

## 43/17 Composition, Purpose and Role of Synod

(A report from the Standing Committee.)

### Key Points

- The Committee appointed by Standing Committee has responded to the request of Synod resolution 43/17 regarding the composition, purpose and role of Synod.
- The idea of a Synod is not found in the Scriptures except arguably in Acts 15 with the gathering of the disciples in Jerusalem to decide issues surrounding the Gentile mission. This does not lower the importance or value of a Synod but simply means that its specific purpose, role and composition are not prescribed in Scripture but instead flow out of our common theological convictions. In that light, our Synod represents the theology and especially ecclesiology of the Diocese of Sydney.
- Therefore, the purpose of the Synod could be summarised –
 

*To support the Christian witness of the parishes of the Diocese, as well as the organisations complementing the ministry of the parishes, by making decisions to promote and govern our common life and mission.*
- In addition to providing a time for diocesan-wide fellowship through shared Bible teaching and prayer it is generally agreed that the role of the Synod of the Diocese of Sydney is five-fold:
  1. *Receiving reports on the progress of our commonly agreed mission and other issues as well as reports and audited accounts from the diocesan organisations;*
  2. *Fostering accountability on the part of parishes and organisations to the teaching of Scripture, the Anglican formularies and our commonly agreed mission both in policy and practice;*
  3. *Making ordinances for the good governance of the Diocese;*
  4. *Passing resolutions and making policy that express the collective mind of the members; and*
  5. *Electing persons to diocesan bodies (of which there are currently about 50).*

### Purpose

1. The purpose of this report is to respond to the request of Synod resolution 43/17 regarding the composition, purpose and role of Synod.

### Recommendations

2. Synod receive this report.

### Background

3. At its session in October 2017, the Synod passed resolution 43/17 in the following terms –
 

‘Synod asks the Standing Committee to bring a report to the October 2018 session of Synod on the composition, purpose and role of Synod.’
4. At its meeting on 12 February 2018, the Standing Committee constituted a committee (the Committee) to undertake the work requested in Synod resolution 43/17 and to provide a report, including relevant theological reflection, distinguishing between matters of biblical imperative and matters of diocesan polity, and explicitly addressing the role of the Synod in relation to diocesan organisations. The Committee members appointed were –

Dr Laurie Scandrett  
Canon Phillip Colgan  
Mrs Jeanette Habib  
Mr Doug Marr

Dr Robert Mackay  
The Rev Dr Mark Thompson  
Bishop Michael Stead, and  
The Diocesan Secretary (Mr Daniel Glynn).

Sadly, Dr Mackay passed away on Monday 3 September 2018. Standing Committee did not appoint a replacement.

## Introduction

5. In responding to the request of Synod to report 'on the composition, purpose and role of Synod', it is worthwhile briefly understanding each term. The Committee took the view that **purpose** in this case refers to the objective responsibilities of the Synod (e.g., legislative), while the **role** of Synod is broader and includes the less quantifiable outcomes (e.g., Diocesan wide fellowship and dialogue). While **composition** relates to membership, it is supposed from the resolution that there is a question as to whether the composition of Synod provides suitable membership to meet the purpose and role of Synod.
6. The Committee reviewed the following legislation for statements regarding the subject matter –
  - (a) the *Church of England Synod Act 1866*,
  - (b) the [Anglican Church of Australia Constitutions Act 1902](#), and
  - (c) the [Synod Membership Ordinance 1995](#).
7. The Committee also reviewed the following reports provided to the Synod in recent years –
  - (a) the [Future Form of Synod Meetings preliminary report to the Archbishop](#) (1995) (**1995 Report**), and
  - (b) the [Future Form of Synod Meetings report from the Standing Committee](#) (1997) (**1997 Report**).

## Past consideration of this matter

8. The 1995 Report, which was provided to the Synod of that year, flowed from a Committee that had been established to advise the Archbishop as to the form of future Synod meetings. That report identified the historical reasons for the development of synodical government as being –
  - (a) the need felt by the Australian Bishops of 1850 to have a governance structure that would be suitable for the Australian colonies,
  - (b) in the absence of a strong ecclesiastical structure as in England, to involve powerful laity in the temporalities of the Church,
  - (c) to provide an acceptable balance in the relationship between bishop and clergy, and
  - (d) in view of doubts as to the validity of the Letters Patents issued to the Australian Bishops, to provide a legally recognised forum that could make decisions as to the 'temporalities of the Church' (shortly stated as 'to pass legislation affecting the property of the Church').
9. Ultimately, the 1995 Report came to the conclusion that there are four aims of Synod, being –
  - (a) to be a body to give the Archbishop and the administrators of the Church's affairs a representative view of the feelings of the Church members,
  - (b) to be a body which acts as a conduit permitting the transmission of the Archbishop's, clergy and parish visions of the Church to each other,
  - (c) thence to be a body which formulates diocesan policies, and
  - (d) to pass legislation which promotes the growth and maintenance of the Church in accordance with the vision of those involved as expressed in diocesan policies.
10. The 1997 Report, from the same Committee that produced the 1995 Report, noted that no member of the Synod had made any adverse comment on the four aims of Synod articulated in the 1995 report.

## Review and restructure

11. A review of these materials shows that there is no single authoritative statement that defines the purpose or role of the Synod. Previous attempts to do so (in the 1995 and 1997 reports for example) relied to a large extent upon a review of the legislative powers of Synod, its functions, its membership, its history, generally how it spends its time (or functions) and the theology related to the Synod.
12. In order to 'report on the composition, purpose and role of Synod', this report provides a current review and discussion of the matter under the headings of –
  - Theology
  - A Brief History of Synod
  - Current Framework
  - Purpose, Role and Composition
  - Current composition
  - Conclusions

## Theology

13. The New Testament does not mandate one particular mode of church government. Timothy is reminded of how a council of elders were involved in setting him apart for gospel ministry, led as they were 'by prophecy' (1 Tim 4:14). Titus, on the other hand was reminded that he had been charged with appointing elders in every town in Crete (Tit 1:5, where the sense seems to be an elder in each town but it may indeed mean more than one). The qualification lists in the Pastoral Epistles are most naturally read as indicating a twofold notion of 'office' (overseer and deacon, 1 Tim 3; elders from among whom some are overseers, Tit 1). However, this is nowhere taught as if no other configuration is possible or appropriate. What is more, such an exercise of a ministerial 'office' does not eliminate the voice of the congregation as a whole — older women, older men, younger men (Tit 2); playing a role in the evaluation of prophecy (1 Jn 4:1) and in the administration of discipline (2 Thess 3:14). Over each of these roles or offices stands the ministry of the apostles, as foundational authorities commissioned by Christ himself.
14. This more general pattern of particular, authorised and acknowledged offices of ministerial leadership and the active participation of the people of God in the governance of the church is reflected in the narrative of Acts as well. In Acts 1 the 120 disciples gathered in the upper room were led by Peter and the other apostles but were all involved in the commissioning of a replacement for Judas (vv. 13–15). In Acts 6 the apostles called together 'the full number of the disciples' to decide how to handle the crisis about the daily distribution and the Greek widows. However, it is clear that 'the Twelve' had a leadership role that was not subsumed by, but rather was exercised in the midst of, the gathering of this larger group. In Acts 11 'the church in Jerusalem' sent Barnabas to Antioch. In Acts 13 the work of the Holy Spirit in separating out Barnabas and Saul for specific ministry work took place in the midst of a gathering of the church at Antioch. In Acts 15 a council of the apostles and elders gathered together to consider the Gentile mission of Barnabas and Saul. Yet there was clearly a leadership role within that group exercised by James (vv. 13–21).
15. The two theological truths that are held together in this way are (1) God's gift of particular people to serve for the edification and good order of the churches and (2) the priesthood of all believers, by which every believer has direct, unmediated access to God in Christ. Neither of these truths must undermine the other, whether by a notion of priestly or episcopal leadership that operates on its own prerogative, or by a view of democratic governance that ignores or minimises the dignity and authority of the office or offices of leadership provided by God.
16. It is worth recognising that the New Testament has little sense of anything resembling our diocesan organisation (let alone a national church or the Anglican Communion). The church, as the New Testament conceives of it, is the local gathering of believers, a manifestation on earth of the gathering of all believers around Christ in heaven. The dignity, purpose and privilege attributed to the church in the New Testament belongs to the local congregation rather than a larger institutional fellowship of congregations. Yet just as this priority of the local congregation over the larger organisation that supports and resources it seems an obvious implication of the New Testament teaching about church as 'gathering', so too the New Testament strongly counters any notion of independency, where there

are no relationships or obligations to those beyond the local congregation. Paul called on the Gentile Christians to share their relative wealth with the needy Jewish Christians in Jerusalem (e.g., Rom 15:27) and on individual congregations to whom he wrote to pass on his letter to them to other congregations nearby (Col 4:16).

## A Brief History of Synod

### General

17. Synodical government is not a new thing. In various complexions it arguably goes back to the New Testament itself and the gathering of the disciples in Jerusalem in Acts 15 to decide issues surrounding the Gentile mission. In the early church councils (*concilia*) and synods (*synodoi*) were held, with little differentiation between the use of the terms. Over time a conventional distinction was made between councils, which were more irregular, convened to deal with a particular threat or heresy (sometimes convened even by the Emperor, as in the Council of Nicaea AD 325), and synods that were gatherings of bishops in a local area.
18. The early synods were essentially meetings of bishops, with a few other clergy and even fewer laypeople (e.g., the Emperor) in attendance. In the English church, one of the oldest recorded synods is the Synod of Whitby (664), which settled the date of Easter, and was attended by bishops and by King Oswiu of Bernicia and Northumbria. The first general synod of the English church, the Synod of Hertford (672) was part of the ecclesiastical reorganisation of the English church by Archbishop Theodore (of Tarsus) (668–90). It was attended by five bishops.
19. A reorganisation of these ‘church assemblies’ by Archbishop Stephen Langton in 1225 and the Convocation of Canterbury established its traditional form (bishops, abbots, deans and archdeacons, with two priests from each diocese) in 1283 under Archbishop Peckham. Originally all met together, but in the fifteenth century they were divided into two houses: the ‘Upper House’ of convocation made up of bishops only, and the ‘Lower House’ comprising the other clergy. The Convocations of Canterbury and York remained throughout the Reformation and were restored in 1660 following the restoration of the monarchy and episcopacy.
20. In 1885 a ‘House of Laymen’ was introduced, with members elected by the Diocesan Conferences. This arrangement continued until the *Church of England Assembly (Powers) Act of 1919* created the Church Assembly with a House of Bishops, a House of Clergy (all members of the lower house of Convocation), and a House of Laity (elected by Diocesan Conferences). The Assembly did not pass church law but rather prepared measures that would then be submitted to the British parliament. In 1969 the Church Assembly was superseded by the General Synod that meets at least twice a year. By the terms of the Synodical Government Measure 1969, which established the General Synod, doctrinal and liturgical matters can only be approved in terms proposed by the House of Bishops. By the same measure, Diocesan Conferences were replaced by Diocesan Synods, presided over by the local bishop.

### Australia

21. The Australian church was originally led by chaplains sent from England. In 1825 Thomas Scott was appointed Archdeacon of Australia, nominally part of the Diocese of Calcutta. In 1829 William Grant Broughton replaced Scott as Archdeacon of Australia, and seven years later was consecrated Bishop of Australia. He presided over his sprawling and growing diocese with the assistance of his clergy, especially a small number of influential clergymen such as William Cowper, and, for a very brief period of time, the aging Samuel Marsden.
22. In 1850 Bishop Broughton convened a conference of bishops (Broughton [Sydney], Perry [Melbourne], Nixon [Tasmania], Tyrrell [Newcastle], Short [Adelaide] and Selwyn [New Zealand]) to consider the organisation of the Church of England in Australasia. Selwyn had first gathered his clergy together as a synod in 1844. The conference raised the question of establishing synods but disagreed about the details. It was suggested that ‘many questions of great importance to the Church of England in these colonies ... could not be satisfactorily settled without the establishment of duly constituted provincial and diocesan synods’ (*SMH* 18 Feb 1865, p. 8). There was, however, firm agreement that the synods should consist only of the diocesan bishop and his clergy. ‘The laity could meet at a separate

convention' (Tom Frame, *Anglicans in Australia*, [2007], page 73). However, following a stormy meeting of key laymen, the proposal was modified to include the laity in the governance of the church. However, attempts to promote the proposal through the British parliament got nowhere.

23. Adelaide was the first to act. Bishop Short introduced synodical government in October 1855, based on a consensual compact. Melbourne went a different route around the same time, introducing its own synod with the backing of an Act of the Victorian Legislative Council. In New South Wales, the parliament was not so amenable, concerned as it was to prevent establishment, and there were differences between Sydney and Newcastle about how any such move should be implemented. The first Sydney Diocesan Conference met in 1858 and a bill was drafted to go to the NSW parliament. The bill made it through the Legislative Council with minor amendments proposed by a select committee but was never presented to the Legislative Assembly. When the Diocese of Goulburn (now Canberra-Goulburn) was created in 1863, and following discussions between all three New South Wales bishops, new efforts were made.
24. On 27 December 1864 Bishop Barker issued an invitation to the clergy of the diocese 'to meet lay representatives of the various parishes, for the purpose of considering the subject of synodical action'. At that time, each of the clergy represented had responsibilities in parishes in the Diocese (all believed to be incumbents). The meeting took place from Monday 6 February to Thursday 16 February 1865. A Sydney diocesan conference was held in September 1865. It resolved to appoint a committee 'to frame a code or body of fundamental constitutions of the synod proposed to be created for the good government, general management, and regulation of the United Church of England and Ireland within this colony, on the basis of the provisions of the bill introduced into the Legislative Council in the session of 1859–60, as amended by the select committee to which it was referred' (*SMH* 18 Feb 1865, p. 8).
25. *The Church of England Synod Act 1866* was the first legislative enactment of synodical government in New South Wales. The Constitutions annexed to this Act, in clause 3, expressed the powers of the Synod as –

*...to make Ordinances upon and in respect of all matters and things concerning the Order and good Government of the United Church of England and Ireland and the Regulation of its affairs within the Diocese including the management and disposal of all Church property, moneys and revenues (not diverting any specifically appropriated or the subject of any specific trust nor interfering with any vested rights) and for the election or appointment of Churchwardens and Trustees of Churches, Burial Grounds, Church Lands and Parsonages ...*

However, they also provided for an important expression of episcopal leadership alongside synodical governance –

*... no such ... Ordinance shall take effect or have any validity unless within one month after the passing of the same the Bishop shall signify to the Synod his assent thereto Provided also that any such ... Ordinance to which the Bishop shall not assent may be the subject of reference to any determination by any Provincial Synod composed of the Representatives of the Diocesan Synods of the Colony of New South Wales in manner hereinafter provided.*

26. On Wednesday 5 December 1866 the first Sydney Synod met in the Church Society's House in Phillip Street. In his Presidential Address, Bishop Barker remarked,

*These works [he had just listed 'the principal subjects which will occupy our attention on the present occasion'], if somewhat secular, are yet necessary and valuable, and as means to a higher end deserve a portion of our time and of our careful consideration. Yet are they but the means—the scaffolding of the temple. We may frame an orderly system of government; patronage, discipline, and endowments may be wisely arranged; yet is this but the machinery, we want the motive power. We may by the liberality of our gifts, by prudence and diligence in labour, become prosperous outwardly, may have a name to live, and yet before God be dead. A Church does not live by external acts, but by the indwelling spirit, animating, informing, quickening, and enlightening its members; without this it is dead. 'A Church dies when it does not testify for God, does not maintain Christ's truth, is not instinct with the Spirit.'*

*Then let us, my rev. brethren, keep ever in view the great end of our ministry, which is the salvation of souls. Suffer me to remind you of your ordination engagements, of your promises to be diligent in prayer and in the reading of the Holy Scriptures, laying aside the study of the world and of the flesh, to be in yourselves and in your families wholesome examples and patterns to the flock of Christ, that thus giving yourselves wholly to these things, you may be enabled so to see for Christ's sheep that are scattered abroad, that they may be saved through Christ forever.*

*And from you, my brethren of the laity, we look for much. We look for your forbearance, for we often need it. We look for your prayers that our hands may be upheld. We look for your co-operation, that you would willingly take upon yourselves those secular duties which occasionally press too heavily on the pastor, and that in all matters of finance you would leave him without carefulness by your care on his behalf. We desire for you that, as fathers in the family, masters among your servants, and members of the community, you would help forward the work of the ministry.*

*If in this Synod we meet as a united and praying body, I have no fear for the result. The advantages we enjoy as members of the Church of England supply great additional means for usefulness. Our Apostolic order and descent, our Scriptural ordinances, and the strong hold our beloved Church maintains over the affections of her members, are a vantage ground from which we may hope to wage successful war against ignorance, irreligion, and vice. But in order to this success we must be united, sympathising, prayerful. Let us be so, and the work of the Lord will go on. And let me remind you, my brethren, that the progress of the work is the one chief thing to be kept in view. (SMH Thursday 6 December, 1866, p. 5)*

27. Six years later (1872), the first General Synod of the Church of England in Australia met in Sydney.

28. The legislative regulation of the affairs of the Synod was effected by the historical *Anglican Church of Australia Constitutions Act (1902)* (NSW Private Act). The first three clauses of that Schedule 1 set out the framework –

**1. Diocesan Synod to be held**

*The members of the Anglican Church of Australia in any Diocese within the State shall meet in Synod as hereinafter provided.*

**2. President and time of holding**

*The Synod in each Diocese shall be convened in the manner herein provided, save in so far as the same may be altered by a Synod acting under the provisions hereinafter contained. And such Synod shall be convened and holden once in every year by summons of the Bishop of the Diocese, stating the time and place of meeting. And the Bishop of the Diocese, or in his absence a commissary appointed by him in writing, shall be president of the Synod, and may adjourn, prorogue, and dissolve the same with the concurrence of the Synod. And a new Synod shall be elected and convened at least once in every three years. And it shall not be lawful for the president to vote on any question or matter arising in the Synod. And the provision hereinbefore contained shall be applicable to any Diocese which may be hereafter constituted within the State.*

**3. Power of Synod generally**

*The Synod of each Diocese may make ordinances upon and in respect of all matters and things concerning the order and good government of the Anglican Church of Australia and the regulation of its affairs within the Diocese, including management and disposal of all Church property, moneys, and revenues (not diverting any specifically appropriated, or the subject of any specific trust, nor interfering with any vested rights), except in accordance with the provision of any Act of Parliament, and for the election or appointment of churchwardens and trustees of churches, burial grounds, church lands, and parsonages. And all ordinances of the Synod shall be binding upon the Bishop and his successors, and all other members of the Church within the Diocese, but only so far as the same may concern their respective rights, duties, and liabilities as holding any office in the said Church within the Diocese.*

29. The Constitution in the schedule of the 1902 Act prescribed that the membership of the synod included each incumbent ('each clergyman licensed to a separate cure of souls' – clause 8) and two representatives elected at a meeting of the parish convened for that purpose (clauses 8-11). The membership of synod also included those summoned under clauses 14 and 15 –

**14. Summoning of Chancellor and Registrar**

*The Bishop shall summon to the Synod as members thereof the Chancellor and the Registrar of the Diocese, who shall have the same rights, powers, and privileges as representative members, and may, also, summon such clergymen holding distinct official positions in the Diocese as the Bishop may determine: Provided that for every clergyman so summoned, a layman shall be elected as a representative member under regulations of the Synod made for the purpose.*

**15. Representation of St. Paul's College**

*The Warden of St. Paul's College, within the University of Sydney, shall always be summoned to the Synod of that Diocese as a clerical member thereof, and two lay members of the Church, to be elected by the council of the said College from amongst themselves, shall likewise always be summoned to such Synod as representative members thereof ...*

30. As a result, the membership of the Synod between 1902 and 1995 consisted of one incumbent and two representatives from each parish, the Chancellor, the Registrar, the representatives of St. Paul's College and a number of other clergy 'holding distinct official positions' summoned by the Archbishop, with the same number of laypersons elected by the Synod.

## Current Framework – *The Synod Membership Ordinance 1995*

31. Clause 29 in the schedule of the 1902 Act allows the schedule to be amended by an ordinance passed by the Provincial Synod of NSW and ratified by the General Synod. The *Provincial Synod Constitution Ordinance 1994*, having been adopted by all Diocesan Synods in New South Wales, was ratified by the *New South Wales Constitution Ratification Canon 1998*. This ordinance replaced the 29 clauses of the schedule with a reorganised, modernised and simplified version.

The *Anglican Church of Australia Constitutions Act 1902* now provides in clause 2 of the Schedule –

- (1) The Synod of each Diocese may make ordinances upon and in respect of all matters and things concerning the order and good government of the Anglican Church of Australia and the regulation of its affairs within the Diocese subject only to the *Anglican Church of Australia Constitution Act 1961* and any other Act in force in this State.
- (2) All ordinances of the Synod shall be binding upon the Bishop and the Bishop's successors and all other members of the Church within the Diocese, but only so far as the same may concern their respective rights, duties, and liabilities as holders of any office in the Church within the Diocese.

32. Clause 6 of Schedule now provides significant latitude to the Synod of each diocese to determine (by ordinance) the classes of person who form the membership of the Synod. Clause 5 presupposes that the Synod will consist of 'clergy' and 'other members', in that it prescribes the circumstances that require a vote by separate houses of clergy and laity. There is now nothing in the Constitution itself that stipulates that Synod membership for either laity or clergy be on the basis of 'parish representation', nor that clergy representatives be limited to incumbents of parishes, or a two-to-one ratio between lay and clerical representatives. Another change to the Constitution is the rule that the Archbishop is the President of the Synod, who is not entitled to vote on any question before the Synod. These matters have been incorporated in the *Synod Membership Ordinance 1995* and, in relation to the role of the President, to the *Synod Standing Orders Ordinance 2019*, which allows the President to take part in debate (rule 4.2(2)) but retains the rule that he is not entitled to vote (rule 1.3).

33. In anticipation of the ratification of the changes to the Schedule of the *Anglican Church of Australia Constitutions Act 1902*, the Synod passed the *Synod Membership Ordinance 1995*. This ordinance

broadly reflected the principles of the original Schedule (i.e., parish representation; incumbents only; clergy to laity in a two-to-one ratio), but also introduced a new category of membership – ‘Part 6-Chief Executive Officers of Nominated Organisations’. It also limited the number of ‘nominated ministers’ that the Archbishop could summon under Part 7 to ‘10% of the total number of Parochial Ministers determined on 1 January in the calendar year in which the first session of that Synod is to be or was held.’ (s.32[2]), which was to be balanced by the same number of ‘Nominated Laypeople’ appointed under Part 8. Part 9 replicated the previous rules with respect to the Chancellor, the Registrar and representatives from St Paul’s College.

34. The *Synod Membership Ordinance 1995* has since been amended in 1997, 2000, 2003, 2004, 2006, 2009, 2013, 2014, 2015, 2016, 2017 and 2019. These amendments have added Indigenous Representation (Part 8A), expanded the categories of persons recognised under Part 9, allowed for ‘alternates’ for clerical and lay representatives and changed the Part 7 calculation to ‘10% of the total number of Parochial Units’ (rather than Parochial Ministers).

## **Purpose, Role and Composition**

35. While the concept of a modern Synod as we understand it is not found in the Scriptures, this does not lower its importance or value but simply means that its specific purpose, role and composition are not prescribed in Scripture but instead flow out of our common theological convictions. In that light, while a review of the historical role of synods is of some value, the Synod of the Diocese of Sydney will represent the theology and especially ecclesiology of the Diocese of Sydney.
36. Therefore, the purpose of the Synod could be summarised –
- To support the Christian witness of the parishes of the Diocese, as well as the organisations complementing the ministry of the parishes, by making decisions to promote and govern our common life and mission.*
37. In addition to providing a time for diocesan-wide fellowship through shared Bible teaching and prayer it is generally agreed that the role of the Synod of the Diocese of Sydney is five-fold –
1. Receiving reports on the progress of our commonly agreed mission<sup>1</sup> and other issues as well as reports and audited accounts from the diocesan organisations;
  2. Fostering accountability on the part of parishes and organisations to the teaching of Scripture, the Anglican formularies and our commonly agreed mission both in policy and practice;
  3. Making ordinances for the good governance of the Diocese;
  4. Passing resolutions and making policy that express the collective mind of the members; and
  5. Electing persons to diocesan bodies (of which there are currently about 50).
38. It is important to highlight the Synod’s responsibility, expressed in each of those five roles, in the stewardship of our collective resources for the furtherance of the mission of Christ. The Synod, which is primarily a representative gathering of the parishes, determines the financial contribution of the parishes to the activities of the mission and the structures that facilitate it (welfare agencies, theological colleges, central administration, episcopal ministry). It also determines the distribution of the available resources to these various bodies and activities. The Synod also passes ordinances and policies that establish and regulate our diocesan organisations.
39. One of the difficulties in considering the role, purposes and especially the composition of the Synod is that it does not fit neatly into any one category. The Synod is more than a governing body (e.g., a school council or board of Moore Theological College), yet it is not strictly speaking a ‘house of representatives’. Instead it falls somewhere between these two types of bodies. While the Synod is similar to a ‘house of representatives’ it differs in the fact that no member of Synod is there to represent specific interests of those they represent (be it parish or organisation) but rather to act in accordance with the best interests of the whole Diocese being answerable to the Synod. However,

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<sup>1</sup> Our commonly agreed mission is currently expressed by our Diocesan Mission.



as a 'representative' of a parish or organisation the expression of differing or alternative views arising from individual interests helps inform Synod in its decision making. Every parish has the right and duty to send representatives to the Synod. Historically, this does not take into account the relative size of a parish (i.e. a parish of 1,000 members has the same representation as a parish of 100 members) making the Synod more akin to the Senate than the House of Representatives in the Australian parliament. However, given the comments above it seems that the current model is the most appropriate model.

40. Assumed in the above purposes and roles is the understanding that the Synod is primarily a representative gathering of the parishes. This is reflected in the longstanding decision of the Synod that all parishes are guaranteed representation on the Synod. Representatives of diocesan organisations, whose ministry complements the work of the parishes, are also included in the Synod membership because of the perspectives they bring that benefit the Synod regarding the wider life, work and mission of the Diocese. However, under the Constitution, the Synod can determine from time to time the composition of its membership across all categories or classes.
41. In that light, there is also merit in having the involvement and input at Synod of certain diocesan organisations that make a significant contribution to the gospel work in the life of the Diocese (such as Moore College, Anglicare, Anglican schools and Youthworks). One might argue that while the Diocese is a fellowship of parishes, such organisations are joint initiatives of the Diocese, which are shaped and directed through the Synod. Historically this has been reflected in Part 6, by including the CEOs of certain diocesan organisations in the membership of the Synod.
42. Importantly (and the reason why not all organisations need to be represented at Synod), the primary connection of Synod to diocesan organisations is not through such organisations having members appointed to the Synod. Instead it is through the Synod's election of Council and Board members who are responsible to exercise governance in accordance with their constituting ordinance passed by the Synod, and answerable to the Synod through the submission of Annual Reports.
43. Unlike some other dioceses where all clergy are summoned to Synod, only Rectors are invited to the Sydney Synod (by right). This again reflects the priority of viewing the Synod as primarily representative of the parishes. However, Synod benefits from the input of clergy who are not currently Rectors (long-term assistants, chaplains etc). These clergy can be called by the Archbishop under Part 7. Part 8 ensures that for every additional clergy person summoned one additional layperson is also appointed. In this way, the membership of Part 7 and Part 8 do increase the proportion of clergy on Synod (given that parishes generally appoint 2 lay representatives for every 1 clergy).
44. However, Synod membership should always be structured such that the overwhelming majority of members are parish representatives. Over the last 100 years, Synod membership has evolved to the point where membership of Synod by non-parochial representatives forms about 10% of the membership. In the light of the history and ecclesiology of the Diocese, this rule of thumb (while not a hard rule) provides a helpful check for determining the appropriate balance of the Synod. That is, non-parochial representatives should generally form no more than about 10% of the membership of the Synod.
45. Any adjustment to the membership of Synod should take into account that as a result of its size the Synod is already a somewhat unwieldy beast, and as membership grows in number the difficulty increases for members to contribute and recognise the value of their membership.

## Current composition

46. The following table shows the makeup of Synod as at the first day of the 3<sup>rd</sup> ordinary session of the 51<sup>st</sup> Synod (14 October 2019)<sup>2</sup> –

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<sup>2</sup> [Part 6, Part 8A and Part 9](#) do not mandate the distribution between clergy and laity. The most recent actuals have been used in this table.

Synod membership	Lay	Clergy	Total
Parish Clergy (Part 4)		260	260
Parish Laypersons (Part 5)	497		497
Nominated Organisations (Part 6)	4	2	6
Nominated Clergy (Part 7)		25	25
Nominated Laypersons (Part 8)	25		25
Nominated Indigenous Representatives (Part 8A)	1		1
Other Members of Synod (Part 9)	5	7	12
<b>Total</b>	532	294	826
<b>Percentage</b>	64%	36%	

47. Approximately 50% of Sydney Anglicans attend the largest 60 parishes and the other 50% attend 210 parishes. However, all parishes (except provisional parishes) currently have the same representation at Synod (2 lay and 1 clergy). The effect of this membership structure is that both large and small parishes effectively have the same representation on Synod (more akin to the Australian Senate than the House of Representatives).
48. As at 31 August 2020, there are approximately 1,110 clergy in the Diocese with a licence from the Archbishop, including approximately 840 who are not incumbents and 300 over the age of 67.

## Conclusions

49. The matters outlined above lead to the conclusions laid out in the following paragraphs.
50. The current size of Synod is already large, and it would be unwise to significantly increase the size of the Synod.
51. Ex-officio membership of the Synod for clergy should continue to be limited to parish ministers who are incumbents only (rather than being extended to all clergy in paid ministry). Inviting all 'active' clergy to Synod would triple its size (from about 800 to about 2,500, assuming a corresponding 2 for 1 increase in laity). This would also have the impact of giving a proportionately greater voice to larger parishes (which have more licensed clergy). It would also include chaplains currently involved in non-parish ministry in the Synod. While the ministry of these chaplains is vitally important, this would undercut the principle outlined above, that the 'overwhelming majority' of Synod should be parish representatives.
52. Part 6 provides for Synod representation for CEOs of 'nominated organisations'. The *Synod Membership Ordinance 1995* currently limits this to seven diocesan organisations, as nominated by the Standing Committee. This measure allows the CEOs of the seven organisations to be present at the Synod. Not all organisations are represented, as the CEO representation is not a means to govern those organisations; but rather to allow those organisations to provide input into the decision-making of the Synod. The number of organisations represented may fluctuate over time depending on the will of the Synod and the number of Diocesan organisations in operation.
53. Historically the Principal of Moore Theological College was also included under Part 6 as one of the 'CEOs' of 'nominated organisations'. However, in 2016 the Synod specifically provided for the membership of the Principal of Moore Theological College under Part 9. This change was made to recognise the central place of the College in the Diocese as *the* theological College for training Ordinands for ministry as Presbyters in the Diocese and the critical role the Principal of Moore Theological College plays in the theological leadership of the Diocese.
54. The Archbishop has the discretion under Part 7 (within limits specified in the Ordinance) to call to Synod additional clergy who are not otherwise members of the Synod. It has been the practice of successive archbishops to exercise their prerogative under Part 7 to call to Synod a range of

assistant ministers and chaplains who bring a diversity of ministry experiences to the Synod chamber. This diversity includes long-term or senior assistants, women in ordained ministry, youth ministers, those engaged in ethnically diverse ministries, faculty members of Moore College, chaplains in schools and Anglicare chaplains.

55. The Standing Committee can make an equal number of appointments of lay people under Part 8. Standing Committee has historically used these appointments to ensure that the Synod has members with particular skills and experience, where these individuals have not been otherwise elected by a parish.
56. With regard to the Heads of Diocesan Schools, the Ordinance was amended in 2019 to allow for the appointment of up to three Heads under Part 8.
57. As the Committee has met over a period of two and a half years, it has gradually brought or otherwise supported, a number of proposals for change to the Synod, which are incorporated into this report. These include –
- (a) clarifying that Parochial Representatives and Nominated Laypersons continue to be members of the Synod until the day before the first day of the first ordinary session of the next Synod,
  - (b) changing the Part 7 calculation to '10% of the total number of Parochial Units' (rather than Parochial Ministers), and
  - (c) modifying the Dictionary of the *Synod Membership Ordinance 1995* to expand the definition of "Parochial Minister" to include an Acting Rector appointed to a parish during a vacancy.
58. Much work has been undertaken, and indeed advancement achieved, over the last decade in seeking to codify appropriate governance principles of not-for-profit organisations, including Christian not-for-profit organisations. These are being continuously reviewed and revised and therefore a definitive expression or summary is not included in this report. Nevertheless, the principles contained in the following documents are suggested as excellent reading for all members of Synod –
- Synod's *Governance Policy for Diocesan Organisations*,
  - the 'Guiding Principles' in the Christian Ministry Advancement's (CMA) *Essential Standards of Ministry Governance*,
  - the recommendations of the recent review of the *Australian Charities and Not-for-profits Commission (ACNC)* legislation regarding Basic Religious Charities, and
  - the *Not-for-Profit Governance Principles* as espoused by the *Australian Institute of Company Directors (AICD)*.

All Synod members should acquaint themselves with these documents.

59. However, the Synod is more than a governing body so general governance principles that apply to the secular world, or even to organisations accountable to the Synod, may not all have direct application, correlation or relevance to the Synod itself. The principles undergirding Synod membership need to be shaped by the fact that the Synod is a hybrid of a governance body and a unicameral legislative body. The Synod has a particular character borne of a range of factors, including theological, historical, legislative, as well as contemporary governance practices/policies. For that reason, Synod's own Governance Policy for Diocesan Organisations is designed for application to the Boards and Councils answerable to the Synod but, rightly, does not apply to the Synod itself, which is instead governed by its own ordinances.

For and on behalf of the Standing Committee.

DANIEL GLYNN  
**Diocesan Secretary**

6 April 2021