

Canon 4 Review Group

For Diocesan Synods 2021

A Consultation on the Election of Bishops

1. Introduction

In the Scottish Episcopal Church, as our name suggests, we look to our bishops for leadership and pastoral care. We seek to appoint to the office those with appropriate gifts and in whom we can affirm their sense of God's call. This means that whilst canonical provision may facilitate this search it is in the end only the framework within which the church enters into prayerful discernment and careful listening for the guiding voice of the Holy Spirit. For this process to work well it requires two vital ingredients that cannot be legislated for in a Canon.

- A cohort of clergy in whom the church has discerned and nourished the potential for senior leadership – people who are themselves exploring the possibility that God may be calling them to one of the senior roles in our Province. This unfolding of vocation should not be dependent upon episcopal or other vacancies; it should be a part of our continuing life as a church.
- Appropriate training for all involved. Training is offered to those who assist in the discernment and selection of our junior clergy, surely it is equally important in the context of choosing our senior clergy.

2. Any process of discernment, especially one concerning senior leadership, should be robust and demanding. It is inevitable that some who generously offer themselves, believing that they may be called to episcopal office, will be disappointed. This means there is all the more reason to conduct the process with kindness and courtesy. As we have consulted we have discovered that, as it stands, Canon 4 has bewildered many and hurt others. Without exception those who have offered feedback have suggested revisions that range from a reworking of the present Canon to a complete reinvention of it. Indeed, our consultation has led us to propose that the Canon must be significantly revised.

3. In this document we outline two options on which we seek the opinions of church members. We shall roll out this consultation firstly to General Synod members then to Diocesan Synods and finally to the wider church membership. Drawing on results of this consultation we shall offer feedback to General Synod in 2021 and, with the approval of the Faith & Order Board, present a new Canon 4 for a first reading at General Synod in 2022.

4. The Present Canon

The principle underlying the present Canon 4 is that a Diocese should choose its own bishop. The Canon is devised to make this possible whilst ensuring involvement from the wider Province and providing a means to bring about a resolution if the Diocese proves unable to elect. A brief summary of the canonical process is offered in the paragraphs that follow – for further details we would refer you to the Canon itself.

5. When a diocese falls vacant the Primus is required to issue a mandate which begins the electoral process. There are precise time-scales laid down in the Canon. A Preparatory Committee consisting of representatives of the diocese, the Province and the College of Bishops (Convened by the Primus or another bishop) considers nominations and aims to provide a short-list of between three and five names for the consideration of the Electoral Synod. The Synod meets the candidates and at a separate meeting seeks to elect a new bishop by a clear majority in both houses (of clergy and laity).

6. Should this first mandate not deliver either a short-list of candidates or a result from the Electoral Synod, the Primus will issue a second mandate which sets in motion a similar process (with a more limited time-scale). If this second stage also does not deliver a result the matter falls to the College of Bishops to elect, according to a process and a time-scale of their own devising.

7. Various objections have been raised about the Canon as it stands – some are listed here:

- It is confusing and unclear.
- Its timescales are too prescriptive and may not be altered at the discretion of either the College of Bishops or the Electoral Synod. There is little flexibility to take account of church seasons, for example, or to delay the start of the process should the previous bishop die suddenly in office.
- The Electoral Synod, which in effect draws its membership from the final Diocesan Synod under the previous bishop, may thus disenfranchise a significant number of clergy who arrive in post after that Diocesan Synod.
- The minimum size of shortlist (three) is considered by some to be too large. Why not allow the Electoral Synod to vote on two or even one candidate should the Preparatory Committee consider them to be suitable? Might discretion be allowed at a later stage in the process to reduce the size of shortlist?
- When a shortlist is produced the candidates' names are made public. Why is this, when in any other clergy appointments confidentiality is considered paramount?
- Once the shortlist is decided and shared with the Electoral Synod, why is it necessary then to wait for a month before the Synod may meet the candidates?
- The Preparatory Committee does its work very thoroughly and produces paperwork to inform the Electoral Synod in its deliberations. Experience suggests that electors sometimes arrive at the Synod having failed to read this paperwork.
- This last point increases the likelihood that the subsequent election will be a 'beauty contest' decided on the basis of how well an individual 'performs' on the day rather than on a whole range of other factors which placed them on the short-list in the first place. (Equally, there is evidence to suggest that some voters have already decided who to vote for before they even hear what the candidates have to say.)
- The voting procedures laid down in the Canon itself seem to press too quickly for a decision. Might it be possible, in the event of stalemate, to allow a vote of both houses together?
- Is a process which depends on a large group of people, many of whom have no experience of the discernment of vocation in others or, for that matter, of making significant appointments in their secular lives really the best way of choosing our bishops in this day and age?

- If the election falls ultimately to the College of Bishops, do members of that College know enough about the context and aspirations of the vacant diocese to make an informed decision?
- Would it not be helpful for all concerned, that once the College has reached a mind, their nominee be presented to the Electoral Synod for a confirmatory vote?

8. Two Options

The Review Group offers two options which we believe address these objections – but in quite different ways. The options are offered in outline only. Following this consultation, a detailed proposal will be offered for full and formal scrutiny by General Synod.

9. Option One – Electoral Synod

The first would offer a significant revision of the present Canon but would retain the Electoral Synod as the key decision-making body.

10. The revised Canon would take account of the objections noted above. In particular, we would want to see the election as one process, activated by one mandate and followed to a conclusion over three possible stages. There would be few timetabling specifics and discretion allowed at each point. At the initial meeting of the Electoral Synod all members of the Preparatory Committee should be expected to be present as well as, ideally, the whole College of Bishops. Training in spiritual discernment and employment good practice should be provided for all involved.

11. As at present, the process would require a Preparatory Committee to produce short-lists, it will provide for up to two full meetings of the Electoral Synod and an election by the College of Bishops as a final resort. The timetable, which could be approved by the Electoral Synod at its preliminary meeting, might set out dates for meetings of the Preparatory Committee, Electoral Synod and College of Bishops (should the latter be required to convene as an electoral body).

12. The deadline for membership of the Electoral Synod should depend on the date of the mandate rather than the previous Diocesan Synod. We would also propose to offer greater flexibility in the voting procedures. We shall seek General Synod's guidance on the size of the shortlist to be presented to the electors and on the question of whether this shortlist should be made public.

13. In favour of this option: This option retains the longstanding tradition in our church that in the first instance the diocese itself elects its bishop. This has long been a central part of our polity and is respected in other Provinces. It is deeply empowering to those bishops elected in this way to know that they have the support of the majority of the clergy and laity of their diocese.

14. Against this option: This option depends on every member of the Electoral Synod understanding the process they are part of and being willing to prepare themselves properly for the decisions they will be called to make. Experience suggests that the present process may sometimes fall down on this point. With a larger number of electors, confidentiality around names and process may be more difficult to maintain.

15. **Option Two – Electoral Council**

The second option would be to replace the Electoral Synod with an Electoral Council.

16. The Council would be a much smaller body than the Electoral Synod but somewhat larger than the present Preparatory Committee. (We shall seek your views on the appropriate size of the Council.) The Province would be represented through members elected by each diocese and through two representatives from the College of Bishops (one of whom would usually be the Primus). Diocesan representatives would be elected by the Diocesan Synod at a specially convened meeting soon after the mandate for the election is issued. We would suggest that membership should be split 60%-40% in favour of the Diocese and, as far as possible, be divided equally between clergy and laity. This electoral process and the subsequent work of the Council would normally be overseen by the Primus. Training in spiritual discernment and employment good practice should be undertaken by all members of the Council.

17. As with the Preparatory Committee in the present Canon, we would expect Council members to familiarise themselves thoroughly with the life and mission of the diocese not least through a Diocesan Profile provided by the diocese. The Council should be free to determine the details of its appointment process but it would be required to seek nominations and applications and, through a prayerful process of interviews and consultation, to elect the new bishop. This whole process would remain confidential and only the elected candidate's name would be announced.

18. In favour of this option: Whilst retaining direct diocesan involvement in the process, the task will be undertaken by a group of people chosen on the basis of their gifts and experience and who are willing to offer considerable time to the responsibilities entrusted to them. The smaller number involved means that confidentiality should be more easily maintained. The resulting process, though robust, would be far kinder to the candidates.

19. Against this option: This option departs from the long-established practice that each diocese, every charge represented, elects its bishop. There may be a feeling of disenfranchisement and therefore a lack of 'buy in' amongst those not elected to the Council who may fear that their tradition or point of view will not be given proper weight.

20. **Consultation with General Synod and the Wider Church**

The Review Group believes that both the above options have merits and before offering a draft Canon for first reading we seek to assess the mind of our church. The importance of this question should not be underestimated. The Episcopal Church that emerged from the eighteenth century was a church in which the clergy and people of each diocese elected their own bishop. The first option more clearly reflects this position; the second would introduce a significantly new approach for the SEC – although variants on this model already exist in other parts of the Anglican Communion. Do either of these options command wide support?

21. We offer this consultation to encourage a full and wide debate on this question in Synods and Vestries as well as amongst individuals. Once a Canon is offered for first reading

it will be subjected to a formal round of scrutiny at Provincial and Diocesan level. As you will see, the feedback paper seeks your input both about your preferred option and on one or two consequent matters.

22. Once we have this feedback we can move to the detailed working-out of whichever option finds favour and, with the help of the Canons Committee and the consent of the Faith & Order Board, bring a Canon for first reading in 2022.

23. One Final Point

We propose that whatever the preferred option the Canon should be accompanied by a commentary and guidelines (authorised under a resolution of the Canon) which establish principles for good process and care of all involved. Having listened carefully to those who have experienced the present Canon we have done some preliminary work on these guidelines. We offer a brief example of commentary and guidelines as an appendix to this paper. The final and full draft of this document will, of course, depend on the preferred option for revision of Canon 4.

11/12/20

Canon 4 Review Group

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CANON 4: GUIDELINES or COMMENTARY TO ASSIST PREPARATORY COMMITTEES AND ELECTORAL SYNODS

Below are examples of possible *Guidelines or Commentary* which could be used to accompany Sections of Canon 4, in order to assist Preparatory Committees and Electoral Synods with implementation.

Section 11 - Business of the Preliminary Meeting (of the Electoral Synod)

“At the Preliminary Meeting the Convener shall explain to the members of the Synod the working of the process under this Canon.”

Electing a bishop is one of the most important moments in the life of a Diocese and a key responsibility of the Electoral Synod. It requires time and commitment from every elector and candidate.

As an election, it is a process governed by the Canons of the SEC; however, it is also a process of choosing someone whom God is calling to serve, a process of vocational discernment by the preparatory committee, the electoral synod, and the candidates. It requires faithful prayer even more than it requires correct procedure.

Offering oneself as a candidate is itself a vocation, as is serving as an elector. The entire process, not just the final Election, is about Discernment.

Attentiveness to the leading of the Holy Spirit by everyone involved needs prayerful reflection and silence as well as listening and speaking. The meetings of the Electoral Synod begin with the Eucharist, during which the Synod should pray for the guidance of the Spirit, and the candidates should be prayed for by name. But prayer should be allowed for at other times. These might include the beginning and ending of meetings, before and after meeting a candidate in interview, and before any ballot.

Prayers for Guidance

Almighty God,
forasmuch as without thee
we are not able to please thee:
mercifully grant that thy Holy Spirit
may in all things direct and rule our hearts;
through Jesus Christ, our lord.

Gracious God and faithful Shepherd,
guide and direct us as we elect
a new Bishop in the Diocese of *****.
Increase in us the gifts of discernment and understanding.
Open our minds to the leading of your Holy Spirit
as you guide us and our candidates.
Help us to see afresh the mission and ministry
to which you have called this Diocese,
and to discern your call
in the one who will lead and serve us;
through Jesus Christ, our Lord.

Section 15 - Work of the Preparatory Committee

“The Preparatory Committee may interview prospective candidates; and may use such other means as it may see fit to employ.”

It is important that candidates are regarded as persons offering themselves for Discernment, and not as applicants for a position. This requires careful respect and support for them and their spouses, including warm and detailed communication, whether in writing or in person, and thanks that they are offering themselves as a candidate.

When called for interview or to meet the Electoral Synod, a candidate’s spouse (if applicable) should also be invited. Someone should be appointed to welcome and look after each candidate on their arrival and afterwards, including guiding them to the place of interview. Candidates should have been offered full accommodation and hospitality in a hotel; full repayment of travel expenses; a tour (limited by time and distance) to part of the Diocese; a visit to the Bishop’s House and information about its locality (e.g. schools for those with children); and detailed information about the timings and structure of their meeting with the Preparatory Committee or the Electoral Synod.

“The Preparatory Committee shall provide a curriculum vitae, prepared by each candidate; a statement from each, in the form of responses to a questionnaire prepared by the Preparatory Committee and completed by each candidate.”

Because communication skills are important for a bishop, members of the Preparatory Committee and, for shortlisted candidates, members of the Electoral Synod, have the opportunity to see how nominees answer important questions in writing. For fairness, completed questionnaires should be distributed to the Preparatory Committee or Electoral Synod at the same time for all candidates, if possible.

It is important that candidates’ responses to the questionnaire are read carefully by the members of Preparatory Committee and Electoral Synod, their contents kept confidential, and that interviews should make some reference to what they have written.

Section 19 - Meeting of the Electoral Synod with Candidates

“The candidates will be introduced to the meeting by the Convener, and the meeting will proceed as the Convener may direct and as prescribed by Resolution under this Canon.”

Candidates should receive in advance full information about the timings and structure of their meeting with Electoral Synod, where they will wait, and in what order they will speak and answer questions. They should be asked in advance if they have special requests in relation to their presentation, or their spouse have any other special needs, for example in relation to diet or mobility.

Canon 4 Review Group Consultation with Church Members

In order to answer the questions posed in this questionnaire, please read the Canon 4 Review Group Consultation first.

In its consultation paper, the Canon 4 Review Group offers two options for the revision of Canon 4. Here we seek your response to these options and several other matters. We hope this survey will offer clear direction to the Canon 4 Review Group as we prepare a Canon for possible first reading in 2022.

Your feedback will remain confidential to the Canon 4 Review Group.

***Required**

In what capacity are you responding to this survey?

1. Are you responding on behalf of a group or as an individual?

Mark only one oval.

- Group *Skip to question 2*
- As an individual *Skip to question 4*

Group

2. In what capacity are you responding to this survey? *

Mark only one oval.

- On behalf of the Diocesan Synod *Skip to question 6*
- On behalf of the Vestry *Skip to question 6*
- Other (on behalf of another group) - please state *Skip to question 3*

Other (on behalf of another group) - please state

3.

Skip to question 6

As an Individual

You have selected that you are responding on your own behalf. We would like to know whether you are also a member of another Church body.

4. Please tick all those that applicable to your response

Tick all that apply.

- General Synod Member
- Diocesan Synod Member
- Vestry Member
- Church Member
- Other eg. member of a provincial Board or Committee

If you selected OTHER

Please state any role that might apply

5.

Proposed Revision of Canon 4

6. Question 1a - Canon 4 Revision *

The consultation paper proposes that Canon 4 should be revised in one of two ways. You may, however, prefer to retain the present Canon 4 or to make other suggestions. Here you are invited to indicate and explain your preference.

Mark only one oval.

- Electoral Synod
- Electoral Council
- Retain the present Canon 4
- None of these options

7. Question 1b - Additional Comments

If you would like to explain the reasons for your preference please do so here

**Further guidance -
Electoral Synod
(Option 1)**

If it is decided to retain the Electoral Synod (Option 1), the Review Group will welcome your guidance on two consequent matters.

8. Question 2a - Shortlist *

Shortlist. The Consultation Paper explains that the present Canon requires an election shortlist of candidates numbering no less than 3 and no more than 5. Some have argued that this is too large and that there should be scope to reduce the number with only one candidate being appropriate on some occasions. What do you think?

Mark only one oval.

- There should be a shortlist of between 3 & 5
- There should be no minimum number
- There should be discretion to vary the size of shortlist

9. Question 2a - Additional Comments

If you would like to explain the reasons for your preference please do so here

10. Question 2b - Publication of Shortlist *

Publication of Shortlist. At present the shortlist of candidates is made public prior to the election. Would you like this practice to continue?

Mark only one oval.

Yes

No

11. Question 2b - Additional Comments

If you would like to explain the reasons for your preference please do so here

Further guidance - Electoral Council (Option 2)

12. Question 3a - Electoral Council *

If it is decided to replace the Electoral Synod with an Electoral Council (Option 2), the Review Group would welcome your thoughts on how large this Council should be. The proposal is that it include representatives of the Diocese; representatives from the Province and the College of Bishops - weighted in favour of the diocese 60:40. Please indicate what you believe would be an appropriate size for this Electoral Council ?

Mark only one oval.

20 people

30 people

13. Question 3b - Additional Comments

If you would like to explain the reasons for your preference please do so here

Name of person completing form

Supplying an email address is optional

14. Name *

15. Email Address

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