

## GENERAL SYNOD

### THE SIXTY-THIRD REPORT OF THE STANDING ORDERS COMMITTEE

The Standing Orders Committee has considered miscellaneous points of Synodical procedure and proposes some amendments.

1. The Standing Orders Committee (“the Committee”) presents its 63<sup>rd</sup> report to Synod.
2. The Committee’s membership is as follows—

#### Appointed members

The Revd Canon Joyce Jones (Chair) (Leeds)  
 Mr Geoffrey Tattersall KC (Manchester)  
 Mr Clive Scowen (London)  
 The Revd Treena Larkin (Lichfield)  
 The Revd Susan Lucas (Chelmsford)  
 Mrs Karen Czapiewski (Gloucester)

#### Ex officio members

The Ven Luke Miller (Prolocutor of the Lower House of the Convocation of Canterbury)  
 The Revd Kate Wharton (Prolocutor of the Lower House of the Convocation of York)  
 Canon Dr Jamie Harrison (Chair of the House of Laity)  
 Canon Alison Coulter (Vice-Chair of the House of Laity).

### **Miscellaneous points of procedure**

#### **Sessional arrangements (SO 1)**

3. The Committee was asked to consider amending SO 1 by including a new provision which would treat either of the Presidents as being “abroad” if he is prevented by “unavailability for any reason” from giving a joint consent or direction in urgent circumstances. If one Archbishop were absent during a group of sessions “for any reason”, that absence would therefore be automatically regarded as an absence “abroad” for the purposes of the SOs.

4. The Committee is advised that this proposal is ultra vires. It would seek to use the SOs (which are made under the Constitution) to expand the scope of Article 13 of the Constitution to include further grounds for the sole exercise of a joint Presidential function. Under Article 4 of the Constitution, the Archbishops “*shall be joint Presidents of the General Synod*”. The Presidency is therefore, by its nature, a joint responsibility. Article 13 acknowledges that by providing limited exceptions to allow the sole exercise of a joint function—

*“Any functions exercisable under this Constitution by the Archbishops of Canterbury and York, whether described as such or as Presidents of the General Synod, may, during the absence abroad or incapacity through illness of one Archbishop or a vacancy in one of the Sees, be exercised by the other Archbishop alone.”*

5. Expanding the meaning of “absence” under the SOs would require an amendment to the Constitution which, as primary legislation, can be amended only by Measure.

6. The Committee favours an amendment to the Constitution, whenever a suitable legislative opportunity next arises, to ensure that joint functions of the Presidents under the Constitution and Standing Orders could be exercised by one archbishop acting alone if the other archbishop were unable to act for any reason. Accordingly, the Committee proposes to refer the matter to the Legislative Reform Committee for consideration.

### **The Closure (SO 31) and Next Business (SO 33)**

7. The Committee was asked to consider amending each of SOs 31 and 33 to provide that a motion for the Closure or for Next Business could be moved only if at least one person supporting the item under consideration and at least one person opposing it had each had an opportunity to speak on it.

8. On the Closure, the Committee agrees with the proposal. It felt that where, for example, the only speech on an item so far is that of the proposer, it would be good practice to afford an opportunity for at least one speech against the item before a vote on the Closure is held. **Amendment 1 in the Annex would give effect to this proposal.**

9. On Next Business, however, the Committee does not support the proposed amendment. It considers that the proposal would in that case present practical difficulties and take up time unnecessarily. The Committee notes also that there are occasions when a member might wish to move Next Business before a debate has begun.

### **Adjournment of debate (SO 34)**

10. The Committee was asked to consider amending SO 34 to enable any member, where a debate is interrupted by an adjournment, to propose a time for the resumption of the debate. If the Synod were to agree to that proposal, the Business Committee would have power to vary the time proposed in order to assist the conduct of Synod business.

11. While recognising the attraction of added flexibility, the Committee, having assessed the implications of this proposal, takes the view that it would add unnecessary complexity and prove confusing and difficult to operate in practice. For example, competing amendments on when to resume the debate could result in prolonged debates about debates (and, in effect, satellite proceedings). Equally, it would be arbitrary to take only the first proposal to amend a motion for the Adjournment. On that basis, the Committee favours leaving SO 34 as it is.

### **Procedure on voting (SO 38)**

12. The Committee was asked to consider amending SO 38 to provide that, if the Chair does not direct that the bell is to be rung before a counted vote (whether of the whole House or by Houses), 25 members should have the opportunity to indicate their wish that it be rung.

13. The Committee does not support this proposal for amendment because it would add significant time while removing part of the Chair's discretion. Instead, the Committee suggests that the guidance for Chairs could usefully say more about the appropriate use of the bell. The Committee also notes that it is for individual members to ensure that they are present in the hall for votes on issues they consider important.

**Petitions (SO 43)**

14. The Chair of the Committee has received a number of requests for the repeal of SO 43 in order to abolish petitions. Confusion continues about the purpose of petitions and the process for their presentation has proved unsatisfactory for both the mover and the Synod in general. On that basis it is argued that Synod should have an opportunity to decide whether to get rid of petitions altogether. Against that, though, the Committee notes that only last year the Synod voted for some relatively minor adjustments to the procedure. It considers that those adjustments should have time to take effect and it will therefore keep this matter under review for the next couple of groups of sessions.

**Motion predicated on mistaken advice**

15. At the November 2023 group of sessions, Mrs. Rebecca Cowburn (Ely) asked the Chair of the Committee the following question—

*“Has the Committee considered whether there should be a procedure in place to address any case where a motion passed by Synod is subsequently found to have been predicated on legal advice that was, inadvertently, incorrect, unreliable, or subsequently withdrawn or revised; if so, what was its conclusion; if not, will it now do so?”*

16. The Chair’s written answer stated that the Committee had not considered the question but would do so at its next meeting. Having now done so, the Committee takes the view that a new procedure of general application would add unnecessary complexity and that there is already sufficient provision in SO 25 on motions proposing action contrary to decisions made.

**Joyce Jones**

Chair

January 2024

ANNEX

AMENDMENT PROPOSED TO THE STANDING ORDERS

**Standing Order 31 (the Closure)**

1. In Standing Order 31, after paragraph (1) insert—

“(1A) The motion may not be moved unless there has been an opportunity for at least one speech to be made against the item on which the motion would be moved.”

***Explanatory statement:*** *this amendment would provide that, where the only speeches on an item have been in support, the motion for the Closure on that item may not be moved until the Chair has given an opportunity for there to be a speech against the item.*