

– “*serving the people and their parishes*” –

PARSON AND PARISH

is published by

THE ENGLISH CLERGY ASSOCIATION

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The Clergy Association has the following aims, revised in 1992:–

The English Clergy Association, as the successor to the Parochial Clergy Association, exists to support in fellowship all Clerks in Holy Orders in their Vocation and Ministry within the Church of England as by law Established; to uphold the Parson's Freehold within the traditional understanding of the Church's life and witness; to oppose unnecessary bureaucracy in the Church; to monitor legislative and other processes of change; and to promote in every available way the good of English Parish and Cathedral Life and the welfare of the Clergy.

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— “*serving the people and their parishes*” —

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FROM OVER THE PARAPET

Editorial

McClellan – and Adultery Allegations in Angus

All seems to have gone quiet on the McClellan front, and progress of the Review of the Clergy Terms of Service. Readers will remember the predicted call of Professor David McClellan's review group for the freehold to be abolished and for ownership of parsonage house, church and churchyard to be vested in the Diocesan Board of Finance. Not surprisingly, these property issues evoked strong opposition, and at the November 2005 sessions of the General Synod, the newly elected members learned of a revised suggestion that church and churchyard remain with the incumbent, but that the parsonage vest in the Diocesan Parsonages Board. This proposal for the parsonage only succeeded by a vote of 187 to 168.

Rightly, many parishioners and their clergy are suspicious of another attempt to strip away parish responsibility and to centralise property in the diocesan portfolio. Moreover, at least one diocese is considering merging all its statutory bodies into one centralised, all-powerful, bishop's council, so whether a parsonage is technically vested in one diocesan board, rather than another, will cut little ice in popular perceptions of asset-stripping.

McClellan may now have a further difficulty, as his group reflects further on the employment status of ministers, capability procedures, and security of tenure. All because one Miss Helen Percy, an associate minister of the Church of Scotland found herself, in June 1997, the subject of allegations about an affair with a married elder in her parish in Angus. The truth, or otherwise, of these allegations is not our concern. What is our concern is that this case went all the way to the House of Lords in December 2005, and the judgment is likely to send significant ripples into the area of the employment status of the clergy.

The case of Miss Percy arose out of her claim of sex discrimination – that male ministers caught in similar circumstances had not found themselves on the receiving end of a formal disciplinary charge. The case did not concern unfair dismissal, where a narrower definition of employment (a contract of service) is used, but the Law Lords held that she did, nonetheless, have a *contract for services*, bringing her within the meaning of employment under the Sex Discrimination Act 1975. The fact that a cleric's "employer" may be difficult to locate and may involve disparate elements involved in his or her appointment, authorisation and payment – parish, bishop, diocese, and so forth – should not, they said, prejudice someone from seeking employment rights.

The Percy case, of course, cannot be made to work overtime. We need to acknowledge that the terms and conditions of an assistant minister in the Scottish presbyterian church – which referred, for example, to her expenses, her pulpit duties, her hours of work at a prison and her “salary” – are not the same as the freehold office of a beneficed priest in the Church of England, an office which continues to exist, in abeyance, even at a vacancy. Nonetheless, the opinions of the House of Lords in this instance make it quite clear that the freedom and independence of the minister as he or she fulfils that calling, the difficulties in identifying the “employer”, and the modest amount of the stipend, do not remove a person from the definition of “work”. In a word, the case represents a greater willingness by the courts to accept that it is perfectly possible to be both at the same time an ecclesiastical office holder *and* an employee. It could also help pave the way for a claim for a very expensive case of constructive dismissal by clerics forced out of the Church of England, should provisions for “traditionalists” – upon the advent of women bishops – prove to be inadequate for them (those reviewing the Guildford proposals on “Transferred Episcopal Arrangements” please take note). It will be interesting to see what shape the McClean legislative proposals finally take.

The Importance of Being Single

Miss Percy was described in the leading opinion of the House (Lord Nicholls of Birkenhead) as being “single”. Maybe he was being “PC”. Or maybe he had got wind of Circular GRO 16A/2005 issued by the General Register Office to all clergy of the Church of England and the Church in Wales last November. It is all about changes to the marriage registers following the introduction of civil partnerships. Because being in a civil partnership is now a legal impediment to marriage then “civil partnership status as well as marital status,” clergy were told, now needs to be included in the marital “condition” column of marriage registers.

Accordingly, the Registration of Marriages Regulations 1986 have been amended so that it is now a requirement of the civil law of our land that the terms “Bachelor” and “Spinster” must no longer be used and, instead, clergy are required to write “Single” (or “widow”, or “surviving civil partner,” and so forth, as the case may be). We cannot find out who spoke for the Church of England and Church in Wales in any consultations resulting in this change, and some, quite uncharitably, are suggesting that there was no consultation at all.

By a simple amendment to Regulations laid before the Chancellor of the Exchequer – and what does he, with respect, know about registering marriages? – the world has again changed. No longer will the dignified and

time-honoured phrases “Bachelor” or “Spinster of this parish” grace the culture of English and Welsh life. They are now consigned, in our age of all-controlling over-regulation, to the dustbin of history, and clerks in Holy Orders now complete the registers in their care under the surveillance of the language police.

Yet we are not simply lamenting the loss of another little bit of life. There is something else at work here. After all, the rationale is flawed. Whatever our views on civil partnerships, we accept that being in one represents a legal impediment to marriage. But then, being within the prohibited degrees of affinity or of consanguinity is also an impediment to marriage, and clergy are not required to include reference to this, or any other impediment, on the register. Enquiry is made of these matters at the time of application in the beginning. The “condition” column could simply be changed to “Any known or alleged, and substantiated, impediments” and the clerk would simply write “None”. That would cover everything. But the State wants the clergy to do more than this. Because the word “Single” now means, effectively in law, “Neither already married nor in a civil partnership” and they are wanting clerks to use this term to describe a person’s *marital condition* to promote the idea that civil partnerships are equivalent to marriage.

There is already a head of steam building up over this, amongst canon lawyers, one or two diocesan bishops, and some clergy have already declared that they will not work it. The Council of this Association is profoundly ill at ease with this latest Government diktat which arguably conflicts with the canonical teaching of the Church. Those at the organisational centre of the Church of England are trying, it seems, to downplay it, and a letter from the Archbishop of Canterbury’s Faculty Office was sent to all diocesan registrars in February, saying

“It may be necessary to explain to clergy that they must comply with these Regulations, that they are made by the Registrar General under the powers contained in the Marriage Act and that they do not conflict with either the teaching of the Church or ecclesiastical law.”

We disagree. There is a conflict. Whatever status a civil partnership has it is certainly not marriage, as maintained by the Church of England (“expressed and maintained in the Form of Solemnization of Matrimony contained in the Book of Common Prayer” – *Canon B30.2*). Again, a civil partnership is *not* part of a person’s *marital condition*. We deplore the lack of consultation, or lament the naivety of any who did purport to speak for the clergy of our land – those custodians of parochial registers, whose independence and support for the people of our parishes this Association exists to serve.

Suspensions and the Smell of Simony

But it gets worse. Manifestly illegal suspensions, without just cause, continue to abound. Details of the latest to reach the editorial desk, relate to a diocese in the northern province. Bishop Simon Magus (not his real name) is seeking to impose a further period of suspension on a benefice where the right of presentation has been suspended for the past five years. The parish has several thousand souls, the ever-increasing quota is paid in full, and, as far as the present priest-in-charge and PCC are aware, there exist no proposals for pastoral reorganisation. We are told that the bishop, through his archdeacon, has indicated that he will be prepared to lift the suspension if the parish can undertake that it will meet the projected quota increases over the next few years. It is worth bearing in mind the words of one of our leading church lawyers, Mark Hill, Chancellor of the diocese of Chichester, who reassures us in his definitive work, *Ecclesiastical Law*, that

“the payment of the quota is probably not a legally enforceable obligation, since it lacks the qualities of a binding contract. Indeed, the levying of the quota which is in the nature of a quasi-tax may be unlawful, since it is not done under the authority of Parliament...”

That the hierarchy of a diocese in our land is considering a possible continued suspension on the basis of whether a priest and PCC may or may not be able to give an undertaking to pay, in future years, a totally voluntary contribution, which may itself be unlawful, appears to set a new line in the sand, indicating, sadly, that there are almost no depths to which the guardians of the faith in these desperate days may sink.

This “I’ll lift, if you pay” approach suggests that we should look again at the criminal offence of simony which still remains on our statute books. For what it is this but, in effect, an attempted trafficking in spiritual things, indirectly encouraging a cleric to “buy”, through the PCC with whom he shares control of the quota, an ecclesiastical benefice? Simony attracts a fine not exceeding £100 on summary conviction, and accepting a benefice through such corruption can mean becoming disabled from holding it.

Or just worn out...

Earlier this year the Bishop of Hulme, the Rt Rev’d Stephen Lowe, drew attention to some clergy working an 80-hour week, and warned of the dangers of overwork, “burn-out” and strains to marriage and family. “We just can’t go on like this,” said the Bishop, alluding to the increasing parish demands on the clergy. One parish priest picked up the baton in the *Daily Telegraph* letters’ column, suggesting that among the demands upon

clergy were also those imposed from within the Church itself: down-sized parsonages, poor stipends, ministerial reviews, diocesan control-freakery, and the prospect of abolishing the freehold and introducing intrusive capability procedures. The correspondent continued:

“What is remarkable is that, in the face of such a systematic dismantling of the clergy’s historic security and relative independence, many of us continue to live out our calling with such good humour in the parishes we serve.”

Amen to that! And Amen to the *Telegraph*’s own comment that greater support “through lay readers and the local Christian community as a whole” must be part of the remedy, rather than by limiting clergy hours to 48 per week in accordance with the European working time directive.

The work of reader ministry, and indeed of the “retired” clergy, will feature significantly in the future of the Church of England, and we are pleased to feature articles on both these subjects in this issue.

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(Chairman of the Committee: Jonathan Redvers Harris)

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While the magazine seeks to uphold the aims of the English Clergy Association, the views of the contributors are, of course, entirely their own, and do not necessarily represent those of the Association, its Editorial Committee, its Council, or its members in general.

LET THE READER UNDERSTAND

Gloria Helson looks at Reader ministry today and attempts some crystal ball-gazing for the future.

The way things were

Although some have claimed that Jesus gave us the pattern for Reader ministry when he read and expounded the Scriptures in the synagogue, we do know that, under the Latin name “lectors”, Readers read the Epistle and were a minor order first recorded around AD 200 and which disappeared at the Reformation. They were brought back by Archbishop Matthew Parker, the first one being licensed in 1559 and certainly a number of Puritan congregations appointed a Reader to preach the Gospel.

What is a Reader?

Under Canon Law (Canon E4), Readers are the only lay ministers licensed to preach and teach. They take Services of the Word and if they have successfully attended a special training course, they can officiate at funerals with the permission of the bereaved family. They can administer the sacraments, take Home Communion and with a Bishop’s specific permission take a Service of Communion by Extension.

They are able to minister as lay theologians among the laity in a way which supplements the work of the clergy and so their work has been defined as a bridge ministry between the Church and the world.

Currently there are over ten thousand active Readers. They come from all walks of life. They are, of course, randomly distributed and because traditionally the only opportunity to exercise a lay ministry has been to be a Reader, we Readers are a mixed bunch, and some clergy find us a mixed blessing! However the advantage of having articulate, theologically trained lay people acting as a bridge between Church and society is surely indisputable.

Organisation and Training

The National Committee is the Central Readers Council (CRC) which is located in Church House, London. The chair is always occupied by a bishop appointed by the Archbishop of Canterbury and at present the Bishop of Carlisle, the Right Revd Graham Dow chairs the CRC. The Readers’ delegates elect the Committee quinquennially at their AGM and from 2000 until 2005 I was the elected to take the vice-chair.

Apart from its national oversight, CRC organises Conferences and has sub-committees. The Selwyn Committee organises the longest running Summer School in the country at Selwyn College Cambridge. The Editorial Committee

is responsible for the production of *The Reader*. Edited by Clare Amos, this high-quality quarterly magazine is read by Readers and clergy alike. There is also a recently formed Web-Site Committee.

Reader Training

Readers are trained for three years to nationally moderated criteria and standards. Each diocesan Bishop appoints a Warden, a Secretary, a Moderator, a Reader Training Officer and a Continuing Ministerial Education (CME) provider.

In the Diocese of Truro, Readers in each deanery elect a Deanery Readers' Steward (DRS) who arranges meetings, dates for CME and exercises a pastoral concern. DRSs meet twice a year with the elected Diocesan Readers Committee to report and discuss.

Most dioceses have an annual Readers Day in the Cathedral at which Readers are admitted and licensed by the Bishop and those over seventy who have been supported by their Incumbent and PCC are given their three-yearly Permission to Officiate.

An increasing number of dioceses are training Readers and ordinands together for the first two years, which covers basic theological training. Readers then have a more parish-based training which lasts for another year.

While the terms of reference of the recent Hind report on theological training advocated that Regional Training Partnerships should develop and share guidelines for good practice and co-operation in Reader training, there was concern that Reader ministry and training must be part of diocesan and regional thinking and not be sidelined as they are in some dioceses.

Reader Moderation and Inspection

The four-yearly moderation of Reader training schemes focuses on the delivery standards of training across the dioceses. The procedures are currently set out in *Reader Moderation and Training – 2000 and Beyond*.

In addition to these processes, most ordination training and some Reader training is validated by a Higher Education institution or a part of a university provision. As a result they are subject to HE validation and other quality control systems. This "double validation" is a common feature of vocational training programmes in the UK.

Reader moderation is carried out within regional groups of dioceses which each appoints a Moderator. Teams of moderators then carry out the moderation of the various dioceses within that region. The work is

organised and supervised by the National Moderator for Reader Training and the Ministry Division's Reader Training Panel.

The approach of the Hind Report was to set ordination training in terms of the needs of wider learning and training needs of the churches. It encourages shared training between different groups of learners, lay people, Reader trainees, ordinands, where possible within an ecumenical context with a view to simplification if possible.

Reader Moderation 2000 and Beyond recommends that each diocese should have a Readers' CME officer and draw up a policy for Readers' CME which ascertains Readers' needs and makes appropriate provision to meet them.

The Future

The Cray Report showed that there has been a paradigm shift in our changing world. People are mobile and don't necessarily relate to the community in which they live. Modern society has been described as being like the Internet for there is no centre and people make connections in all directions.

In this individualistic multi-choice world there is neither overall direction nor centre, and consumerism is the key to our society. We shop for identity and relate to others who consume the same way. We shop for our "lifestyle choice" and we even shop for truth —because we "buy into a belief" or choose our own pick-and-mix world view. But the "choose your own lifestyle" of materialism has nothing to offer those who cannot afford it, nothing to offer those who are not fit and beautiful or who have little or no choice. Indeed the media brands them as losers.

So we Christians are called to bring the Gospel to this society where many have no God, no ultimate meaning in their lives, and subconsciously feel deprived and frustrated so that society becomes more violent and aggressive.

Against this background there are questions for the future. Parish-based thinking will not be engaging with the people who belong to interest groups now, rather than neighbourhoods. How will this be tackled? If society is now functioning like the internet and people identify with interest groups rather than their geographic neighbourhood, how can the parish churches link with them? What kind of contact will be needed? How will this affect the Readers' preaching role?

There has been a proliferation of lay ministries. Because of the autonomy of diocesan bishops, this is happening piecemeal and there are obvious questions to be asked about this.

Firstly the titles of these ministries. Currently there is a fashion for everyone to be called a “minister”. Consequently we have Lay Ministers (LMs), Licensed Lay Ministers (LLMs), and Local Licensed Lay Ministers (LLLMs). In one parish a “minister” may be someone who has been trained in two-hour sessions over six weeks to visit the housebound. In others a parish Minister is someone who is part of a Team Ministry and who oversees the whole pastoral outreach of a Benefice.

There are Local Worship Leaders. This may simply mean someone who leads intercessions or reads a lesson in church. However, in hard-pressed benefices they may take the whole service in spite of having no theological training and no training in preaching. On the other hand, there is pressure being put on Readers to apply for ordination so that they can “do the Communion” and so keep the services going.

Readers welcome other ministries but are concerned about the confusion and possible lowering of standards that may result. Some sort of national agreement on titles and standards of training would be helpful for people who have to move across dioceses.

At the last General Synod, Nigel Holmes, who chairs the Readers’ Editorial Committee, introduced a motion which has resulted in a committee being set up to look into volunteer ministry. £15,000 from the Archbishop’s Council has been allocated for this.

So the present is certainly not comfortable, and the future is unclear—but we undoubtedly live in interesting times.

There is no doubt that God is shaking the foundations and so with the masonry falling around our ears we all must watch and pray.

We can be comforted by the story of Peter on that roof top in Joppa. He had finished his midday prayers and was dozing waiting for lunch when he fell into a trance and heard God telling him kill and eat prohibited food. How could God contradict himself? Peter, confused and baffled, could not see the way ahead nor believe that God was speaking to him. But, God had gone before him and prepared the way ahead for the inclusion of the Gentiles into the Church.

This is what gives us certain hope — God is in control. It is his world and he is working out his plan of salvation.

Mrs Gloria Helson has been involved with the work of the Central Readers Council for some fifteen years, the last five as Vice-Chairman. She was also Warden of Readers for the Diocese of Truro.

EXPERIENCING THE AFTERLIFE

*Bishop Frank Sargeant on retired clergy and the
Retired Clergy Association*

Evidence of Satisfaction

On the evidence of a recent survey of the members of the Retired Clergy Association, to which half the members out of a total of 3,500 replied, the retired clergy are in good heart generally. The vast majority are living with a spouse or family; only one in seven is living alone, with one in thirty in residential accommodation. Comparatively few retire to the inner cities; otherwise the distribution is even throughout the country with a slight bias to the older university cities. More than half of the respondents have been retired for less than ten years, indicating that they have decided to take retirement as early as convenient and because it is now possible to do so.

Three quarters indicate that the priestly duties of presiding at the Eucharist, preaching and the opportunity of relating to a worshipping community and to exercise pastoral care, are most important to them and, interestingly enough, participation in synodical government at all levels and supplementing income are considered to be the least important, but these latter matters will be mentioned later.

Retirement provides the opportunities to learn new skills. The mastering of computer skills outstrips the rest with art and music, DIY and community activities high on the list. Available time is spent on family, and domestic interests - travel, learning a foreign language, further academic study, and writing - play important roles. For members entering fee-paying courses the RCA has a bursary scheme for granting modest but welcomed grants after applications have been considered carefully. It is obvious that retired clergy do not spend all their time on ecclesiastical matters and that they appreciate being able to make personal choices in a fulfilling life-style. There are, however, others who regard themselves as unwanted, lacking in pastoral care and a threat to their parish priest. A major issue is that of those who retire to another diocese and experience a sense of isolation.

As far as service to the Church is concerned many feel themselves to be appreciated and some are relaxed as to whether they are used or just left alone. Some devote themselves to specialist charitable work for which they take initiatives whilst others put their energies into secular societies. Maintaining and developing their spirituality with the freedom to do so is both a challenge and a priority.

The RCA

The value of the RCA is seen as a medium of fellowship and as the acknowledged point of reference for the retired clergy of the Church. There are over forty branches which cater for social contact, shared worship and discussions of common interest. The content of the meetings varies from branch to branch from theological and ethical exploration to personal experiences in retirement ministry. Some branches issue their own newssheet. The work of the Association is undertaken locally by the chairman and secretaries of the branches. They negotiate with their diocesan authorities with the issues raised by their members and maintain the fellowship with the meetings and outings. Most diocesan bishops hold a central Eucharist and host a meal for the retired clergy and clergy widows annually.

The RCA Council

Centrally the RCA is governed by the Council. The members of Council representing a cluster of dioceses are crucial to the good running of the RCA. They act as ambassadors to their respective dioceses, making contacts with bishops, diocesan secretaries, and in particular with the retirement officers. They give a report of their activities or any particular difficulties from their areas so that, if necessary, they can be raised centrally as a matter of principle rather than pursuing individual cases, which are the responsibility of the retirement officers. The Council members work hard on behalf of their retired clergy giving of their own free-time voluntarily, and in the face of declining energy levels.

The Association enjoys the hospitality of both Archbishops annually with a service at Lambeth Palace and at Bishopthorpe with a reception. The AGM is held on alternate years in the respective palaces at which the President of the Association, the Bishop of Edmundsbury and Ipswich, takes the chair.

Keeping in touch

The central RCA keeps in touch with its members by a mailing issued three times a year by which members are informed of matters of mutual concern and interest. This is a major call on the energies of the secretary and on the finances but considered to be vital. The RCA has been fortunate recently to publish theological papers by Bishops John Taylor and John Austin Baker and Dean David Edwards, and Easter Reflections by Canon Eric James and Bishop Michael Baughen.

Generally speaking, the RCA functions on good relations with the various

central authorities as it is recognised as the corporate body to be consulted on relevant matters for General Synod reports and measures. Hence we were consulted by The Bridge Commission on Synodical Representation, on the Clergy Discipline Measure and the Consultation on Parochial Fees and Other Related Matters. Archdeacon David Rogers attended the Revision Committee of the Bridge Commission, and I was able to put matters of concern to the Deployment, Remuneration, and Conditions of Service Committee (DRCS for short) of the Board for Ministry. The fees issue is a bone of contention with some retired clergy. Those who hog crematoria fees do the RCA little good (see note below).

About half the diocesan bishops pay the £25 life membership fee as a farewell gift to their retiring clergy. The Pensions Board kindly includes a RCA leaflet with its literature, and the interest of the Association is monitored in General Synod by a member of each of the three houses. It would have been helpful in keeping in touch to have been given direct representation on General Synod but now it is up to the retired clergy in deaneries to see that what synodical process available to them is taken up. By this means it is now technically possible for a retired clergyman or woman holding a permission to officiate to be elected as a diocesan proctor on to General Synod. However, most retired clergy seem to welcome an invitation to chapter meetings but the right to grant it appears to lie with the individual Rural/Area Dean as there is no statutory provision (the specification for calling a chapter meeting is given in their licence).

As it was

The RCA and the provision for the retirement of the clergy have come a long way since it was founded in 1927 by the Reverend Spencer Woodward with the blessing of the Bishop of Coventry. Bearing in mind that the first Clergy Pensions Measure passed in 1926 was contributory with benefits based on length of service and making provision only for those under the age of 55, one of the major aims was to work for the provision of viable pensions, the establishment of a residential college for retired clergy, as well as to create a bond of fellowship and to further their interests. One of the latter was to regularise the status of clergy by the requesting a licence under seal from the diocesan bishop, but this is not possible. This particular issue has been around for nearly 90 years but the major problems of retirement housing and pensions have been addressed by the Pensions Board thankfully.

Code of Good Practice

Much of the work of the RCA is achieved by gentle persuasion. It is not a Trades Union and will not call out its members on strike to make its

presence felt. There are a lot of retired clergy! One initiative is to develop a Code of Good Practice in the use and care of all retired clergy and not just the members. One model has been produced by the diocese of Manchester to put a more structured and transparent system of pastoral care in place, identifying the responsibilities of various diocesan officers. Amongst the interesting proposals are that clergy should be encouraged to take a long term view of retirement; that a directory of the talents and interests of retired clergy should be maintained so that their wisdom and experience can be used in mentoring serving clergy; that a member should be appointed to act as a visitor in each deanery to act as a link with the deanery on the one hand and the retirement officer on the other. It is proposed that the revised provision for synodical representation for the retired clergy should be honoured and that in all cases the appropriate fees and expenses should be paid.

If I have a complaint it is that often, having been consulted, there is no feedback. Retired clergy are also presented with decisions which affect them without any consultation whatsoever at all levels in the Church. It is realised that retired clergy, like the rest of the population, are living longer and are expensive to maintain, but the “Does he take sugar?” attitude is not the best expression of pastoral care.

This article is a mundane one. There are excellent discourses on “Towards a Theology of Priesthood in Retirement” and “That’s not all” published by the St Boniface Trust, which affirms that the life-long nature of priesthood needs to be recognised and affirmed, based on a theological consideration of what is the essence of priesthood. It is recommended reading.

Bishop Frank Sargeant is Chairman of the Retired Clergy Association. All enquiries about the RCA should be addressed to the Secretary/Treasurer on whom the burden of administration rests: John Sansom, Kiggon Cottage, St Clement, Truro, Cornwall TR1 1TE.

Note

At the DRCS Committee of the Board for Ministry I pointed out the discrepancies in the scale of fees in different dioceses for casual duty, the lack of consultation on the two-thirds fees paid for weddings and funerals in church, and the matter of crematoria and cemetery fees. The replies I received were that individual dioceses have the authority to fix their own scale of fees. The matter of the legal direction of crematoria and cemetery fees is being addressed; at least one diocese acknowledges that the position is not legally safe at the moment. However, it must be remembered that the incumbent is entitled to the crematoria and cemetery fees for such services

for his parishioners. It was pointed out that fees constitute 8.5% of the total Stipends Fund and so are needed, and that 38.8% of the Church's stipend bill is expended on pensions.

The DRCS committee expressed an interest in the systematic use of clergy in retirement where they are needed rather than their own need to be needed. The strategic direction of retired clergy would be welcome, but would curtail individual freedom. It seems to me that this would sharpen the minds of diocesan pastoral committees in matters of reorganisation and the suspension of livings.

The Committee was also of the view that retired clergy should be accountable and have a regular assessment of their ministry, participating in diocesan schemes of in-service training. They must be cleared for child protection, as most of us have been, without question.

Editor's note – The Council of the English Clergy Association remains of the view, expressed in issue No.155, AD2000, that the destination of fees from funerals conducted by retired clergy at crematoria or cemeteries does not properly fall with the jurisdiction of the diocesan bishop. Where an assistant member of staff is taking such a funeral, then the fee goes to the incumbent as part of benefice income, but not when a retired cleric is conducting the service. While we do not agree with those who “hog” such fees, we do not see on what basis retired clergy can be made to part with them.

ARCHIVES – PARSON AND PARISH

Lambeth Palace Library is a magnificent resource for records of the Church of England, its life and history, and of the Anglican Communion. Like the Libraries of Record, it holds a set of Parson & Parish – but not a complete set. The Library has: (Place of publication varies)

National Clergy Association, variously called Parochial Clergy Association and revived in 1992 as the English Clergy Association.

Library has the following nos.: 3, 1942; 5, 1944; 7, 1948; Mar 1950; 12-94, Oct 1951-Apr 1972; 98, Apr 1973; 114-116, Jan-Dec 1980; 119, Jun 1982; 121-127, Jun 1983-Jun 1986; 129-131, Jun 1987-Jun 1988; 135-139, Jun 1990-Sum 1992; 142, Spr 1994+

Library also has: Special Issue, Aug 1970.

All others are lacking.

Members and readers who may have (spare) copies of the missing editions are earnestly requested to consider donating same to the Library.

IN ALL THINGS LAWFUL AND HONEST

Alex Quibbler, Parson & Parish's legal agony uncle, responds to some recent questions arising in parish life

QUESTION: I'm the PCC Secretary, and our parish is just at the beginning of a vacancy after our Vicar was instituted to another post some weeks ago. We're feeling a bit vulnerable because our Deanery – both its pastoral committee and synod – has decided that our parish should be suspended. As far as I can find out, this is because there's a plan that we might become part of a group ministry and there are also some proposed boundary changes. The archdeacon is coming to a meeting of our PCC and the rural dean is saying that it's a "section 11 meeting", but this has left me somewhat confused because I haven't received any notice of the vacancy from the diocese yet. Is this because we're about to be suspended? The churchwardens and I seem to be up against a wall of silence, just left in abeyance, and we can't get much sense or help out of the diocesan registrar. In fact, when I telephoned the office, the registrar's secretary told me that the four week period, within which we apparently have to organise this section 11 meeting, starts from the date of the vacancy, and that time has now nearly run out. Please, we're in bit of a panic, with no one to help us – even our patron is the bishop himself and the diocese seems to clam up and close ranks – and I just wondered if you had any advice?

Ah, another example of shameful practice, on a number of levels, and sadly not the first time I've heard a story like this. It seems to me that there are three things here to disentangle: the procedure at the start of a vacancy; the rightness or otherwise of the archdeacon's attending a PCC; and the possible suspension.

First, the vacancy notice and section 11 meeting. The Patronage (Benefices) Measure 1986 provides that the diocesan bishop, where he is aware that a benefice is shortly to become vacant by reason of resignation or cession (that's the term for what's happened to your former Vicar when instituted to another living), is to give what he considers reasonable notice to the diocese's "designated officer" (eg. the diocesan secretary). The Code of Practice accompanying this Measure tells us that this notice would be expected normally before the vacancy actually takes effect, so there shouldn't have been any need for delay at that point. As soon as practicable, according to the Measure, after he had received this notice from the bishop, the designated officer should have sent you, as PCC secretary, a notice of the vacancy. This notice alone is what activates the meeting of the PCC needed under section 11 of this Measure —to which you refer. This is the meeting at which a statement of the needs of the parish is prepared,

the parish representatives appointed, and so forth. Without the vacancy notice you can't have a section 11 meeting; it's a meeting convened by you, and with the usual notice (at least ten days, and then at least seven days beforehand the agenda to the members).

Secondly, the archdeacon's attendance. Except for the power of an archdeacon to convene, and chair, an extraordinary meeting of the PCC under Rule 23 of the Church Representation Rules (at the request, "with sufficient cause", of a third of the lay members of the PCC or a tenth of the electoral roll), the archdeacon has no right to attend any PCC meetings. He, or she, may be invited, like anyone else, but should not, of course, take the chair. Were the meeting to which you refer a genuine section 11 meeting then he ought not to be present, because he could be seen to be representing the patron of the benefice. The 1986 Measure specifically rules out his attending if he were a member of the PCC, which indicates that his presence if a non-member would still be improper, and the Code of Practice takes the line that no representative of the presenting patron may attend (para.43). This, of course, is important, because the discussion and decisions about properly parish matters should not in any way be influenced by someone who is involved in the process of patronage or appointment of a new priest.

Thirdly, the possible suspension. The reasons you suggest for a suspension of the right of presentation are not, in my view, sufficient, and the Code of Recommended Practice which accompanies the Pastoral Measure 1983 (the legislation containing the power to suspend) recommends that this power should "be confined to benefices where pastoral reorganisation is under consideration or in progress." (para 9.22). In any event, it's not for the deanery synod, or its pastoral committee, to "decide" on suspension. The deanery pastoral committee may recommend it, and the synod ratify it, but the decision is made by the diocesan bishop, with the consent of the diocesan pastoral committee, and after statutory consultation, not least with you – the PCC. This is all set out in the Pastoral Measure, which says that when consulting with you, the bishop must inform you "of the reasons why he is consulting whether he should exercise the power", and the Code comments that "the bishop should not have made up his mind before carrying out these statutory consultations" (para 9.22); his letter to you should say that the matter is open, and that your views will be properly taken into account when he comes to his decision. In a word, "consultation" should be open and genuine.

I'm sorry to have replied so lengthily, but your circumstances posed a number of points, and I hope that this is useful. Any further difficulties, and we might consider "naming and shaming" the diocese in question!

QUESTION: I don't know if this is really a legal question, Alex, but we've arranged with our local parish priest to have our baby christened in a few weeks' time. We'd chosen, and asked, people to be godparents before we booked up the baptism, and now, in notes given to us by our Vicar with the application form, we are told that all the godparents must be baptised. To my horror, I have now just discovered, in the course of a conversation, that someone we've asked to be a godfather isn't actually baptised. When I phoned the Vicar, he said that this is the law of the Church of England, not just some local policy, and that really they should also be confirmed as well, but he had, he said, the power to dispense with that. Apparently the parents do not, ultimately, have to be baptised themselves, but with the godparents it is an absolutely non-negotiable qualification. Is this really right? Is there any way round this? It's so embarrassing – I can't now go back to the godfather and tell him that he can't now do it. Help!

Prepare yourself for a shock. Your Vicar is perfectly correct. And this is happening a lot these days, with the pool of those baptised becoming smaller and smaller. There is absolutely no way that this person you have in mind – who may well be a splendid and spiritual figure, and in many ways perhaps more “Christian” even than many of the baptised – can be a godfather without himself being baptised. Your Vicar isn't just hiding behind the canon law of the Church, though, because the reason for this requirement is that being baptised is the only externally verifiable (we could check registers if necessary) distinguishing mark of being a Christian, and the godparents are, in effect, the believing mouthpieces of the whole Church when they speak for the child. It is because of the faith of the Church – throughout all ages and throughout the world – that we baptise those unable to answer for themselves, and that faith is focused at the baptism in the godparents.

However, I understand your predicament! I can only suggest two ways out, if it really is very important to you that the person you've chosen is to be among the godparents —one is drastic, and the other involves a slight economy with the truth, justified, perhaps, for pastoral reasons. The drastic strategy is to be utterly frank with the would-be godfather, explain your embarrassment, and see whether he would be prepared to be baptised. You can't, of course, simply be baptised in order to become a godparent – that's not what the sacraments of the Church are for – but perhaps the prospect of becoming a godfather has stirred his soul. If this were the case then he could see his own parish priest with a view to a course of instruction leading to baptism, which would also involve confirmation, either at the same time or very shortly thereafter (church law requires a priest to give at least a week's notice of an adult baptism to the bishop, and that such a person should be confirmed as soon as possible after his baptism). This,

I have to say, would probably involve you in putting off the baptism of your child for some time, for no sensible priest is going to start preparing for baptism and confirmation an adult who, effectively, has walked off the streets and who will need to engage with the worshipping life of the Church before embarking on the rites of Christian initiation.

The less drastic action is simply to let your friend stand alongside the godparents on the day and join in with their promises, even though his name will not, of course, appear in the baptism register (your Vicar will complete this in the vestry after the event —not in front of the people). I am thinking here of the provision in the Roman Catholic Church which allows people of other Christian traditions to be “witnesses” to a baptism, standing with the godparents (or “sponsors”, as I think they are called), and even having their names in the register as witnesses. Such witnesses, in the Roman Church must, in fact, be baptised (and the godparents confirmed), but it does reflect a kind of “two tier” sponsorship. If the Church of England is less scrupulous about godparents’ qualification, allowing the requirement for confirmation to be dispensed with, then perhaps we could see an unbaptised person, keen to play a part in the young person’s spiritual development, as a sort of “witness”. It’s not ideal, but it may represent a way out.

QUESTION: I, an incumbent, have been taking weddings for years. A bridal couple from my parish, who lived here until nearly two years ago, have now moved away and bought a house, setting up home in a town some miles away. Although the couple don’t worship here, both their sets of parents still live in my parish. Shortly after they moved away, the couple arranged to get married in my church here. As has been my practice for some years now, following the experience of other clergy, I have asked one of the bridal couple to come back to stay in their parental home here for the period during which the banns are to be called. However, because they do now live elsewhere, I have asked them to arrange for their banns to be called in their new parish too. The incumbent there hasn’t taken too kindly to this idea, is questioning the whole basis of their being married in my parish, and, in a word, has said that he will, of course, read the banns for his parish, but the publication and certificate of banns won’t make any reference to my parish and therefore will not, he says, be a sound basis for going ahead. In fact, he’s advising that a special licence based on previous connection with my parish would be a better way to proceed. Do you have any thoughts on this?

Yes I do. You have, I fear, been somewhat led astray — by the sloppy, yet also strangely legalistic, practice of your fellow clergy. I have to admit that the law relating to residence requirements for marriage is not the

most straightforward. Nonetheless it is not a complete grey area. In sum, for banns of marriage the priest should look - in a commonsense way - to the circumstances of residence at the point of application for banns (but not two or three years ago, if the wedding was booked up absurdly early, as the 1949 Marriage Act wasn't contemplating this). What you should be looking for are some signs of permanent residence. If, for example, one of the parties were a student, returning to the parental home (still with "their room" and so forth) in the vacations, or perhaps even someone starting work but living a nomadic life in a variety of rented addresses, but still regularly returning "home", then using the parental address for banns would, in my view, be fine. But in your case the bridal couple have set up home together, in the regrettable modern way, have left their parents' homes and have established residence elsewhere. They can't, in short, have it both ways. Whether a party is physically present during the reading of banns is actually irrelevant; he or she could be away on a course, or on a holiday. The 15-day "residence" (three Sundays and the intervening days) which you seem to be encouraging - assuming that the banns are being read on three successive Sundays (not required, unless aboard a ship) - is, in fact, the common licence requirement! You'll need to reflect carefully on this. You cannot now make the other incumbent read the banns on the basis of this rather legalistic fiction of residence, and if you do read the banns in your parish on this basis then you are, in my view, sailing close to the wind in terms of breaching ecclesiastical law. (I would, though, be surprised if your diocese started disciplinary proceedings against you, and, in any event, this irregularity concerning residence will not invalidate the marriage.) At the end of the day I am inclined to agree with the suggestion that you get the bridal couple to apply for an Archbishop of Canterbury's special licence. This, however, may require something of a climbdown on your part, and possibly inroads into a discretionary fund to meet the additional special licence fee (less, of course, the banns element).

Readers are invited to continue sending in their questions about parish law and practice to the Quibbler in forthcoming issues of the magazine. All names and addresses are, of course, withheld. Whilst every effort is made by Alex to ensure the accuracy of his responses, advice should be taken before action is implemented or refrained from in specific cases.

BOOK NOTICE

Our Chairman whets our appetite for a new book which could point towards a thriving church

The Road to Growth by the Ven. Bob Jackson,
Archdeacon of Walsall. Foreword by the Bishop of London
Church House Publishing 250pp. paperback £12.99

A stunning book like this is worthy of real notice. Bob Jackson's ministry was in Sheffield and Scarborough before his coming into the diocese of Lichfield. So he brings real northern experience to what on the page facing the title page the Bishop of Guildford calls *actual research* (his italics). "He challenges many parochial and diocesan sacred cows – including the Parish Share".... This book ought to be debated at every Bishop's Staff Meeting and in every Deanery".

Here then are no bland opinions. As they say, *he tells it how it is*. The facts which emerge in his sharp analysis of the reasons for the decline of the Church of England are startling to see in print – from an archdeacon – even if they are not unlike what some of us in our deeply prejudiced way have been saying for years. Now we have the facts.

Sacred cows are slaughtered by this book sufficient to whet the appetite of those who felt they knew the Church of England had taken yet another wrong turning. To take two examples —the age at which clergy are ordained; and the length of interregna. Of the first, we are told:

that the ageing of the clergy through the ageing of the ordinands has not come about primarily through the drying up of the supply of young adults. It has been the result of a deliberate change in policy or ethos. From sometime in the 1970s, the idea developed that it was better for potential ordinands to have had some experience of 'the real world' before training for the ministry. Young candidates were told to go away and come back in a few years' time. Some did, others found another career and responsibilities, and never did. The green young curate doing the youth work gradually became a species almost extinct. That there are still significant numbers of young people and young adults prepared to offer themselves for full-time ministry in the Church of England is proven by the rise of the Centre for Youth Ministry in several of the colleges. Once again, in the last four or five years, they have attracted people in their late teens and early twenties, the difference being that the professional ministry for which they are training does not involve ordination. The policy of the Church of England's Ministry Division is, again, to encourage young ordinands, but, in the absence of active recruitment policies and of role models, very few come forward of their own volition.

Having spent the last few years looking into the anatomy and causes of the decline of the Church of England, it seems clear to me that this deliberate change in culture to exclude the young from ordination is the gravest self-inflicted wound of all. The fields are still white ready to harvest – families and teenagers clearly respond readily to churches offering appropriate leadership, relationships, values and culture – but the labourers in the 25-45 generation are too few to reap the harvest.

The Archdeacon goes on:

If the exclusion of young ordinands has been the deepest self-inflicted wound from the late twentieth century, the deepest new wounds today are being made by the lengthening of vacancies between incumbencies. This problem is so acute that in some dioceses it looks as though most or all of the net attendance loss is happening in parishes that are vacant. This is a self-inflicted wound for two reasons: one is the culture of taking things slowly when a vacancy is about to arise, the other is the deliberate policy brought in by some dioceses in recent years of extending vacancies ‘in order to save money’.

There is no objective reason why the process of finding a replacement should not start the moment a vicar announces her or his resignation. This is the normal procedure in other walks of life. But the culture of the Church persuades us it is normal to wait until the previous incumbent has left. Similarly, it is sensible to keep reducing the number of posts nationally in line with the falling number of stipendiary clergy. But reluctance to grasp nettles means there are too many posts chasing too few clergy. Less desirable posts in the North and Midlands can take years to attract even a single candidate. The policy of extending vacancies to save money is another example of a change brought about without any consideration of the evidence either a priori or post. Research was not undertaken to discover what the experience of churches with long vacancies in the recent past had been, and monitoring had not normally been undertaken to ascertain the impact of the long vacancies dictated by the new policy. A tight financial corner, a brave speech and reassuring anecdote have sometimes been considered sufficient justification for assuming the damage caused by long vacancies will be small.

All I can add is, “Buy it and read it! You have nothing to lose but your chains – and, as we knew at heart, they turn out to have been fatally flawed in the forge – beaten on an anvil that is cracked.

J.W.M.

CHAIRPIECE

John Masding looks ahead to College Days

A Collegiate Church was a not uncommon feature of Church of England ministry in parishes before the Victorian passion for tidying things up. Today we diversify again. To rectors and vicars we have added priests-in-charge, and team ministries, house-for-duty posts, various kinds of self-supporting clergy incomprehensibly called NSMs or similar; and, sadly, simple but increasingly long vacancies where sequestrators often struggle to find Sunday and other help from cathedral and diocesan clergy, neighbouring assistant curates – and retired clerks in Holy Orders.

A parish without its own incumbent or priest-in-charge, or team vicar or house-for-duty clergyman, may have a resident assistant curate left over, as it were, from the last ministry. But often the churchwardens and PCC, with its vice-chairman, will feel bereft of regular pastoral and legal care, however much they enjoy the preaching and encouragement of Sunday's visiting clergy. "We like the variety, but....." – well, the work of the parish is limited – and there's not much continuity.

The shortage of clergy looks like worsening. Pensions are becoming a burden, as General Synod was told in no uncertain terms. The retiring age is "too low". Some clergy would carry on the more gladly if they did not have to carry on alone.

So then: why should not a vacant or to-be-vacant parish petition to be under the care of a new animal, a *College of Clergy*? This could comprise part-time clergy, house-for-duty and other retired clergy, self-supporting clergy, sector ministers and so on. The appointments could lie jointly and co-operatively in the hands of the patron(s) and the Bishop, with the clergy appropriately licensed or given permission to officiate. They could elect a *Provost* (now that that title is conveniently spare) like Beverly Minster of old, without enhanced style or grand status, who would be admitted and installed by the Bishop or his commissary to an office which was not a freehold, of course, or even relatively secure unless the appointee was licensed, and was merely held during pleasure; but such a Provost would chair the PCC under the arrangements recently put in permissive place by Measure, and would share the cure of souls with the College. The clergy would have to meet as a Chapter and make decisions by consensus or even by majority of it came to that. If the other clergy wanted something to be known as, then the most straightforward term for people to understand would be to call each member a *College Vicar*. Like "Team Vicar", the term would be shortened in popular parlance to Vicar, but so what? A bride on her wedding day would feel she knew where she was. The Provost would be *Vicar-President*, and a presiding clerk if not licensed as Provost would be called just that.

In this way a vacant parish would either be confident in expecting an appointment to be made, or secure in realistically accepting that no appointment comparable to the last minister's could be made. The suspension of presentation could be amicably agreed, and instead of a single priest-in-charge the parish given into the cure of its own, albeit rather ad hoc, College of Clergy.

The Church would be "getting real", as they say, about posts it can't ordinarily fill in future: a parish would be rescued from limbo – given some sense of care and continuity.

Not so bad for the retired and other clergy, either – a bit of certainty all round.

J.W.M.

NOTICE

AGM Monday 15th May AD2006

by kind permission of the Rector and Churchwardens

in St.Giles-in-the-Fields, London WC1

AGM at 12.30pm

Holy Communion at 1pm,

followed by a buffet lunch and the

Annual Address at 2pm by

The Most Hon. The Marquess of Salisbury

As in recent years, this event is also aimed to function as a conference for the members of the Patrons Consultative Group

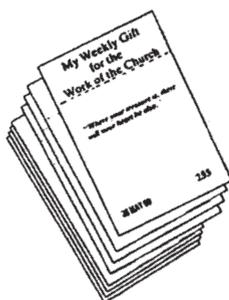
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www.clergyassoc.co.uk

contains details of the Association's news and events, our work among churchwardens and patrons, our charitable help to clergy through holiday grants, and the latest *Parson & Parish*.

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