maturing after years of brutal violence, years of uneasy truce, and now years where active community-building and peacefulness lie before us. In the Republic of Ireland, there have emerged deep questions about the importance of readily recognizable values in a society whose expectations are set instinctively by the spreadsheet of economic achievement and expansion. There are gaping holes in the moral substructure of both societies. These all too often are glossed over because a type of future different from the past is much more exciting and seems, from our irreversibly consumerized perspective, to make fewer demands of us as individual moral agents. Call it secularism if you like! Call it mammon if you prefer! It is part of the air we breathe and the churches are powerless to reverse the trend. They are not, however, voiceless to speak into the situation critically and compassionately.

Three Aspects of the Future Role of the Churches

(1) I myself have often said that Northern Ireland suffers just as much from religious indigestion as it does from religious hunger. A result of this is that the conventional language and ideas of religion are not ‘new news’ to anyone, nor indeed are the caricatures of the convictions and practices of people who try to live a religious way of life. The first suggestion which I have as a role for the churches is that they or we, if we are part of them, be honest about the chain reaction, and often the causal link, between denominational conviction and rank sectarianism. One of the big, bad scary words in today’s society is: pluralism. But if religions embed themselves in exclusivity as a primary definition of who they are and what they do, then their shelf-life is limited when people generally are no longer looking instinctively to religion or to religious practice to enhance their understanding of their own self-respect. One of the basics of Christianity is that, in a primary way, it exists for others and for those outside the church. In technical terms, this is called mission. Too often mission has been understood as little more than recruitment of someone else to a set of religious practices and ideals, the philosophy behind which is already obvious to you yourself. Such an exercise has also frequently suffered from that fatal practice of comparing the best expression of one’s own tradition with the worst expression of someone else’s tradition. The unchallenged articulation of exclusive certainties diminishes trust between individuals and erodes cohesion in society. While we luxuriate in a sophisticated two-party denominationalism, there is an Inter Faith reality to be

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addressed already in our midst. My first role for the churches is one of generous humanity in this new society.

- (2) Religion needs not only to do an autumn tidy-up in its own garden but needs to be confident about presenting to the emerging generation what it has to give in terms of what people now call 'value added' to the people of Ireland. If I may indulge myself with another modern cliché, I do not think that the church as an institution in our societies is 'no longer fit for purpose.' But it does have to re-focus after a radical re-appraisal. In a post-modern world, political correctness has the capacity to draw out of people both defensiveness and aggressiveness. Those who feel that things which matter are slipping away from them in the new marketplace of ideas become increasingly protective, not knowing what is next for the shredder. Those who are impatient to 'set out their stall' feel that every opportunity for a fresh expression or a new make-over needs to be taken. Appropriate dealing with the past is a casualty of both scenarios. And so we can move into a situation where - dare I say it once again - the churches bicker with one another and other people wonder why they cannot offer any recognizably common Christian witness to the world around them and beyond them. Over the next ten years, a thoroughly divided Christian witness will become an increasing conundrum and a focus of impatience to more and more people. The churches, individually and together, have a role and a powerful one in the Northern Ireland of tomorrow if they give expression to the divine invitation to find God present and at work in today's Ireland. It is the role of religion to talk about God. Again, this is a rather obvious thing to say. A religion devoid of theological purpose has already shrivelled and, unknown to itself, is crumbling. If I speak of the causal link between creation and redemption; if I speak of the operational love of God in giving life to human beings with a free will and a responsibility for all aspects of creation you will, like everybody else, say either: I don't know what he is talking about or I think that is better left to the clergy. But if, instead, I talk about respect for person and respect for place, about ecological awareness; if I talk about The Enniskillen Bomb or The Omagh Bomb or human trafficking, you will, I hope, see that there are tangible, everyday manifestations of the theological language which I used just a minute ago in terms of good and evil and how we respond to both. And that is a totally, if unselfconsciously, theological thing to do. I think that the churches can and must do this work time and again within all aspects of contemporary life - ipods, internet access, consumerism, ecology, justice issues - precisely because of the fact that they did offer hope and compassion in the decades of human suffering, intimidation and death. Most people think that normality is something which is always there. I disagree. Normality is something which needs to be fought for, constantly re-asserted and thought through from first principles. So, my second role for the churches is to be agents of courage and confidence.
- (3) A third area where the churches have a role is in revisiting the use of language. Let me give you an example. Stick to your principles, whatever you do! How often have we heard it, or even said it? Yet very few of us, I imagine, are willing to own up to having prejudices. Prejudices are what other people have. As I see it, a principle is a beginning, a starting-point to which we return again and again to find our bearings, to re-position ourselves, to set out once more on the same sort of journey of life which

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we all must take. A prejudice is a mental attitude or decision where a judgement which we made once - in particular circumstances which we are convinced have not changed, or on the basis of something which we took over from others without really thinking it through for ourselves - holds fast and we will not, or cannot, deviate from it. The irony is that it may well have started out as a principle but developed into something non-negotiable, that is a prejudice. And this brings me into a further area where the churches, through their title deeds and through the personal example of Jesus Christ, can play a role in challenging the many noxious misunderstandings of power and authority. Not only is authority earned, it is also derived. Power, on the other hand, needs constantly to be tempered and challenged by a critical assessment of any entitlement to use it over against other people. It is not of itself bad but, all too often, is used to dismantle the authority of others - particularly children, women, disadvantaged, disabled, poor people - and to zap their capacity to ask for equivalence of status or make a contribution which they alone, from their perspective and position, can make. The churches have the role of being the place where this sort of human accommodation is modelled. So, my third role for the churches is to be upholders of honourable first principles.

Conclusion

The churches have no automatic role in the future of Northern Ireland. The churches however, in my opinion, individually and yet at the same time from an agreed common perspective, have a strategic role of both service and leadership because: they are, as we hear endlessly, present throughout the total community; they have principles and practices which too often have become confused with prejudices and exclusivities and yet, once re-thought in the fresh contexts into which they wish to speak and act, can act as yeast. They, in fact, need the society at large to ask more not less of them, rather than allow them to move increasingly into the lay bys and cul-de-sacs of an emerging society because not enough is being asked of them. The society, in all its good and bad manifestations, will be experimental for quite some time and will change whether or not the churches decide to take up the role which lies at their feet, if not yet in their hands as a strong force for honesty, healing and cohesion. Members of a fledgling democracy such as ours in Northern Ireland, living through the birth-pangs of political maturity and mutuality, have little time for theoretical musings. They, that is we, will be receptive to practicalities and living examples of generosity towards others. They will also, whatever their creed, be sustained by a Christian witness which derives the parables of its teaching from unpretentious, complex contemporary life. And they will undoubtedly respond to an institution and its people who make the first move.

APPENDIX B

**CHAIRPERSON’S RESPONSE TO NEW ORGAN DONATION PROPOSALS
PUT FORWARD BY PRIME MINISTER GORDON BROWN**

The Church of Ireland welcomes the recent statement of the Prime Minister, Gordon Brown, on the issue of “Organ Donation”, and bringing it back into the public domain. Members of the Medical Ethics committee, who are practising doctors, are only too well aware of the number of deaths due to the shortage of donated organs.

Organ donation is to be seen as an entirely consistent Christian act, both of caring for those less well off, and responding to Our Lord’s example of, and instruction to, heal and show compassion. There does not appear to be a theological argument against the change in practice from an opt-in to an opt-out one. However we are sensitive to those whose religions hold different views, such as the body being as complete as possible for burial, the discomfort that there is over the transplantation of cadaver organs, and the reaction of many, including, Christians to the removal of body parts.

We believe that the reasons for the significant shortfall of donated organs, for instance only 15% of those requiring a liver transplantation receive one, should be addressed, as to whether it is a failure to ask relatives at a time of great emotional distress, or due to lack of transplant co-ordinators to carry out this asking; whether it is due to difficulty for members of the public to opt-in, apart from when renewing their driving licences, or simply a lack of voluntary donors, but whatever, it does require agreement to the action by others, not just a signed donor card by the potential donor.

Before any changes are considered we would wish to see more public discussion and education on all the issues concerned. This would allow the public to have given thought to the issues involved, so as to make a decision at such a time, and for many not to be left some time after the event regretting either that they had declined the invitation to agree to donation, or had not been asked. The experience, for instance, in Spain is encouraging to take this approach. The Prime Minister has, however, suggested that permission of the family, or representative, would still be necessary with a change to an opt-out scheme, which would suggest that there would be no improvement without education. This change, if it took place, would of itself mean a very major change in the relationship of the State and the individual.

The Church of Ireland believes, that organ donation is a Christian act; that it is a way of bringing something good out of a tragedy (frequently the potential donor is young and the result of an accident), and in the longer term it gives the bereaved family comfort. However at this time we believe that other actions should be considered to increase the rate of organ donation before a change in the law, and we would encourage all the members of the Church to become fully involved and committed, if and when they should ever find themselves in this situation, and to remember all those awaiting the gift of a new organ.

APPENDIX C

**REVD KENNY HALL'S RESPONSE TO THE HIGH RATE OF SUICIDE
AMONGST YOUNG PEOPLE IN THE DIOCESE OF ARMAGH**

We want our young people to realise that no matter what they may be feeling, no matter what they have or haven't done, no matter what the situation, there are people who do care about them and will help them find a way through. There are many agencies, many help lines and many individuals all willing to help. Clergy of all denominations often make themselves available 24 hours a day for people to contact in emergencies, on a confidential basis. We, as clergy, are not there to condemn thoughts or actions. We want to make ourselves available for people to consult, to talk through issues and to guide and direct, whether those issues are family issues, social issues, relationship issues, sexual issues, financial issues, or school/university issues. We are available and willing to help. There is always another direction to take, but sometimes people need help in finding that direction – so please, please seek help.

This year alone too many families have been affected by suicide and, as well as having a devastating impact on those families, it also affects their friends and the communities in which they live. As responsible members of the community we must encourage all people, especially our young people, to talk about their problems with whoever they feel comfortable speaking to, and to seek help when they so desperately need it.

APPENDIX D

**REVD KENNY HALL'S RESPONSE TO THE APPOINTMENT OF THE
VICTIMS' COMMISSION**

The Interim Victims' Commission, regardless of how it has been appointed is long overdue and should be welcomed by all. This time last year we issued a statement backing a fund and a forum for victims to be established and now in supporting this new team of Commissioners, I would urge all victims to take part.

The new Commission needs to spearhead plans and priorities for a Victims and Survivors Forum. Many victims feel that they are the forgotten part of the peace process. It is therefore important that this new Commission is acceptable to all.

Many people in Northern Ireland remain frightened to speak what they perceive as the truth. This often results in their remaining silent. A background of fear is capable of disrupting trust and communication. The proposed forum must be a place where people do not feel under threat and are able to express their thoughts and concerns. This is a prerequisite for movement towards reconciliation. All must work together for the benefit of each other and build a society that is at peace with itself.

APPENDIX E

SUBMISSION TO THE PROBATION SERVICE OF NORTHERN IRELAND

Social Justice and Theology (NI) Sub-Committee

PBNI Corporate Plan 2008-2011 Consultation: A Response

<http://www.pbni.org.uk/cp0811draft.pdf>

1. Please provide your views on our Planning Assumptions (p9)

The Panel particularly supports the assumption – *The PBNI will require additional resources to successfully implement new provisions, while efficiency savings will be expected in provision of existing services.*

The increased responsibilities and volume of work implicit in the provisions of the new Criminal Justice Order sentencing framework legislation referred to on p6, will require additional budgetary allocation to enable the PBNI to properly discharge its new responsibilities.

Failure to deliver on this assumption would raise serious concerns over public safety and would have a negative impact on public confidence in the criminal justice system as a whole and on the PBNI particularly.

2. Please provide your views on our strategic objectives and the direction set by them.

Reducing offending

The Panel believes the PBNI has a good track record in reducing offending and further development of success in this area is to be welcomed.

Risk Assessment

Offender management

The provisions of the new Criminal Justice Order will greatly increase the number of offenders managed in the community – and this implies a greater volume of work for the PBNI in terms of risk assessment and offender management. These objectives should be prioritised and appropriately resourced.

It is also proposed that some resourcing should be allocated to educating the public about the new system.

Business performance

The panel affirms the wisdom of devising specific management objectives to guide the organisation through a period of growth and change.

3. Please provide your view on how we can work more effectively with the community and other partners?

With regard to the objective to increase the number of people performing community service under the revised sentencing framework, the Panel proposes that a strategy is put in place to develop a broader network of partnership links with any groups and agencies in the community that can provide the opportunity for such service, and to any potential funding issues in providing these opportunities.

As this will require public education about the process and ‘buy in’ to the concept, the Panel also proposes making a series of stated public education objectives and, ultimately attaching budget and staff towards delivery.

Consideration also needs to be given to public safety, monitoring and insurance issues etc.

4. Have we missed anything?

See point 3 above.

5. N/A

APPENDIX F

**SUBMISSION TO THE OIREACHTAS JOINT COMMITTEE ON THE
CONSTITUTIONAL AMENDMENT ON CHILDREN**

Legislation and Politics (RI) Sub-Committee

Introduction

The Church in Society Committee of the General Synod of the Church of Ireland seeks to identify, contribute to, challenge and develop areas of living today where the mission of the Church can be active and the love of God shared. It does so by seeking an informed understanding of the societies in which we live and aims as much to listen as to speak and to be informative and practical in the fruit of its work. The sub-groups of the Church in Society Committee are authorized to issue statements and reports in their own names. The following submission has been produced by the Legislation and Political (RI) sub-group and will be presented to the Church of Ireland General Synod.

This document has been submitted at this point to meet the deadline as set out by the Joint Committee on the Constitutional Amendment on Children. However, as this is an ongoing discussion, both within and without the Church, we would consider this an interim response and we would like to reserve the right to contribute further on this issue at a later date. The passage or non-passage of the European Union Reform Treaty, for example, would have a critical bearing on the opinion of the Sub-Committee as to whether the Constitutional amendment on children is adequate. Additionally, the Sub-Committee would welcome the opportunity of consultation on any proposed legislation that might emerge on foot of a ratified amendment as it is in the detail that the concerns of the Church come into sharpest focus.

The European Dimension

There is still much confusion as to whether the proposed referenda on the European Union Reform Treaty and the proposed amendment on children are to be held separately or concurrently. Clarification on this matter would be welcomed by the Sub-Committee as the Treaty is relevant to the debate on the rights of the child. The Charter of Fundamental Rights of the European Union, which the Treaty will afford “the same legal value as the Treaties”¹, includes the following rights for children:

Article 24 of the Charter

1. Children shall have the right to such protection and care as is necessary for their well-being. They may express their views freely. Such views shall be taken into consideration on matters which concern them in accordance with their age and maturity.

¹ Article 1.8, *Draft Treaty Amending the Treaty on European Union and the Treaty Establishing the European Community*.

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2. In all actions relating to children, whether taken by public authorities or private institutions, the child's best interests must be a primary consideration.

3. Every child shall have the right to maintain on a regular basis a personal relationship and direct contact with both his or her parents, unless that is contrary to his or her interests.

Many of the aspirations expressed in previous submissions by the Church of Ireland and this Sub-Committee, as they relate to the rights of the child, would be met in the Republic of Ireland by the implementation of this Article. However, without its implementation the draft amendment to *Bunreacht na hÉireann* would be insufficient in our view on several counts. Obviously, the success or failure of the Reform Treaty will determine our opinion on the adequacy of the Constitutional amendment; indeed a question arises as to whether a final and full judgement on the Constitutional amendment is possible at all without knowing first the fate of that same Treaty.

Welcome Components of the Proposed Draft

The Sub-Committee welcomes section 5.1° of the proposed draft, which will allow for the formulating of laws permitting the collection and sharing of “soft intelligence” for the purpose of child protection. There is a weakness in the current vetting process in that it relates to convictions and not to those areas where there may be a reasonable suspicion that someone is inappropriate to work with children. We are aware that the sharing of soft intelligence may seem unfair as it allows for a decision without the due process of a trial and conviction, but we feel that such considerations must be balanced by the reality that it may actually deter individuals who might otherwise be tempted to commit an offence against a child.

Similarly, the Sub-Committee welcomes the section 5.2° of the proposed draft, which will allow for legislation permitting the reintroduction of absolute or strict liability for offences “committed against or in connection with a child under 18 years of age.” While this gives the Oireachtas wide-ranging scope to legislate for the protection of children, both from older predators and from themselves, the Sub-Committee appreciates that such broad terms are necessary for such issues and the Constitution is not the place to delineate the details further on this matter. However, any legislation emerging on foot of such an amendment will have to be considered most carefully as it is an immensely important and delicate balancing act. The Sub-Committee would like to express in the strongest terms its opinion that further consultation should be provided for on any legislation re-drawing the terms of the Criminal Law (Sexual Offences) Act 2006.

Points of Concern in the Proposed Draft

Section 4 of the proposed draft raises several issues of concern for the Sub-Committee. While efforts to give the best interests of a child their due weight of consideration in determining action in relation to that child is welcome, the limited scope of this section- it only applies to court proceedings- raises some questions over the adequacy of this reform. Similarly, we are concerned that the implied reforms provided for in this section will only be applied if legislation requires it, and under the terms of the proposed draft

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the Oireachtas will be under no obligation to pass such legislation. Given that legislative reform is still pending on the Constitutional amendment of 1979 on Seanad Éireann, the Sub-Committee believes that a more instructive choice of wording would be desirable. Towards this end, it is our view that the Constitutional amendment on children should oblige the legislature to prioritise, as a primary consideration, the best interests of a child in actions relating to that child. As referred to above, this aspiration might be realised through the European Union Reform Treaty. However, in the absence of surety on this issue the Sub-Committee cannot consider section 4 of the proposed amendment to be adequate, either in the scope of its prescription or in the force of its instruction.

Finally, the Sub-Committee has detected some variation in the rate of consensus that exists on certain parts of this amendment. We would not be adverse to suggestions that section 5.2^o be decoupled from the rest of the amendment so that a referendum to provide for the re-instatement of absolute or strict liability for offences committed against or in connection to a child could be held alongside the European Union Reform Treaty, leaving more contentious parts of the amendment to be further deliberated upon with a later polling date for the final draft of the remainder of the proposed amendment.

APPENDIX G

**SUBMISSION TO THE OFFICE OF THE FIRST MINISTER AND
DEPUTY FIRST MINISTER**

Social Justice and Theology (NI) Sub-Committee

Overview

The consultation covers three documents:

- Draft Programme for Government 2008-2011;
- Draft Budget 2008-2011;
- Draft Investment Strategy 2008-2018.

In addition there are 23 Public Service Agreements (PSAs) published on the website as an annex to the Programme for Government.

The Draft Programme for Government 2008-2011 sets out the Executive's strategic priorities and key goals which have directed the allocation of resources as set out in the Budget and Investment Strategy. The over-arching aim is to build a peaceful, fair and prosperous society in Northern Ireland, with respect for the rule of law and where everyone can enjoy a better quality of life now and in years to come. Within that aim, there are five key strategic and interdependent priorities listed:

- Growing a Dynamic, Innovative Economy;*
- Promote Tolerance, Inclusion and Health and Well-Being;*
- Protect and Enhance Our Environment and Natural Resources;*
- Invest to Build Our Infrastructure;*
- Deliver Modern High Quality and Efficient Public Services.*

The Programme for Government highlights the key goals and actions the Executive will take to drive forward those priority areas.

The Draft Budget sets out the expenditure plans for the Northern Ireland Departments in 2008-2011. This takes account of the 2007 Comprehensive Spending Review (CSR) which offered a smaller increase in resources for Northern Ireland than previously granted. Accordingly, the need for Departments to make cash-releasing efficiencies is emphasised, as such savings remain in Northern Ireland for use in funding public services here.

The Draft Investment Strategy 2008-2018 sets out the longer-term framework for creating a sustainable 21st century infrastructure, reflecting the same strategic priorities. The Executive intends to finalise delivery plans for each priority area in the coming months, which will provide detail on schemes and timescales. Notably, in the Investment Strategy the priority area of *Growing a Dynamic, Innovative Economy* is placed at the core of achieving success in the other four priority area. That is very clearly the central message of these documents: "It's the economy, stupid."

Priorities and Challenges

Introduction

The Programme for Government reads like a manifesto, optimistic and aspirational, promising a lot of apple pie all around. This is a high-level document with ambitious aims described in smooth rhetoric so it is difficult to provide any forensic analysis or meaningful critique. The significant decisions will come when the Executive has to move beyond anodyne statements of good intent into firm, detailed policy-making and implementation on the ground, tackling politically sensitive and controversial issues that are largely avoided in these documents. That will be the real test for viability of the devolution settlement.

At this stage, any detail the Programme for Government contains is found in Tables of Key Goals and associated actions for each of the five priority areas. Even there, in most cases it is not explained how each goal will be achieved. There is no detail on approaches or mechanisms. The “how will that be done” question goes unanswered – in fact it is largely not asked. Potential conflicts between competing goals are not addressed. Nor is there a detailed legislative programme included.

The framework of 23 PSAs has Tables of Objectives, Actions and Targets with, we are told, a focus on addressing key cross-cutting issues and challenges - perhaps a recognition that achieving joined-up government is very difficult at any time let alone for an enforced coalition administration. Some of the Actions and Targets are more specific than others, but there are some tired and vague recitals and some that reflect routine work in progress; actions and targets like “*Development and implementation of a Higher Education strategy*”, “*Ensure the central role of the rights of the child*” and “*Manage and develop NI cultural infrastructure*”, need to be further refined.

In summary, the lack of detail in the Programme for Government, even when supplemented by the PSA framework, is a theme underlying many of the following comments.

Priority: Growing a Dynamic, Innovative Economy

In relation to the key goals for *Growing a Dynamic, Innovative Economy*, many questions arise. What mechanism will be used to halve the private sector productivity gap with the UK average (Goal 1)? Where will the jobs come from to increase the employment rate from 70% to 75% (Goal 2)? What steps will achieve growth of up to 15% in the creative industries sector (Goal 6)? The actions mentioned in this section of the Programme for Government cannot in themselves match the 11 key goals set out on page 6. Close attention to the PSA framework will be essential to achieve progress here; for example, the PSAs on *Productivity Growth*, *Skills for Prosperity*, *Increasing Employment* and *Supporting Rural Businesses* set high targets that will involve close co-operation from DETI, DEL, DRD and DARD. Can we really look forward to that level of co-operation? With this in mind, we certainly welcome the Executive’s undertaking (on page 48 of the Draft Budget) to review and consult on its priorities and performance each year.

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Reading the Draft Budget alongside the Programme for Government, it is clear that improvement in the economic situation is essential for any progress for Northern Ireland. Without enhanced economic growth and greater productivity, we cannot hope to achieve the key goals across the five priority areas. In the Draft Budget there are targets and actions in respect of the four drivers of productivity – skills, enterprise, innovation and infrastructure – but the tone of the Budget document is more cautious than the Programme for Government. Notably it is recognised that a big constraint lies in the lack of fiscal policy instruments made available by HM Treasury and now that we know the Varney Review is not going to deliver much extra assistance to Northern Ireland, we have to be concerned about the economic prospects.

With these problems and a global downturn, including our traditional problems of high energy and fuel costs, the outlook is not reassuring, but some would argue that it is not good enough for the Executive or our politicians to blame outside factors or other people. Northern Ireland people, given this opportunity of devolution and reconciliation, now have to take responsibility for our own future, help ourselves and each other and work ourselves out of economic disadvantage. The task for all of us is to build optimism in our communities and get on with working together, using our skills and talents of innovation and creativity, especially in locally-based industrial and agricultural enterprises. Without renewed confidence and co-operation, for example, we cannot tackle another negative feature highlighted in the Budget – the high level of economic inactivity amongst our working age population. All of this requires co-operation not just from our political representatives but more broadly in our communities. It is disappointing, therefore, that the issue of investing in “Shared Future” activities is not addressed adequately. Another confidence-building measure would be some movement in dealing with the needs of victims of the Troubles who are barely mentioned in these documents.

Priority: Promote Tolerance, Inclusion and Health and Well-Being

Looking at the key goals for the second priority area, to *Promote Tolerance, Inclusion and Health and Well-Being*, similar questions about lack of detail arise. For example, how will the Executive reduce child poverty by 50% by 2010 (Goal 1), when it does not have tax-raising powers and it appears tied to United Kingdom benefits and minimum wage rates, especially given that the Government has failed to reach its own targets in this area? The PSA targets are focussed largely on benefit issues but recent research indicates there is a significant level of child poverty amongst families in work but trapped in badly paid jobs. Economic progress is key to tackling this social problem so we welcome the recognition that job creation should concentrate on jobs with salaries above the Northern Ireland Private Sector Median (PSA 3, page 10).

In this section of the Draft Programme for Government, Goal 4 is welcomed – “Ensuring that by 2013, anyone with a mental health problem or learning disability is promptly and suitably treated in the community and no-one remains unnecessarily in hospital”. It is surprising, however, that there is no commitment to full and speedy implementation of the Bamford proposals (although Bamford is mentioned with approval in the Draft Budget and there are some PSA targets reflecting this). The Bamford Report is the product of thorough and costly research and consultation amongst practitioners, users of the current services and other experts and we would have hoped for more progress in

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implementation by now. This omission causes concern that there is not yet serious commitment to addressing the problems which have been clearly identified in this area, where Bamford estimated £50m would be needed over the next 3 years. Likewise, the absence of any reference in the Programme for Government to goals or actions focussed on care of the elderly is very disappointing. The experience of many elderly people and families struggling to make good arrangements for elderly relatives coping with dementia or other physical or mental disabilities is that there is a severe lack of first-class services.

We share the well-publicised concern about the level of health care funding. We have seen Mr McGimpsey's campaign for increased resources and we must say that if the Minister himself is not confident of success then how can the consumers of health services feel confident? We understand the focus on economic improvement in the Programme for Government and Budget but people here and now have problems in health care provision and will expect the new administration to deliver improvement in primary and community care and hospitals.

In terms of education, there is a welcome goal of improving GCSE performance for children from less-advantaged backgrounds, but there is no reference in the Programme for Government to structural reform of school provision and of course no consensus on post-primary arrangements. On this latter issue, the current impasse must be resolved without further delay or destructive confrontation. It is surprising that the PSAs on *Helping our young people to achieve through education* (PSA10, page 18) and *Raising Standards in our schools* (PSA 19, page 27) contain no targets or actions directed at this issue even though it is shaping up to be one of the most intractable and divisive issues facing us. Equally inexplicably, there is no direct reference to the matter in the draft Budget for the Department of Education. This appears to be a case of avoiding difficult issues for as long as possible in the hope that they will go away because there is no agreement on the appropriate solution.

Priority: Protect and Enhance our Environment and Natural Resources

In relation to the priority to *Protect and Enhance our Environment and Natural Resources*, there is the statement that everyone can agree with: "At a local level, therefore, action is needed to protect our built heritage, our landscape and marine environment and to reduce our impact on climate change." (page 10). Again, however, the real issue is how the key priorities embodied in that statement are to be achieved. There are also issues here about possible conflict between environmental protection and the proposed infrastructure developments such as road building and other construction projects. For example, how do we reconcile Goal 7 "To halt the loss of indigenous species and habitats by 2015" with these infrastructure developments? In this area – as in others – the challenge for government lies in its ability to resolve conflicts amongst competing policy objectives. Although key priorities are stated, there is no immediate commitment to reform Northern Ireland's environmental protection structures as part of the effort to achieve these objectives – for example, by establishing an independent agency to replace the present Environment and Heritage Service within the DoE. There is no reference to establishing National Parks in Northern Ireland even though much

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work has been done on this and one might have expected some indication of the way ahead.

Priority: Invest to Build our Infrastructure

Within the priority of *Building Infrastructure*, the key goals and actions require very substantial expenditure both immediately and in the longer term. The neglect of past years has to be paid for now. However, success here will not only require new financial resources on an unprecedented scale. We should also ask if the Northern Ireland public sector has the expertise and skills necessary to deliver in these areas – project planning and management, contract negotiation and drafting, performance supervision, design, risk management, procurement, funding arrangements etc. Experience in many of these areas may not be available locally and expensive mistakes could be made if the necessary skills are not engaged.

Priority: Deliver Modern High Quality and Efficient Public Services

The final priority area looks to *Deliver modern high quality and efficient public services*, again with key goals and actions. Some of these are already in hand. The focus is largely on saving money, and if that can be done at the same time as “bringing government closer to people, revitalising public services and responding to the increasingly diverse nature of our society”, then of course everyone will be delighted. It is noted, however, that the proposal to reduce bureaucracy involves setting up a new government unit, a Performance Efficiency Delivery Unit, just as Sir Humphrey himself would have proposed. In reality, it may be that, when it comes to working out the details, the demands generated by this Programme for Government mean we will have to spend more on public sector salaries and consultancy, not less. Overall the Programme for Government, Budget and framework of PSAs will place very heavy demands on our public sector employees, beyond what they have been asked to meet in the past. We wonder if the scale of this challenge is fully appreciated and if effective action can be taken to ensure that “NICS staff have the right skills and expertise” as directed under PSA 21 (page 29).

Mapping Church of Ireland Engagement

For the most part, these Consultative Documents are drafted in general terms, leaving the specific details for another time. The main thrust of the papers is the need to grow the Northern Ireland economy, but beyond that it is difficult to identify a unified social policy approach. The Programme for Government makes promises in just about every direction, not all well-defined or measurable, and not all deliverable.

We are working towards a Church of Ireland approach that sets out the parameters for our engagement with the Northern Ireland Executive over the next few years. With this brief in mind, it is suggested that we accept the emphasis on economic development as a first priority and then continue to press for social policy reforms and actions that reflect our pastoral concerns. We want to identify our priorities and set out our own coherent and principled policy guidelines. It is suggested that our focus should be on support for

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the individual within the family as the key unit of our society. That will lead us to concentrate on areas such as:

- Employment (with jobs above minimum wage levels)
- Social housing
- Family dispute mediation and support
- Child contact with non-resident parent
- Mental health provision
- Suicide prevention and support
- Alcohol and substance abuse
- Care of elderly.²

We also have well-established and important interests in community relations issues and in the management of schools.

² Further to *Ethical Issues and Care of the Elderly* (2007) and *Resources and Rationing in Health Care* (2004) prepared by the Medical Ethics, Science and Technology Sub-Committee.

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