

Relinquishment of Holy Orders (Exclusion and Reinstatement) Ordinance 2011

Explanatory Report

1. Prior to 2005, the *Relinquishment of Holy Orders Ordinance 1994* was in force. The explanatory note for Synod in 2005 stated “to date the Relinquishment Ordinance has proved to be adequate, but there is merit in having national uniformity in this area”.
2. Synod therefore passed the *General Synod – Holy Orders, Relinquishment and Deposition Canon 2004 Adopting Ordinance 2005*. The 1994 Ordinance was not repealed but from the commencement of the 2005 Ordinance, a person could not give notice under clause 2 of the Relinquishment of Holy Orders Ordinance 1994.
3. The 2005 Ordinance has been shown to have unintended consequences. The Ordinance makes it difficult for voluntary relinquishment or deposition from Holy Orders by the Bishop with consent of the person. The reason is that the Ordinance states that “the Bishop must be satisfied that the person is not currently the subject of any information, complaint or charge in any diocese concerning his or her conduct or fitness to hold office”.
4. There are times when it abundantly clear that relinquishment is the appropriate course, for example where the person concerned has admitted the charges and the Bishop is satisfied that it is appropriate for the person to relinquish Holy Orders. To be able to do so would avoid the considerable cost and pain of proceeding to a diocesan tribunal.
5. The proposal is therefore to reinstate the *Relinquishment of Holy Orders Ordinance 1994* and exclude the *General Synod – Holy Orders Relinquishment and Deposition Canon 2004 Adopting Ordinance 2005*.

Recommendation

6. The Standing Committee recommends that the Synod pass the bill as an ordinance.

For and on behalf of the Standing Committee

DR PHILIP SELDEN
Registrar

22 August 2011