

## 8. Committee on Methodist Law and Polity (1)

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### SECTION A GENERAL REPORT

1. The Committee is charged under Standing Order 338 with the scrutiny of all new legislation which is proposed to the Conference in order to ensure its coherence with existing usage and Methodist polity. Various members of the Committee undertake this task and have commented upon all the proposals submitted to the Committee by the Methodist Council and other bodies. The Committee also seeks to ensure that Standing Orders comply with any changes in legislation or case law.
2. With great sadness, the Committee reports the loss of John Hicks QC, who died on 11 March 2022, aged 94. Mr Hicks was a member of the Committee since 1969 and served the Conference (including as its first lay Journal Secretary) from 1974 to 1997. He was involved in devising what became the Methodist Church Act 1976 and in preparing a completely new edition of 'Constitutional Practice and Discipline' which forms the basis of the Methodist Church's current 'CPD' text. The Committee will miss his wise and expert advice, which he was still offering in the final weeks before his death, most notably in relation to CPD amendments for presentation to the 2022 Conference.
3. The Revd Canon Julian Pursehouse resigned from the Committee in November 2021. The Committee wishes to express its gratitude for Mr Pursehouse's contribution, particularly his work on the Law and Polity Conference Sub-committee.
4. The Committee's membership has fallen in the past two years and the Committee is keen to recruit new members with a particular interest in the Church's constitutional and legislative framework. The Committee is considering a formal recruitment process and has prepared a role description for Committee members. Expressions of interest will be welcomed from across the Connexion.
5. The Committee appointed Miss Elizabeth Ovey as its representative to the Conference under Standing Order 102(1)(iii).
6. The Committee appointed the Law and Polity Conference Sub-committee under Standing Order 338(6) as follows: the Secretary of the Conference, the Conference Officer for Legal and Constitutional Practice, the Revd Jennifer M Dyer, Mr David Gibson, Miss Elizabeth Ovey, and the Revds Ian Rutherford and Dr James N Tebbutt (Chair).
7. The Committee appointed its Complaints and Discipline Sub-committee for 2021/22, which met in November 2021 to consider a draft report on the findings of the various task groups working on the review of Part 11 of Standing Orders. The Sub-committee recommended that further work be undertaken, and a report on progress with the review is published elsewhere in the Agenda.

8. The Committee has had a very busy year, meeting four times in total: in person in October 2021, and electronically in December 2021 and March and April 2022. The Committee has provided support and guidance on numerous constitutional matters and continues to assist with significant pieces of work being undertaken by the Church. Examples include:

- 8.1 Drafting the guidance and sample resolutions for local churches following the 2021 Conference's confirmation of the provisional resolutions on Marriage and Relationships, to enable Church Councils to vote to register their buildings for the solemnisation of same-sex marriage.
- 8.2 Continuing to advise regarding various aspects of the Oversight and Trusteeship process, including on the constitutional effects of moving charity trusteeship from the Conference to a smaller trustee body and obtaining Counsel's opinion on the proposals.
- 8.3 Advising the Methodist Council on the policy options available to the Council for dealing with requests from church members wishing to leave the Connexion and wishing to acquire their local church buildings at below best price under Model Trust 20.
- 8.4 Assisting the Council in formulating a policy to take account of the 2021 Conference's amendments to Model Trust 14(2A) permitting licences or leases of any duration to be granted to other Christian congregations wishing to use Methodist property for non-Methodist worship.
- 8.5 Assisting the Ministries: Vocation and Worship Team in a detailed review of the Church Stewards, Circuit Stewards and Superintendents' Handbooks.

Individual Committee members have also joined various working groups to assist in reviewing particular processes or guidance, for example candidates' appeals (with representatives of the Ministries Committee) and guidance on marriage and relationships at the back of CPD (with representatives of the Faith and Order Committee).

Further items will be reported in Part 2 of the Committee's report to the Conference.

9. The Chair and Secretary of the Committee are grateful to all the Committee members for their continued support and willingness to assist with the Committee's work.

### \*\*\*RESOLUTION

**8/1. The Conference received the General Report.**

### **SECTION B MINOR AMENDMENTS TO STANDING ORDERS**

As usual, the Committee submits a list of corrections to Standing Orders, consequent upon decisions already taken by the Conference, or to remedy minor errors or omissions.

1. **SO 138 Memorials Committee.** The requirement that the committee meet in a particular place has been removed from line 1 of Standing Order 138(7), but not from line 4.

The Conference is asked to amend Standing Order 138(7) as follows:

**138(7)** The committee shall meet shortly before the meeting of the Conference and its report shall, if possible, be printed for circulation in the Conference. If, however, in any particular year it should seem advisable to the convener of the committee and the Secretary of the Conference the committee may meet ~~in the Conference town~~ on the first day of the Conference.

2. **SO 361 Methodist Church Fund.** Standing Order 366 has been revoked, therefore reference to it needs removing from SO 361(3)(vi).

The Conference is asked to amend Standing Order 361(3) as follows:

**361(3)** (i)-(v) [*unchanged*]  
(vi) payments in accordance with Standing Orders 365 and ~~366~~;

3. **SO 427 Scotland.** The reference to the 'Shetland' Circuit should be a reference to the Lerwick and Walls Circuit.

The Conference is asked to delete the references to 'Shetland' in Standing Orders 427(3)(ii) and (iii) and insert 'Lerwick and Walls' instead.

4. **SO 502 Chairing and Notice of Meetings.** Standing Order 919, dealing with managing trustees' conflicts of interest, has been revoked, and such conflicts are now covered by Standing Order 019A.

The Conference is asked to amend Standing Order 502(10) as follows:

**502(10)** The above provisions of this Standing Order are subject to those of Standing Order 019A ~~and 919~~. If, in compliance with ~~either of the latter~~ **that Standing Order**, the person presiding over a meeting vacates the chair for any business it shall be taken by the person (or next person) present who is entitled to preside under clause (1) or (2) above, is not debarred from doing so by Standing Order 019A ~~or 919(4)~~ and is willing to serve; failing any such person those present shall elect a chair from amongst themselves.

A further set of corrections and modifications will be presented in Part 2 of the Committee's report to the Conference. The Committee has also identified a number of minor and consequential amendments required to the Model Trusts, which will be the subject of a special resolution presented elsewhere in the Agenda.

### \*\*\*RESOLUTION

- 8/2. **The Conference, by way of minor and consequential corrections, amended Standing Orders 138(7), 361(3), 427(3) and 502(10) as set out above,**

## SECTION C CONSULTATION ON SPECIAL RESOLUTION (BENEFITS TO TRUSTEES)

Following the insertion of clause 42A in the Deed of Union and amendments to paragraph 2 of the Model Trusts in 2020, the Committee reported to the Conference of 2021 that the

legislative consultation with the home Districts outside England and Wales under Standing Orders 126(1) and 919A was in progress. The consultation has now been completed and no action is required.

**\*\*\*RESOLUTION**

**8/3. The Conference received the Report.**