

## **BASIC INFORMATION FOR POTENTIAL NEW MEMBERS**

### **NAME OF COUNCIL OR COMMITTEE:**

Judicial Commission

### **BRIEF SUMMARY OF AREA OF WORK:**

The Judicial Commission has delegated powers from the General Assembly to hear appeals in cases of discipline involving ministers, deacons and graduate candidates for the ministry and also elders, readers and office-bearers. The Commission also hears appeals in cases where the pastoral tie between minister and congregation has been dissolved under the legislation on congregations in an unsatisfactory state.

### **LED BY TWO CONVENERS AND TWO VICE-CONVENERS:**

Conveners: Richard McFarlane and Morag Ross

Vice-Conveners: Very Rev Bill Hewitt and Rev Colin Renwick

Secretary: The Principal Clerk

**NUMBER OF MEMBERS:** A pool of 25 ministers, elders and deacons.

### **FREQUENCY, TIMING AND VENUE OF MEETINGS:**

When required 13 persons, seven of whom shall be ministers or deacons and six of whom shall be elders, selected at random from the pool shall comprise the Commission, along with the Convener and Vice-Convener, and will hear appeals. Meetings will normally be held at 121 George Street, Edinburgh.

### **DETAILS OF SUB-COMMITTEES, TASK GROUPS ETC:**

None

### **EXPECTATIONS OF MEMBERS:**

Willingness to read papers and listen to arguments; a capacity for weighing issues and making judgements.

### **GENERAL SKILLS/EXPERIENCE SOUGHT:**

An understanding of the concept of natural justice together with a willingness to become acquainted with the detail of Act I 1988 (Congregations in an Unsatisfactory State), Act III 2001 (Discipline of Ministry), Act IV 2007 (Protection against Bullying), Act V 2007 (Protection against Discrimination) and Act I 2010 (Discipline of Elders, Readers and Office Bearers) is essential. Members with judicial, adjudicatory or other legal experience are particularly sought. In addition there is a need for people to have a wide understanding of the Church and its ministry and familiarity with the practice and procedure of the Church.

*Note: If the Discipline Overture, which is currently undergoing Barrier Act procedure, is approved by a majority of Presbyteries and passed at the General Assembly of 2019, the new Discipline Act will provide for a new procedure for discipline cases, taking the place of the four existing Acts on discipline. However the Judicial Commission will still exist and will still be the body which hears appeals on matters of discipline. In addition the new Discipline Act, if enacted, will create the "Judicial Panel", a pool from which people shall be appointed to serve various judicial roles in the discipline process, and so additional nominations are welcome from people interested in performing such roles. Further information on this can be obtained on request from the Principal Clerk's office.*