

Reforming parochial structure and administration

(A report from the Policy 4 Committee.)

Background

1. The Policy 4 Committee is comprised of Bishop Rob Forsyth (chair), Mr Michael Orpwood QC, Mr Mark Payne and Mr Robert Wicks. The Committee has responsibility for proposing initiatives to implement the fourth policy of the Mission Strategy, namely –

to reform the life of the Diocese (including its culture, ordinances, customs, gifts, resources and deployment of ministry) to encourage the fulfilment of the fundamental aim.

2. The fundamental aim is “to multiply Bible-based Christian fellowships and congregations, to both nurture their members and expand themselves both in the Diocese and in all the world”.

3. The Committee’s initial focus has been to reform the administrative structures under which churches and parishes operate to better enable and enhance the mission goal and policies.

4. The Committee considers that the existence of flexible ministry structures within the Diocese is critical to the multiplication of Bible-based Christian fellowships and congregations. Although the Committee considers there is already considerable flexibility in existing ministry structures, it has initiated certain reforms aimed at increasing this flexibility while at the same time preserving an appropriate degree of certainty as to the scope of these structures. These reforms are –

- The Parishes (Special Administration) Ordinance 2004. This provides for an alternative framework by which parishes can be administered as a whole by reference to their constituent congregations rather than by references to their church building or buildings. As at 1 August 2005, 16 parishes had adopted these special arrangements.
- The proposal being advanced at the forthcoming session of the Synod in the Associated Congregations (Amendment) Bill 2005. This would enable congregations who meet together for public worship in a building which is not licensed as a church to be associated with a church of a parish. This would in turn enable members of such congregations to be treated as parishioners of the church for vestry meeting and all other purposes. This reform is intended to assist those parishes which choose not to adopt the special arrangements referred to above but which are engaged

in the increasingly common practice of planting congregations in non-church buildings.

5. These reforms build on the “parishes without property” ministry structure established under the Recognised Churches Ordinance 2000. Although this ordinance has not been widely used, it has been significant insofar as it compelled a shift away from the concept of church as a building to church as a group of persons. The “group of persons” concept now lies at the heart of the Parishes (Special Administration) Ordinance 2004 and the Associated Congregations (Amendment) Bill 2005. The Recognised Churches Ordinance also compelled a shift away from the assessment of ministry structures based on property to an assessment based on the viability and effectiveness of ministry.

6. This report raises for the consideration of the Standing Committee and the Synod some further and perhaps more fundamental reforms to increase our capacity to multiply Bible-based Christian fellowships. These reforms primarily relate to the structure of ministry units in the Diocese, although a general “tidy-up” is also proposed in relation to the rules by which such units are administered.

Structure of ministry units

Existing structure

7. Under our present legislation and policy framework, the parochial unit is the fundamental unit by which ministry in the Diocese is organised and delivered. Parochial unit used in this sense comprises the collection of churches and/or congregations which, under the one pastor, is responsible for Anglican ministry usually within a geographic area.

8. Parochial units are currently divided into parishes and provisional parishes. Provisional parishes are further divided into those which have an on-going existence and those which are genuinely provisional having been created by the Archbishop for a defined period of time under clause 7 of the Parishes Ordinance 1979.

9. The legal distinction between parishes and provisional parishes is now limited to eligibility for the right of presentation and the number of Synod lay representatives. For the purposes of this report, it is noteworthy that ministers of parishes and provisional parishes have a form of “tenure” insofar as their licences are not able to be suspended or revoked except in accordance with clause 3(4) of the 1902 Constitutions.

10. Despite this lack of legal distinction the committee notes that there remains considerable symbolic significance in the distinction between parishes and provisional parishes as evidenced by the presentations given at Synod in connection with provisional parishes being granted full parish status.

11. To the framework of parishes and provisional parishes can be added recognised churches. Recognised churches opened the possibility of Anglican congregations exercising a “parochial” ministry without the need to necessarily have responsibility for a particular geographic area in the Diocese or to hold real property. Recognised churches have the status of a full parish in terms of the right of presentation and Synod membership. There is no provisional equivalent for recognised churches.

A proposed structure

12. The committee proposes that the Parishes Ordinance 1979 and the Recognised Churches Ordinance 2000 be rewritten in order to put in place a system of ministry classification along the following lines.

Parishes

13. Firstly, the committee suggests that the existing parish and recognised church categories should be unified into a single “parish” category. The unified category of parish would encompass all ministries which are able to meet the costs of its minister and other financial obligations out of its non-property receipts. This would, in essence, be a continuation of the “local revenues” test that is currently applied under the Parishes Ordinance and the Presentation and Exchange Ordinance 1988.

14. If a unified parish category including recognised churches were adopted, the criteria for recognising/creating and maintaining such parishes would therefore not include a requirement that the parish hold any real property. However the holding of property would not be precluded and indeed may be necessary if the administration of the parish continued to be based on its church buildings rather than its congregations.

15. Further, the committee envisages that parishes should be able to exist without necessarily being assigned an “ecclesiastical district” if there is good reason not to assign such a district (see for example the factors set out in clause 12A(2) of the Recognised Churches Ordinance 2002). However in order to ensure full geographic “mission” coverage of the Diocese, the committee considers that the default position would be that parishes are assigned an ecclesiastical district.

16. Under this proposal, a parish would continue to be eligible to exercise a right of presentation and would continue to be entitled to 2 Synod lay representatives. Importantly, its minister would also continue to have “tenure” in the form currently available to ministers of both parishes and provisional parishes.

Provisional parishes

17. A second category would be those ministries which are not entirely able to support their minister out of their own resources. The committee proposes retaining the description “provisional parish” for this category of unit however the category would only encompass existing provisional parishes which are not able to so support their minister. The committee proposes that provisional parishes continue to be ineligible to exercise a right of presentation and continue to be entitled to one Synod lay representative.

18. Importantly, the committee also proposes that the tenure of the minister of such provisional parishes be subject to review after a fixed period. The purpose of the review would be to encourage new directions and strategies in ministry. Such review would be undertaken by a suitable body and, if appropriate, the minister’s tenure renewed, and so on. The committee believes there may be some merit in such review in order to help provisional parishes move to full maturity and also to assist ministers in achieving this end.

19. If tenure for ministers in provisional parishes were to be subject to review after a fixed period, there would need to be some more effective way in which ministers, if they needed to move, could do so either into new challenges or possibly even in some cases into a new career.

20. The committee is also aware of the need to balance the potential benefit of such a review process with the potential danger of discouraging clergy taking on challenging ministries because of the existence of this process.

Experimental ministries

21. The committee proposes a third and entirely new category (the “experimental ministry”). The present structure of ministry allows considerable flexibility for the planting of all kinds of congregations and churches. However sometimes there is a need to establish a fresh expression of church outside the parish context. At present this is very difficult to do.

22. The committee proposes that the regional council be given authority to establish experimental ministries. These would be ministries which generally are not (or will not) be viable to begin with but which are growing or are likely to grow in the near future. The minister responsible for an experimental ministry would have no tenure. The committee envisages that an experimental ministry would be dependent to a significant extent on the relevant regional council underwriting the basic costs of such a ministry until such time as the ministry could either be classified as a parish or provisional parish or the ministry is discontinued and possibly something else is tried.

23. There are a number of examples of ministries beginning at the moment, like the Peninsula Community Church at Pymont and other church plants in the Western Region, which would benefit from the ability to be recognised as an Anglican body of this experimental nature. The committee considers that there needs to be a more deliberate legal underpinning of such ventures.

24. The administrative arrangements for such experimental ministries would be determined by the regional council, possibly in accordance with broad guidelines. The committee considers that it would be undesirable for the full administrative machinery of ordinances such as the Church Administration Ordinance 1990 and Church Grounds and Buildings Ordinance 1990 to apply to such ministries.

25. Clearly such experimental ministries would have no right of presentation and probably no right of Synod representation.

Administration of ministry units

26. The Church Administration Ordinance 1990 has been amended on many occasions, often in a piecemeal way. Anecdotally, there also appears to be an increasing divergence between what the ordinance says and what actually happens in practice. Further, in the longer term, the reforms referred to in paragraph 4 above are best integrated into a redrafted ordinance rather than grafted onto the existing ordinance.

27. In view of these matters, the committee considers that a review and redraft of the Church Administration Ordinance 1990 (and related ordinances) would be timely.

28. In undertaking such a review, the committee would be seeking to achieve an appropriate degree of flexibility in terms of how parochial ministry can be administered. In particular it would be the committee's intention to accommodate models of administration based on either church buildings or the parish as a whole (through its congregations) under any redrafted ordinance.

Conclusion

29. In response to the committee's recommendations, the Standing Committee has received this report and –

- (a) approved its printing for the forthcoming session of the Synod, and
- (b) agreed to a motion in the following terms being moved at the Synod "by request of the Standing Committee" –

"Synod, noting the Policy 4 report about reforming parochial structure and administration –

- (a) gives its in-principle support for the proposals outlined in the report, and
- (b) requests that the Standing Committee bring to the next session of the Synod an ordinance or ordinances which would give effect to these proposals.”

For and on behalf of the committee

BISHOP ROB FORSYTH
Chairman

17 August 2005