

## **GENERAL SYNOD 2012**

### **BILL NO 3 – TO REPEAL CERTAIN PROVISIONS OF THE STATUTE OF GENERAL SYNOD, CHAPTER VI OF 2001**

**Proposed by The Revd George Davison, Diocese of Elphin**

**EMBARGOED UNTIL DELIVERY**

**CHECK AGAINST DELIVERY**

Archbishop, Members of Synod,

In 2001 the General Synod recognised that from time to time in the life of the church, situations arise which lead to a level of breakdown in pastoral relationships that proves to be difficult, if not impossible, for the parties involved to resolve by themselves.

Recognising the damage that such situations can do in the lives of the parties involved and to the witness of the church as a whole, the Synod accepted the recommendations presented to it which provided for the creation of Provincial Mediation Panels, panels of trained volunteers who would be available to assist in a process of mediation and conflict resolution within dioceses, when requested to do so by the appropriate bishop. The Bishops nominated a panel of clergy & lay people who received appropriate training and the Panels were set up.

However, in the decade that has followed the Provincial Mediation Panels have rarely been used in the manner that was intended, prompting the Standing Committee in 2011 to initiate a review of the operation of the panels and the associated Severance Fund.

The findings of that review may be found in Appendix P of the Standing Committee report on pages 258 - 262 of the Book of Reports. The conclusions of the review were that for a number of reasons, the structures provided by the Statute of 2001 had not commended themselves to the church at large.

- It was felt that to be effective, mediation needed to be a process which could be deployed flexibly at a local level in the dioceses, rather than being part of a cumbersome centralised process.
- From the point of view of some clergy, it was perceived as a one-sided process which was designed to ease clergy out of ministry, resulting in an unwillingness to participate in the process.
- Also it was noted that, the Church of Ireland being the small community that it is, there was a feeling that if mediation was needed it would be preferable to have professionally qualified outside mediators rather than individuals from within the church.
- Finally, it was also felt that what was needed in many of these intractable pastoral situations is some form of binding arbitration rather than mediation.

As a result, the recommendation of the review of the Provincial Mediation Panels is that the existing structures should be disbanded and the legislation repealed. This is what Bill No. 3 seeks to do.

A severance fund, to provide finance for any settlement which might be recommended by the mediation process, was also created by the 2001 statute and was funded by means of a levy on the dioceses and the RCB approved regulations for its operation.

Bill No 3 deliberately does not address the issue of the future of the Severance Fund. Whilst the review produced a remarkable level of agreement on the subject of the Mediation Panels, there was less certainty about whether any future financial provision which might be necessary ought to come from a central fund or be provided from the individual dioceses. If it is decided that the fund should be disbanded then the contributions would be returned to the dioceses, but it is felt that to do so at this stage is premature, as it may be that ultimately it is felt that it is better to have a central fund to meet these costs which can at times be considerable, and possibly beyond the resources of smaller individual dioceses. Therefore, by not repealing that section of the statute which refers to the Severance Fund at this stage, we leave ourselves the option of

continuing to have the use of that fund for any new arrangements which a future meeting of the General Synod may approve.

To repeal this legislation does not leave us in a vacuum however. Section 19 of Chapter 8 of the Constitution relates to Pastoral Resolution and provides that bishops may put in place such processes of conciliation or mediation as they may deem appropriate in any given situation. This allows for appropriate local measures to be taken in the meantime to facilitate the resolution of situations of breakdown of pastoral relationships.

It is recognised that it is desirable that there should be a consistency of approach across the church as a whole, and therefore, should General Synod pass Bill No 3, then later in this session myself and the Bishop of Limerick will propose a motion which provides for the setting up of a group to prepare guidelines on Pastoral Reconciliation, Mediation & Arbitration for the use of the Church of Ireland.

I propose that Bill No 3 "To repeal certain provisions of the Statute of the General Synod, Chapter 6 of 2001" be given a second reading.